

Attachment 7: Compliance with Blacktown DCP 2006**Part C – Development in Residential Zones**

The application has been assessed against the numerical controls contained within 'Part C – Development in Residential Zones' as these are called up by 'Part D – Development in Business Zones', and is considered satisfactory. Whilst the subject site is not located within a residential zone, the DCP contains numerical controls for residential flat buildings.

Part 7 – Residential Flat Buildings			
7.5 Site Density Controls			
Control	Requirement	Proposal	Compliance
Site frontage	Minimum 30 metres	The subject site is a large and irregularly shaped lot. The total site area is 6,525sqm. Frontage to Zoe Place: 195.685m (irregular frontage). Secondary frontage to Mount Street: 23.375m. Combined street frontages: 219.06m.	Yes
Site Depth	Minimum 30 metres	Between 31m – 56.6m.	Yes
Height	No height provisions in 3(a) General Business Zone	The site is zoned 3(a) General Business Zone (under BLEP 1988 which was in force at the date of lodgement). The DCP 2006 Part D does not provide a height provision. Therefore height is considered on merit. The proposed 32 m maximum height is considered to be acceptable and consistent with the desired future character of the Mt Druitt Sub-Regional Centre and is comparable to previous development approvals in the immediate locality, such as in Mount Street and Ayres Grove.	Yes
Setbacks	No setback provisions in the 3(a) General Business zone	NA, the site is located within a 3(a) General Business zone where zero setbacks are permissible. The proposal has zero setbacks to all street frontages at ground floor level which achieves street activation via retail / commercial tenancies which are accessed via the street frontages. The 3 tower forms above the podium levels contain the residential units and are provided with staggered setbacks from the adjoining lots to the north and are separated from each other to assist building articulation, orientation and outlook. The Level 9 & 10 two-storey loft apartments are further setback from the building alignment of each residential tower.	Yes
Common open space (COS)	30sqm for each 1 bedroom unit. 40sqm for each 2 bedroom unit.	The proposed development provides a combined 5,893.5sqm of COS, representing 54% of the required 10,900sqm as set out in Part C of BDCP 2006.	Yes

	55sqm for each 3 or more bedroom unit.	Whilst the proposal does not comply with this numerical control, Part D of BDCP2006 indicates that in the sub-regional centre controls, COS for the use of all residents of the development shall be provided at the minimum rate of 42% of the total COS required by the BDCP 2006 in Part C. The proposed provision of COS is satisfactory in this instance.	
Separation between buildings	12 metres between elements of buildings on a development site.	<p>The residential units are contained within three separate towers above the podium level. Buildings A and B are separated by between 13.5m – 18m. The units of Buildings A and B are oriented to have oblique views of each other with distance separations and satisfy the separation requirements.</p> <p>Buildings B and C are separated by 6.74m between Levels 2-8 (see drawing Sk23 Setback + Separation Plan) and will not meet the numerical requirements of this clause. The two-storey loft apartments on Levels 9 and 10 of Buildings B and C are further set back and have a separation of 13.6m to 14.8m and satisfy the separation requirements.</p> <p>The Building B western elevation and the Building C eastern elevation are orientated to sit side-by-side rather than face each other and are provided with highlight bedroom windows and screened bedroom balconies that permit access to daylight and ventilation but avoid direct overlooking between the relevant bedrooms of these apartments.</p> <p>Due to topographic changes, the floor levels of Building B are also 1.05m higher than the floor levels of Building C (see drawing Sk25 Streetscape Elevations). The main living areas and private open space areas of Buildings B and C are oriented to the north and south and do not face each other or give rise to potential privacy concerns.</p> <p>Given the affected rooms are the Level 2-8 bedrooms with highlight windows and screened bedroom balconies, and that the building levels are staggered, the potential for adverse visual and acoustic privacy amenity impacts are considered to be unlikely and the intent of the building separation requirement, as permitted within the subject site's constraints, is considered to have been met and the 6.74m building separation is considered acceptable in this instance.</p>	<p>No, however variation considered acceptable in this instance.</p> <p>Also refer to the detailed assessment at Section 9.8 of the Assessment Report.</p>
Car parking	Residential: 1 sp per 1 bed 1 sp per 2 bed 2 sp per 3 bed	Residential – 380 spaces required comprising: <ul style="list-style-type: none"> • 8 spaces for 8 x 1 bed unit. • 255 spaces for 255 x 2 bed units. • 10 spaces for 5 x 3 bed units. 	Yes

