AUBURN CITY COUNCIL

35-37 Rawson Street and 4A-6 Dartbrook Road, Auburn

INFORMATION REPORT FOR JRPP DA-341/2014

SUMMARY

Applicant	D.R Design (Nsw) P/L
Owner	Mr M Ozturk and Mrs K Ozturk and Mr H Oztopcu and Mrs M Oztopcu and Mrs S Basagac and Est Late C Basagac
Application No.	DA-341/2014
Description of Land	Lot 1 DP 214652, Lot 2 DP 933385, Lot 2 DP 214652, Lot 3 DP 933385, 35-37 Rawson Street and 4A-6 Dartbrook Road, Auburn
Proposed Development	Construction of part 7 and part 10 storey mixed use building containing 85 residential apartments and 1 retail premises over 2 levels of basement parking including drainage and landscaping works.
Site Area	1862.4sqm
Zoning	**Zone B4 - Mixed Use**
Disclosure of political donations and gifts	Nil disclosure
Issues	Height Public Submissions

Recommendation

That Development Application No. DA-341/2014 for the construction of part 7 and part 10 storey mixed use building containing 85 residential apartments and 1 retail premises over 2 levels of basement parking including drainage and landscaping works on land at 35-37 Rawson Street and 4A-6 Dartbrook Road, Auburn be recommended for a deferred commencement approval to address issues relating to building height and vehicular manoeuvrability.

DC1. <u>Design changes – Building height</u>

The height of the building measured from the natural ground level to the highest point of the development including any plant and lift overruns shall not exceed a maximum 32 metres across the site.

In this regard,

a) The Residential component of Level 9, as depicted on DRWG No. 207, Revision D, prepared by D.R. Design (NSW) P/L and dated 27/03/2015 is to be deleted.

b) The Communal Open Space B as depicted on DRWG No. 207, Revision D, prepared by D.R. Design (NSW) P/L and dated 27/03/2015 is to be retained. No part of the structures associated with the Communal Open Space B is to exceed 32 metres when measures from natural ground level.

c) The roof of the development, as depicted on DRWG No. 208, Revision C, prepared by D.R. Design (NSW) P/L and dated 27/03/2015 is to be

maintained in design with no part exceeding above 32 metres when measures from natural ground level.

d) Amended plans showing a reduced height level shall be submitted to Council to demonstrate compliance with the height provisions under the Auburn Local Environmental Plan 2010.

e) In addition, an amended BASIX certificate shall be submitted to accompany the amended plans.

f) Amended details on parking allocations shall also be submitted to facilitate the amendments.

DC2. <u>Design Changes – Ground Level</u>

Amended architectural plans and other related documentation shall be submitted to comply with the following:

a) The ground level podium shall be lowered to be lower than the finished floor levels of the units (RL 19.30) to eliminate ramps.

b) Commercial tenancy floor level shall be lowered appropriately and the access door shall be relocated to a boundary line level 100mm higher than the adjacent kerb level.

c) The driveway ramp to the basement and to the service bay shall be redesigned to the satisfaction of Council.

d) Minimum 4.0 metres head room to the service bay and to the travel path shall be provided.

e) All structures at ground level including driveway, ramp, basement shall be setback at least 1.0 metres from the northern side boundary.

f) The land dedication line of 0.5 metres shall be shown on the plan.

DC3. <u>Design Changes – Parking/Loading</u>

Amended architectural plans and other related documentation shall be submitted to comply with the following:

a) Proposed driveway interferes with the existing street signs. The sign shall be relocated to in accordance with Council's requirements at no cost to Council.

b) Visitor and residential car parking spaces shall be reallocated to comply with the ADCP 2010.

c) Accessible parking spaces shall comply with Australian Standard AS2890.6. In this regard minimum 1.2m wide opening to circulation aisle shall be provided in the shared zone for parking spaces 9 and 59.

d) Retail parking spaces 1, 2 and 3 cannot be used while loading area is used. In this regard retail parking spaces 1, 2, and 3 shall be redesigned accordingly.

e) Turning area shall be provided at the blind aisle in accordance with Australian standard AS2890.1 requirements.

f) Proposed automatic gate interferes with the truck turning path. In this regard gate shall be modified.

g) Retail tenancy floor level shall be minimum 100mm above the top of kerb.

h) Minimum 2.2m headroom shall be provided under the under the proposed OSD tank.

i) Proposed head room is not adequate in loading area B. Minimum 4.0m headroom shall be provided for delivery truck access in the loading and manoeuvring areas.

DC4. <u>Stormwater Drainage</u>

Amended stormwater plans shall be submitted to comply with the amended architectural plans and Council's requirements to the satisfaction of Council. In this regard,

a) Minimum 900mm headroom shall be provided within the OSD tank.

b) Driveway shall be clear of service pits and minimum 1.2 m from the existing stormwater pit lintels. In this regard, a standard kerb inlet pit shall be constructed south of proposed driveway and existing pit shall be modified as grated inlet pit without the lintel.

c) Proposed headroom under the OSD tank is not adequate. Minimum 2.2m headroom shall be provided within the basement parking and circulation aisle areas. Headroom shall take in to account all the service lines under the ground floor slab.

d) All access grates to the detention facility shall be double (2/900x450) hinged grates.

e) Detailed on-site detention calculation sheets and Council's submission checklist shall be submitted.

History/Consultations

- The subject development application DA-341/2014 was lodged on 3 October 2014. Following a detailed assessment of the proposal a number of issues were identified regarding compliance with the State Environmental Planning Policy No. 65 and associated Residential Flat Design Code; Auburn Local Environmental Plan and Auburn Development Control Plan.

- A public meeting was held on 27 November 2014 to discuss the proposal and it was attended by 17 people. Details of the public meeting are discussed in the submission section as part of this report.

- Issues that were identified included privacy, internal amenity, stormwater, parking and some SEPP 65, ALEP 2010 and Local Centres DCP non compliances. Following the assessment, the applicant was notified in writing by letter dated 20 January 2015. The

letter also included a copy of the minutes and issues raised as part of the public meeting which was forwarded to the applicant to address.

- Further consultation was made with the applicant 4 March 2015 and revised documentation was received by Council officers on 30 March 2015. This resulted in a secondary notification period was held between 21 April 2015 to 5 May 2015.

Site and Locality Description

The subject site is legally known as Lot 1 & 2 DP 214652, Lot 2 DP 933385 and Lot 3 DP 113926, 35-37 Rawson Street and 4A-6 Dartbrook Road, Auburn. The site covers an area of approximately 1,862.4sqm. The site has three frontages to Rawson Street, Dartbrook Road and Holliday Lane. The site has a natural slope generally from west to east from RL 20.89 to RL 18.60.

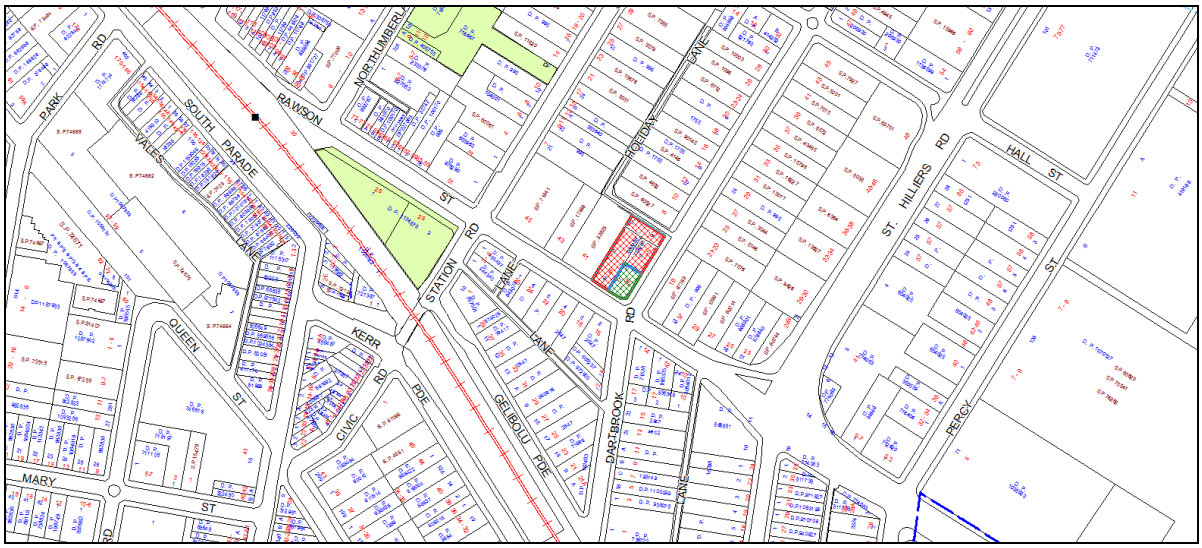
Existing development on the site consists of 4 residential dwellings and detached garages with vehicular access via Rawson Street and Dartbrook Road. The site is fronted by a nature strip and concrete footpath. There is one small tree to Dartbrook Road Which does not contribute significantly to the visual setting of the site or the landscape character of the area.

The site is situated within the Auburn Town Centre on a prominent corner of Rawson Street and Dartbrook Road at the eastern side of the Auburn Town Centre. The site takes up the entire depth of the block, so it also accessible via the service lane at the rear of the site (Holliday Lane).

The site is bounded on the north by Holiday Lane, on the east by Dartbrook Road, on the south by Rawson Street and on the west by No 43 Rawson Street, an aged three storey brick apartment building.

The area is under transition and includes a mix of building typology including 1-2 storey detached houses, 3-7 storeys flat development and mixed use developments. The site is approximately 300 metres from the Auburn Railway Station.

The site is identified on the map below:



Description of Proposed Development

Council has received a development application for Construction of part 7, part 9 and part 10 storey mixed use building containing 85 residential apartments and 1 retail premises over 2 levels of basement parking including drainage and landscaping works.

The development comprises the following:

- Part 7, part 9 and part 10 storey residential flat building measuring 35.8m in height *(This will also be revised down to Part 7 and Part 9 storeys as a result of the deletion of level 9 as required as part of deferred commencement condition to achieve a height of 32m)*;
- A total of 85 residential units divided into 10 x 1 bedroom units; 75 x 2 bedroom units; including 9 adaptable units (*This will be revised down to 80 apartments divided into 9 x 1 bedroom units; 71 x 2 bedroom units; including 9 adaptable units as a result of the deletion of level 9 as required as part of deferred commencement condition to comply with height*);
- All residential units are designed around two lift cores known as Core A and Core B;
- 1 commercial tenancy occupying 112sqm
- 2 levels of basement car parking for 102 vehicles, including 9 adaptable spaces.
- Separate access to garbage rooms and associated loading areas.

The detailed breakdown of the development is provided below:

Basement level 2
- 52 car parking spaces including 5 disabled spaces and 6 bicycle spaces
- Storage areas
- Plant rooms
- Associated lifts and stairs

Basement level 1
- 50 parking spaces including 4 disabled spaces and 6 bicycle spaces
- Storage areas
- Plant rooms
- Associated lifts and stairs

Ground floor
- 4 residential units including 4 adaptable units
- 1 retail tenancy (112sqm)
- 2 Residential lobby entrances
- 1 separate commercial entry
- 3 parking spaces
- Basement parking access
- 2 Garbage rooms
- 2 Loading Areas
- Garbage area access
- Fire control room
- Booster valve room
- Awning over footpath
- Associated stairs and lifts

First floor:- 10 residential units including 1 adaptable unit
Second floor:- 10 residential units including 1 adaptable unit
Third floor:- 10 residential units including 1 adaptable unit
Fourth floor:- 10 residential units including 1 adaptable unit
Fifth floor:- 10 residential units including 1 adaptable unit

Sixth floor:- 10 residential units including 1 adaptable unit
Seventh floor:- 8 residential units including 1 adaptable unit
Eighth floor:- 8 residential units including 1 adaptable unit
Ninth floor:- 5 residential units including 1 adaptable unit including communal open space for Core B (172sqm) – *Floor to be removed as recommendation of deferred commencement*
Roof:- Communal open space for Core A (249sqm)

It is noted that the applicant initially proposed an offer to enter into a Voluntary Planning Agreement for the construction and dedication of laneway, which was rejected by Council and subsequently withdrawn by the applicant.

Referrals

Internal Referrals

Development Engineer

The development application was referred to Council's Development Engineer for comment who has raised no objections to the proposed development subject to the following;

Amended architectural plans and other related documentation shall be submitted to comply with the following:

- **The ground level podium shall be lowered to be lower than the finished floor levels of the units (RL 19.30) to eliminate ramps.**
- **Commercial tenancy floor level shall be lowered appropriately and the access door shall be relocated to a boundary line level 100mm higher than the adjacent kerb level.**
- **The driveway ramp to the basement and to the service bay shall be redesigned to the satisfaction of Council.**
- **Minimum 4.0 metres head room to the service bay and to the travel path shall be provided.**
- **All structures at ground level including driveway, ramp, basement shall be setback at least 1.0 metres from the northern side boundary.**
- **The land dedication line of 0.5 metres shall be shown on the plan.**
- **Amended stormwater plans shall be submitted to comply with the amended architectural plans and Council's requirements to the satisfaction of Council.**
- **Design Changes to Parking/Manoeuvrability.**

Planners Comment: The recommendations of the Development Engineer are noted and will be incorporated within a deferred commencement condition.

Environment and Health

Councils Environmental Health Officer has found the supporting documentation sufficient to facilitate a mixed use development and raise no objections to the development subject to the implementation of conditions of consent and undertaking works/procedures as recommended within the supporting professional reports.

In addition to the standard conditions imposed on any development of this nature, the Environmental Health Officer recommends the following;

1. **Compliance with Submitted Acoustic Report -** All noise control measures specified in the Acoustic assessment report prepared by Renzo Tonin and Associates Dated 12 March 2015, Revision 4 (ref: TG924-01F02 (r4)) 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.

2. **Acoustic Certification -** Within three months of the premises being occupied, an acoustic report prepared by a suitably qualified person, is to be submitted to the consent authority demonstrating that the noise emitted from the premises complies with the criteria contain in the Acoustic assessment report prepared by Renzo Tonin and Associates Dated 12 March 2015, Revision 4 (ref: TG924-01F02 (r4)). Where the criteria are not meet the acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria.

3. **Future use of commercial tenancies –** mechanical ventilation systems are to be designed to be capable of accommodating exhaust requirements for all ground floor commercial units in accordance with relevant Australian Standards in order to allow for the event that any of the commercial units are approved for future use as food premises or other uses that require mechanical ventilation.

4. **Ventilation of the basement car park** - The basement car park shall be naturally or mechanically ventilated. The ventilation system shall comply with the requirements of the Building Code of Australia and relevant standards including AS1668.1 – 1998 The Use of Ventilation and Air conditioning in Buildings Part 1: Fire and Smoke Control in Multi Compartment Buildings and/or AS 1668.2-2002; The Use of ventilation and Air conditioning in Buildings Part 2: Ventilation Design for Indoor Air Contaminant Control.

   The system shall be certified by a suitably qualified and experienced engineer at the completion of installation prior to the issue of an Occupation Certificate. A copy of the certificate shall be provided to the Principal Certifying Authority (PCA). A copy shall also be provided to Council if Council is not the Principal Certifying Authority.

   Any mechanical ventilation provided to the basement car park shall not create an offensive odour emission nor shall it create an offensive noise and shall comply with the requirements of the Protection of Environment Operations Act and all subsequent relevant Regulations

Planners Comment: The recommendations of the Health and Environment unit are noted and will be incorporated within the consent if granted.

External Referrals

NSW Police

In accordance with Section 8.0 of the Policy on Crime Prevention Through Environmental Design, the development application is to be referred to NSW Police for comment. A referral was sent to NSW Police on 20 November 2014.

NSW Police responded on 25 November 2014 advising that they had no objection to the proposal, subject to the imposition of conditions related to crime, safety and security.

Roads and Maritime Services

In accordance with Clause 104 and Schedule 3 of the State Environmental Planning Policy (Infrastructure) 2007, Roads and Maritime Services (RMS) were to be consulted on the basis of Traffic Generating Development. On 20 November 2014, Council forwarded a referral package to RMS. On 11 December 2014, Council officers received a response from RMS, providing comments on the proposal.

It was noted that the development site was affected by a road proposal which had not been considered within the design of the subject building and it was requested that the building be modified so as to ensure new buildings or structures are erected clear of the land required for the road (being unlimited in height or depth).

This information was forwarded to the applicant for comment. Upon receipt of revised architectural plans and supporting documentation on 30 March 2015, a second referral package was sent to RMS on 9 April 2015. On 4 May 2015, Council officers received a response from RMS, raising no objection to the proposal. This is discussed under the State Environmental Planning Policy (Infrastructure) 2007 assessment below.

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

State Environmental Planning Policies

State Environmental Planning Policy (State and Regional Development) 2011

Given that the proposed works are in excess of a Capital Investment Value (CIV) of $20 million, the development is identified as Regional Development in accordance with Clause 20 of the SEPP (State and Regional Development) 2011 and Schedule 4A of the Environmental Planning and Assessment Act 1979. In this regard, the Joint Regional Planning Panel (JRPP) are the relevant consent authority.

State Environmental Planning Policy (Infrastructure) 2007

The proposal has access to road (Dartbrook Road) that connects to classified road (Rawson Street) where access is within 90m of connection, measured along alignment of the connecting road. In this regard, the development proposal is required to address Division 17 Roads and Traffic of the State Environmental Planning Policy (Infrastructure) 2007.

Division 17 – Roads and Traffic

Consideration is to be given to Clause 104 Traffic Generating Development and Schedule 3 as the proposal relates to a residential flat building containing 75 or more dwellings and an associated parking area for 50 or more motor vehicles with access to a classified road (where access is within 90m of connection, measured along alignment of connecting road).

Council officers are therefore required to address Clause 104(3) before determining the development application. As previously stated, Council officers referred the development to the Roads and Maritime Services (RMS) on 20 November 2014 and again on 9 April 2015 on the basis of revised documentation.

On 11 December 2014 and 4 May 2015, Council officers received correspondence from RMS in response to Councils letter nominating that RMS raises no objection to the proposed development subject to the following recommendations;

- All construction activities associated with the proposed development are to be contained on site or Dartbrook Road as no construction zones will be permitted on Rawson Street in the vicinity of the site.
- A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for determination prior to the issue of a construction certificate.

- The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS 2890.1-2004 and AS 2890.2 – 2002.
- All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.
- The area required for road should be identified as a separate lot or part of the common property in any plan of subdivision.
- All redundant driveways are to be removed and replaced on Rawson Street with kerb and gutter to match existing.

In this regard, Council officers can be satisfied that the relevant provisions of the SEPP have been taken into consideration and that the proposed development is considered acceptable. The recommendations of RMS will form part of any conditions of consent imposed on the development.

State Environmental Planning Policy No.55 – Remediation of Land

The requirement at clause 7 of SEPP 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration	**Yes/No**
Does the application involve re-development of the site or a change of land use?	☒ Yes ☐ No
In the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	☒ Yes ☐ No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? Acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation.	☐ Yes ☒ No
Is the site listed on Council's Contaminated Land database?	☐ Yes ☒ No
Is the site subject to EPA clean-up order or other EPA restrictions?	☐ Yes ☒ No
Has the site been the subject of known pollution incidents or illegal dumping?	☐ Yes ☒ No
Does the site adjoin any contaminated land/previously contaminated land?	☒ Yes ☐ No

Details of contamination investigations carried out at the site:

Council officers are in receipt of a Stage 1 Preliminary Site Investigation, prepared by Alliance Geotechnical Pty Ltd, Revision 2 and dated 26 March 2015. The report documents the findings of all completed environmental tasks, including reviews of historical information and statutory notices, site inspection and heritage information. Based on desk study findings and field observations, conclusions are drawn regarding the potential for site contamination, with recommendations for additional action, where necessary. The report concludes that ***the site was suitable for the proposed high density residential land use, in accordance with Clause 7 of State Environmental Planning Policy No. 55 - Remediation of Land.***

The report also nominates the following recommendations;

1. It is recommended that prior to demolition of existing structures that a hazardous materials survey be completed and any hazardous materials are removed under guidance of current NSW WHS legislation.
2. All waste materials designated for off-site disposal must be removed to appropriate landfill / recycling facilities by a suitably qualified contractor in accordance with the DECC (2009) Waste Classification

Matter for Consideration	Yes/No
Guidelines. The disposal of site soils will be assisted by TCLP testing of representative samples, to ensure the least stringent waste classification. 3. While not expected, should any signs of contamination be identified during site excavation works, appropriate soil investigations must be carried out in accordance with EPA assessment guidelines. 4. Any soils to be imported onto the site for the purpose of landscaping and/or back-filling excavated areas will require some form of validation which confirms their suitability for the proposed land use. The report was referred to the relevant Environmental Health officer who raised no concern as to the documentation and recommends that he findings above be implemented as a condition of consent. As suitable contamination investigation has been undertaken, Council officers can be satisfied that the site can be made suitable for the proposed works, subject to conditions of consent as recommended by the Preliminary site investigation report and Councils Environmental Health officer.	
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	☒ Yes ☐ No

State Environmental Planning Policy - BASIX

A BASIX certificate has been submitted to accompany the development. However, due to a deferred commencement condition requiring design changes being required to demonstrate compliance with the height controls under the ALEP 2010, it is considered appropriate that a submission of an amended BASIX Certificate be included in the deferred commencement condition relating to the design changes, to ensure the construction of the building is in accordance with all specified BASIX commitments. In this instance, the development condition which will be met as part of the deferred commencement consent is considered to satisfy the relevant requirements under the SEPP – BASIX 2004.

State Environmental Planning Policy No.65 – Quality Design 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. In general, the proposed development is considered to perform satisfactorily having regard to the SEPP 65 design principles as well as the provisions under the RFDC.

The table provided at the end of this report under **(section A-A)** is a summary of compliance to demonstrate the overall design of the development proposal's consistency with the relevant planning controls that are applicable to the site with respect to SEPP 65, RFDC. A more detailed analysis and comprehensive assessment of the Residential Flat Design Code is provided in **Appendix B** of this report.

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (Amended SEPP)

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (Amendment No. 3) (the amending SEPP) and *Environmental Planning and Assessment Amendment (Residential Apartment Development) Regulation 2015* (the amending Regulation) were published on the NSW legislation website on 19 June 2015 with a commencement date of 17 July 2015.

In addition to amendments made to the SEPP, the amended SEPP 65 gives effect to the *Apartment Design Guide*. The Guide supports SEPP 65 by providing detail on how residential apartment development can meet the SEPP's design quality principles through good design and planning practice. The guide replaces the Residential Flat Design Code.

However it is to be noted that for development applications or modification applications that were lodged before the day that *State Environmental Planning Policy No 65 —Design Quality of Residential Flat Development (Amendment No 3)* was published on the NSW legislation website (19 June 2015) and not determined **before** the amendment commences (17 July 2015), the application must be determined under the version of the SEPP in force prior to 19 June 2015. The subject development was lodged on the 3 October 2014 and as such this part is not relevant.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is identified as being located within the area affected by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development raises no issues as no impact on the catchment is envisaged.

(Note: - the subject site is not identified in the relevant map as 'land within the *'Foreshores and Waterways Area'* or *'Wetland Protection zone'*, is not a *'Strategic Foreshore Site'* and does not contain any heritage items. Hence the majority of the SREP is not directly relevant to the proposed development).

Local Environmental Plans

Auburn Local Environmental Plan 2010

The provision of the Auburn Local Environmental Plan (ALEP 2010) is applicable to the development proposal. It is noted that the development achieves compliance with the core statutory requirements of the ALEP 2010 and the objectives of the B4 mixed use zoning. However, the applicant seeks to vary Clause 4.3 of the ALEP 2010 which relates to height. This is discussed below.

It should be noted that a more comprehensive assessment of the ALEP 2010 compliance table is attached to the end of this report in **Appendix B**.

- *Part 4, Clause 4.3 – height of buildings:-*

The proposal seeks to increase the overall building height of the with a maximum of 35.8 metres at its highest point. The maximum height limit permitted across this site is a consistent 32 metres. As such the proposed height increase does not comply with a breach of 3.8 metres.

In order to provide a compliant height for the development, one level at the top of the development is required to be removed thereby reducing the building height to 9 storeys (in total) and the deletion of 5 residential units. (This will reduce the apartment yield on site to 80 in total).

A formal request for a variation to the height control was also sought under clause 4.6; however Council's Officers were of the opinion that there was insufficient planning grounds to justify contravening the development standard insofar as the scale of the development is inconsistent with the desired future character and scale of the surrounding development and streetscape.

It is noted that the source of variance relates primarily to the lift overrun of the development which is not considered to be an architectural feature as nominated within the applicants request.

In this instance, it is considered that the imposition of a deferred commencement condition on any consent issued will ensure that the development proposal achieves compliance with the statutory height requirement. Therefore Council can be satisfied that the height of the building will be made compliant prior to operational consent being issued for the application.

Part 4, Clause 4.4 – Floor Space Ratio

In accordance with Clause 4.4(2) the maximum Floor Space Ratio applicable to the site is 3.6:1. It is noted that the revised documentation nominates a Floor Space Ratio of 3.6:1. However, the calculation of floorspace in accordance with Clause 4.5 of the ALEP 2010 does not incorporate the garbage rooms as they are not located within the basement levels and as such is not excluded from the calculation of Gross Floor Area. In this regard, the development would have a Floor Space of 6764sqm (an additional 60sqm) and a Floor Space Ratio of 3.63:1, being in excess of the statutory requirement.

However, given that the proposal is recommended for approval via deferred commencement (requiring the removal of Level 9) the calculable Floor space will be reduced to 6385sqm, having a Floor Space Ratio of 3.43:1. In this regard, subject to the imposition of the deferred commencement condition, the Floor Space Ratio is considered satisfactory.

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))

Auburn Development Control Plan 2010

a) Local Centres:

The relevant design requirements and objectives of the Local Centres chapter of the Auburn Development Control Plan 2010 have been considered in the assessment of the development application. Apart from the non-compliance with the building height requirement, the proposed development is generally considered to perform satisfactorily with regard to the Local Centres chapter of the ADCP 2010. A comprehensive assessment of the compliance with respect to the Local Centres chapter of the ADCP 2010 is found in **(Appendix B)** of this report.

b) Parking and Loading:

The relevant requirements and objectives of the Parking and Loading chapter of the Auburn Development Control Plan 2010 have been considered in the assessment of the development application.

Currently, the development as proposed is to be serviced by 102 parking spaces located within the 2 basement levels and 3 at grade parking spaces; totalling in 105 parking spaces to service the development.

Given that the development is located within a B4 mixed use zone and is within 1000 metres of a railway station in the Auburn Town Centre, the specific provisions of 5.1.5 of this part applies.

The parking requirement is specified below:

Table 6A – Summary of car parking requirements for Local Centres

Component of Building	Minimum Car parking spaces required	Maximum car parking spaces required
No. of Bedrooms		
Studio/1 bedroom	1.0 parking space	1.0 parking space
2 bedrooms	1.2 parking spaces	3.0 parking spaces
3 bedrooms	1.5 parking spaces	4.0 parking spaces
4 or more bedrooms	2.0 parking spaces	6.0 parking spaces
Visitor car parking area		
0 - 50 units	4.0 parking spaces	10.0 parking spaces
51- 100 units	8.0 parking spaces	25.0 parking spaces
101 - 250 units	12.0 parking spaces	55.0 parking spaces
251 or more units	16.0 parking spaces	65.0 parking spaces
Commercial/retail area		
Square metre of net leasable Commercial/retail area	1 parking space per 60 square metres	4 car parking spaces per 40 square metres

The calculation of the required parking for the development based on revised 80 units is demonstrated below;

Component of Building	Number of units/sqm	Min. No. of Parking	Max. No. of Parking
Deferred Commencement Recommendation			
1 bed	9	9 (1 space per dwelling)	9 (1 space per dwelling)
2 bed	71	85.2 (1.2 spaces per dwelling)	213 (3 spaces per dwelling)
Visitor	-	8 (between 51 – 100 units)	25 (between 51 – 100 units)
Commercial/retail	112 sqm	**1.86 (1 space per 60 sqm)**	**11.2 (1 space per 10 sqm)**
Total number of units	80	**Min. 104.06**	**Max. 258.2**
As Proposed			
1 bed	10	**10 (1 space per dwelling)**	**10 (1 space per dwelling)**
2 bed	75	**90 (1.2 spaces per dwelling)**	**225 (3 spaces per dwelling)**
Visitor	-	**8 (between 51 – 100 units)**	**25 (between 51 – 100 units)**
Commercial/retail	112 sqm	**1.86 (1 space per 60 sqm)**	**11.2 (1 space per 10 sqm)**
Total number of units	85	**Min. 109.86**	**Max. 271.2**

- Required No. of residential and commercial parking spaces combined (80 Units) = **105 (minimum) – 259 (maximum)**
- Required No. of residential and commercial parking spaces combined (85 Units) = **110 (minimum) – 272 (maximum)**
- Provided No. of parking spaces = **105 spaces**

It is noted that the development as proposed is deficient in parking by 5 parking spaces. However, on the basis of the deferred commencement recommendation, the proposed development complies with the requirements of this part. It should be noted that 9 of the 105 spaces are designated accessible to cater for the post adaptability of nominated units and 20 for commercial and visitors' spaces.

The proposal is also serviced by two loading areas which is considered acceptable to manage waste collection, commercial and residential loading.

The proposal incorporates minor concerns regarding the design of the basement and associated access areas and it is recommended that the development be approved via a deferred commencement condition requiring minor design changes to the development relating to ramp design, headroom clearances and parking.

The development is considered to provide ample parking to service the residential and commercial components of the development. The development is considered acceptable with regard to the Parking and Loading section of the ADCP 2010.

c) Residential Flat Buildings:

The relevant design requirements and objectives of the Residential Flat Buildings chapter of the Auburn Development Control Plan 2010 have been considered in the assessment of the development application. Apart from the non-compliance with the building height requirement, the proposed development is generally considered to perform satisfactorily with regard to the Residential Flat Buildings chapter of the ADCP 2010. A comprehensive assessment of the compliance with respect to the Residential Flat Buildings chapter of the ADCP 2010 is found in **(Appendix B)** of this report.

d) Access and Mobility:

The relevant requirements and objectives of the Access and Mobility part of the Auburn DCP 2010 have been considered in the assessment of the development application. Council may be satisfied that the proposal satisfies the requirements of the DCP in general as equitable access is provided to the development from the street/basement levels and suitable accessible facilities such as toilet facilities and lifts are provided within the building. The development also provides disabled car parking spaces for each proposed post adaptable unit.

Additionally, Council officers are in receipt of a Statement of Compliance Access For People With A Disability prepared by Access Building Solutions, Revision A and dated 25/03/2015 which concludes that the development can achieve compliance with the access provisions of the BCA and AS 4299.

It is therefore recommended that conditions be imposed to ensure that the development complies with relevant Australian Standards and the Building Code of Australia regarding disabled access. In this regard the application is considered to be consistent with the objectives and relevant requirements of the ADCP 2010.

e) Stormwater Drainage

The relevant requirements and objectives of the Stormwater Drainage part of the ADCP 2010 have been considered in the assessment of the development application. Suitable stormwater drainage plans have been submitted to accompany the development application satisfying the DCP requirements. No objections have been made to the stormwater drainage management plans and appropriate conditions will be imposed on any development consent should the application be recommended for approval. It is noted that amended stormwater documentation will be submitted to satisfy the deferred commencement condition recommendation.

f) Waste

The relevant requirements and objectives of the Waste part of the ADCP 2010 have been considered in the assessment of the development application. A suitable waste management plan has been submitted to accompany the development application satisfying the DCP requirements. No objections have been made to the waste management plan and appropriate conditions will be imposed on any development consent should the application be recommended for approval.

Auburn Development Contributions Plan 2007

The development would require the payment of contributions in accordance with Council Section 94 Contributions Plans. It is recommended that conditions be imposed on any consent requiring the payment of these contributions prior to the issue of any construction certificate for the development.

The Section 94 Contributions will be based upon the following criteria:-

Residential:

- 9 x 1 bedroom apartments
- 71 x 2 bedroom apartments

Total: **80 units** (revised).

Commercial/Employment generating development:

- 1% of the construction cost for commercial/retail @ $1000/sqm

In this regard, as at 30 June 2015, the contribution amount based on the above is calculated at **$445,059.91** This revised figure is subject to the consumer price index as per the relevant plan and will be imposed under the subject application.

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 subject to the deletion of the 2 top levels.

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 it 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 the Auburn Development Control Plan 2010, the proposal was publicly exhibited for a period of 14 days between 19 November 2014 and 17 December 2014. An additional 14 day period followed being between 21 April 2015 and 5 May 2015. The notification generated 51 submissions in respect of the proposal.

A public meeting was also held on the 27 November 2014 with a total of 17 participants being in attendance. The issues raised in the public submissions and meeting are summarised and commented on as follows:

- **Concern is raised as to the Overdevelopment (height, bulk and scale) of the site in context with surrounding uses and its impact on the streetscape.**

Comment: The proposal is located within the B4 mixed use development zone and the development is compatible with the objectives of this zone. The proposal is also generally consistent with the relevant statutory provisions associated with this type of the development, demonstrating compliance with the core requirements of the Auburn Local Environmental Plan, Residential Flat Building Design Code and the Local Centres part of the ADCP2010 as detailed within the assessment.

Council notes that there is a breach in the maximum height limitation as specified within the ALEP 2010 and has sought a variation. Council is not in support of the variation and is recommending that the proposal be approved via a deferred commencement condition, removing the top floor to allow compliance with the height limitation of 32 metres.

- **Concern is raised as to privacy impacts on the adjoining land uses.**

Comment: The development has been designed so as to restrict views onto the adjoining residential uses. This has been achieved through articulation of the side and rear elevations, setback of balconies and incorporating privacy screens on balconies. It is therefore considered that adequate mitigation measures have been incorporated within the design so as to limit any overlooking onto the adjoining uses.

- **Concern is raised as to the proposal not conforming to current height controls**

Comment: Council notes that there is a breach in the maximum height limitation as specified within the ALEP 2010 and has sought a variation. Council is not in support of the variation and is recommending that the proposal be approved via a deferred commencement condition, removing the top floor to allow compliance with the height limitation of 32 metres.

- **Concern is raised as to potential traffic impacts within the locality, loss of street parking and impacts on the function of Holiday Lane.**

Comment: The proposed development incorporates 105 parking spaces within the confines of the site to service the development. Additionally, concerns regarding the impacts of the serviceability and function of Holiday Lane has been reduced by relocating the access from Holiday Lane to Dartbrook Road.

As discussed within the assessment of the application above, particularly that of the assessment of the Parking and Loading Part of the ADCP 2010, the proposal is found compliant (when taking the assumption of the removal of the top floor through a deferred commencement condition). It is therefore considered that the parking provision on site would be sufficient to discourage illegal parking or parking on adjoining properties parking facilities. The development would therefore not be expected to create any significant reduction in the availability of street parking within the locality.

The development was supported by a Traffic Impact Assessment carried out by McLaren Traffic Engineering dated 30 March 2015, which concluded the following;

In view of the foregoing, the subject proposal is fully supportable in terms of its traffic and parking impacts. The development provides a total of 105 on-site car parking spaces which is compliant with Council's DCP parking requirements.

The site provides two (2) loading bays which is deemed acceptable for the small retail and residential components. The use of the two loading bays is recommended to be under a formal management plan to allow for proper ingress and egress of the MRV and retail vehicles.

The on-site car parking areas have been assessed to comply with AS2890.1:2004, AS2890.2:2002 & AS2890.6:2009 where applicable.

The traffic generation has been shown to have no appreciable impact on the surrounding road network with the nearby intersection of Rawson Street and Dartbrook Road performing at LoS A/B during the morning and afternoon peak period.

Given that the development adheres to Council's Development controls in regards to parking/access, the proposal is considered acceptable.

- **Concern is raised as to the insufficient amount of landscaping.**

Comment: It is noted that there is no deep soil area included within the landscaping areas. Given the site is located within the town centre, the proposal is appropriate. Where landscape is provided on structures, sufficient soil depth is provided as per landscape architects advice to allow healthy growth of nominated vegetation. In addition to the above, a communal open space of 421sqm is provided on the roof top which is considered suitable (in addition to private balconies) to serve the open space needs of the residents.

The proposed landscaping is considered acceptable given its location in the town centre. It is recommended that if the proposal is approved, a condition requiring the planting of Street trees along primary frontages to ensure the area maintains some green space.

- **Concern is raised as to noise and amenity concerns surrounding the potential construction phase of the development.**

Comment: Should the application be approved, it is recommended that conditions of consent be included to ensure that the amenity of surrounding land uses is suitably managed and controlled through suitable construction management and ongoing operation of the development.

- **Concern is raised as to the overshadowing of adjoining properties.**

Comment: Suitable shadow diagrams have been submitted to Council officers demonstrating that suitable solar penetration would be made available to the eastern elevation of the adjoining development (west of the subject site). Comparable drawings demonstrating shadowing in December, March, September and June in intervals of 9am, 12pm and 3pm, which all demonstrate satisfactory solar access for neighbouring dwellings throughout the year. It is noted that the majority of the shadowing affect is absorbed by Rawson Street. It is noted that drawings for June 21 have been prepared on an hourly basis for 9am through 3pm.

The overshadowing of the adjoining properties has been assessed in accordance with the requirements of Councils Development Control Plan 2010 and the impacts of the shadow are considered acceptable.

- **Concern is raised as to the overloading of utility services (water/drainage)**

Comment: The development is considered to perform satisfactorily in the management of stormwater with the inclusion of an Onsite detention system. Additionally, any consent can be conditioned to ensure that the site can be serviced by all relevant utilities.

- **Concern is raised as to safety and criminal activity given the increased population on site.**

Comment: The development was referred to NSW Police for comment who raised no objection to the proposal, providing suitable recommendations on how criminal activity can be lessened with the imposition of crime and safety mitigation measures. It is recommended that conditions of consent be imposed on the development to ensure crime mitigation measures are enforced/installed.

- **Concern is raised as to potential ongoing waste management on the site.**

Comment: The proposal allows for two loading areas with access to garbage rooms internal of the site. The application is not considered to promote poor waste management and suitable conditions are to be imposed to facilitate waste management procedures.

- **Concern is raised as to contractual arrangements to obtain 35 and 37 Rawson Street, AUBURN.**

Comment: Council officers have received written responses from the owners of the subject properties nominating poor negotiations held to obtain these sites and the withdrawal of owners consent. Council officers are unable to comment on contractual agreements and do not form part of that process. It should be noted that on time of lodgement, suitable owners consent for all properties required for the development were correct and Council officers do not require any additional information in regards to this matter.

The proposal was also the subject of a public meeting held on Tuesday 27 November 2014, 5.30pm - 7.30pm, where 17 people attended. The issues raised at the meeting are as follows:

Traffic, parking and access

a) Concern in relation of the impact of the development generally on the safety of pedestrians, particularly children crossing Holiday Lane when walking to Auburn Railway Line.

b) Concern in relation to the proposed location of driveways, being opposite entries to other developments, providing a direct 'line of site' into properties and making it difficult to maneuver onto Holiday Lane.

c) Concern as to the cumulative impact of traffic generation created by the current development and similar developments adjoining the subject site.

d) Concern that there is a lack of available street parking in proximity to the site, given the current developments in the area (inclusive of club uses and commercial uses) and that the current proposal will exacerbate this issue.

e) Current issue of persons parking illegally within no stopping areas and that this issue may increase due to the development.

f) Concern is raised as to the impacts the development would have on the Rawson Street intersection with Dartbrook Road including queuing concerns and impacts during peak hour.

g) Concern that residents/visitors to the subject development may illegally park in neighboring developments.

h) Concern is raised as to the additional pollution that would be generated by the additional number of vehicles accessing the site.

i) Concern is raised as to the waste collection of the site including the locations of waste areas and collection, noise associated with waste collection and odour management.

j) Concern is raised as to the narrow width of Holiday Lane, being inadequate to facilitate current developments.

Comment: The applicant has submitted additional information in respect of these matters that has been reviewed and no objection has been raised by Council's Traffic Engineer. The amount of additional traffic generation is considered satisfactory to Council's Traffic Engineer and the provision of parking and loading facilities (including waste) being located wholly within the site, are sufficient to meet the requirements of the ADCP 2010.

The development has been redesigned to have all access from Dartbrook Road, to lessen the impact on the servicing lane known as Holiday Lane. Additionally, the proposal has been refereed to Roads and Maritime, given the intersection located Rawson Street and Dartbrook, where no objection was raised subject to the imposition of conditions.

In this regard, the development is considered suitable to meet the parking demand and traffic changes in accordance with statutory requirements.

Overlooking and privacy

k) Concern in relation to the potential for overlooking of the adjoining development to the west and to the north.

Comment: The development has been designed so as to restrict views onto the adjoining residential uses. This has been achieved through articulation of the side and rear elevations, setback of balconies and incorporating privacy screens on balconies. It is therefore considered that adequate mitigation measures have been incorporated within the design so as to limit any overlooking onto the adjoining uses.

Amenity and design

l) Concern that the proposed building is too large for the locality (bulk and scale) including an unprecedented height and facilitating a higher population.

m) Concern as to the overshadowing impact on the eastern elevation of the existing development to the west of the site. It was noted that some residents within this development only have an easterly outlook.

n) Concern that there will be increased noise on adjoining developments through high population and increased traffic.

o) Question as to the provision of open space areas to facilitate the increase in residents, businesses and visitors within the locality.

p) Concern is raised as to the noise implications of the operation of boom gates associated with the development.

Comment: The proposal is consistent with the objectives and statutory requirements of the ALEP 2010. Suitable building separation has been provided between the building and the adjoining residential uses. It is noted that the development introduces a height in excess of the statutory requirements as nominated in the ALEP 2010. It is a recommendation from Council officers that the 10th floor (or level 9 as depicted on plan) be removed to ensure the height is compatible with the requirements of the ALEP 2010.

Suitable shadow diagrams have been submitted to Council officers demonstrating that suitable solar penetration would be made available to the eastern elevation of the adjoining development (west of the subject site). Comparable drawings demonstrating shadowing in December, March, September and June in intervals of 9am, 12pm and 3pm, which all demonstrate satisfactory solar access for neighbouring dwellings throughout the year. It is noted that the majority of the shadowing affect is absorbed by Rawson Street. It is noted that drawings for June 21 have been prepared on an hourly basis for 9am through 3pm.

The proposal has also incorporated two communal roof top areas to facilitate common outdoor recreation for the residents of the building. It is noted that Wyatt Park is within 350m from the subject site.

Additionally, The proposal has been supported by an acoustic report which recommends the installation of certain mitigation measures to reduce the impact of noise. This would form part of the consent.

Miscellaneous

q) Concern is raised as to the ongoining impact the construction of the development would have on the adjoining uses (i.e. sediment control, noise associated with construction).

r) Consideration should be given to restrict occupancy rates within the building. Concern is raised that the development would be used by investors to facilitate a transient population which may impact on the amenity of the locality.

s) Concern is raised as the developments impact on adjoining developments during construction and the potential for the dilapidation of adjoining buildings.

t) Concern is raised as to the provision of fire services and there location given issues experienced with other developments in the locality where false fire alarms are triggered which causes noise complaints and disrupts traffic when emergency services arrive.

u) It was noted that there is an ongoing issue with illegal dumping near the subject site. A concern that this issue may be exacerbated due to the increase in population.

v) A concern is raised as to the potential of the development to impact on property values within the locality.

w) Question as to the use of the retail space. What measures would be implemented if the development housed a restaurant or a development that may further amenity concerns (i.e. noise, odour).

Comment: Should the application be approved, it is recommended that conditions of consent be included to ensure that the amenity of surrounding land uses is suitably managed and controlled through suitable construction management and ongoing operation of the development. Additionally, illegal dumping is not considered to be exacerbated by the proposed development.

It is noted that the development is for a mixed use development where no specific legislation (e.g. State Environmental Planning Policy – Affordable Rental Housing 2009) applies allowing Council to impose any occupation restrictions.

Suitable fire services have been provided on site. Conditions of consent will be imposed on any consent to ensure that the fire requirements of the Building Code of Australia and any relevant standard is complied with. The positioning of the services on site do not appear to give rise to any future traffic conflict if an emergency was to occur.

The use of the retail space would form part of a separate development application, where suitable amenity assessment would be undertaken and mitigation measures enforced to ensure the amenity of the locality.

Property values are not considered to be a warranted objection to the development which is considered to offer suitable mix of apartments in a growing housing demand.

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.

Operational Plan / Delivery Program

This assessment and report relates to the Auburn City Council Operational Plan and Delivery Program, Our Places – Attractive and Liveable theme, action "2a.1.1.3 Assess development applications, complying development and construction certificates".

Conclusion

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979 and this report has been prepared for the information of the Joint Regional Planning Panel.

The proposed development is appropriately located within the B4 – Mixed use zone under the relevant provisions of Auburn Local Environmental Plan 2010. The proposal is generally consistent with all statutory and non-statutory controls applying to the development. Minor non-compliances with Council's controls have been discussed in the body of this report. Subject to the imposition of the deferred commencement condition, the development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and the development is recommended to the Joint Regional Planning Panel for a deferred commencement approval to address issues relating to reducing the building height to comply with the LEP and provide minor design changes to the parking and vehicular manoeuvrability on site..

(SECTION A-A)

Summary of Compliance

35-37 Rawson Street and 4A-6 Dartbrook Road, AUBURN

The compliance table below contains a summary of the applicable development standards and a compliance checklist relative to the subject development application no. DA-341/2014:-

Standard	Requirement	Proposal	Compliance	Percentage variance
SEPP 65 - Residential Flat Design Code:				
Building Depth (Internal plan depth)	Max. 18m (glass line to glass line)	Min. 14m Max. 18m	**Yes**	N/A
Building Separation	*1-4 storeys:* 6m between non-habitable rooms, 9m between habitable/balconies and non-habitable rooms, 12m between habitable rooms/balconies.	North Elevation: 13m South Elevation (Rawson St): 23m West Elevation: 7m – 15m. East Elevation (Dartbrook Rd): 25m	**No (West Elevation). The proposal nominates a minor variation of separation for the northwest facing balcony for units known as A4 on levels 1 through 6, however privacy screens have been provided so as to minimise acoustic and visual overlooking.**	**5m for one balcony on the western elevation**.
	5-8 storeys: 9m between non-habitable rooms, 13m between habitable/balconies and non-habitable rooms, 18m between habitable rooms/balconies.	North Elevation: Adjacent dwelling 2 storeys in height (sufficient separation provided) South Elevation (Rawson St): Adjacent dwelling 2 storeys in height (sufficient separation provided) West Elevation: Adjacent building 3 storeys in height (sufficient separation provided) East Elevation (Dartbrook Rd): 25m	**Yes**	N/A
	9 storeys and above: 12m between non-habitable rooms, 18m between habitable/balconies and non-habitable rooms, 24m between habitable rooms/balconies.	As above	**Yes**	N/A

Communal Open Space	Min. 25-30% site area, larger sites – 30%	421 sqm (23%)	**No. The proposal is considered to provide suitable areas of private open space through the provision of individual balconies (ranging between 12-25sqm). Given the minor variation, the development is considered acceptable in this instance.**	**2% (37sqm)**
Deep Soil	Min. 25%	0%	**The non-compliance is supported in this instance given that (i) the development site is within Auburn Town Centre and (ii) the need to provide commercial uses on the ground floor and provide for separate loaind and manoeuvring areas. 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.**	**Approx. 465.5sqm or 25%**
Apartments - Visitable / Barrier free	Min. 20%	100% visitable, all units are accessible via lifts and ramps to main entries.	Yes, 20%	N/A
Single Aspect – depth	Kitchens max. 8m from window, Cross-through width min. 4m	Max. distance 8m, Min. width 4m **Note:** 8 Units (known as Unit A2 on all levels) has a depth of **4.4 -9.6m** given the design of the unit.	**No. Given the design of the A2 unit, a portion of the unit exceeds the maximum specified depth. It is noted that the area beyond the maximum depth is within 6 metres from the main area of private open space and is considered acceptable in this instance.**	**1.6m (20%)**
Balcony Depth	Min. 2m & 2.4m – 2-3BR	Min. 2m & 2.4m for 2 and 3 bed	Yes. Communal open space provided at roof top level	N/A
Ceiling Heights	Min. 2.7m – Residential, min. 3.3m – Commercial	GFL – 4m, Lvl 1-8 – 3m **Note:** slab width approx.. 200-300mm	Yes	N/A
Internal	Max. 8/per lift core	Max. 5, min. 2	Yes	N/A

Circulation				
Storage	Min. 6cum – 1BR, 8cum – 2-3 BR	Provided in basement levels	Yes	N/A
Daylight / Solar Access	Min. 2hr for 70% of apartments;	70% or 56/80 apartments	Yes	N/A
	Max. 10% south facing single aspect apartments	The proposal does not incorporate any single south facing apartments. It is noted that the single aspect developments on the eastern side allow for some solar penetration and are considered acceptable in this instance.	Yes	N/A
Natural cross Ventilation	Min. 60% of apartments	72.5% or 58/80 apartments	Yes	N/A
Unit sizes	1 Bed – 50 sqm 2 Bed – 70 sqm	Min. 64 sqm Min. 70 sqm – Max. 80 sqm	Yes Yes	N/A
Auburn Local Environmental Plan 2010				
Lot Size	1862.4 sqm	No change	N/A	N/A
Building Height	Max. 32 metres	35.8 metres	**No. Deferred commencement condition to be imposed for amended design to ensure building height complies**	**3.8 metres**
Floor Space Ratio	Max. 3.6:1 (6704 sqm)	**3.63:1 (6764 sqm)** 3.43:1 (6385 sqm) *reduced as a result of deletion of lvl 9 as per deferred commencement recommendation.*	Yes – Given the deferred commencement condition to remove a residential floor, the FSR is considered compliant.	N/A

Appendix B

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
Clause 2 Aims objectives etc. *(3) Improving the design quality of residential flat development aims:* *(a) To ensure that it contributes to the sustainable development of NSW:* *(i) by providing sustainable housing in social and environmental terms;* *(ii) By being a long-term asset to its neighbourhood;* *(ii) By achieving the urban planning policies for its regional and local contexts.* *(b) To achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define.* *(c) To better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities.* *(d) To maximise amenity, safety and security for the benefit of its occupants and the wider community.* *(e) To minimise the consumption of energy from non-renewable resources to conserve the environment and to reduce greenhouse gas emissions.*	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposal is generally considered to satisfy the aims and objectives of SEPP 65. Some aspects of non-compliance are identified with this policy, and these are discussed in greater detail below.
Part 2 Design quality principles				
Principle 1: Context *Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.* *Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity if the area.*	☒	☐	☐	The proposed development is considered to make a positive contribution to the locality and improve the existing streetscape. The character of this locality is undergoing transition from low/medium density residential to high density mixed use developments within the Auburn Town centre. This proposal is consistent with that shift.

Requirement	Yes	No	N/A	Comment
Principle 2: Scale *Good design provides an appropriate scale in terms of the bulk and height that suits the scale if the street and the surrounding buildings.* *Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.*	☐	☒	☐	**A significant departure from the building height is proposed, and due to this, it is recommended that conditions of deferred commencement consent may be imposed to ensure compliance with the LEP.** **Subject to compliance with the deferred commencement requirement, the proposed development is considered to be of appropriate scale, as it is consistent with other developments of this nature which have been constructed in its near vicinity. The development will be consistent with the desired future heights for mixed use development in the Town Centre which is 32 metres in height.** **The proposed design is therefore considered appropriate to the scale of the locality and the desired future character of the area.**
Principle 3: Built form *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.* *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.*	☒	☐	☐	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 residential buildings. The proportions and presentation of the building is contemporary and the façade elements create visual interest within the streetscape. This is primarily demonstrated through the strong corner element. The built form is articulated into a clearly defined base with associated awning, the centre core and top element that is stepped back from the centre core.
Principle 4: Density *Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).* *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.*	☒	☐	☐	The site is an area designated for mixed use development and is located within Auburn Town Centre. The development will contribute 80 apartments (subject to the deferred commencement recommendation) in mid-rise building forms that will contribute to the redevelopment of the area. The proposal (subject to the deferred commencement recommendation) will be within the permissible total FSR and height limitations. No objection is raised to the development in relation to density objectives.

Requirement	Yes	No	N/A	Comment
Principle 5: Resource, energy and water efficiency *Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.* *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.*	☒	☐	☐	BASIX Certificates have been submitted with the development application. Further, a BASIX Assessment Report has been prepared to accompany the application. The certificates require sustainable development features to be installed into the development. The development incorporates appropriate energy efficient fixtures and fittings. A water reuse system is also provided.
Principle 6: Landscape *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.* *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.* *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.*	☒	☐	☐	The landscape details generally indicate appropriate landscaping on the site and responds adequately to the proposed built form. The landscape concept provides for private and communal open spaces for future residents of the development. Given that the subject site is located in a town centre, deep soil zones are not considered to be practical due to requirements for basement parking and desired built forms requiring nil street setbacks to create a defined street edge.
Principle 7: Amenity *Good design provides amenity through the physical, spatial and environmental quality of a development.* *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*.	☒	☐	☐	The proposal 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. Overall, based on the outcome of the BASIX assessment residential amenity is considered satisfactory.
Principal 8: Safety and security *Good design optimises safety and security, both internal to the development and for the public domain.* *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.*	☒	☐	☐	Passive surveillance of public and communal open space is maximised through orientation of units. 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 internal common courtyard areas. Street level activity will be encouraged via the provision of the commercial tenancy on the ground fronting Rawson Street.

Requirement	Yes	No	N/A	Comment
Principal 9: Social dimensions *Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.* *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.*	☒	☐	☐	The proposal provides an adequate mix of 1 and 2 bed apartments as well as providing a significant number of adaptable units.
Principle 10: Aesthetics *Quality aesthetics reflect the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. 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.*	☒	☐	☐	The mixed use 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. This is particularly evident in the strong corner element. The finishes and treatment to the building provide an appropriate response to the existing and likely future character of the locality.
Clause 30 Determination of DAs *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.* *In determining a DA, the following is to be considered:* • *The advice of the design review panel (if any);* • *The design quality of the residential flat development when evaluated in accordance with the design quality principles;* *The publication "Residential Flat Design Code" – Department of Planning, September 2002.*	☐ ☐ ☒ ☒	☐ ☐ ☐ ☐	☒ ☒ ☐ ☐	Auburn City Council does not employ a formal design review panel. The design quality principles are considered above and the Residential Flat Design Code is considered in the assessment table immediately below.

Residential Flat Design Code

Requirement	Yes	No	N/A	Comment
Part 1 - Local Context				
Building Type				
• Residential Flat Building. • Terrace. • Townhouse. • Mixed-use development. • Hybrid.	☐ ☐ ☐ ☒ ☐	☐ ☐ ☐ ☐ ☐	☒ ☒ ☐ ☐ ☒	The proposed development consists of a mixed use building.
Subdivision and Amalgamation				
Objectives • Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context. • Isolated or disadvantaged sites avoided.	☒ ☐	☐ ☐	☐ ☒	Should the application be approved appropriate condition shall be imposed requiring the applicant to amalgamate the sites prior to the issue of any Occupation Certificate. This matter has been discussed earlier in the report.
Building Height				

Requirement	Yes	No	N/A	Comment
Objectives • To ensure future development responds to the desired scale and character of the street and local area.	☐	☒	☐	**The development is not compliant with the height controls stipulated for the B4 – Mixed Used zone and therefore is not considered to be consistent with the desired future scale and character of the area or public interest. However, a deferred commencement condition is recommended to be imposed so as to achieve compliance with ALEP 2010.**
• To allow reasonable daylight access to all developments and the public domain.	☒	☐	☐	The units within the development and the public domain area will receive an acceptable level of solar access for the town centre.
Building Depth				
Objectives • To ensure that the bulk of the development is in scale with the existing or desired future context.	☒	☐	☐	No objection is raised regarding the general bulk and scale of the development.
• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.	☒	☐	☐	
• To provide for dual aspect apartments.	☒	☐	☐	58 (72.5%) of the 80 units are dual aspect apartments.
Controls • The maximum internal plan depth of a building should be 18 metres from glass line to glass line.	☒	☐	☐	The development incorporates a "T" design and is considered appropriate in this instance having suitable plan depths along each axis being a maximum of 18m
• 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.	☒	☐	☐	The residential building achieves satisfactory daylight and natural ventilation given the orientation of the site.
• Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation.	☒	☐	☐	Dual aspect apartments have been included within the development. In this regard, there are 58 dual aspect units which represent 72.5% of the total number of units.
• 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.	☒	☐	☐	Refer to detailed discussion regarding light and ventilation later in the report.
Building Separation				
Objectives • To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.	☒	☐	☐	The building scale is appropriate to the desired future character of the area. The building will be the first in the immediate locality. Good separation is maintained between the building and the adjoining residential uses.

Requirement	Yes	No	N/A	Comment
• To provide visual and acoustic privacy for existing and new residents.	☒	☐	☐	
• To control overshadowing of adjacent properties and private or shared open space.	☒	☐	☐	
• To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.	☒	☐	☐	
• To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Controls • For buildings over three storeys, building separation should increase in proportion to building height: o Up to 4 storeys/12 metres: ▪ 12m between habitable rooms/balconies ▪ 9m between habitable rooms/balconies and non habitable rooms ▪ 6m between non habitable rooms o 5-8 storeys/up to 25 metres: ▪ 18m between habitable rooms/balconies ▪ 13m between habitable rooms/balconies and non habitable rooms ▪ 9m between non habitable rooms o 9 storeys and above/over 25 metres: ▪ 24m between habitable rooms/balconies ▪ 18m between habitable rooms/balconies and non habitable rooms ▪ 12m between non habitable rooms • Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls) • Where a building step back creates a terrace, the building separation distance for the floor below applies. • 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. • Coordinate building separation controls with controls for daylight access, visual privacy and acoustic privacy. • Protect the privacy of neighbours who share a building entry and whose apartments face each other by designing internal courtyards with greater building separation Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved.	☐ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☐ ☒ ☐ ☐	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☒ ☐ ☒ ☒	The proposed development is considered to provide suitable building separation from adjoining properties in an area experiencing higher urban density. It is noted that if the adjoining developments were developed in a similar fashion, appropriate building separation would be achieved. The following is specific commentary relating to each setback. **Western Elevation – 39-41 Rawson Street** With regards to the building separation on the western side, an articulated western elevation has been provided which incorporates a separation which ranges between 7 metres (street elevation section), 15 metres (rear elevation section) and 20 metres (middle elevation section) between the proposal and relevant adjoining building to the west. **Although the separation is generally compliant, a minor departure is noted between a balcony on the western building and the subject development (being 7 metres). To alleviate any privacy concern, the proposal has introduced a privacy screen and associated high sill window along this elevation which is considered acceptable in response to this departure. Additionally, considering the location of the development within the town centre, no additional concern is raised.** **Eastern Elevation – Dartbrook Road** With regards to the building separation on the eastern boundary, a suitable separation of approximately 25 metres is observed and considered acceptable. **Rear Elevation – Holiday Lane** With regards to the building separation on the northern (rear) boundary. A separation of approximately 13m is provided. This is considered acceptable given that the adjacent development is only two storeys in height. **Street Elevation – Rawson Street** The proposal incorporates a 2.4m street setback given the future road widening of the subject site. The proposal incorporates a building separation of approximately 23 metres to an adjacent single storey residential dwelling.

Requirement	Yes	No	N/A	Comment
Street Setbacks				
Objectives • To establish the desired spatial proportions of the street and define the street edge. • To create a clear threshold by providing a transition between public and private space. • To assist in achieving good visual privacy to apartments from the street. • To create good quality entry spaces to lobbies, foyers or individual dwelling entrances. • To allow an outlook to and surveillance of the street. • To allow for street landscape character.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The proposal generally meets the objectives of the street setbacks.
Controls • Minimise overshadowing of the street and/or other buildings. • 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.	☐ ☒	☐ ☐	☒ ☐	Given the orientation of the site and the proposed design outcomes of the site, some overshadowing of streets is inevitable and unavoidable. There are no unacceptable encroachments into setback zones. The development is acceptable in this regard.
Side & Rear Setbacks				
Objectives • To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings. • 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. Objectives – Rear Setbacks • To maintain deep soil zones to maximise natural site drainage and protect the water table. • To maximise the opportunity to retain and reinforce mature vegetation. • To optimise the use of land at the rear and surveillance of the street at the front. • To maximise building separation to provide visual and acoustic privacy.	☒ ☒ ☒ ☐ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☐ ☐	Appropriate setbacks are achieved in accordance with the Local centres and Residential Flat Buildings DCPs.
Controls • 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. • 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.	☒ ☒	☐ ☐	☐ ☐	Appropriate setbacks are achieved in accordance with the Local centres and Residential Flat Buildings DCPs. There are no unacceptable encroachments into setback zones. The development is acceptable in this regard.
Floor Space Ratio				

Requirement	Yes	No	N/A	Comment
Objectives • To ensure that development is in keeping with the optimum capacity of the site and the local area. • To define allowable development density for generic building types. • To provide opportunities for modulation and depth of external walls within the allowable FSR. • • To promote thin cross section buildings, which maximise daylight access and natural ventilation. • To allow generous habitable balconies.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is considered to be generally consistent with the density requirements imposed by Councils Local environmental Plan 2010. 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. Suitably sized balconies are provided for all units
Part 02 Site Design				
Site Analysis				
• 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. • A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application.	☒ ☒	☐ ☐	☐ ☐	The development is accompanied by a Statement of Environmental Effects, which includes detailed site analysis information in relation to existing conditions, the proposed development and the relevant development control plan.
Deep Soil Zones				
Objectives • To assist with management of the water table. • To assist with management of water quality. • To improve the amenity of developments through the retention and/or planting of large and medium size trees.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposal includes a satisfactory planting scheme for the site. The landscape plan is satisfactory for approval and shows an adequate planting regime for the site.
Design Practice • 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. • Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent properties. • Promote landscape health by supporting for a rich variety of vegetation type and size. • Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials. • **A minimum of 25% of the open space area of a site should be a deep soil zone.**	☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐	**The proposed development does not provide for deep soil zones. The non-compliance is supported in this instance given that (i) the development site is within Auburn Town Centre, (ii) the need to provide commercial uses on the ground floor and (iii) providing satisfactory vehicular manoeuvrability to cater for parking, loading and waste management to occur on site.** **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.**
Fences and Walls				

Requirement	Yes	No	N/A	Comment
Objectives • To define the edges between public and private land. • To define the boundaries between areas within the development having different functions or owners. • To provide privacy and security. • To contribute positively to the public domain.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Fences and Walls objectives. Suitable fencing has been proposed to define all boundaries and provide additional privacy and security. This is achieved through the use of semitransparent fencing to a height of 1.2m on the ground floor residential units and 1.8m boundary fencing located behind the building line.
Design Practice • Respond to the identified architectural character for the street and/or the area. • 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. • 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. • 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. • Select durable materials which are easily cleaned and graffiti resistant.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Fences and Walls objectives. Suitable fencing has been proposed to define all boundaries and provide additional privacy and security. This is achieved through the use of semitransparent fencing to a height of 1.2m on the ground floor residential units and 1.8m boundary fencing located behind the building line. It is noted that he fencing distinguishes the residential and commercial portions of the development. Suitable conditions will be imposed on the development to ensure fencing is constructed at suitable heights and materials.
Landscape Design				
Objectives • To add value to residents' quality of life within the development in the forms of privacy, outlook and views. • To provide habitat for native indigenous plants and animals. • To improve stormwater quality and reduce quantity. • To improve the microclimate and solar performance within the development. • To improve urban air quality. • To contribute to biodiversity.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Landscape Design objectives as suitable landscaping is to be used to soften the impact of the built form within the internal courtyard.

Requirement	Yes	No	N/A	Comment
Design Practice • Improve the amenity of open space with landscape design which: provides appropriate shade from trees or structures; provides accessible routes through the space and between buildings; screens cars, communal drying areas, swimming pools and the courtyards of ground floor units; allows for locating art works where they can be viewed by users of open space and/or from within apartments.	☒	☐	☐	A landscape plan, prepared by a suitably qualified consultant, is submitted with the application. The plan identifies relevant landscaping elements to soften the built form within the site.
• Contribute to streetscape character and the amenity of the public domain by: relating landscape design to the desired proportions and character of the streetscape; using planting and landscape elements appropriate to the scale of the development; mediating between and visually softening the bulk of large development for the person on the street.	☒	☐	☐	
• Improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces.	☒	☐	☐	
• Design landscape which contributes to the site's particular and positive characteristics.	☒	☐	☐	
• Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management.	☒	☐	☐	
• Provide a sufficient depth of soil above paving slabs to enable growth of mature trees.	☒	☐	☐	
• Minimise maintenance by using robust landscape elements.	☒	☐	☐	
Open Space				
Objectives • To provide residents with passive and active recreational opportunities.	☒	☐	☐	The proposed development is considered to be consistent with the Open Space objectives. Communal open space is provided in the form of rooftop courtyard allowing for passive and active recreation.
• To provide an area on site that enables soft landscaping and deep soil planting.	☒	☐	☐	
• To ensure that communal open space is consolidated, configured and designed to be useable and attractive.	☒	☐	☐	
• To provide a pleasant outlook.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Provide communal open space with is appropriate and relevant to the building's setting.	☒	☐	☐	Two communal open spaces are provided within the development site associated with each lift core. These areas are to be maintained as part of any deferred commencement approval. .
• Where communal open space is provided, facilitate its use for the desired range of activities by locating it in relation to buildings to optimise solar access to apartments; consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape; designing its size and dimensions to allow for the program of uses it will contain; minimising overshadowing; carefully locating ventilation duct outlets from basement car parks.	☒	☐	☐	
• Provide open space for each apartment capable of enhancing residential amenity in the form of balcony, deck, terrace, garden, yard, courtyard and/or roof terrace.	☒	☐	☐	All apartments are provided with at least 1 suitably sized area of private open space in the form of a terrace or balcony.
• Locate open space to increase the potential for residential amenity by designing apartment buildings which: are sited to allow for landscape design; are sited to optimise daylight access in winter and shade in summer; have a pleasant outlook; have increased visual privacy between apartments.	☒	☐	☐	Private open spaces are positioned to optimise solar access and to ensure visual privacy between apartments.
• Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area.	☒	☐	☐	The landscaped areas are to contain trees and native plantings in accordance with the BASIX requirements.
• The area of communal open space required should generally be at least 25-30% of the site area. Larger sites and brown field sites may have potential for more than 30%.	☐	☒	☐	**The amount of common open space covers is 421sqm or 23% of the site. However, the proposal is considered to provide suitable areas of private open space through the provision of individual balconies (ranging between 12-25sqm). Given the minor variation, the development is considered acceptable in this instance.**
• Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or a contribution to public open space.	☒	☐	☐	As above,
• **Minimum recommended area of private open space for each apartment at ground level or similar space on structure is 25sqm and the minimum preferred dimension is 4 metres.**	☐	☒	☐	**Of the 4 units on lower ground level, 2 achieve the minimum area of 25sqm and depth of 4 metres.** **Unit 0.A1 incorporates a private open space area of 24sqm (4m min. depth) which is compensated by a secondary open space area of 17sqm.** **Unit 0.B1 incorporates a private open space area of 23sqm with a depth of 3 m.** **These are considered minor variances and as such, given that all the spaces provided can accommodate table and chairs for outdoor private amenity, there is no objection raised to the non-compliances in this instance.**

Requirement	Yes	No	N/A	Comment
Orientation				
Objectives • To optimise solar access to residential apartments within the development and adjacent development. • To contribute positively to desired streetscape character. • To support landscape design of consolidated open space areas. • To protect the amenity of existing development. • To improve the amenity of existing development.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Orientation objectives as the building is appropriately located to maximise solar access to the proposed building but also maintain solar access to adjoining buildings. The proposed building is also appropriately aligned to the street corners of Rawson Street, Dartbrook Road and Holiday Lane.
Design Practice • Plan the site to optimise solar access by: positioning and orienting buildings to maximise north facing walls (within 30^0 east and 20^0 west of north) where possible; and providing adequate building separation within the development and to adjacent buildings. • 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. • Optimise solar access to living spaces and associated private open spaces by orienting them to the north. • Detail building elements to modify environmental conditions as required to maximise sun access in winter and sun shading in summer.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The general layout is considered to be the most appropriate with regard to the general positioning of the site and the surrounding developments.
Planting on Structures				
Objectives • To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards. • To encourage the establishment and healthy growth of trees in urban areas.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Planting on Structures objectives as sufficient soil depth is provided to allow the communal open space area to be planted, landscaped and include trees.
Design Practice • 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. • 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.	☒ ☒	☐ ☐	☐ ☐	Sufficient soil depth provided for the planters and proposed plantings as nominated within the landscape maintenance documentation.

Requirement	Yes	No	N/A	Comment
• 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.	☒	☐	☐	
• Minimum standards: ○ Large trees such as figs (canopy diameter of up to 16 metres at maturity): ▪ Minimum soil volume 150cum; ▪ Minimum soil depth 1.3 metres; ▪ Minimum soil area 10 metres by 10 metres.	☒	☐	☐	
○ Medium trees (canopy diameter of up to 8 metres at maturity): ▪ Minimum soil volume 35cum; ▪ Minimum soil depth 1 metre; ▪ Approximate soil area 6 metres by 6 metres.	☒	☐	☐	
○ Small trees (canopy diameter of up to 4 metres at maturity): ▪ Minimum soil volume 9cum; ▪ Minimum soil depth 800mm; ▪ Approximate soil area 3.5 metres by 3.5 metres.	☒	☐	☐	
○ Shrubs: ▪ Minimum soil depths 500-600mm	☒	☐	☐	
○ Ground cover: ▪ Minimum soil depths 300-450mm	☒	☐	☐	
○ Turf: ▪ Minimum soil depth 100-300mm	☒	☐	☐	
▪ Any subsurface drainage requirements are in addition to the minimum soil depths.	☒	☐	☐	
Stormwater Management				
Objectives • To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways.	☒	☐	☐	Stormwater drainage design is considered acceptable subject to detailed conditions to be included in any consent issued for the development.
• To preserve existing topographic and natural features including waterways and wetlands.	☒	☐	☐	
• To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.	☒	☐	☐	
Design Practice • Reduce the volume impact of stormwater on infrastructure by retaining it on site.	☒	☐	☐	Stormwater drainage design is considered acceptable subject to the inclusion of detailed conditions, should the application be recommended for approval.
• Optimise deep soil zones. All development must address the potential for deep soil zones.	☒	☐	☐	
• On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions.	☐	☐	☒	
• 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.	☒	☐	☐	
• Reduce the need for expensive sediment trapping techniques by controlling erosion.	☒	☐	☐	
• Consider using grey water for site irrigation.	☒	☐	☐	
Safety				
Objectives • To ensure residential flat developments are safe and secure for residents and visitors.	☒	☐	☐	The proposed development is considered to be consistent with the Safety objectives as secure access to communal entries to the building and as casual surveillance of the public domain from living and open space areas and the commercial uses is to be provided.
• To contribute to the safety of the public domain.	☒	☐	☐	
Design Practice • Reinforce the development boundary to	☒	☐	☐	The ground floor is proposed to be

Requirement	Yes	No	N/A	Comment
strengthen the distinction between public and 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.				used for both residential and commercial purposes. Given the tri frontages of Rawson Street, Dartbrook Road and Holiday Lane, the differing uses are easily identifiable.
• 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.	☒	☐	☐	Communal building entries are to be orientated to the Dartbrook Road, with some ground floor apartments incorporating individual entries. It is noted that at grade access from Rawson Street is available for commercial access.
• 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.	☒	☐	☐	The commercial tenancy and ground floor apartments incorporate suitable materials and finishes that allow for an appropriate level of casual surveillance of public areas is achieved.
• 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.	☒	☐	☐	Opportunities for concealment or the creation of blind alcoves have been minimised in this development.
• 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.	☒	☐	☐	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. Secure access doors/gates are to be provided to lift lobbies, car parking and communal courtyards.
• Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	☒	☐	☐	An assessment of the proposal in relation to Council's Policy on Crime Prevention Through Environmental Design 2006 is provided, which addresses the relevant provisions.
Visual Privacy				
Objectives • To provide reasonable levels of visual privacy externally and internally during the day and night. • To maximise outlook and views from principal rooms and private open space without compromising visual privacy.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Visual Privacy Objectives as outlook of open space is maximised where possible, without creating adverse impacts.

Requirement	Yes	No	N/A	Comment
Design Practice • 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.	☒	☐	☐	Suitable privacy screens have been proposed in areas where visual privacy is a concern. This is noted on the south western corner of the development.
• 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. • Use detailed site and building design elements to increase privacy without compromising access to light and air.	☒ ☒	☐ ☐	☐ ☐	Generally, for much of the development, building separation, location of windows and private open spaces and the use of privacy screening are satisfactory. Provision of fixed privacy louvers to balcony edges have minimised privacy impacts between apartments.
Building Entry				
Objectives • To create entrances which provide a desirable residential identity for the development. • To orient the visitor. • To contribute positively to the streetscape and building facade design.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Building Entry Objectives as a communal entry which is easily identifiable is proposed.
Design Practice • 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. • Provide as direct a physical and visual connection as possible between the street and the entry.	☒ ☒	☐ ☐	☐ ☐	The proposal introduces a single commercial entry off Rawson Street and two residential entries accessible from Dartbrook Road. Additionally, two ground floor units have individual entries. The commercial entry allows the development to integrate with the public domain/commercial nature of Rawson Road through the provision of a distinct awning. Additionally, the residential entries along Dartbrook Road represent the residential nature of the street and are considered integral to the design. Entry foyers are 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.

Requirement	Yes	No	N/A	Comment
• Achieve clear lines of transition between the public street, the shared private circulation spaces and the apartment unit. • Ensure equal access for all. • Provide safe and secure access. • Provide separate entries from the street for pedestrians and cars; different uses and ground floor apartments. • Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces. • Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Mailboxes are provided at the entry of the development. Suitable conditions will be included in any consent for suitable mail facilities in appropriate location to be provided within the site.
Parking				
Objectives • To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport - public transport, bicycling and walking. • To provide adequate car parking for the building's users and visitors depending on building type and proximity to public transport. • To integrate the location and design of car parking with the design of the site and the building.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Parking objectives as suitable number of resident, commercial and visitor car, and bicycle spaces are provided within the underground levels which do not impact upon the aesthetic design of the building.
Design Practice • 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. • Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant. • 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.	☒ ☐ ☒	☐ ☐ ☐	☐ ☒ ☐	Following a car parking count, it is identified that 105 car parking spaces are provided in this development. Of that, there are 76 parking spaces for residents; 17 parking spaces for visitors; 3 parking spaces for commercial; including 9 spaces designated as disabled spaces With the exception of 3 at grade commercial spaces, 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 lifts.

Requirement	Yes	No	N/A	Comment
• 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.	☐	☐	☒	
• 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.	☐	☐	☒	
• Provide bicycle parking which is easily accessible from ground level and from apartments.	☒	☐	☐	Bicycle racks are provided within the basement parking level/at grade parking area and are suitably accessible.
Pedestrian Access				
Objectives • To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.	☒	☐	☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entry is provided to access cores of all units.
• 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.	☒	☐	☐	
Design Practice • Utilise the site and its planning to optimise accessibility to the development.	☒	☐	☐	The site is considered to be appropriately barrier free with wheelchair access possible from the street and basement and to the upper/lower residential floors of the development.
• Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.	☒	☐	☐	
• Promote equity by ensuring the main building entrance is accessible for all from the street and from car parking areas; integrating ramps into the overall building and landscape design.	☒	☐	☐	
• Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space.	☒	☐	☐	The development introduces 4 ground floor apartments which have suitable private open space as previously discussed. It is noted that suitable street access is available to two of these units
• Maximise the number of accessible, visitable and adaptable apartments in a building.	☒	☐	☐	
• Separate and clearly distinguish between pedestrian access ways and vehicle access ways.	☒	☐	☐	There are 80 units in the development. Of that figure, 10 or 12.5% are to be designated as “Adaptable units”.
• Consider the provision of public through site pedestrian access ways in large development sites.	☒	☐	☐	
• Identify the access requirements from the street or car parking area to the apartment entrance.	☒	☐	☐	Vehicular and pedestrian entries are well separated
• Follow the accessibility standard set out in AS1428 as a minimum.	☒	☐	☐	
• Provide barrier free access to at least 20% of dwellings in the development.	☒	☐	☐	
Vehicle Access				

Requirement	Yes	No	N/A	Comment
Objectives • To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety. • To encourage the active use of street frontages.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Vehicle Access objectives. The vehicular access points have been designed to minimise the streetscape impact and promote active street usage via the commercial tenancies.
Design Practice • Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts. • Ensure adequate separation distances between vehicular entries and street intersections. • 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. • 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. • Generally limit the width of driveways to a maximum of 6 metres. • Locate vehicle entries away from main pedestrian entries and on secondary frontages.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	A dual vehicular access way is provided from Dartbrook Road. The driveway widths are not excessive and is not in near vicinity from any intersections. Service areas such as garbage storage (within specific rooms) and loading spaces are contained within the site and not visible from public areas. Garbage to be collected from the at ground level. The driveway is considered acceptable in regards to their function. Commercial and pedestrian entrances are separated from driveway access.
Part 03 Building Design				
Apartment Layout				
Objectives • To ensure the spatial arrangement of apartments is functional and well organised. • To ensure that apartment layouts provide high standards of residential amenity. • To maximise the environmental performance of apartments. • To accommodate a variety of household activities and occupants' needs.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout to occur.
Design Practice • Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability. • 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. • Design apartment layouts which respond to the	☒ ☒	☐ ☐	☐ ☐	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible. (Some issues have however been identified such as unit depth for single aspect south facing units – discussed later in the report). A suitable furniture layout can be achieved for all the units.

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	
• 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 capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments.	☒	☐	☐	The living area of each unit is connected to the balcony.
• Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.	☒	☐	☐	The kitchens do not form part of the major circulation space of any apartment.
• Include adequate storage space in apartment • Ensure apartment layouts and dimensions facilitate furniture removal and placement.	☒ ☒	☐ ☐	☐ ☐	All the units have storage space within their confines in addition to kitchen cupboards and wardrobes.
• **Single aspect apartments should be limited in depth to 8 metres from a window.**	☐	☒	☐	**8 single aspect apartments within the development (known as A2 units) are more than 8m deep, being 9.6m. Given the design of the A2 unit ("L" design), a portion of the unit exceeds the maximum specified depth. It is noted that the area beyond the maximum depth is within 6 metres from the main area of private open space and is considered acceptable in this instance.**
• The back of a kitchen should be no more than 8 metres from a window.	☒	☐	☐	All kitchens are within 8 metres of a window.
• The width of cross-over/cross-through apartments over 15 metres deep should be 4 metres or greater.	☒	☐	☐	No cross-over/cross through apartments greater than 15m are proposed.
• Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly for habitable rooms.	☒	☐	☐	
• 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.	☒	☐	☐	A good range of apartments are provided. No minimum sizes non compliances are noted.
Apartment Mix				

Requirement	Yes	No	N/A	Comment
Objectives • To provide a diversity of apartment types, which cater for different household requirements now and in the future. • To maintain equitable access to new housing by cultural and socio-economic groups.	☒ ☒	☐ ☐	☐ ☐	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.
Design Practice • Provide a variety of apartment types particularly in large apartment buildings. Variety may not be possible in smaller buildings (up to 6 units). • 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. • Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved. • Optimise the number of accessible and adaptable units to cater for a wider range of occupants. • Investigate the possibility of flexible apartment configurations which support change in the future.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The development has the following bedroom mix:- 1 bedroom apartments - 9 units (11.25%) 2 bedroom apartments – 71 units (88.75%) Ground floor level contains a mixture of 1 and 2 bedroom apartment types and is considered acceptable. There are 10 nominated post adaptable units to be provided in the development.
Balconies				
Objectives • To provide all apartments with private open space. • To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents. • To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings. • To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Balconies objectives 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.
Design Practice • Where other private open space is not provided, provide at least one primary balcony. • 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 livening – a dining table and 2 chairs (small apartment) and 4 chairs (larger apartment) should fit on the majority of balconies in the development. • 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. • 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	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	All apartments have at least one balcony. Access is provided directly from living areas. Secondary balconies are provided to a small number of apartments in the building. Private open spaces are provided in the form of terrace and balconies for the ground floor units as the building dictates.

Requirement	Yes	No	N/A	Comment
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.				
• Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy.	☒	☐	☐	A mix of frosted and solid balustrades is proposed through-out to maximise solar access and casual surveillance.
• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.	☒	☐	☐	
• Consider supplying a tap and gas point on primary balconies.	☒	☐	☐	
• Provide primary balconies for all apartments with a minimum depth of 2 metres (2 chairs) and 2.4 metres (4 chairs).	☒	☐	☐	All apartments are provided with a primary balcony of at least 2.5m in depth.
• 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.	☒	☐	☐	
• Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.	☒	☐	☐	
Ceiling Heights				
Objectives • To increase the sense of space in apartments and provide well proportioned rooms.	☒	☐	☐	The proposed development is considered to be consistent with the Ceiling Heights objectives as suitable ceiling heights are provided for the mixed use nature of building.
• To promote the penetration of daylight into the depths of the apartment.	☒	☐	☐	
• To contribute to flexibility of use.	☒	☐	☐	
• To achieve quality interior spaces while considering the external building form requirements.	☒	☐	☐	
Design Practice • 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.	☒	☐	☐	The units in the building have floor to ceiling heights of 3.05 metres. After deducting the slab width the effective height of the floor to ceiling height would be approximately 2.7 metres Ground floor is proposed to be 4 metres which can allow for an effective floor to ceiling height in the commercial tenancies of 3.5 metres This is considered acceptable for solar access and general residential amenity.
• 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.	☒	☐	☐	The building does not consist of any double height apartments or commercial tenancies.
• Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.	☐	☐	☒	Being a mixed use building ceiling heights to promote future flexibility of use is not necessary in this instance.

Requirement	Yes	No	N/A	Comment
• Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines.	☒	☐	☐	
• Count double height spaces with mezzanines as two storeys.	☐	☐	☒	
• Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed.	☒	☐	☐	
• Minimum dimensions from finished floor level to finished ceiling level:				
○ Mixed use buildings: 3.3 metres minimum for ground floor retail/commercial and for first floor residential, retail or commercial.	☒	☐	☐	Minimum height of 3.3m provided.
○ For RFBs in mixed use areas 3.3 metres minimum for ground floor;	☐	☐	☒	Residential use on ground floor located at rear.
○ 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;	☒	☐	☐	Minimum height of 2.7m provided.
○ 2 storey units: 2.4 metres for second storey if 50% or more of the apartments has 2.7 metres minimum ceiling heights;	☐	☐	☒	
○ 2 storey units with a 2 storey void space: 2.4 metres minimum;	☐	☐	☒	
○ Attic spaces: 1.5 metres minimum wall height at edge of room with a 30^0 minimum ceiling slope.	☐	☐	☒	
• Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight.	☐	☐	☒	The floor to ceiling heights proposed are considered satisfactory.
Flexibility				
Objectives • To encourage housing designs which meet the broadest range of the occupants' needs as possible.	☒	☐	☐	The proposed 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.
• To promote 'long life loose fit' buildings, which can accommodate whole or partial changes of use.	☒	☐	☐	
• To encourage adaptive reuse.	☒	☐	☐	
• To save the embodied energy expended in building demolition.	☒	☐	☐	
Design Practice • 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.	☒	☐	☐	Apartment layout provides for basic changes to internal configuration. The building is serviced by 2 lifts and has accessible apartments
• Provide apartment layouts which accommodate the changing use of rooms.	☒	☐	☐	Apartment layout provides for basic changes to internal configuration.
• Utilise structural systems which support a degree of future change in building use or configuration.	☒	☐	☐	
• Promote accessibility and adaptability by ensuring: the number of accessible and visitable apartments is optimised; and adequate pedestrian mobility and access is provided.	☒	☐	☐	Accessible and visitable apartments are promoted. There are 80 units in the development. Of that figure, 10 or 12.5% 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
Objectives • To contribute to the desired streetscape of an area and to create active safe streets. • To increase the housing and lifestyle choices available in apartment buildings.	☒ ☒	☐ ☐	☐ ☐	The proposal introduces 4 ground floor apartments facing Dartbrook Road.
Design Practice • Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants.	☒	☐	☐	The design of the ground floor apartments are considered acceptable, contributing to the residential nature of the building facing Dartbrook Road.
• 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.	☒	☐	☐	The proposal incorporates a minor lift to the private open space platform.
• 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.	☒	☐	☐	Private open space areas of the ground floor are of sufficient size to facilitate private gardens and are sizable to support other activities.
• 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.	☒	☐	☐	2 out 4 units on the ground floor are cross through apartments increasing solar access.
• Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.	☒	☐	☐	2 out of 4 apartments on the ground floor have two separate entries.
• Provide ground floor apartments with access to private open space, preferably as a terrace or garden.	☒	☐	☐	All ground floor apartments have access to a suitably sized terrace area.
Internal Circulation				
Objectives • To create safe and pleasant spaces for the circulation of people and their personal possessions. • To facilitate quality apartment layouts, such as dual aspect apartments. • To contribute positively to the form and articulation of the building façade and its relationship to the urban environment. • To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided around 2 separate lift cores.
Design Practice • 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.	☒	☐	☐	Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings.

Requirement	Yes	No	N/A	Comment
• 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.	☒	☐	☐	Two lift access cores are provided to service the building.
• Articulate longer corridors by: utilising a series of foyer areas and/or providing windows along or at the end of a corridor.	☒	☐	☐	
• Minimise maintenance and maintain durability by using robust materials in common circulation areas.	☒	☐	☐	
• 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.	☒	☐	☐	A maximum of 5 apartments are arranged from each access corridor.
Mixed Use				
Objectives • To support a mix of uses that complement and reinforce the character, economics and function of the local area.	☒	☐	☐	The proposed mixed use building is in accordance with the desired future character of the area.
• Choose a compatible mix of uses.	☒	☐	☐	No specific uses of the commercial tenancy is proposed at this time, however should the proposal be recommended for approval appropriate condition may be imposed for a separate application to be submitted for the use of each commercial tenancy.
• Consider building depth and form in relation to each use's requirements for servicing and amenity.	☒	☐	☐	The commercial tenancy is completely separated from the residential lobbies.
• 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.	☒	☐	☐	
• 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.	☒	☐	☐	The public domain interface is considered to positively contribute to the streetscape by providing high quality materials and distinct access to the residential use foyer.
• 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.	☒	☐	☐	
• Recognising the ownership/lease patterns and separating requirements for purposes of BCA.	☒	☐	☐	
Storage				

Requirement	Yes	No	N/A	Comment
Objectives • To provide adequate storage for everyday household items within easy access of the apartment. • To provide storage for sporting, leisure, fitness and hobby equipment.	☒ ☒	☐ ☐	☐ ☐	Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and dedicated separate storage cupboards.
Design Practice • 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. • 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. • Ensure that storage separated from apartments is secure for individual use. • 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. • Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces. • In addition to kitchen cupboards and wardrobes, provide accessible storage facilities at the following rates: ○ Studio = 6cum; ○ 1 bed = 6cum; ○ 2 bed = 8cum; ○ 3+ bed = 10cum.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Apartments are to have varying levels of storage areas. However, the storage space per unit varies. Each unit is to have a dedicated storage space within the basement in addition to kitchen cupboards and wardrobes. It is anticipated that any subdivision application will provide appropriate allocation of storage space to each unit. Appropriate condition could be imposed in this regards should the proposal be recommended for approval. Satisfactory storage areas are provided to satisfy the DCP requirements as detailed on the submitted plans.
Acoustic Amenity				
Objectives • 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.	☒	☐	☐	The proposed 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.

Requirement	Yes	No	N/A	Comment
Design Practice • 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.	☒	☐	☐	Suitable building separation is provided to allow private open space areas to be located away from each other.
• 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.	☒	☐	☐	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.
• 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.	☒	☐	☐	Where possible, noisier areas such as bathrooms and laundries are distanced from bedrooms.
• 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.	☒	☐	☐	The Acoustic Report provided with the application, prepared by Renzo Tonin and Associates dated 12 March 2015 (ref: TG924-01F02 (r4)) provided Acoustic criteria and recommended construction methods/materials/treatments to be used to meet the criteria for the site.
• Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.	☐	☐	☒	
Daylight Access				
Objectives • To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.	☒	☐	☐	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
• To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.	☒	☐	☐	
• To provide residents with the ability to adjust the quantity of daylight to suit their needs.	☒	☐	☐	
Design Practice • Plan the site so that new residential flat development is oriented to optimise northern aspect.	☒	☐	☐	There are many units facing north, east or west that receives an adequate amount of solar penetration.
• Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	☒	☐	☐	Rooftop Communal open space is provided and has unimpeded solar access.
• 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 areas to the south and west of development; limit the number of south acing apartments and increase their window area; use light shelves to reflect light into deeper apartments.	☒	☐	☐	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
• 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).	☒	☐	☐	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.
• Limit the use of light wells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms.	☐	☐	☒	None proposed for the development
• 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.	☐	☐	☒	
• 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.	☒	☐	☐	The applicant provided shadow statistics schedule that shows that 56 units or 70% of the units having living areas and private open space areas achieving the minimum 3 hours solar access.
• Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.	☒	☐	☐	The proposal does not incorporate any single south facing apartments. It is noted that the single aspect developments on the eastern side allow for some solar penetration and are considered acceptable in this instance.
• Developments which seek to vary from the minimum standards must demonstrate how site constrains and orientation prohibits the achievement of these standards and how energy efficiency is addressed.	☒	☐	☐	It is noted that the development application achieves satisfactory compliance with daylight access.
Natural Ventilation				
Objectives • 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. • To provide natural ventilation in non-habitable rooms, where possible. • To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed 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.

Requirement	Yes	No	N/A	Comment
Design Practice • 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.	☒	☐	☐	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.
• Utilise the building layout and section to increase the potential for natural ventilation.	☒	☐	☐	
• Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar usage together.	☒	☐	☐	
• Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout.	☒	☐	☐	
• Coordinate design for natural ventilation with passive solar design techniques.	☒	☐	☐	
• Explore innovative technologies to naturally ventilate internal building areas or rooms.	☐	☐	☒	
• Building depths which support natural ventilation typically range from 10-18 metres.	☒	☐	☐	The building depth for the building varies but reaches up to 182m from glass line to glass. This is considered acceptable
• 60% of residential units should be naturally cross ventilated.	☒	☐	☐	58 units or 72.5% of apartments in the development have openings in two or more external walls of different orientation
• 25% of kitchens within a development should have access to natural ventilation.	☒	☐	☐	All kitchens within the development are considered to be naturally ventilated as they are part of the open plan living areas.
• Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved particularly in relation to habitable rooms.	☒	☐	☐	The non compliances identified in this section can be considered minor in this instance and generally supportable.
Awnings and Signage				
Objectives • To provide shelter for public streets.	☒	☐	☐	The proposal includes an awning over the public domain to provide shelter for the adjoining public footpath.
• To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design	☐	☐	☒	No specific signage is proposed.

Requirement	Yes	No	N/A	Comment
Design Practice *Awnings* • 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.	☒	☐	☐	Awnings over the surrounding public domain are proposed.
• Contribute to the legibility of the residential flat development and amenity of the public domain by locating local awnings over building entries.	☒	☐	☐	Distinct awning proposed over building entrance
• Enhance safety for pedestrians by providing under-awning lighting. *Signage*	☐	☐	☒	No signage of any kind is proposed under this application.
• Councils should prepare guidelines for signage based on the desired character and scale of the local area.	☐	☐	☒	
• Integrate signage with the design of the development by responding to scale, proportions and architectural detailing.	☐	☐	☒	
• Provide clear and legible way finding for residents and visitors.	☒	☐	☐	Entry door to residential foyer is recessed
Facades				
Objectives • To promote high architectural quality in residential flat buildings.	☒	☐	☐	The proposed development is considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed.
• To ensure that new developments have facades which define and enhance the public domain and desired street character.	☒	☐	☐	
• To ensure that building elements are integrated into the overall building form and façade design.	☒	☐	☐	
Design Practice • Consider the relationship between the whole building form and the façade and/or building elements.	☒	☐	☐	Elevations are provided in accordance with the scale requirements of the Auburn Local Environmental plan and Auburn Town Centre controls. The design quality of the development is satisfactory. A high level of modulation, articulation and architectural feature elements are incorporated to provide visually interesting and varied facades. Unsightly elements such as services, piping and plant is to be suitably located and/or screened so as not to detract from the visual quality of facades.
• Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character.	☒	☐	☐	
• 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.	☒	☐	☐	
• Express important corners by giving visual prominence to parts of the façade.	☒	☐	☐	
• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.	☒	☐	☐	
• Coordinate security grills/screens, ventilation louvres and car park entry doors with the overall façade design.	☒	☐	☐	
Roof Design				
Objectives • To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings.	☒	☐	☐	The proposed development is considered to be consistent with the Roof Design objectives. The roof design, promoting a feature element to facilitate the strong corner element and provide screening for the communal private open space on the roof top, is considered satisfactory.
• To integrate the design of the roof into the overall façade, building composition and desired contextual response.	☒	☐	☐	
• To increase the longevity of the building through weather protection.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Relate roof design to the desired built form. • 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. • Design roofs to respond to the orientation of the site. • 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. • 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. • Facilitate the use or future use of the roof for sustainable functions e.g. rainwater tanks, photovoltaics, water features. • Where habitable space is provided within the roof optimise residential amenity in the form or attics or penthouse apartments.	☒ ☒ ☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☒	The roof designis considered to meet this part.
Energy Efficiency				
Objectives • To reduce the necessity for mechanical heating and cooling. • To reduce reliance on fossil fuels. • To minimise greenhouse gas emissions. • To support and promote renewable energy initiatives.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Energy Efficiency objectives as a BASIX Certificate which achieves the relevant energy targets is provided and the relevant commitments shown on plans.
Design Practice Requirements superseded by BASIX.	☒	☐	☐	The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation. It is noted that a revised BASIX Certificate will be required to be submitted to facilitate the deferred commencement recommendation.
Maintenance				
Objectives • To ensure long life and ease of maintenance for the development.	☒	☐	☐	The proposed 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.

Requirement	Yes	No	N/A	Comment
Design Practice • Design windows to enable cleaning from inside the building, where possible. • Select manually operated systems in preference to mechanical systems. • Incorporate and integrate building maintenance systems into the design of the building form, roof and façade. • Select durable materials, which are easily cleaned and are graffiti resistant. • Select appropriate landscape elements and vegetation and provide appropriate irrigation systems. • 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.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Should the application be recommended for approval, relevant conditions in relation to use of high-quality materials and general maintenance of the site shall be included in any consent that may be issued.
Waste Management				
Objectives • To avoid the generation of waste through design, material selection and building practices. • To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development. • To encourage waste minimisation, including source separation, reuse and recycling. • To ensure efficient storage and collection of waste and quality design of facilities.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Waste Management objectives as suitable arrangements and facilities for waste disposal and storage are proposed.
Design Practice • Incorporate existing built elements into new work, where possible. • Recycle and reuse demolished materials, where possible. • Specify building materials that can be reused and recycled at the end of their life. • Integrate waste management processes into all stages of the project, including the design stage. • 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.	☐ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☐ ☐	Suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.
• Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper. • 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. • 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. • Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities. • Supply waste management plans as part of the DA submission.	☒ ☒ ☒ ☐ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☐	
Water Conservation				

Requirement	Yes	No	N/A	Comment
Objectives • To reduce mains consumption of potable water. • To reduce the quantity of urban stormwater runoff.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Water Conservation objectives as on-site detention and a suitable stormwater drainage plan is proposed.
Design Practice • Requirements superseded by BASIX.	☐	☐	☒	The design practice requirements are superseded by commitments listed in the accompanying BASIX Certificate.

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
Part 1 Preliminary **1.2 Aims of Plan**	☒	☐	☐	
(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.				
(2) The particular aims of this Plan are as follows:	☒	☐	☐	The proposal substantially complies with the stipulated development standards of the ALEP 2010.
(a) to establish planning standards that are clear, specific and flexible in their application,	☒	☐	☐	The proposal is considered to establish an acceptable benchmark of future development in the immediate area.
(b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being,	☒	☐	☐	The development is not considered to be inappropriate for the area. The development substantially complies and will establish the future desired character for its immediate area.
(c) to protect areas from inappropriate development,	☒	☐	☐	
(d) to minimise risk to the community by restricting development in sensitive areas,	☒	☐	☐	The proposal has incorporated ESD principles with features such as passive design and BASIX. The development is acceptable in this regard.
(e) to integrate principles of ecologically sustainable development into land use controls,	☐	☐	☒	
(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,	☒	☐	☐	Being a mixed use development the proposal will also create employment opportunities.
(g) to facilitate economic growth and employment opportunities within Auburn,	☐	☐	☒	The site is not within the vicinity of any heritage item.
(h) to identify and conserve the natural, built and cultural heritage,	☐	☐	☒	
(i) to provide recreational land, community facilities and land for public purposes.				
1.8 Repeal of other local planning instruments applying to land				
(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. **Note.** The following local environmental plans are repealed under this provision: *Auburn Local Environmental Plan 2000*	☒	☐	☐	Noted
(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.	☒	☐	☐	
1.9 Application of SEPPs and REPs				
(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.	☒	☐	☐	

Clause	Yes	No	N/A	Comment
(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies: *State Environmental Planning Policy No 1—Development Standards* *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development* (clause 6, clause 10 and Parts 3 and 4) *State Environmental Planning Policy No 60—Exempt and Complying Development* *Sydney Regional Environmental Plan No 24—Homebush Bay Area*	☐	☐	☒	The state policies stated below are not relevant to this application.
1.9A Suspension of covenants, agreements and instruments				
(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.	☒	☐	☐	There are no known covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.
(2) This clause does not apply: (a) to a covenant imposed by the Council or that the Council requires to be imposed, or	☐	☐	☒	None of these apply to the development site.
(b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or	☐	☐	☒	
(c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or	☐	☐	☒	
(d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or	☐	☐	☒	
(e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or	☐	☐	☒	
(f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or	☐	☐	☒	
(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.	☐	☐	☒	
(3) This clause does not affect the rights or interests of any public authority under any registered instrument.	☐	☐	☒	The development is not on behalf of a public authority.
(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	☐	☐	☒	

Clause	Yes	No	N/A	Comment
Part 2 Permitted or prohibited development				
2.1 Land use zones The land use zones under this Plan are as follows: **Residential Zones** R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential **Business Zones** B1 Neighbourhood Centre B2 Local Centre **B4 Mixed Use** B6 Enterprise Corridor B7 Business Park **Industrial Zones** IN1 General Industrial IN2 Light Industrial **Special Purpose Zones** SP1 Special Activities SP2 Infrastructure **Recreation Zones** RE1 Public Recreation RE2 Private Recreation **Environment Protection Zones** E2 Environmental Conservation **Waterway Zones** W1 Natural Waterways	☒	☐	☐	The land is zoned B4 - Mixed use, which permits the type of development proposed.
2.5 Additional permitted uses for particular land (1) Development on particular land that is described or referred to in Schedule 1 may be carried out: (a) with consent, or (b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development. (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	☐ ☐ ☐	☐ ☐ ☐	☒ ☒ ☒	No additional uses in accordance with this clause are being applied for under this application.
2.6Subdivision—consent requirements (1) Land to which this Plan applies may be subdivided, but only with consent. (2) However, consent is not required for a subdivision for the purpose only of any one or more of the following: (a) widening a public road,	☐ ☐	☐ ☐	☒ ☒	No subdivision (Torrens or Strata) approval is being sought.

Clause	Yes	No	N/A	Comment
(b) a minor realignment of boundaries that does not create:				
(i) additional lots or the opportunity for additional dwellings, or	☐	☐	☒	
(ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,	☐	☐	☒	
(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.	☐	☐	☒	
Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.	☐	☐	☒	
2.6 AA Demolition requires consent The demolition of a building or work may be carried out only with consent. **Note.** If the demolition of a building or work is identified in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* as exempt development, the Act enables it to be carried out without consent.	☒	☐	☐	The proposal will incorporate the demolition of all buildings on site.
Zone B4 Mixed Use **1 Objectives of zone**				
• To provide a mixture of compatible land uses.	☒	☐	☐	The proposed residential and commercial/retail land uses are considered to be compatible with the objectives of the zone.
• 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.	☒	☐	☐	The site enjoys close proximity to the core Auburn town centre and associated public transport links.
• To encourage high density residential development.	☒	☐	☐	The residential component of the development is high density in accordance with the zone.
• To encourage appropriate businesses which contribute to economic growth.	☒	☐	☐	Being a mixed use development, the development will create an additional benefit in the form of job opportunities.
• To achieve an accessible, attractive and safe public domain.	☒	☐	☐	The proposal is considered to provide an attractive public domain interface through the use of high quality materials, awning and accessible entry.
2 Permitted without consent Nil	☐	☐	☒	All proposed development requires consent from Council.

Clause	Yes	No	N/A	Comment
3 Permitted with consent Backpackers' accommodation; Boarding houses; **Business premises**; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; **Office premises**; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; **Residential flat buildings**; **Retail premises**; Roads; Self-storage units; Seniors housing; Serviced apartments (but only as part of a mixed use development); Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4	☒	☐	☐	The proposed building is defined as mixed use development meaning "*a building or place comprising 2 or more different land uses".* In this instance, a residential and commercial land use is proposed. All components of the proposed development are permissible with consent from Council.
4 Prohibited Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Canal estate developments; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Marinas; Mining; Moorings; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Rural supplies; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies	☐	☐	☒	No prohibited development is proposed.
Part 4 Principal development standards				
4.1 Minimum subdivision lot size (1) The objectives of this clause are as follows: (a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and	☒	☐	☐	The site can comfortably support the development as proposed.
(b) to ensure that subdivision of land is capable of supporting a range of development types.	☐	☐	☒	No subdivision is proposed. The site would however be required to be consolidation, should the application be recommended for approval.
(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	☐	☐	☒	
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size	☐	☐	☒	

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.	☐	☐	☒	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.	☐	☐	☒	
(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	☐ ☐	☐ ☐	☒ ☒	
(iii) if the dwelling house will be on a zero lot line - 270 square metres,				
(b) semi-detached dwellings - 270 square metres,	☐	☐	☒	
(c) multi dwelling housing - 170 square metres for each dwelling,	☐	☐	☒	
(d) attached dwellings - 170 square metres.	☐	☐	☒	
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	☐	☐	☒	
4.3 Height of buildings				
(1) The objectives of this clause are as follows:				
(a) to establish a maximum building height to enable appropriate development density to be achieved, and	☒	☐	☐	The subject site has a 32m height limit under the Auburn LEP 2010.
(b) to ensure that the height of buildings is compatible with the character of the locality	☒	☐	☐	The proposal seeks to increase the overall building height of the with a maximum of 35.8 metres at its highest point. The maximum height limit permitted across this site is a consistent 32 metres. As such the proposed height increase does not comply with a breach of 3.8 metres.
(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.	☐	☒	☐	
(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:				In order to provide a compliant height for the development, one level at the top of the development is required to be removed thereby reducing the building height to 9 storeys (in total) and the deletion of 5 residential units. (This will reduce the apartment yield on site to 80 in total).
(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,	☐	☐	☒	

Clause	Yes	No	N/A	Comment
				A formal request for a variation to the height control was also sought under clause 4.6; however Council's Officers were of the opinion that there was insufficient planning grounds to justify contravening the development standard insofar as the scale of the development is inconsistent with the desired future character and scale of the surrounding development and streetscape. It is noted that the source of variance relates primarily to the lift overrun of the development which is not considered to be an architectural feature as nominated within the applicants request. In this instance, it is considered that the imposition of a deferred commencement condition on any consent issued will ensure that the development proposal achieves compliance with the statutory height requirement. Therefore the approval authority can be satisfied that the height of the building will be made compliant prior to operational consent being issued for the application.
(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.	☐	☐	☒	Development not on Parramatta Road Precinct. Development not on land within zone B6 – Enterprise Corridor.

Clause	Yes	No	N/A	Comment
4.4 Floor space ratio				
(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	☒	☐	☐	A floor space ratio of 3.6:1 is specified for the site.
(b) To ensure that development intensity reflects its locality.	☒	☐	☐	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.	☐	☒	☐	**The applicant has submitted a gross calculable floor area of 6704sqm.** **Given that the garbage room is not classified as being located within the basement level (and as such being exempt from floor space area calculation) an additional 60sqm should be considered. In tis regard the proposal introduces a gross floor area of 6764sqm representing a Floor Space Ratio of 3.63:1.** **However, given that the proposal is recommended for a deferred commencement approval, removing one floor (level 9) the proposal will have an effective floor space of 6385sqm or 3.43:1. This is compliant with this part.**
(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,	☐	☐	☒	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,	☐	☐	☒	
(c) for sites that are 1,800 square metres or greater—0.85:1.	☐	☐	☒	
(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	☐	☐	☒	Not within Zone – B6 Enterprise Corridor.
(b) 3:1 for office premises and hotel or motel accommodation.	☐	☐	☒	
(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	☐	☐	☒	

Clause	Yes	No	N/A	Comment
(b) 2:1 for office premises and hotel or motel accommodation.	☐	☐	☒	
4.5 Calculation of floor space ratio and site area **(1) Objectives** The objectives of this clause are as follows: (a) to define ***floor space ratio***,	☒	☐	☐	Noted
(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:				
(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and	☐	☐	☒	The site consists of 4 lots to be consolidated into 1 lot.
(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	☐	☐	☒	
(iii) require community land and public places to be dealt with separately.	☐	☐	☒	
(2) Definition of "floor space ratio" The ***floor space ratio*** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.				
(3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the ***site area*** is taken to be:				
(a) if the proposed development is to be carried out on only one lot, the area of that lot, or	☐	☐	☒	
(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.	☒	☐	☐	Noted
In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.				
(4) Exclusions from site area The following land must be excluded from the site area:				
(a) land on which the proposed development is prohibited, whether under this Plan or any other law,	☐	☐	☒	No exclusions in accordance with this clause are being applied.
(b) community land or a public place (except as provided by subclause (7)).	☐	☐	☒	
(5) Strata subdivisions	☐	☐	☒	No existing strata subdivision or

Clause	Yes	No	N/A	Comment
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.	☒	☐	☐	proposed strata subdivision being applied. The site consists of 4 lots to be consolidated into 1 lot.
(6) Only significant development to be included 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 unless the proposed development includes significant development on that additional lot.	☐	☐	☒	No public land incorporated into the proposal.
(7) Certain public land to be separately considered 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.	☒	☐	☐	All above ground floors of the proposal are factored into the floor space ratio calculation.
(8) Existing buildings 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.	☒	☐	☐	Should the application be approved, appropriate condition will be imposed to ensure the 4 lots are consolidated into 1 lot.
(9) Covenants to prevent "double dipping" 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.	☐	☐	☒	No consolidation covenant is being applied in this instance.
(10) Covenants affect consolidated sites If: (a) a covenant of the kind referred to in subclause (9) applies to any land (***affected land***), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, 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.	☐	☐	☒	

Clause	Yes	No	N/A	Comment
(11) Definition In this clause, ***public place*** has the same meaning as it has in the *Local Government Act 1993*.				
4.6 Exceptions to development standards (1) The objectives of this clause are: (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and	☒	☐	☐	**A formal request for a variation under this clause in relation to the departure in building height was sought. However Council Officers were of the opinion that there was insufficient planning grounds to justify the breach in the development standard for height insofar as the scale of the development is inconsistent with the desired future character and scale of the surrounding development and streetscape.**
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.	☒	☐	☐	
(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.	☐	☒	☒	
(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	☐	☒	☐	
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.	☐	☒	☐	
(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	☐	☒	☐	
(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	☐	☒	☐	
(b) the concurrence of the Director-				

Clause	Yes	No	N/A	Comment
General has been obtained.	☐	☐	☒	
(5) In deciding whether to grant concurrence, the Director-General must consider:				
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	☐	☐	☒	
(b) the public benefit of maintaining the development standard, and				
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	☐	☐	☒	
	☐	☐	☒	
(6) Not applicable				
(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).	☐	☐	☒	
(8) This clause does not allow consent to be granted for development that would contravene any of the following:				
(a) a development standard for complying development,	☐	☐	☒	
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,	☐	☐	☒	
(c) clause 5.4.	☐	☐	☒	
Part 5 Miscellaneous provisions				
5.6 Architectural roof features				
(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	☒	☐	☐	The roof parapet and lift overruns are not considered to be architectural roof features and accordingly do not receive a height concession in relation to this clause.
(b) To ensure that prominent architectural roof features are contained within the 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.	☐	☐	☒	
(3) Development consent must not be				

Clause	Yes	No	N/A	Comment
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	☐	☐	☒	
(ii) is not an advertising structure, and	☐	☐	☒	
(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and	☐	☐	☒	
(iv) will cause minimal overshadowing, and	☐	☐	☒	
(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.	☐	☐	☒	
5.10 Heritage conservation				
Note. 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.				
(1) Objectives				
The objectives of this clause are:				
(a) to conserve the environmental heritage of Auburn, and	☐	☐	☒	The land is not listed as being a heritage item or part of a heritage group or being an archaeological site.
(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.	☐	☐	☒	
(2) Requirement for consent				
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				

Clause	Yes	No	N/A	Comment
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.	☐	☐	☒	
(3) When consent not required				
However, consent under this clause is not required if:				
(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:				
(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	☐	☐	☒	
(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or	☐	☐	☒	
(b) the development is in a cemetery or burial ground and the proposed development:				
(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	☐	☐	☒	
(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	☐	☐	☒	
(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	☐	☐	☒	
(d) the development is exempt development.				
Note. 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.	☐	☐	☒	
(4) Effect on heritage significance				

Clause	Yes	No	N/A	Comment
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).	☒	☐	☐	
(5) Heritage impact assessment				
The consent authority ***may***, before granting consent to any development on land:				The land is not within the vicinity of any heritage item, heritage conservation area or archaeological site.
(a) on which a heritage item is situated, or	☐	☐	☒	
(b) within a heritage conservation area, or	☐	☐	☒	
(c) within the vicinity of land referred to in paragraph (a) or (b),	☐	☐	☒	
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.				
(6) Heritage conservation management plans	☐	☐	☒	
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.				
(7) Archaeological sites				
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 *Heritage Act 1977* applies):	☐	☐	☒	
(a) notify the Heritage Council of its intention to grant consent, and	☐	☐	☒	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.				
(8) Places of Aboriginal heritage significance				
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	☐	☐	☒	
(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any	☐	☐	☒	

Clause	Yes	No	N/A	Comment
response received within 28 days after the notice is sent.				
(9) Demolition of item of State significance				
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 *Heritage Act 1977* applies):	☐	☐	☒	
(a) notify the Heritage Council about the application, and	☐	☐	☒	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.				
(10) Conservation incentives				
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:	☐	☐	☒	
(a) the conservation of the heritage item is facilitated by the granting of consent, and	☐	☐	☒	
(b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and	☐	☐	☒	
(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	☐	☐	☒	
(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and	☐	☐	☒	
(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	☐	☐	☒	
Part 6 Additional local provisions				
6.1 Acid sulfate soils				
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	☒	☐	☐	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 managed Acid Sulfate issues during construction. The development is acceptable in this regard.

Clause		Yes	No	N/A	Comment
Class of land	**Works**	☐	☐	☒	
1	Any works.				
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.	☐	☐	☒	
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.	☐	☐	☒	
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.	☒	☐	☐	
(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.	☐	☐	☒	
(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	☐	☐	☒	
	(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.	☐	☐	☒	
(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):	☐	☐	☒	
	(a) emergency				

Clause	Yes	No	N/A	Comment
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,	☐	☐	☒	
(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),	☐	☐	☒	
(c) minor work, being work that costs less than $20,000 (other than drainage work).				
(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:	☐	☐	☒	
(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or	☐	☐	☒	
(b) the works are likely to lower the watertable.				
6.2 Earthworks				
(1) The objectives of this clause are as follows:				
(a) to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,	☒	☐	☐	Development consent is required for the proposed basement level excavations.
(b) to allow earthworks of a minor nature without separate development consent.	☐	☐	☒	
(2) Development consent is required for earthworks, unless:				
(a) the work does not alter the ground level (existing) by more than 600 millimetres, or	☐	☐	☒	
(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or	☐	☐	☒	
(c) the work is ancillary to other development for which development consent has been given.	☐	☐	☒	
(3) Before granting development consent for earthworks, the consent authority must				

Clause	Yes	No	N/A	Comment
consider the following matters:				
(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,	☒	☐	☐	The proposed excavation is not anticipated to disrupt local drainage patterns or soil stability.
(b) the effect of the proposed development on the likely future use or redevelopment of the land,	☒	☐	☐	The proposed development is in accordance with the desired future character of the area and zone B4 – mixed use zone objectives.
(c) the quality of the fill or of the soil to be excavated, or both,	☒	☐	☐	Appropriate conditions have been imposed to ensure that all fill taken from the site are taken to an approved landfill site.
(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	☒	☐	☐	Appropriate noise, construction and traffic control conditions have been imposed to ensure minimal impact on the amenity of adjoining uses.
(e) the source of any fill material and the destination of any excavated material,	☒	☐	☐	Soil has been tested in accordance with SEPP 55 requirements. All off site soil disposal to be to an approved landfill site. Suitable conditions will be imposed on the subject consent
(f) the likelihood of disturbing relics,	☒	☐	☐	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.	☒	☐	☐	There are no waterways or environmentally sensitive areas in vicinity.
Note. The *National Parks and Wildlife Act 1974*, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				

Clause	Yes	No	N/A	Comment
6.3 Flood planning				
(1) The objectives of this clause are:	☒	☐	☐	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,	☐	☐	☒	
(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,	☐	☐	☒	
(c) to avoid significant adverse impacts on flood behaviour and the environment.	☐	☐	☒	
(2) This clause applies to:	☐	☐	☒	
(a) land that is shown as "Flood planning area" on the Flood Planning Map, and	☐	☐	☒	
(b) other land at or below the flood planning level.	☐	☐	☒	
(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:	☐	☐	☒	
(a) is compatible with the flood hazard of the land, and	☐	☐	☒	
(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	☐	☐	☒	
(c) incorporates appropriate measures to manage risk to life from flood, and	☐	☐	☒	
(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	☐	☐	☒	
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	☐	☐	☒	
(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's *Floodplain Development Manual* published in 2005, unless it is otherwise defined in this clause.	☐	☐	☒	
(5) In this clause:				
flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.				
Flood Planning Map means the Auburn Local Environmental Plan 2010 Flood Planning Map.				
6.4 Foreshore building line				
(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.	☐	☐	☒	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.	☐	☐	☒	
(3) Development consent must not be granted for development on land in the foreshore area except for the following purposes:	☐	☐	☒	
(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,	☐	☐	☒	
(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,	☐	☐	☒	
(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).				
(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:	☐	☐	☒	
(a) the development will contribute to achieving the objectives for the zone in which the land is located, and	☐	☐	☒	
(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and	☐	☐	☒	
(c) the development is not likely to cause environmental harm such as:	☐	☐	☒	
(i) pollution or siltation of the waterway, or	☐	☐	☒	
(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or	☐	☐	☒	
(iii) an adverse effect on drainage patterns, and				
(d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and	☐	☐	☒	
(e) opportunities to provide continuous public access				

Clause	Yes	No	N/A	Comment
along the foreshore and to the waterway will not be compromised, and	☐	☐	☒	
(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,	☐	☐	☒	
(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.				
6.5 Essential Services				
(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:				The listed services are currently available to the site. Should the development be approved conditions will be imposed requiring that all services be augmented as necessary in accordance with service provider requirements.
(a) the supply of water,	☒	☐	☐	
	☒	☐	☐	
(b) the supply of electricity,	☒	☐	☐	
(c) the disposal and management of sewage.	☒	☐	☐	
(d) stormwater drainage or on-site conservation,	☒	☐	☐	
(e) suitable road access.	☐	☐	☒	
(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 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.	☒	☐	☐	The proposed 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 establish the scale, dimensions, form and separation of buildings appropriate for local centre locations.	☒	☐	☐	The proposal does not comply with the building height. Council considers that the development can proceed subject to a deferred commencement condition requiring amended plans for a reduced height level to achieve compliance.
c. To encourage mixed use development with residential components that achieve active street fronts with good physical and visual connection between buildings and the street, and maintain residential amenity.	☒	☐	☐	The proposal is for a mixed use development, comprising a commercial tenancy on the ground floor with street frontage, with the rear ground floor and upper floors used for residential units.
d. To achieve active street frontages with good physical and visual connections between buildings and the street.	☒	☐	☐	The proposal incorporates a glazed street frontage on the ground floor to facilitate the commercial uses. The proposal incorporates a street awning to facilitate a consistent street level design.
e. To ensure consistency in the main street frontages of buildings.	☒	☐	☐	The proposed development is located adjacent to residential flat developments of 3, 5 and 6 storeys consistent with the desired future character and scale. Council is satisfied that the development can be made to be consistent with the relevant planning controls in relation to height and will therefore recommend deferred commencement conditions of consent requiring submission of amended plans for a reduced height level to ensure compliance, prior to operational consent being issued.
f. To ensure building depth and bulk appropriate to the environmental setting and landform.	☒	☐	☐	The development has introduced a suitable separation between the building and adjoining uses. Additionally, the proposal forms a 'T' type of development where a greater massing is predominant at the Rawson Street and Dartbrook elevations which then tappers away towards the rear.
g. To ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments.	☒	☐	☐	As nominated above, the development has incorporated a suitable separation from the side boundaries so as to minimise the impact on the adjoining uses. It is noted that considerable efforts have been made to limit/restrict views onto the adjoining uses whilst maintaining internal amenity for each unit. Given the orientation of the site (north-south) overshadowing of adjoining properties is considered unavoidable in current design, however is limited to 3 hour blocks. As previously nominated the proposal

h. To ensure that the form, scale, design and nature of development enhances the streetscape and visual quality of commercial areas.	☒	☐	☐	incorporates the building mass to the Rawson Street and Dartbrook Road frontages which is considered to enhance the commercial area (Auburn town centre).
i. To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.	☒	☐	☐	As previously nominated, the proposal has taken into consideration the adjoining uses, being the residential uses, and has incorporated a suitable separation from boundaries to ensure the development does not negatively impact on these uses and would be compatible with any future similar development if proposed.
j. To ensure development appropriately supports the centres hierarchy.	☒	☐	☐	The development is considered appropriate in its context, being permissible with the statutory requirements of the ALEP 2010, subject to compliance with the deferred commencement requirement.
Development Controls **D1** To allow for their adaptive use, mixed use buildings are to incorporate the following flexible design requirements:				
□ the number of internal apartment structural walls are to be minimised; and	☒	☐	☐	The proposed layout and design of the units are considered to be flexible to allow reconfiguration at a later date. Suitable ceiling heights have been provided to facilitate the ground floor commercial and residential uses. The ground floor commercial tenancies have a floor to ceiling height of approximately 4m (3.8m if you take into consideration slab thickness and servicing requirements). This is considered to be consistent with the requirements as provided under 2.1 below.
□ ceiling heights for the ground floor is to be a minimum of 3.6 metres.	☒	☐	☐	
D2 Residential components are to be provided with direct access to street level with entrances clearly distinguishable from entries to commercial premises.	☒	☐	☐	The proposal incorporates two residential entries that is separate from the commercial entry. It is noted that 2 of the 4 ground floor units have street access. This is considered acceptable given the arrangement of the residential lobbies allowing additional access.
D3 Secure entries are to be provided to all entrances to private areas, including car parks and internal courtyards.	☒	☐	☐	The proposal is considered to provide suitable security to all entries within the development.
D4 Car parking provided for the residential component of the development is to be clearly delineated and provided separate to general customer parking.	☒	☐	☐	Suitable allocation of carparking has been provided which demonstrates the separation of residential and commercial parking.
D5 Development shall be designed to locate loading bays, waste storage/collection areas and any other noise and odour generating aspects of buildings away from residential areas.	☒	☐	☐	All loading areas are suitably located and do not interfere with the residential areas. It is noted that the loading/garbage collection is to be undertaken from a separate access at grade.

D6 Vehicular circulation areas must be legible and must differentiate between the commercial service requirements, such as loading areas, and residential access.	☒	☐	☐	It is noted that the at grade level is for commercial and loading uses whilst the lower basement levels are prioritised for residential parking.
D7 Mechanical plant is to be located on the roof or visually and acoustically isolated from residential uses.	☒	☐	☐	Suitable plant has been proposed as part of the development and is not considered to be an impact on surrounding uses.
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. **Development Controls** **D1** The minimum finished floor level (FFL) to finished ceiling level (FCL) shall be as follows: • 3300mm for ground level (regardless of the type of development); • 3300mm for all commercial/retail levels: and • 2700mm for all residential levels above ground floor.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Suitable ceiling heights have been provided to facilitate the ground floor commercial and residential uses. The ground floor commercial tenancies have a floor to ceiling height of approximately 4m (3.8m if you take into consideration slab thickness and servicing requirements). This is considered to be consistent with the requirements as provided under 2.1 below. The floor to ceiling heights are consistent with the nominated values of this part.
2.2 Articulation and proportion **Performance criteria** **P2** The bulk, scale and intensity of development is consistent with the scale of surrounding existing and planned developments. **P3** 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. **P4** New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings. **P5** Ensure infill development is well articulated, makes a positive contribution to the streetscape and responds to local urban character.	☒ ☒ ☐ ☒	☐ ☐ ☐ ☐	☐ ☐ ☒ ☐	The bulk and scale of the development is considered appropriate with regard to the future desired character of the area and zone objectives. The building can be divided into distinct element comprising the street level base with associated awning, and residential upper levels. The development is considered to respond well in this regard. Current surrounding developments consist of residential flat developments and commercial/retail uses. The development has introduced a suitable separation between the building and the adjoining developments. The proposed design is considered appropriate within the local urban character of the Auburn Town Centre.

P6 Retain the use of awnings as visually dominant and coordinating townscape features.	☒	☐	☐	The proposal incorporates a street awning over the commercial frontage.
P7 Ensure new development maintains a pedestrian scale, and provides weather protection at street level	☒	☐	☐	As above. Additional awnings have been provided for the two residential entries
Development controls				
D1 Buildings shall incorporate:	☒	☐	☐	
balanced horizontal and vertical proportions and well spaced and proportioned windows;	☒	☐	☐	The proposed design possesses these elements.
a clearly defined base, middle and top;	☒	☐	☐	The proposed design possesses these elements.
modulation and texture; and				
architectural features which give human scale at street level such as entrances and porticos.	☒	☐	☐	The building is modulated with the provision of recesses in the front facade of the building. The ground floor is of an appropriate scale.
D2 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.	☒	☐	☐	There are no significant blank walls proposed at the Rawson street level façade (primary retail street). It is noted that the development introduces a fire escape stair/access at the front of the development which introduces a wall with a length of 3m or 11%. The wall is broken up with door access and and as such is not considered a 'blank' wall. The public domain interface is considered to provide an appropriate level of visual interest. Additionally, the Dartbrook Road frontage, being predominately residential is adequately designed to represent this part of the development.
D3 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.	☒	☐	☐	As discussed above, the development has introduced a suitable separation between the surrounding developments. The development has an identifiable bottom, middle and top and is considered appropriate for the locality.
D4 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.	☒	☐	☐	All windows and doors are considered to possess appropriate proportions.
D5 Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.	☒	☐	☐	There is an awning provided over the footpath along Rawson Street.

D6 Where development has two (2) street frontages the streetscape should be addressed by both facades.	☒	☐	☐	The proposal has 2 street frontages and a laneway as it is located on a corner site. Rawson Street and Dartbrook Road are both adequately addressed.
2.3 Materials **Performance criteria** **P1** Materials enhance the quality and character of the business precinct. **Development controls** **D1** New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality. **D2** 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. **D3** 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. **D4** Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed materials are considered to be of high quality and contemporary appearance. The development is acceptable in this regard. The facade contains a mix of masonry concrete and glazing materials appropriate to the residential and commercial use of the building. The facades of the commercial tenancy incorporates a minimum of 80% glazing. Should the application be recommended for approval, appropriate condition could be imposed in this regards.
2.4 Roofs **Performance criteria** **P1** Roof design is integrated into the overall building design. **Development controls** **D1** Design of the roof shall achieve the following: • concealment of lift overruns and service plants; • presentation of an interesting skyline; • enhancing views from adjoining developments and public places; and • complementing the scale of the building. **D2** Roof forms shall not be designed to add to the perceived height and bulk of the building. **D3** Where outdoor recreation areas are proposed on flat roofs, shade structures and wind screens shall be provided.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed parapet is a flat horizontal roof element to the building. The development incorporates a façade element that is incorporated within the roof area. It is noted that the roof area is to be used for communal open space. The roof overruns are not visible from the street. The roof is appropriate in this instance. Subject to the removal of a level as per the deferred commencement recommendation, the roof design is not considered to add to the perceived bulk and scale of the building. Suitable shade structures and wind screens have been incorporated within the roof top communal open areas.
2.5 Balconies **Performance criteria** **P1** Balconies contribute positively to the amenity of residents and the	☒	☐	☐	

visual quality of the local centre. **Development controls**				
D1 Balustrades and balconies shall be constructed from a balance of solid and transparent material to allow for views from the interior.	☒	☐	☐	The facade and balconies present to the street in a coordinated balance of glass and masonry.
D2 Balcony balustrades should be of a light open material.	☒	☐	☐	Balustrades consist of transparent materials to allow for views into public spaces.
D3 Verandahs and balconies shall not be enclosed.	☒	☐	☐	The proposed balconies are not to be enclosed.
D4 Balconies and terraces shall be oriented to overlook public spaces.	☒	☐	☐	Balconies are located to overlook public spaces, whilst restricting views upon the adjoining residential uses.
D5 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.	☒	☐	☐	Should the application be recommended for approval, appropriate condition could be imposed in this regards.
D6 Screens, louvers or similar devices shall be provided to balconies so as to visually screen any drying of laundry.	☒	☐	☐	Screening elements are proposed.
2.6 Interface with schools, places of public worship, and public precincts **Development controls**				
D1 Where a site adjoins a school, place of public worship or public open space:				
• This interface shall be identified in the site analysis plan and reflected in building design;	☐	☐	☒	Subject site does not adjoin any schools or places of worship.
• Building design incorporates an appropriate transition in scale and character along the site boundary(s);	☐	☐	☒	.
• Building design presents an appropriately detailed facade and landscaping in the context of the adjoining land use.	☐	☐	☒	
D2 The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening.	☐	☐	☒	
D3 Fencing along boundaries shared with public open space shall have a minimum transparency of 50%.	☐	☐	☒	The proposal does not adjoin a public open space.
D4 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.	☐	☐	☒	The proposal does not restrict any views to a public open space.
3.0 Streetscape and Urban form				
Objectives **a.** To ensure development integrates well with the locality and respects the	☒	☐	☐	The development in itself is not considered to be inappropriate for the

streetscape, built form and character of the area. b. To encourage innovative development which is both functional and attractive in its context.	☒	☐	☐	area in terms of streetscape and built form.
3.1 Streetscape **Performance criteria**				
P1 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.	☒	☐	☐	The building as proposed is considered to be an appropriate design given the zoning and use.
P2 New development conserves and enhances the existing character of the street with particular reference to architectural themes.	☒	☐	☐	The proposed building provides a highly articulated built form in keeping with the contemporary character and future character of Auburn Centre, whilst recognising the adjoining surrounding uses by introducing suitable setbacks from affected boundaries.
P3 To ensure that a diversity of active street frontages is provided which are compatible with the scale, character and architectural treatment of Auburn's local area.	☒	☐	☐	The introduction of an awning along the front shopfront and associated commercial use is seen to encourage an active street frontage.
P4 To maintain the surviving examples of original whole shop frontages where the shop frontages contribute to the local character.	☐	☐	☒	Proposal relates to new commercial development.
P5 To encourage new or replacement shop fronts to be compatible with the architectural style or period of the building to which they belong and the overall character of the local centre.	☐	☐	☒	
Development controls				
D1 Applicants shall demonstrate how new development addresses the streetscape and surrounding built environment.	☒	☐	☐	Suitable documentation has been provided to demonstrate the development addresses the streetscape and surrounding built environment.
D2 New shopfronts shall be constructed in materials which match or complement materials used in the existing building.	☐	☐	☒	The proposal relates to the construction of an entire new building.
D3 Development shall provide direct access between the footpath and the shop.	☒	☐	☐	Shopfront access is provided to the commercial tenancy.
D4 Development shall avoid the excessive use of security bars.	☒	☐	☐	Suitable conditions can be imposed on any development to facilitate this requirement.
D5 Block-out roller shutters are not permitted.	☒	☐	☐	Suitable conditions can be imposed on any development to facilitate this requirement.
D6 Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.	☒	☐	☐	Suitable conditions can be imposed on any development to facilitate this requirement.
3.2 Setbacks				

Performance criteria **P1** The setback of new buildings is consistent with the setback of adjoining buildings.	☒	☐	☐	Proposed setbacks considered appropriate and consistent with the setback requirements.
P2 The built edge of development at the street frontage contributes to a sense of enclosure and scale within the centre.	☒	☐	☐	
Development controls **D1** New development or additions to existing development shall adopt front setbacks, as shown in Figure 2 (refer to section 14.2 Setbacks for Auburn Town Centre) and Figure 8 (refer to section 15.2 Setbacks for Lidcombe Town Centre).	☐	☒	☐	**Figure 2 nominates a front setback of 4-6 metres. The development introduces a varied setback of 1.2m – 4m to Rawson Street (to facilitate the RMS road widening requirement) and a varied setback of a nil setback and 3 metres to Dartbrook Road.** **The design of the development, taking into consideration the mixed use nature, where commercial and active street frontages are encouraged, is considered suitable in its context. The nil boundary is not considered to have an overarching impact on the streetscape and given the articulation of the front façade on both street frontages, is seen to be suitable in regards to the established built form within the locality.**
4.0 Mixed Use Developments				
Objectives a. To encourage sustainable development by permitting services and employment-generating uses in conjunction with residential uses.	☒	☐	☐	The development is considered to be in accordance with the mixed use development objectives. The development will create employment opportunity, enjoy connectivity to existing public transport services, enhance the vitality of the area and increase the activation of the street. The development is acceptable in this regard.
b. To provide affordable residential development within close proximity to transport, employment and services.	☒	☐	☐	
c. To enhance the vitality and safety of commercial centres by encouraging further residential development.	☒	☐	☐	
d. To achieve a lively and active street frontage by encouraging the integration of appropriate retail and commercial uses with urban housing.	☒	☐	☐	
e. To manage the bulk, scale and traffic generation of mixed use developments.	☒	☐	☐	Suitable consideration to the adjoining educational use has been undertaken. The building separation is considered appropriate between adjoining developments. Additionally, the emphasis on decreasing overlooking onto the adjoining developments is considered appropriate and has been encouraged.
f. To ensure that mixed use developments are designed having adequate regard for the amenity of occupants and surrounding development.	☒	☐	☐	
4.1 Building design **Performance criteria** **P1** Mixed use developments are designed to architecturally express the different functions of the building while sympathetically integrating into the local centre streetscape.	☒	☐	☐	The development is considered to respond well in this regard.
P2 Ensure key landmark corner sites are developed to ensure distinctive	☒	☐	☐	The development is located on a corner site and has been designed to

and unique design of buildings that will form gateways and entrance statements to commercial centres.				accentuate the corner element.
Development controls				
D1 The architecture of ground level uses shall reflect the commercial/retail function of the centre.	☒	☐	☐	The ground floor is identifiable as a commercial component of the development fronting Rawson Street, being the key retail street. The residential lobbies and Dartbrook Road entrances are separated from the commercial entrances.
D2 Buildings shall achieve a quality living environment that sympathetically integrates into the character of the commercial precinct.	☒	☐	☐	The building will establish the future character of the immediate area.
D3 Commercial and retail servicing, loading and parking facilities shall be separated from residential access and servicing and parking.	☒	☐	☐	All commercial servicing will be undertaken at the designated loading bays within the site. It is noted that the proposal introduces a separate loading and garbage area with associated separate access.
D4 The design of buildings on corner sites or at the ends of a business/commercial zone shall emphasise the corner as a focal point.	☒	☐	☐	The development is located on a corner site and has been designed to accentuate the corner element.
4.2 Active street frontages **Performance criteria**				
P1 Active frontage uses are defined as one of a combination of the following at street level:				The proposal incorporates 1 commercial tenanciy with street frontage on the ground floor.
□ front entry to shopfront;	☒	☐	☐	
□ shop front;	☒	☐	☐	
□ café or restaurant if accompanied by an entry from the street;	☒	☐	☐	
□ active office uses, such as reception, if visible from the street; and	☒	☐	☐	
□ public building if accompanied by an entry.	☒	☐	☐	
Development controls				
D1 Retail outlets and restaurants are located at the street frontage on the ground level.	☒	☐	☐	No uses of the commercial tenancies is proposed under this application however the proposed building can accommodate a number of uses as outlined under the B4 Mixed Use zone of the ALEP 2010 assessment.
D2 A separate and defined entry shall be provided for each use within a mixed use development.	☒	☐	☐	Separate entries are provided for the commercial tenancy facing Rawson Street and the residential lobbies facing Dartbrook Road. The development is acceptable in this regard.
D3 Only open grill or transparent security (at least 70% visually transparent) shutters are permitted to retail frontages.	☒	☐	☐	Suitable conditions can be imposed on any development to facilitate this requirement.
4.3 Awnings				

Performance criteria **P1** Street frontage awnings are to be provided in all areas with active frontage	☒	☐	☐	The proposal incorporates a street awning that traverses the commercial shop front.
Development controls **D1** Awning dimensions shall generally be:				
□ horizontal in form;	☒	☐	☐	The proposed awning is considered appropriate in accordance with this part.
□ minimum 2.4m deep (dependent on footpath width);	☒	☐	☐	
□ minimum soffit height of 3.2m and maximum of 4m;	☒	☐	☐	
□ steps for design articulation or to accommodate sloping streets are to be integral with the building design and should not exceed 700mm;	☒	☐	☐	
□ low parole, with slim vertical fascia or eaves (generally not to exceed 300mm height);	☒	☐	☐	
□ 1.2m setback from kerb to allow for clearance of street furniture, trees, and other public amenity elements; and	☒	☐	☐	
□ In consideration of growth pattern of mature trees.	☒	☐	☐	
D2 Awning design must match building facades, be complementary to those of adjoining buildings and maintain continuity.	☒	☐	☐	
D3 Awnings shall wrap around corners for a minimum 6m from where a building is sited on a street corner.	☒	☐	☐	
D4 Vertical canvas drop blinds may be used along the outer edge of awnings along north-south streets. These blinds must not carry advertising or signage.	☒	☐	☐	
D5 Under awning lighting shall be provided to facilitate night use and to improve public safety recessed into the soffit of the awning or wall mounted onto the building.	☒	☐	☐	
D6 Soft down lighting is preferred over up lighting to minimise light pollution.	☒	☐	☐	
D7 Any under awning sign is to maintain a minimum clearance of 2.8m from the level of the pavement.	☒	☐	☐	
D8 All residential buildings are to be provided with awnings or other weather protection at their main entrance area.	☒	☐	☐	
4.4 Arcades **Performance criteria** **P1** Provide safe and convenient connections to enhance the pedestrian network and to provide linkages between shopping areas, public spaces and car parking.	☐	☐	☒	The proposal does not incorporate an arcade element.
P2 Encourage the use of parking at the	☐	☐	☒	

rear of a development site by providing good access to the front of the site. **P3** Encourage activity within arcades. **Development controls** **D1** Arcades shall: Accommodate active uses such as shops, commercial uses, public uses, residential lobbies, cafes or restaurants; Be obvious and direct thoroughfares for pedestrians; Provide for adequate clearance to ensure pedestrian movement is not obstructed; Have access to natural light for all or part of their length and at the openings at each end, where practicable; Have signage at the entry indicating public accessibility and to where the arcade leads; and Have clear sight lines and no opportunities for concealment. **D2** Where arcades or internalised shopping malls are proposed, those shops at the entrance must have direct pedestrian access to the street.	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	
4.5 Amenity **Performance criteria** **P1** 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. **Development controls** **D1** 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.	☒ ☒	☐ ☐	☐ ☐	The development provides for an appropriate level of amenity for the residential use. See the SEPP 65 assessment section of the report. The development is located in near vicinity of a railway line. The railway is considered to be an acceptable distance away from the subject site to not create any significant concern. An acoustic report has been prepared to support the application and the mitigation measures within this report are recommended to be imposed as conditions of consent.
4.6 Residential flat building component of mixed use developments 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.	☒	☐	☐	Assessment provided later in addition to the SEPP 65 assessment undertaken.
5.0 Privacy and Security				
Objectives a. To provide personal and property security for residents and visitors and enhance perceptions of community safety. b. To ensure that new development	☒ ☒	☐ ☐	☐ ☐	The proposal is considered to promote safety and security in the local area by increasing the opportunity for general pedestrian activity and passive surveillance in the locality. The development has provided

achieves adequate visual and acoustic privacy levels for neighbours and residents.				numerous privacy features to ensure adjoining development (existing and future) is not adversely impacted upon.
c. To create a balance of uses that are safe and easily accessible.	☒	☐	☐	
d. To ensure there is adequate lighting and signage to provide a safe environment.	☒	☐	☐	
e. To enhance the architectural character of buildings at night, improve safety and enliven the town centre at night.	☒	☐	☐	
Performance criteria				
P1 Private open spaces and living areas of adjacent dwellings are protected from overlooking.	☒	☐	☐	Sufficient building separation provided to minimise visual and acoustic overlooking onto adjoining private open spaces. The development is acceptable in this regard.
P2 Site layout and design of buildings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.	☒	☐	☐	
Development controls				
D1 Views onto adjoining private open space shall be obscured by:	☒	☐	☐	Privacy screens and in some cases solid walls are proposed to the edges of balconies to minimise overlooking impacts. Suitable conditions of consent can be imposed to ensure compliance.
□ Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or				
□ 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.	☒	☐	☐	
D2 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.	☒	☐	☐	The commercial tenancy and residential units facing Rawson Street and Dartbrook Road allow for suitable casual surveillance over the public domain.
D3 Shared pedestrian entries to buildings shall be lockable.	☒	☐	☐	All entries are easily identifiable and clear.
D4 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	☒	☐	☐	
D5 Pedestrian walkways and car parking shall be direct, clearly defined, visible and provided with adequate lighting, particularly those used at night.	☒	☐	☐	
D6 Landscaping and site features shall not block sight lines and are to be minimised.	☒	☐	☐	Landscaping is used affectively within the development and is used for privacy mitigation. Sight lines in regards to communal areas/entries are maintained and free of any obstruction.
D7 Seating provided in commercial areas of a development shall generally only be located in areas of active use where it will be regularly used.	☐	☐	☒	No seating proposed within the commercial part of the development.

D8 Adequate lighting shall be provided to minimise shadows and concealment spaces.	☒	☐	☐	Suitable conditions of consent can be imposed to ensure compliance.
D9 All entrances and exits shall be made clearly visible.	☒	☐	☐	
D10 Buildings shall be arranged to overlook public areas and streets to maximise surveillance.	☒	☐	☐	The development incorporates a built form massing on Rawson Street and Dartbrook Road to achieve this requirement.
D11 Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.	☒	☐	☐	A crime risk report has been submitted with the application. No objection is raised in this regards.
5.1 Lighting **Performance criteria**				
P1 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.	☒	☐	☐	Should the application be recommended for approval, appropriate condition may be imposed with regards to lighting.
P2 The use of integrated lighting systems in retail shops is both functional and decorative.	☒	☐	☐	
P3 Lighting is sufficient for its purpose and used to make bold design statements.	☒	☐	☐	
P4 Lighting does not interfere with amenity of residents or safety of motorists.	☒	☐	☐	
Development controls				
D1 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.	☒	☐	☐	
D2 Lighting systems shall incorporate specific display lighting to reinforce merchandise and provide a contrast against the street lighting generally.	☒	☐	☐	
D3 Surface mounted fluorescent fixtures shall not be considered in any part of the retail areas of the premises.	☒	☐	☐	
D4 The light source shall be selected to provide the desired light effect; however, fitting and methods shall be chosen produce the highest energy efficiency.	☒	☐	☐	
D5 Lighting shall not interfere with the amenity of residents or affect the safety of motorists.	☒	☐	☐	
D6 Excessive lighting shall not be permitted. Light spill onto the street into the public domain shall be minimised.	☒	☐	☐	
5.2 Shutters and grilles **Performance criteria**				
P I Security shutters, grilles and screens allow the viewing of shopfront windows and light to spill out onto the footpath.	☒	☐	☐	The commercial component will be visible from the street and be made of durable glass materials
P2 Shutters, grilles and screens are to be made from durable, graffiti-resistant materials and compatible	☐	☐	☒	No shutters are noted as being proposed for the commercial tenancies.

with the building style. **Development controls** **D1** Windows and doors of existing shopfronts shall not be filled in with solid materials. **D2** Security shutters, grilles and screens shall: ● be at least 70% visually permeable (transparent); ● not encroach or project over Council's footpaths; and ● be made from durable, graffiti-resistant materials. **D3** Solid, external roller shutters shall not be permitted.	☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☒ ☒	Proposed grilles associated with the loading bay are considered appropriate.
5.3 Noise **Performance criteria** **P1** New commercial developments within major arterial roads or railway lines are designed to mitigate noise and vibration impacts. **P2** 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. **Development controls** **D1** 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 and Traffic Authority and the NSW Department of Planning as applicable for noise, vibration and quality assurance. This includes: ● Development Near Rail Corridors and Busy Roads, NSW Department of Planning, December 2008 – Interim Guidelines. ● NSW Industrial Noise Policy; ● Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects; and ● Environmental Criteria for Road and Traffic Noise. Restaurant and cafe design shall minimise the impact of noise associated with late night operation on nearby residents. Operation includes loading/unloading of goods/materials and the use of plant and equipment at a proposed commercial premise. **D2** An acoustic report shall be	☒ ☒ ☒ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒ ☒	The development is located in the vicinity of the Auburn railway line. However, it is considered to be located an acceptable distance to mitigate any serious noise impacts . Additionally the development is located in the vicinity of St Hilliers Road and Rawson Street, being classified roads. An Acoustic report has been submitted with the application in relation to potential traffic noise. Should the proposal be recommended for approval, the recommendations of the noise report shall be included in any consent that may be issued for the site. No use proposed for the commercial

submitted with a development application for a proposed commercial use in the local centre that operates during the hours between 10pm and 6am.				tenancies as part of this application.
5.4 Wind Mitigation **Performance Criteria** **P1** New developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians. **Development Controls** **D1** Site design for tall buildings (towers) shall: □ set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower; □ ensure that tower buildings are well spaced from each other to allow breezes to penetrate local centres; □ consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level; and □ ensure useability of open terraces and balconies. **D2** A Wind Effects Report is to be submitted with the DA for all buildings greater than 35m in height. **D3** For buildings over 48m in height, results of a wind tunnel test are to be included in the report.	☒ ☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☒	It is noted that the maximum height of the development is 32 metres in accordance with the ALEP 2010. Wind mitigation measures are considered warranted in this instance. The proposal is considered to be suitably sited and provides satisfactory separation between buildings to allow breezes to penetrate local centres. Subject to the imposition of the deferred commencement recommendation, the proposal will not exceed 32 metres. However, the proposal has been supported by a Pedestrian Wind Environment Statement, prepared by Windtech, dated 13 March 2015, which makes recommendations as to mitigation measures to ensure wind impacts are minimised. These recommendations will be reflected with any conditions of consent. The proposal does not exceed 48m in height.
6.0 Access and Car Parking In addition to this section, applicants shall consult the Parking and Loading Part of this DCP for other access, parking and loading requirements for all development within local centres.				
6.1 Access, loading and car parking requirements **Development controls** **D1** Car parking rates shall be provided in accordance with the Parking and Loading Part of this DCP.	☒	☐	☐	Car parking will be accommodated over three levels of basement. A separate loading/unloading area is located on the at grade level, separate from residential parking spaces being located on the lower levels of the basement. General access and manoeuvring has been assessed by Council's engineering section as being generally acceptable subject to some modifications which could be resolved by appropriate conditions of consent.

				The development is considered to provide ample parking to service the residential and commercial components of the development. The development is considered acceptable with regard to the Parking and Loading section of the DCP.
6.2 Creation of new streets and laneways **Performance criteria** **P1** All new proposed roads are designed to convey the primary function of the street, including: • Safe and efficient movement of vehicles and pedestrians; • Provision for parked vehicles and landscaping, where appropriate; • Location, construction and maintenance of public utilities; and • Movement of service and delivery vehicles. **Development controls** **D1** 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. **D2** On site car parking shall be provided below ground or located within the building and well screened. **D3** 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. **D4** New public laneways created within large blocks shall maximise pedestrian and vehicle connections within local centres. **D5** 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. **D6** 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.
7.0 Landscaping				
Objectives a. To create attractive buildings, public spaces and walkways.	☒	☐	☐	Given:-

b. To improve visual quality and contribute to a more positive local centre experience.	☒	☐	☐	- the location of the site within the Auburn Town Centre; and - the need to provide commercial uses on the ground floor, There is limited opportunity for deep soil planting within the development site. Whilst the Residential Flat Design Code (RFDC) identifies a minimum outcome being 25% of the site set aside for deep soil planting, the proposed development does not provide for any deep soil areas. This is considered acceptable given the location of the development. The proposed landscaping is seen to contribute to the overall design of the mixed use development. It should also be noted that the development incorporates a communal area of private open space of approximately 421sqm or 23% which incorporates both soft and hard landscaping.
c. To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the local centre.	☒	☐	☐	
d. To improve the amenity of business and commercial precincts through preserving and retaining existing mature trees where practical.	☒	☐	☐	
e. To support landscape design that incorporates the planting of endemic landscape species wherever possible.	☒	☐	☐	
f. To ensure that new street furniture is coordinated with existing street furniture and does not create clutter and obstacles in public spaces.	☐	☐	☒	
g. To ensure that public areas respond to the needs of people with sensory and other disabilities.	☒	☐	☐	
Performance criteria **P1** Landscaping forms an integral part of the overall design concept.	☒	☐	☐	
P2 Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character.	☒	☐	☐	
P3 Landscaped areas are used to soften the impact of buildings and car parking areas as well as for screening purposes.	☐	☐	☒	The proposal incorporates a suitable commercial street front with associated street trees. This is considered to be acceptable for the mixed use locality.
P4 Landscaped areas are provided for passive and recreational use of workers.	☐	☐	☒	Suitable plant species have been selected.
P5 Enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings.	☒	☐	☐	Given the heavy articulation of the upper levels, additional landscaping is not foreseen to soften the built form.
P6 Encourage the planting of low water consumption plants and trees.	☒	☐	☐	The proposal does not incorporate any typical at grade car parking. It is noted that 3 parking spaces are provided at the rear of the ground level, however this is concealed from any view.
Development controls **D1** Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.	☐	☐	☒	
D2 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 car parks.	☐	☐	☒	
D3 In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.	☐	☐	☒	
D4 Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.	☒	☐	☐	Standard 1.8m high boundary fencing will be incorporated within the design.

D5 Paving and other hard surfaces shall be consistent with architectural elements.	☒	☐	☐	Suitable paving is to be used within the development.
7.1 Street trees				
D1 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.	☒	☐	☐	It is recommended that the proposal be conditioned to plant seven (7) new street trees on the Rawson/Dartbrook frontages. In accordance with Councils street tree masterplan, the species and locations are as follows; <u>Rawson Street</u> 3 x Platanus x hybrid (London Plane Tree) <u>Dartbrook Road</u> 4 x Lophostemon confertus (Brush Box)
D2 Street tree planning shall be consistent with Council's Street Tree Masterplan or relevant Public Domain Plan or Infrastructure Manual.	☒	☐	☐	
D3 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.	☐	☐	☒	No significant existing tree observed on site.
D4 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.	☒	☐	☐	
D5 Driveways and services shall be located to preserve significant trees.	☐	☐	☒	Suitable conditions will be imposed on the development to ensure suitable awning design caters for the proposed street trees.
D6 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.	☐	☐	☒	
D7 Planter boxes (or similar) surrounding trees in the footpath shall be 1.2m x 1.2m, filled with approved gravel and located 200mm from the back of the kerb line.				
8.0 Energy Efficiency and Water Conservation				
Objectives a. To achieve energy efficient commercial and retail developments.	☒	☐	☐	ABSA and BASIX Certificates have been submitted with the application to address thermal comfort and energy efficiency for the residential component. The development is acceptable in this regards.
b. To encourage site planning and building design which optimises site conditions to achieve energy efficiency.	☒	☐	☐	
c. To minimise overshadowing of the public domain including streets and open space.	☒	☐	☐	
d. To give greater protection to the natural environment by reducing greenhouse gas emissions.	☒	☐	☐	
e. To encourage the installation of energy efficient and water conserving appliances.	☒	☐	☐	
f. To reduce the consumption of non-renewable energy sources for the purposes of heating, water, lighting and temperature control.	☒	☐	☐	
g. To minimise potable water mains demand of non residential	☒	☐	☐	

development by implementing water efficiency measures.				
8.1 Energy efficiency **Performance criteria** **P1** 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.	☒	☐	☐	The building internal layout is generally considered acceptable. The building will be made out of appropriate masonry materials with suitable thermal massing properties.
Development controls **D1** 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.	☒	☐	☐	This is as per the BASIX certificate requirements.
D2 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^2 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.	☒	☐	☐	
8.2 Water conservation **Performance criteria** **P1** Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.	☒	☐	☐	BASIX Certificate submitted addresses water conservation for the residential component.
Development controls **D1** New developments shall connect to recycle water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.	☒	☐	☐	
D2 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.	☒	☐	☐	
D3 Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.	☒	☐	☐	
8.3 Stormwater drainage Applicants shall consult the Stormwater Drainage Part of this DCP for requirements for stormwater management.	☒	☐	☐	The proposed method of stormwater disposal is generally acceptable to Council's Development engineers subject to appropriate conditions. Should the application be recommended for approval, appropriate conditions will be imposed in this regards.
8.4 Rainwater tanks **Performance criteria**				

PI Adequate measures are incorporated into new development to encourage the collection and reuse of stormwater and reduce stormwater runoff. **Development controls** **DI** Rainwater tanks shall be installed as part of all new development in accordance with the following: • The rainwater tank shall comply with the relevant Australian Standards; • 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; • Rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards; • 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 • The overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP.	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒	The proposal has been supported by a satisfactory stormwater management system. The supporting BASIX certificate did not require any rainwater tanks to be installed to meet water conservation measures. In this regard, the proposal is considered acceptable.
8.5 Ventilation **Performance criteria** **PI** Natural ventilation is incorporated into the building design. **Development controls** **DI** The siting, orientation, use of openings and built form of the development shall maximise opportunities for natural cross ventilation for the purposes of cooling and fresh air during summer and to avoid unfavourable winter winds.	☒ ☒	☐ ☐	☐ ☐	As per the SEPP 65 section of the report, 58 units or 72.5% of apartments in the development have openings in two or more external walls of different orientation. The development is acceptable in this regard.
8.6 Solar amenity **Performance criteria** **PI** New buildings are designed to protect solar amenity for the public domain and residents. **Development controls** **DI** Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight	☒	☐	☐	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. Given the orientation of the building all surrounding building will receive sufficient solar access during the morning, daytime and afternoon.

to less than 3 hours between 9.00 am and 3.00 pm on 21 June for:				
● public places or open space;	☐	☐	☒	The proposal does not adjoin a public place or open space.
● 50% of private open space areas;	☒	☐	☐	It is considered that 50% of private open space of adjoining areas is achieved given the north south orientation of the site.
● 40% of school playground areas; or	☐	☐	☒	The site is not adjacent to a school playground.
● windows of adjoining residences.	☒	☐	☐	It is noted that the shadowing impacts across the majority of the street. Given the orientation of the site, any shadowing impact on adjoining residential dwellings will only be for a period of 3 hours.
D2 Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.	☒	☐	☐	Suitable materials and finishes have been proposed.
9.0 Ancillary Site Facilities				
9.1 Provision for goods and mail deliveries **Performance criteria** **P1** New development incorporates adequate provision in its design for the delivery of goods and mail to both business and residential occupants.	☒	☐	☐	
Development controls **D1** 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^2 of gross leasable floor area devoted to commercial premises.	☒	☐	☐	Deliveries to the site can be made via the proposed loading bay.
D2 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.	☒	☐	☐	Suitable conditions of consent can be imposed to ensure compliance.
10.0 Other Relevant Controls				
10.1 Waste **D1** Applicants shall consult the Waste Part of this DCP for requirements for disposal.	☒	☐	☐	An acceptable waste management plan dealing with the demolition and construction has been submitted for the application. The development is acceptable in this regard.
10.2 Access and amenity **D1** Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.	☒	☐	☐	The proposal has been supported by suitable documentation to facilitate the access and mobility part of the ADCP 2010
11.0 Public Domain				
Objectives a. To ensure private development contributes to a safe, attractive and useable urban environment within the local centres of the Auburn local government area.	☒	☐	☐	The development does not specifically propose significant public domain works (beyond providing awning over the footpath and footpath construction). It is noted that the subject site is not within the “key sites” in the Auburn

b. To ensure the public domain forms an integrated part of the urban fabric of commercial centres.	☒	☐	☐	Town Centre.
c. To encourage both night and day pedestrian activity in the commercial centres.	☒	☐	☐	
d. To ensure private development contributes to a positive pedestrian environment.	☒	☐	☐	
e. To ensure that outdoor dining areas do not interfere with pedestrian amenity.	☒	☐	☐	
f. To encourage public art in new development.	☒	☐	☐	
Development controls				
D1 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.	☒	☐	☐	
D2 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.	☒	☐	☐	
D3 Outdoor dining on footpaths shall be limited. Refer to Council's relevant Public Domain Plan, Outdoor Dining Policy and Public Art Policy.	☒	☐	☐	
12.0 Subdivision				
Objectives				
a. To ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate car parking, loading facilities, etc.	☒	☐	☐	No subdivision is proposed however, should the application be recommended for approval, an appropriate condition shall be imposed for the applicant to consolidate the sites.
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.	☒	☐	☐	
12.1 Size and dimensions **Performance criteria**				
P1 The size and dimension of proposed lots contribute to the orderly development of the commercial centres.	☒	☐	☐	As above. It is noted that the total site area is approximately 1862.4qm. There is no opportunity for further amalgamation as both adjoining sites are either developed or in the process of being developed.
Development controls				
D1 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.	☒	☐	☐	
12.2 Utility services **Performance criteria**				
P1 All essential public utility services are provided to the development to the satisfaction of relevant authorities.	☒	☐	☐	The site is currently suitably serviced. Any augmentation required could be resolved by standard conditions should

Development controls **D1** The applicant shall demonstrate that each proposed allotment can be connected to appropriate utility services including water, sewerage, 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. **D2** Common trenching for gas, electricity and telecommunications shall be provided in accordance with agreements between the relevant servicing authorities in NSW.	☒ ☒	☐ ☐	☐ ☐	the proposal be recommended for approval.
13.0 Residential Interface				
Objectives: a. To ensure that commercial development does not have adverse impacts on the amenity of adjoining and nearby residential zones.	☒	☐	☐	The development is located within the Auburn Town Centre in the B4 mixed Use zone. The proposal does not adjoin any residential zones.
b. To ensure that commercial buildings are appropriately setback from nearby residential zones.	☐	☐	☒	
c. To ensure that heavy vehicles associated with commercial development do not adversely impact upon the residential amenity.	☒	☐	☐	Suitable accommodation for loading/garbage removal is made within the split basement levels.
Development controls **D1** Buildings adjoining residential zones and/or open space shall be setback a minimum of 3 metres from that property boundary.	☐	☐	☒	Development does not adjoin a residential zone.
D2 Loading areas, driveways, rubbish, storage areas, and roof top equipment shall not be located directly adjacent to residential zones, or if unavoidable shall be suitably attenuated or screened.	☐	☐	☒	Suitable accommodation for loading/garbage removal is made within the split basement levels.
D3 Any commercial buildings which may have the potential to accommodate the preparation of food from a commercial tenancy shall provide ventilation facilities to ensure that no odour is emitted in a manner that adversely impacts upon any residential zones.	☐	☐	☒	Development does not adjoin a residential zone.
D4 External lighting shall be positioned to avoid light spillage to adjoining residential zones.	☐	☐	☒	Development does not adjoin a residential zone.
D5 Where noise generating development is proposed adjacent to residential or other noise sensitive uses, such as places of worship and child care centres, an acoustic report shall be submitted with a development application, outlining methods to minimise adverse noise impact.	☐	☐	☒	Development does not adjoin a residential zone.
14.0 Auburn Town Centre				
14.1 Development to which this section applies	☒	☐	☐	The subject site lies within the

This section applies to the Auburn Town Centre which is zoned B4 Mixed Use under *Auburn LEP 2010.* Refer to Figure 1. The development controls apply in addition to the development controls presented in previous sections of this Part. 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.				boundary of Figure 1.
14.2 Setbacks **Development controls** **D1** Setbacks within the town centre shall be consistent with Figure 2.	☐	☒	☐	**Figure 2 nominates a front setback of 4-6 metres. The development introduces a varied setback of 1.2m – 4m to Rawson Street (to facilitate the RMS road widening requirement) and a varied setback of a nil setback and 3 metres to Dartbrook Road.** **The design of the development, taking into consideration the mixed use nature, where commercial and active street frontages are encouraged, is considered suitable in its context. The nil boundary is not considered to have an overarching impact on the streetscape and given the articulation of the front façade on both street frontages, is seen to be suitable in regards to the established built form within the locality.**
14.3 Active frontages **Development controls** **D1** As a minimum, buildings shall provide active street frontages consistent with Figure 4.	☐	☐	☒	Not applicable to subject site.
14.4 Laneways **Development controls** **D1** Redevelopment within the Auburn Town Centre shall make provision for the creation of new laneways as shown in Figure 5.	☐	☐	☒	Not applicable to subject site.
14.5 Key Site –Five Ways The Five Ways site within the Auburn Town Centre has been identified as having potential for intensification of mixed use development, including commercial and residential uses. The site is bounded by Auburn Road to the east, Queen Street to the north, Harrow Road to the west and Mary Street to the south. The development controls for this site apply in addition to the development controls presented in previous sections of this Part. **Objectives** a. To ensure architectural design recognises: □ the strategic significance of the site within the Auburn Town Centre; and □ the visual prominence of the site from	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	Not applicable to subject site.

public areas including the future Five Ways open space and along Auburn Road.	☐	☐	☒	
b. To reinforce Auburn Road as the main street of the southern section of the Auburn Town Centre.	☐	☐	☒	
c. To ensure the new Five Ways open space will become a focal point of the town centre.	☐	☐	☒	
d. To extend the active frontage along Queen Street, Harrow Road and Mary Street.	☐	☐	☒	
e. To ensure development is sensitive in scale and character to the town centre.	☐	☐	☒	
f. To improve pedestrian access and circulation within the town centre.	☐	☐	☒	
g. To minimise overshadowing impact to the surrounding public domain.	☐	☐	☒	
Development controls **D1** Development should be in accordance to Figure 6	☐	☐	☒	
D2 An open space area shall be provided on the north-east corner of the site at the intersection of Auburn Road and Queen Street with a minimum width of 26m, including a 6m reservation as a pedestrian plaza to accommodate circulation and outdoor dining area.	☐	☐	☒	
D3 Pedestrian through-site links shall be provided to improve circulation and access to the town centre. Where possible, these linkages shall align to existing or proposed crossing points.	☐	☐	☒	
D4 The preferred vehicular access to the site shall be via Harrow Road with secondary access via Mary Street and Queen Street.	☐	☐	☒	
D5 No street wall height controls apply to the corner of Harrow Road and Mary Street for the extent of 24m.	☐	☐	☒	
D6 Outdoor dining shall be encouraged within the Five Ways open space and along Auburn Road and Queen Street.	☐	☐	☒	
D7 For residential uses, the maximum building dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 60m.	☐	☐	☒	

DCP 2010 Residential Flat Buildings

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

Requirement	Yes	No	N/A	Comments
1.0 Introduction				

1.1 Development to which this Part applies 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.
1.2 Purpose of this Part The purpose of this Part is to ensure residential flat buildings: □ are pleasant to live in and create enjoyable urban places; □ promote amenable, vibrant and lively streets: □ facilitate a safe, welcoming and attractive public domain; □ are designed to cater for multiple demographics and tenancies; □ foster ecologically sustainable development; □ maintain a high level of amenity; □ contribute to the overall street locality; □ minimise the impact on the environment; and □ optimise use of the land.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The development is considered to be generally in compliance with this part.
2.0 Built Form				
Objectives a. To ensure that all development contributes to the improvement of the character of the locality and streetscape in which it is located. b. To ensure that development is sensitive to the landscape setting and environmental conditions of the locality. c. To ensure that the appearance of development is of high visual quality and enhances and addresses the street. d. To ensure that the proposed development protects the amenity of adjoining and adjacent properties. e. To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and the local character. f. To ensure that development relates well to surrounding developments including heritage items, open space and other land uses. g. To ensure that development maximises	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the built form objectives as it results in an articulated, balanced development which improves the existing streetscape and is consistent with the form and scale of future developments anticipated for the vicinity and achieves the required energy efficiency ratings. The application is recommended to be approved via deferred commencement to ensure the height is compatible with the statutory requirements of the ALEP 2010.

sustainable living. h. To maximise views, solar and daylight access, i. To provide an acceptable interface between different character areas. j. To minimise the impacts of buildings overshadowing open spaces and improve solar access to the street. k. To contribute to the streetscape and form a clear delineation between the public and private domain.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	
2.1 Site area **Performance criteria** **P1** The site area of a proposed development is of sufficient size to accommodate residential flat development and provide adequate open space and car parking consistent with the relevant requirements of this DCP. **Development controls** **D1** A residential flat building development shall have a minimum site area of 1000m2 and a street frontage of 20 metres in the B4 Zone or 26 metres in the R4 Zone. **D2** 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.	☒ ☐ ☒	☐ ☐ ☐	☐ ☒ ☐	The development site is considered to be of acceptable size and dimensions with a site area of approximately 1862.4sqm and a frontage of approximately 30m. The development is acceptable in this regard. The proposal relates to a mixed used development. Refer to Local Centres Part. The subject site is located over four lots. It is recommended that a condition be imposed for the consolidation of these lots.
2.2 Site coverage **Performance criteria** **P1** Ensure that new development and alterations and additions to existing development result in site coverage which allows adequate provision to be made on site for infiltration of stormwater, deep soil tree planting, landscaping, footpaths, driveway areas and areas for outdoor recreation. **P2** Minimise impacts in relation to overshadowing, privacy and view loss. **P3** Ensure through-site links for pedestrians are incorporated where applicable. **Development controls** **D1** The built upon area shall not exceed 50% of the total site area.	☒ ☒ ☐ ☐	☐ ☐ ☐ ☐	☐ ☐ ☒ ☒	As per the Design Code and Local Centres Part of the ADCP2010, the proposed development is considered satisfactory given its town centre location and mixed use development type. As previously noted, the proposal has incorporated a stepped design and placed an emphasis on ensuring privacy within the adjoining school uses. No site through link proposed. N/A – Refer to Local Centres Part

D2 The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.	☒	☐	☐	Any areas that are not built upon are suitably landscaped.
2.3 Building envelope **Performance criteria** **P1** The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings:				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.
□ addresses both streets on corner sites;	☒	☐	☐	The proposed development addresses all frontages, primarily that of Rawson Street and Dartbrook Road.
□ align with the existing street frontages and/or proposed new streets; and	☒	☐	☐	The proposed development has a strong presentation to Rawson Street and Dartbrook Road.
□ form an L shape or a T shape where there is a wing at the rear.	☒	☐	☐	The development incorporates a 'T' Shape to facilitate the site configuration.
Note: The development control diagrams in section 10.0 illustrate building envelope controls**.**				
Development controls **D1** Council may consider a site specific building envelope for certain sites, including:				A site specific building envelope is not considered to be necessary in this instance.
■ double frontage sites;	☐	☐	☒	
■ sites facing parks;	☐	☐	☒	
■ sites adjoining higher density zones; and	☐	☐	☒	
■ isolated sites.	☐	☐	☒	
D2 The maximum building footprint dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 45m for sites up to 3,000m2	☐	☐	☒	The proposal is for a mixed use development. The building footprint is established to facilitate the commercial ground floor and associated residential uses. Given the site arrangement, the proposed massing and footprint is considered acceptable.
D3 The tower component of any building above the podium or street wall height is to have a maximum floor plate of 850m2.	☐	☐	☒	
2.4 Setbacks **Performance criteria** **P1** 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.	☒	☐	☐	The setbacks are considered to be appropriate in this instance.
P2 Integrate new development with the established setback character of the street.				

P3 Ensure adequate separation between buildings, consistent with the established character and rhythm of built elements in the street. **P4** Ensure adequate separation between buildings for visual and acoustic privacy. **P5** Maintain a reasonable level of amenity for neighbours with adequate access to sunlight.				
Development controls **2.4.1 Front setback**				
D1 The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1 and B2 zones) to provide a buffer zone from the street where residential use occupies the ground level.	☐	☐	☒	The subject site is located within the B4- Mixed use zone. The front setback is consistent with the requirements of Council's Local Centres DCP as addressed earlier in the report.
D2 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.	☒	☐	☐	A suitable setback to the rear laneway of 2m has been proposed.
D3 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.	☒	☐	☐	A suitable setback of 3 m is proposed on the secondary (Dartbrook Road) frontage.
D4 Front setbacks shall ensure that the distance between the front of a new building to the front of the building on the opposite side of the street is a minimum of 10m for buildings up to 3 storeys high. For example, a 2m front setback is required where a 6m wide laneway is a shareway between the front of 2 buildings. Where a footpath is to be incorporated a greater setback shall be required.	☒	☐	☐	Suitable separation between the subject development and that of developments on the opposite sides of the relevant streets. It is noted that the separation is as per the requirements of the RFBDC.
D5 All building facades 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 1m.	☒	☐	☐	The proposed front façade is heavily articulated with use of differing balcony depths and wall modulation.
D6 In all residential zones, levels above 4 storeys are to be setback for mid-block sites.	☐	☐	☒	The subject site is located within the B4- Mixed use zone. The front setback is consistent with the requirements of Council's Local Centres DCP as addressed earlier in the report.
2.4.2 Side setback				
D1 In all residential zones, buildings shall have a side setback of at least 3 metres.	☐	☐	☒	The proposal is located within the B4 mixed use development zone. The

D2 Eaves may extend a distance of 700mm from the wall.	☐	☐	☒	proposed side setbacks are consistent with the building separation requirements as per the Residential Flat Building Design Code and the Local Centres part of the ADCP2010 as detailed above. Suitable separation has been provided through heavy articulation within the side boundaries.
2.4.3 Rear setback				
D1 Rear setbacks shall be a minimum of 10m.	☐	☐	☒	The proposed rear setback is consistent with the building separation requirements as per the Residential Flat Building Design Code and the Local Centres part of the ADCP2010 as detailed above.
D2 Where there is a frontage to a street and a rear laneway the setback to the rear laneway shall be a minimum of 2m.	☒	☐	☐	A suitable setback to the rear laneway of 2m has been proposed.
D3 Where a building is an L or T shape with the windows facing side courtyards the rear setback shall be a minimum of 2m.	☒	☐	☐	The development represents a 'T' shape given the allotment configuration. Suitable rear setbacks have been incorporates within the design to meet this requirement.
2.4.4 Haslam's creek setback				
D1 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.	☐	☐	☒	The development site is not in near vicinity of Haslam's Creek.
2.4.5 Setbacks at Olympic Drive, Lidcombe				
Performance criteria				
P1 Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback.	☐	☐	☒	The development is not located on Olympic Drive. This section of the DCP is not applicable.
P2 East-west streets maintain view corridors to Wyatt Park.	☐	☐	☒	
Development controls				
D1 For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 6m.	☐	☐	☒	
D2 The setback area and verge shall be landscaped and planted with a double row of street trees.	☐	☐	☒	
D3 The setback to east-west streets shall be generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.	☐	☐	☒	
2.5 Building depth				

Performance criteria **P1** A high level of amenity is provided for residents including solar and daylight access. **Development controls** **D1** **The maximum depth of a residential flat building shall be 24m (inclusive of balconies and building articulation but excluding architectural features).**	☒ ☐	☐ ☒	☐ ☐	The proposal is considered to deliver an appropriate level of amenity to the residents of the building. **The building depth for the building varies but reaches up to 58m if incorporating all nominated features.** **It is noted that the development is a 'T' type of configuration and as such suitable daylight and solar access is achievable.** **A variation is supported in this regard as it is not considered to adversely affect the residential amenity of the affected units.**
2.6 Floor to ceiling heights **Performance criteria** **P1** Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form. **Development controls** **D1** The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines. **D2** Where there is a mezzanine configuration, the floor to ceiling height may be varied.	☒ ☒ ☐	☐ ☐ ☐	☐ ☐ ☒	Suitable floor to ceiling heights have been proposed to facilitate the varied uses of the building. 2.7 metres Floor to ceiling height is provided. Development is acceptable in this regard. No mezzanine space proposed.
2.7 Floor to ceiling heights **Performance criteria** **P1** Window heights allow for light penetration into rooms and well proportioned elevations. **Development controls** **D1** The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling. **D2** For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres. **D3** For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.	☒ ☒ ☒ ☐	☐ ☐ ☐ ☐	☐ ☐ ☐ ☒	Window head heights are a minimum of 2.4 metres from floor level. The development is acceptable in this regard.
2.8 Heritage				

Performance criteria **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.	☒	☐	☐	The development site is not an identified heritage item nor is the site directly adjacent to any identified heritage items.
Development controls	☐	☐	☒	
D1 All development adjacent to and/or adjoining a heritage item shall be:	☐	☐	☒	
• responsive in terms of the curtilage and design;	☐	☐	☒	
• accompanied by a Heritage Impact Statement; and	☐	☐	☒	
• respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks.				
2.9 Building design **Performance criteria** **P1** Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.	☒	☐	☐	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.
P2 The use of sympathetic materials, colour schemes and details of new residential development and associated structures ensures that the character of Auburn's residential areas is not diminished.	☒	☐	☐	
Development controls **2.9.1 Materials** **D1** All developments shall be constructed from durable, high quality materials. As a guide, preference shall be given to bricks that are smooth faced and in mid to dark tones.	☒	☐	☐	
2.9.2 Building articulation **D1** Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.	☒	☐	☐	The proposal offers an articulated facade with distinct horizontal and vertical elements.
D2 Dwelling entrances shall create a sense of individuality and act as a transitional space between private and communal spaces.	☒	☐	☐	The proposal separates both commercial and residential entries.
D3 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	☒	☐	☐	The facade provides recessed elements on every facade of the building.

depth.				
2.9.3 Roof form **D1** Roof forms shall be designed in a way that the total form does not add to height and bulk of the building.	☒	☐	☐	Flat roof and low horizontal parapet proposed. The roof form is in accordance with this clause. It is noted that the development is recommended to be approved via deferred commencement requiring the height of the development to be lowered. The façade corner feature on the roof is to be retained which gives the building visual interest.
2.9.4 Balustrades and balconies **D1** Balustrades and balconies shall be designed to maximise views of the street. 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. **D2** Opaque glazing and/or masonry for balustrading and balconies is encouraged. **D3** Clear glazing for balustrading and balconies is prohibited.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Partly transparent and partly solid balustrades proposed. Should the application be approved appropriate condition will be included in any consent to ensure compliance with this clause.
2.10 Dwelling size **Performance criteria** **P1** Internal dwelling sizes and shapes are suitable for a range of household types. **P2** All rooms are adequate in dimension and accommodate their intended use. **Development controls** **D1** The size of the dwelling shall determine the maximum number of bedrooms permitted. **Number of bedrooms — Dwelling size** Studio — $50m^2$ 1 bedroom (cross through) — $50m^2$ 1 bedroom (masionette) — $62m^2$ 1 bedroom (single aspect) — $63m^2$ 2 bedrooms (corner) — $80m^2$ 2 bedrooms (cross through or over) — $90m^2$ 3 bedrooms — $115m^2$ 4 bedrooms — $130m^2$ **D2** At least one living area shall be spacious and connect to private outdoor areas.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	All units within the development meet the Residential flat building minimum dwelling size. The layout is suitable to accommodate a variety of furniture layouts. The development is acceptable in this regard. No non-compliance proposed. All balconies are accessible from the living rooms of every unit.
2.11 Apartment mix and flexibility				

Performance criteria					
P1	A diversity of apartment types are provided, which cater for different household requirements now and in the future.	☒	☐	☐	The residential component of the building will offer a variety of unit types of differing sizes and bedrooms.
P2	Housing designs meet the broadest range of the occupants' needs possible	☒	☐	☐	
	.				
Development controls		☒	☐	☐	The development has the following bedroom mix:- 1 bedroom apartments – 9 units (11.25%) 2 bedroom apartments – 71 units (88.75%) The proposal incorporates 4 ground floor apartments. The ground floor apartments are inclusive of 1 x 1 bedroom apartments and 3 x 2 bedroom apartments. There are 10 adaptable units to be provided in the development.
D1	A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings. Variety may not be possible in smaller buildings, for example, up to six units.				
D2	The appropriate apartment mix for a location shall be refined by:				
	■ considering population trends in the future as well as present market demands; and	☒	☐	☐	The building is considered to offer an appropriate unit mix.
	■ noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres.	☒	☐	☐	The development has the benefit of being within close proximity to public transport.
D3	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.	☒	☐	☐	The ground floor incorporates 1 x commercial tenancy, 1 x 1 bedroom units and 3 x 2 bedrooms units in accordance with the mixed use zoning. The development is acceptable in this regard.
D4	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.	☒	☐	☐	The proposal incorporates open plan living and dining areas which are considered to be easily reconfigured.
D5	Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.	☒	☐	☐	2 lift cores are proposed for the development. The development is acceptable in this regard.
D6	Apartment layouts which accommodate the changing use of rooms shall be provided. Design solutions may include: ■ windows in all habitable rooms and to the maximum number of non-	☒	☐	☐	Unit floor sizes are considered to be of sufficient size to provide flexible furniture layouts.

habitable rooms; ■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and ■ dual master bedroom apartments, which can support two independent adults living together or a live/work situation. **D7** Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include: ■ a structural grid, which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; ■ the alignment of structural walls, columns and services cores between floor levels; ■ the minimisation of internal structural walls; ■ higher floor to ceiling dimensions on the ground floor and possibly the first floor; and ■ knock-out panels between apartments to allow two adjacent apartments to be amalgamated.	☒	☐	☐	The design of the development is considered to be satisfactory in regards to this part.
3.0 Open space and landscaping				
Objectives a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.	☒	☐	☐	The development proposal is considered to be generally consistent with the open space and landscaping objectives.
b. To provide private open areas that relate well to the living areas of dwellings.	☒	☐	☐	
c. To provide sufficient areas for deep soil planting.	☒	☐	☐	
d. To provide a mix of hard and soft landscape treatments.	☒	☐	☐	
e. To help provide a visual and acoustic buffer from the street without preventing passive surveillance.	☒	☐	☐	
f. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.	☒	☐	☐	
g. To provide for the preservation of existing trees and other natural features on the site, where appropriate.	☒	☐	☐	
h. To provide low maintenance communal open space areas.	☒	☐	☐	
i. To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.	☒	☐	☐	

j. To conserve and enhance street tree planting. a.	☐	☐	☒	
3.1 Development application requirements A landscape plan shall be submitted with all development applications for residential flat buildings. 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. A landscape plan prepared by a professionally qualified landscape architect or designer shall be submitted with the development application which shows: ■ proposed site contours and reduced levels at embankments, retaining walls and other critical locations; ■ existing vegetation and the proposed planting and landscaping (including proposed species); ■ general arrangement of hard landscaping elements on and adjoining the site; ■ location of communal facilities; ■ proposed lighting arrangements; ■ proposed maintenance and irrigation systems; and ■ proposed street tree planting.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	A suitable landscaping plan which details species, quantity required, height and spread, planting depth detail, etc has been submitted and is considered satisfactory.
3.2 Landscaping **Performance criteria** **P1** Paving may be used to: ■ ensure access for people with limited mobility; ■ add visual interest and variety; ■ differentiate the access driveway from the public street; and ■ encourage shared use of access driveways between pedestrians, cyclists and vehicles.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposal incorporates both soft and hard surface landscaping.

Development controls				
D1 If an area is to be paved, consideration shall be given to selecting materials that will reduce glare and minimise surface run-off.	☒	☐	☐	
D2 All landscaped podium areas shall maintain a minimum soil planting depth of 600mm for tree provision and 300mm for turf provision.	☒	☐	☐	Planters provided in accordance with landscape architect requirements.
3.3 Deep soil zone				
Performance criteria				
P1 A deep soil zone allows adequate opportunities for tall trees to grow and spread.	☐	☐	☒	N/A – Refer to Local Centres part of the ADCP2010. Limited opportunity exists for deep soil provision given the locality and incorporating both commercial and residential uses.
Note: Refer to the development control diagrams in section 10.0.	☐	☐	☒	
Development controls				
D1 A minimum of 30% of the site area shall be a deep soil zone.	☐	☐	☒	
D2 The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building.	☐	☐	☒	
D3 Deep soil zones shall have minimum dimensions of 5m.	☐	☐	☒	
D4 Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.	☐	☐	☒	
3.4 Landscape setting				
Performance criteria				
P1 Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain.	☒	☐	☐	Suitable landscaping of the site has been incorporated within the design.
P2 Residential flat buildings are adequately designed to reduce the bulk and scale of the development.	☒	☐	☐	
P3 Landscaping assists with the integration of the site into the streetscape.	☒	☐	☐	
P4 Enhance the quality and amenity of the built form.	☒	☐	☐	
P5 Provide privacy and shade in communal and private open space areas.	☒	☐	☐	Common areas have suitable shade in regards to specific common space areas.
Development controls				
D1 Development on steeply sloping sites shall be stepped to minimise cut and fill.	☐	☐	☒	The development is not on a steeply sloping site.
D2 Existing significant trees shall be retained within the development.	☐	☐	☒	No significant trees are evident on site.

D3	The minimum soil depth for terraces where tree planting is proposed is 800mm.	☒	☐	☐	Planters provided in accordance with landscape architect requirements.
D4	Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.	☐	☐	☒	The proposal does not adjoin any public reserve or bushland.
D5	Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.	☐	☐	☒	The proposal does not adjoin any public reserve or bushland.
D6	All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.	☒	☐	☐	Suitable conditions can be imposed to ensure compliance with this requirement.
3.5	**Private open space**				
Performance criteria					
P1	Private open space is clearly defined and screened for private use.	☒	☐	☐	The proposed development is considered to be consistent with the Balconies Objectives 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.
P2	Private open space:				
	▪ takes advantage of available outlooks or views and natural features of the site;	☒	☐	☐	
	▪ reduces adverse impacts of adjacent buildings on privacy and overshadowing; and	☒	☐	☐	
	▪ resolves surveillance, privacy and security issues when private open space abuts public open space.	☒	☐	☐	
P3	Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.				
Development controls					
D1	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.	☒	☐	☐	All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms. It is noted that ground floor apartments are provided with courtyards.
D2	Dwellings on the ground floor shall be provided with a courtyard that has a minimum area of $9m^2$ and a minimum dimension of 2.5m.	☒	☐	☐	Each ground floor apartment is serviced by a courtyard with suitable dimensions to meet this part.
D3	Dwellings located above ground level shall be provided with a balcony or roof terrace that has a	☒	☐	☐	All residential units have access to a balcony that has a depth of a minimum of 2 metres and an area of 10sqm.

	minimum area of $8m^2$ and a minimum dimension of 2m.				
D4	Balconies may be semi enclosed with louvres and screens.	☒	☐	☐	Suitable screening has been used between adjoining balconies to reduce any privacy concerns.
D5	Private open space shall have convenient access from the main living area.	☒	☐	☐	All private open spaces are accessible from a living area.
D6	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.	☒	☐	☐	All private open spaces are accessible from a living area.
D7	Additional small, screened service balconies may be provided for external clothes drying areas and storage.	☒	☐	☐	Balconies are adequately sized to cater for clothes drying if required.
D8	Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.	☒	☐	☐	Balconies are suitably orientated to reduce any likely privacy concerns.
3.6	**Communal open space**				
Performance criteria					
P1	The site layout provides communal open spaces which:				A communal open space of 421sqm or 23% of the site is proposed for the development.
■	contribute to the character of the development;	☒	☐	☐	The outdoor space provided at the rooftop provides:
■	provide for a range of uses and activities;	☒	☐	☐	• quality outdoor space for the residents,
■	allows cost-effective maintenance; and	☒	☐	☐	• Tangible improvement to the immediate microclimate and air quality of the site
■	contributes to stormwater management.	☒	☐	☐	• Provides an opportunity to contribute to biodiversity.
Development controls					
D1	Communal open space shall be useable, have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved recreation area.	☒	☐	☐	The communal open space has suitable northerly orientation.
D2	The communal open space area shall have minimum dimensions of 10m.	☒	☐	☐	The communal open space has general dimensions of 10 metres.
3.7	**Protection of existing trees**				
Performance criteria					
P1	Major existing trees are retained where practicable through appropriate siting of buildings, access driveways and parking areas and appropriate landscaping.	☐	☐	☒	No significant trees located within the subject site.
Development controls					

D1	Building structures or disturbance to existing ground levels shall not be within the drip line of existing significant trees to be retained.	☐	☐	☒	
D2	Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees are to be provided if existing trees cannot be retained. **Note:** For additional requirements, applicants shall refer to the Tree Preservation Part of this DCP.	☐	☐	☒	
3.8	**Biodiversity**				
Performance criteria					
P1	Existing and native flora at canopy and understorey levels is preserved and protected.	☐	☐	☒	
P2	Plantings are a mix of native and exotic water-wise plant species.	☒	☐	☐	An appropriate mix of species is proposed.
Development controls					
D1	The planting of indigenous species shall be encouraged.	☒	☐	☐	A suitable landscape plan has been prepared to accompany the proposal.
3.9	**Street trees**				
Performance criteria					
P1	Existing street landscaping is maintained and where possible enhanced.	☒	☐	☐	No significant existing tree observed on site.
Development controls					
D1	Driveways and services shall be located to preserve existing significant trees.	☒	☐	☐	No significant existing tree observed on site.
D2	Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage. **Note:** Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.	☒	☐	☐	It is recommended that the proposal be conditioned to plant seven (7) new street trees on the Rawson/Dartbrook frontages. In accordance with Councils street tree masterplan, the species and locations are as follows; <u>Rawson Street</u> 3 x Platanus x hybrid (London Plane Tree) <u>Dartbrook Road</u> 4 x Lophostemon confertus (Brush Box)
4.0 Access and car parking					
Objectives					
4.1	**Access and car parking requirements**				

Note: Applicants shall consult the Parking and Loading Part of this DCP. **4.2 Basements**	☒	☐	☐	The building as proposed 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.
Performance criteria **P1** Basements allow for areas of deep soil planting.	☐	☐	☒	No deep soil planting proposed.
Development controls **D1** Where possible, basement walls shall be located directly under building walls.	☒	☐	☐	
D2 A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.	☒	☐	☐	This requirement is a standard requirement for all construction involving the excavation for significant basements. Suitable conditions will be imposed on any development.
D3 Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.	☐	☐	☒	Being a mixed use development, the basement can be provided to the boundary. The development is acceptable in this regard.
D4 Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.	☐	☐	☒	
5.0 Privacy and security				
Objectives 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.	☒	☐	☐	The proposal is considered to promote safety and security in the local area by increasing the opportunity for general pedestrian activity and passive surveillance in the locality.
b. To provide personal and property security for residents and visitors and enhance perceptions of community safety.	☒	☐	☐	
5.1 Privacy **Performance criteria** **P1** Private open spaces and living areas of adjacent dwellings are protected from overlooking.	☒	☐	☐	The development has provided numerous privacy features to ensure adjoining development (existing and future) is not adversely impacted upon including proposed privacy screens, blank walls and smart windows/balcony locations.
Development controls **D1** Buildings shall be designed to form large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.	☒	☐	☐	Sufficient building separation provided to minimise visual and acoustic overlooking onto adjoining private open spaces.
D2 Windows to living rooms and main	☒	☐	☐	The development is acceptable in this

	bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape.				regard.
D3	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.	☒	☐	☐	The development has provided numerous privacy features to ensure adjoining development (existing and future) is not adversely impacted upon including proposed privacy screens, blank walls and smart windows/balcony locations. The proposal is considered to perform satisfactorily in maintaining privacy for residents within the development and on surrounding uses.
D4	Views onto adjoining private open space shall be obscured by: ■ Screening that has a maximum area of 25% openings, shall be permanently fixed and made of durable materials; or ■ Existing dense vegetation or new planting.	☒	☐	☐	Privacy screens and in some cases solid walls are proposed to the edges of balconies to minimise overlooking impacts. Additionally, suitable boundary landscaping has been introduced to further restrict views on adjoining developments.
5.2	**Noise**				
Performance criteria					
P1	The transmission of noise between adjoining properties is minimised.	☒	☐	☐	The Auburn railway line is considered to be an acceptable distance away from the subject site to not create any significant concern. It is noted that the development is in proximity to Rawson Street and St Hilliers Road, both being Classified Roads. An acoustic report has been prepared to support the application and the mitigation measures within this report are recommended to be imposed as conditions of consent.
P2	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.	☒	☐	☐	
Development controls					
D1	For acoustic privacy, buildings shall:				
	■ 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;	☒	☐	☐	The proposed development has provided an Acoustic Report with the application which recommended measure to minimise potential noise impacts.
	■ minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion; and	☒	☐	☐	
	■ all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of the BCA.	☒	☐	☐	

Note: 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 *State Environmental Planning Policy (Infrastructure) 2007* and the NSW Department of Planning's Development Near Rail Corridors and Busy Roads – Interim Guidelines, 2008.				
5.3 Security **Performance criteria**				
P1 Provide personal and property security for residents and visitors.	☒	☐	☐	A crime safety discussion was submitted with the application stating that the development had been designed in accordance with the CPTED principles.
P2 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.	☒	☐	☐	
P3 Ensure a development is integrated with the public domain and contributes to an active pedestrian-orientated environment.	☒	☐	☐	
P4 Ensure effective use of fencing or other means to delineate private and public areas.	☒	☐	☐	
Note: Consideration shall also be given to Council's Policy on Crime Prevention Through Environmental Design (CPTED).	☒	☐	☐	
Development controls				
D1 Shared pedestrian entries to buildings shall be lockable.	☒	☐	☐	Pedestrian residential entry lobby on the ground floor are separate and potentially lockable.
D2 Ensure lighting is provided to all pedestrian paths, shared areas, parking areas and building entries.	☒	☐	☐	Suitable conditions will be imposed on the development to ensure compliance with this part.
D3 High walls which obstruct surveillance are not permitted.	☒	☐	☐	No obstructive walls noted.
D4 The front door of a residential flat building shall be visible from the street.	☒	☐	☐	Identifiable entries are noted. Residential and commercial entries are separate.
D5 Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.	☒	☐	☐	Casual surveillance to all streets will be possible from the upper residential floors of the development.
D6 A council approved street number should be conspicuously displayed at the front of new development or the front fence of such development.	☒	☐	☐	Suitable conditions will be imposed on the development to ensure compliance with this part.
D7 Fences higher than 900mm shall be of an open semitransparent design.	☒	☐	☐	Suitable fences have been proposed.

D8 Balconies and windows shall be positioned to allow observation of entrances.	☒	☐	☐	Casual surveillance to all streets will be possible from the upper residential floors of the development.
D9 Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.	☒	☐	☐	Proposed planting is not considered to obstruct building entrance views.
D10 Blank walls facing a rear laneway should be avoided to discourage graffiti.	☐	☐	☒	No laneway proposed/existing.
D11 Pedestrian and vehicular entrances must be designed so as to not be obstructed by existing or proposed plantings.	☒	☐	☐	Proposed planting is not considered to obstruct building entrance views.
D12 If seating is provided in communal areas of a development it should generally only be located in areas of active use where it will be regularly used.	☒	☐	☐	Suitable furnishings have been provided in the communal open space.
D13 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	☒	☐	☐	Casual surveillance to all streets will be possible from the upper residential floors of the development.
D14 Ground floor apartments may have individual entries from the street.	☒	☐	☐	2 out 4 ground floor apartments have separate street entrances.
D15 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.	☒	☐	☐	The proposal does not adjoin a park or public open space.
5.4 Fences **Performance controls**				
P1 Front fences and walls maintain the streetscape character and are consistent with the scale of development.	☒	☐	☐	The development incorporates suitable 1.2m fencing for the Dartbrook Road frontage being the residential entrances and ground floor terraces. Suitable conditions will be imposed to ensure fence height and material.
P2 Ensure that views from streets are maintained and not obstructed by excessively high fences.	☒	☐	☐	
P3 Reduce the impact of front fencing on the streetscape and encourage fencing which is sympathetic to the existing streetscape, general topography and the architectural style of the existing dwelling or new development.	☒	☐	☐	
P4 Ensure that materials used in front fencing are of high quality and are sympathetic to the exiting streetscape character.	☒	☐	☐	
Development controls . **D1** 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.	☒	☐	☐	Suitable conditions will be imposed to ensure fence height and material.
D2 Materials of construction will be considered on their merit, with regard being given to materials that are similar to other contributory fences in the vicinity, with a general prohibition on the following materials: • Cement block; • Metal sheeting, profiled, treated or pre-coated. • Fibro, flat or profile; • Brushwood; and • Barbed wire or other dangerous material.	☒	☐	☐	The rear boundary fencing will be of suitable material.
D3 All fences forward of the building alignment shall be treated in a similar way.	☒	☐	☐	
D4 Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building line.	☒	☐	☐	
D5 Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.	☐	☐	☒	
D6 Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.	☒	☐	☐	The proposal incorporates 1.8m high fencing on rear and side boundaries
D7 Fencing and associated walls must be positioned so as not to interfere with any existing trees.	☒	☐	☐	All fences are adequately located.
D8 Gates and doors are to be of a type which does not encroach over the street alignment during operation.	☒	☐	☐	Any associated gates/doors do not overhang/encroach on street alignment.
6.0 Solar amenity and stormwater reuse				
Objectives 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.	☒	☐	☐	The siting of the building is such that surrounding buildings and private open space will receive adequate solar access.
b. To create comfortable living environments.	☒	☐	☐	The development incorporates a suite of energy efficiency and water conservation measure and detailed in the submitted plans and BASIX certificate. The measures include:
c. To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.	☒	☐	☐	• Energy efficient lighting • Water saving fixtures • Appropriate floor and wall insulation measures
d. To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.	☒	☐	☐	• Use of shading devices over windows • Installed appliances to meet

e.	To encourage installation of energy efficient appliances that minimise green house gas generation.	☒	☐	☐	minimum efficiency targets • Instantaneous hot water system
6.1	**Solar amenity**				
Performance criteria					
P1	Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.	☒	☐	☐	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.
P2	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.	☒	☐	☐	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible.
Development controls					
D1	Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.	☐	☐	☒	No solar collectors proposed as part of this development.
	Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.	☐	☐	☒	No solar collectors noted as part of the adjoining development.
	Where adjoining properties do not have any solar collectors, a minimum of $3m^2$ of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.	☐	☐	☒	
	Note: Where the proposed development is located on an adjacent northern boundary this may not be possible.	☒	☐	☐	
D2	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.	☒	☐	☐	The proposal has a north-south orientation and as such allows for suitable solar penetration to adjoining properties.
D3	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.	☐	☐	☒	
D4	Habitable living room windows shall				The proposal incorporates an open plan

	be located to face an outdoor space.	☒	☐	☐	living/dining area which has access to an outdoor space in the form of a balcony or a courtyard.
D5	North-facing windows to living areas of 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.	☒	☐	☐	The proposal has a north-south orientation and as such allows for suitable solar penetration to adjoining properties. .
D6	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.	☐	☐	☒	
D7	Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.	☒	☐	☐	This has been achieved where possible. External recreation areas have a northerly aspect.
D8	The western walls of the residential flat building shall be appropriately shaded.	☒	☐	☐	Appropriate shading structures have been proposed over all balconies.
6.2	**Ventilation**				
	Performance criteria				
P1	The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.	☒	☐	☐	The proposed 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.
	Development controls				
D1	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.	☐	☐	☒	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.
D2	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.	☒	☐	☐	58 units or 72.5% of apartments in the development have openings in two or more external walls of different orientation
D3	Where possible residential flat buildings shall be designed with bathrooms, laundries, and kitchens positioned on an external wall with a window to allow for natural ventilation of the room.	☒	☐	☐	The living rooms are adjacent to the balconies and generally promote natural ventilation.
6.3	**Rainwater tanks**				

Performance criteria					
P1	The development design reduces stormwater runoff.				The proposal has been supported by a satisfactory stormwater management system. The supporting BASIX certificate did not require any rainwater tanks to be installed to meet water conservation measures. In this regard, the proposal is considered acceptable
	Development controls				
D1	Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.	☐	☐	☒	
D2	Rainwater tanks shall be constructed, treated or finished in a non-reflective material which blends in with the overall tones and colours of the building and the surrounding developments.	☐	☐	☒	
D3	The suitability of rainwater tanks erected within the side setback areas of development will be assessed on an individual case by case basis.	☐	☐	☒	
D4	Rainwater tanks shall not be located within the front setback.	☐	☐	☒	
D5	The overflow from the domestic rain water tank shall discharge to the site stormwater disposal system. For additional details refer to the Stormwater Drainage Part of this DCP.	☐	☐	☒	
D6	The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.	☐	☐	☒	
6.4	**Stormwater drainage**				
	Applicants shall refer to the stormwater drainage requirements in the Stormwater Drainage Part of this DCP.	☒	☐	☐	Council's development engineer has raised no objections subject to recommended conditions of consent.
7.0 Ancillary site facilities					
Objectives					
a.	To ensure that site facilities are effectively integrated into the development and are unobtrusive.	☒	☐	☐	All service areas are located within the rear of the ground level and do not impinge on commercial and residential circulation of vehicles. It is noted that a separate access for loading and garbage collection has been introduced.
b.	To ensure site facilities are adequate, accessible to all residents and easy to maintain.	☒	☐	☐	
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.	☒	☐	☐	
7.1	**Clothes washing and drying**				
Performance criteria					
P1	Adequate open-air clothes drying				The balconies are of sufficient size and

	facilities which are easily accessible to all residents and screened, are provided.	☒	☐	☐	appropriate masonry and privacy screens are provided so that any balcony clothes drying will not be readily apparent when viewed from the public domain.
	Development controls				
D1	Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	☒	☐	☐	Each unit has a laundry facility.
D2	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.	☐	☐	☒	
7.2	**Storage**				
	Performance criteria				
P1	Dwellings are provided with adequate storage areas.	☒	☐	☐	Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and dedicated separate storage cupboards.
	Development controls				
D1	Storage space of $8m^3$ per dwelling shall be provided. This space may form part of a garage or be a lockable unit at the side of the garage.	☒	☐	☐	The proposal also incorporates sufficient storage areas within the basement levels for additional storage.
D2	Storage space shall not impinge on the minimum area to be provided for parking spaces.	☒	☐	☐	
7.3	**Utility services**				
	Performance criteria				
P1	All proposed allotments are connected to appropriate public utility services including water, sewerage, power and telecommunications, in an orderly, efficient and economic manner.	☒	☐	☐	The site is currently suitably serviced. Any augmentation required could be resolved by standard conditions should the proposal be recommended for approval.
	Development controls				
D1	Where possible, services shall be underground.	☒	☐	☐	
7.4	**Other site facilities**				
	Performance criteria				
P1	Dwellings are supported by necessary utilities and services.	☒	☐	☐	
	Development controls				
D1	A single TV/antenna shall be provided for each building.	☒	☐	☐	This requirement can be conditioned if the proposal is recommended for approval.
D2	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	☒	☐	☐	The proposal incorporates suitable locations within the pedestrian entries where a mailbox structure can be located. Suitable conditions of consent

letterboxes shall be lockable. **D3** Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.	☐	☐	☒	will be imposed on the development to ensure this requirement is met.
7.5 Waste disposal Applicants shall refer to the requirements held in the Waste Part of this DCP.	☒	☐	☐	An acceptable waste management plan dealing with the demolition, construction and ongoing waste phase of the development has been submitted for the application. The development is acceptable in this regard.
8.0 Subdivision				
Objectives a. To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality. *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.	☐ ☐	☐ ☐	☒ ☒	No subdivision is proposed however, should the application be recommended for approval, an appropriate condition shall be imposed for the applicant to consolidate the sites.
8.1 Lot amalgamation **Performance criteria** **P1** Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design. **Development controls** **D1** Development sites involving more than one lot shall be consolidated. **D2** 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. **D3** Adjoining parcels of land not included in the development site shall be capable of being economically developed.	☒ ☐ ☐ ☒	☐ ☐ ☐ ☐	☐ ☒ ☒ ☐	Should the application be recommended for approval, an appropriate condition shall be imposed for the applicant to consolidate the sites.
8.2 Subdivision **Development controls** **D1** 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.	☐	☐	☒	The applicant has not nominated to undertake a strata or community title subdivision of the development.

D2	Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this Part.	☐	☐	☒	
8.3	**Creation of new streets**				
Performance criteria					
P1	On some sites, where appropriate, new streets are introduced.	☐	☐	☒	No new streets are being proposed as part of the development. This clause is not applicable to the proposal.
P2	New proposed roads are designed to convey the primary residential functions of the street including:	☐	☐	☒	
	■ safe and efficient movement of vehicles and pedestrians;	☐	☐	☒	
	■ provision for parked vehicles;	☐	☐	☒	
	■ provision of landscaping;	☐	☐	☒	
	■ location, construction and maintenance of public utilities; and	☐	☐	☒	
	■ movement of service and delivery vehicles.	☐	☐	☒	
	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.	☐	☐	☒	
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.	☐	☐	☒	
D3	For larger self-contained new residential areas, specific road design requirements shall be considered for site specific development controls.	☐	☐	☒	
9.0 Adaptable housing					
Objectives					
a.	To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.	☒	☐	☐	The development is fully accessible from the basement levels via lifts to residential levels above and from the street to commercial and residential levels.
b.	To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	☒	☐	☐	

9.1 Development application requirements **Note:** Evidence of compliance with the Adaptable Housing Class C requirements of Australian Standard (AS) 4299 shall be submitted when lodging a development application to Council and certified by an experienced and qualified building professional.	☒	☐	☐	
9.2 Design guidelines **Performance criteria** **P1** Residential flat building developments allow for dwelling adaptation that meets the changing needs of people. **Development controls** **D1** The required standard for Adaptable Housing is AS 4299. Wherever the site permits, developments shall include adaptive housing features into the design. External and internal considerations shall include:	☒	☐	☐	
■ access from an adjoining road and footpath for people who use a wheel chair;	☒	☐	☐	Should the application be recommended for approval, appropriate condition shall be imposed to ensure compliance with the relevant BCA and Australian Standards regarding adaptable housing.
■ doorways wide enough to provide unhindered access to a wheelchair;	☒	☐	☐	
■ adequate circulation space in corridors and approaches to internal doorways;	☒	☐	☐	
■ wheelchair access to bathroom and toilet;	☒	☐	☐	
■ electrical circuits and lighting systems capable of producing adequate lighting for people with poor vision;	☒	☐	☐	
■ avoiding physical barriers and obstacles;	☒	☐	☐	
■ avoiding steps and steep end gradients;	☒	☐	☐	
■ visual and tactile warning techniques;	☒	☐	☐	
■ level or ramped well lit uncluttered approaches from pavement and parking areas;	☒	☐	☐	
■ providing scope for ramp to AS 1428.1 at later stage, if necessary;	☒	☐	☐	
■ providing easy to reach controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors;	☐	☐	☒	
■ internal staircase designs for adaptable housing units that ensure a staircase inclinator can be installed at any time in the future;				

and ▪ providing a disabled car space for each dwelling designated as adaptable. **Note:** In the design of residential flat buildings, applicants shall consider the Access and Mobility Part of this DCP.	☒ ☒	☐ ☐	☐ ☐	Each adaptable unit is provided with a disabled parking space.
D1 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. **Number of dwellings Number of adaptable units** (Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number) **Note:** Adaptable Housing Class C incorporates all essential features listed in Appendix A – Schedule of Features for Adaptable Housing in AS 4299.	☒ ☒	☐ ☐	☐ ☐	The development proposes 80 units with 10 units identified as being adaptable. This represent 12.5% of the units and therefore compliant with this clause.
9.3 Lifts **Development controls** **D1** Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable housing units shall be required. **D2** Where the development does not provide any lifts and includes adaptable housing units, the adaptable housing units shall be located within the ground floor of the development.	☒ ☐	☐ ☐	☐ ☒	The development proposed two lift cores within the building. The development is acceptable in this regard.
9.4 Physical barriers **Development controls** **D1** Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.	☒	☐	☐	The development is fully accessible from the pedestrian footpath to ground floor commercial tenancy and residential units, with all other levels accessible via lifts.
10.0 Development control diagrams and tables – Not applicable				

Number of dwellings	Number of units
5-10	**1**
11-20	**2**
21 – 30	**3**
31- 40	**4**
41 - 50	**5**
Over 50	**6**