	<p>Visitor – 1 sp per 2.5 dw</p> <p>Commercial 1 space per 30 sqm for shops less than 200 sqm</p> <p>Minimum dimensions for covered spaces – 3 m x 6 m.</p>	<ul style="list-style-type: none"> 107 spaces for visitors (268/2.5). <p>387 residential spaces are provided comprising:</p> <ul style="list-style-type: none"> 280 resident spaces. 107 visitor spaces. <p>The residential component satisfies the minimum requirement and complies with DCP 2006, being a surplus of 7 spaces.</p> <p>Commercial The proposal is for 15 retail / commercial units range in size between 75sqm to 198sqm.</p> <p>~77.57 commercial parking spaces are required.</p> <p>92 commercial parking spaces are provided.</p> <p>The commercial component satisfies the minimum requirement and complies with DCP 2006, being a surplus of 14 spaces.</p> <p>N/A</p>	
Accessway	The common accessway pavement shall be minimum 6 metres wide from the street to the building setback	Vehicular access to the car park is via a 6m wide entry driveway on ground level to the retail parking.	Yes
Podiums	Podiums over basement car parks shall not project more than 0.5 m (otherwise will be considered a storey)	The podium level contains the ground floor commercial uses and forms a storey consistent with this clause. Three residential towers for Levels 2 - 10 are located above the podium level.	Yes
Disabled access	A minimum of 10% of dwellings shall be designed for persons with a disability in accordance with AS1428.1	<p>A total of 268 units are proposed. 10% = 26.8</p> <p>28 dwellings have been designed as wheelchair adaptable units and the development complies with this requirement.</p>	Yes, subject to conditions (Conditions 4.11 and 14.10).
Unit mix	Developments shall provide a mix of 1, 2 or 3 bedroom units	<p>The proposed development responds to current market demands for predominantly 2 bedroom units with some larger 3 bedroom units also provided.</p> <p>The proposed dwelling mix is:</p> <p>1 bedroom = 8 2 bedroom = 255 3 bedroom = 5</p> <p>The proposed unit mix is considered acceptable.</p>	Yes

JRPP-14-2628 - 1 Zoe Place, Mount Druitt

Floor to ceiling heights (minimum requirements)	Habitable rooms and corridors – 2.7 m Non habitable rooms – 2.4 m Second storey of 2 storey units – 2.4 m	The proposal achieves 2.7m floor to ceiling heights for all habitable rooms, with the exception of the Level 10, which is a mezzanine level in a 2 storey unit, and is permitted to have a floor to ceiling height of 2.4m.	Yes
Passenger lift access	A passenger lift is required for 4 levels above ground with no basement or 3 levels above ground with basement parking	Passenger lifts have been provided throughout every level of the development, with the exception of Mezzanine Level 10 which is accessed via the lift to Level 9 and forms part of the 2 storey loft apartments.	Yes
Balconies	While there is no minimum size requirement for balconies, in order to use balcony space as part of the total common open space requirements, balconies must be at least 2.5 m x 3 m.	Balconies are provided to each unit. 264 of 268 units are provided with balcony / terrace private open space areas with dimensions of at least 3m x 2.5m (7.5sqm). The four units with depths less than 2.5m are provided with balcony / terrace areas of between 17-18sqm each. The proposed balconies provided are considered acceptable and satisfy this clause.	Yes
Solar access	50% of the principal area of ground level open space in adjacent properties shall not have their level of solar access reduced to less than 2 hours between 9 am and 3 pm on 21 June Buildings within the proposal are designed to ensure that 50% of the common open space area of the proposed development at ground level receives a minimum of 3 hours between the hours of 9	The shadow diagrams provided show that adjoining properties will not be adversely impacted by shadow as a result of this development. Details accompanying the DA (Zoe Place Units Area spreadsheet dated 28.07.2015) demonstrates that a minimum of 70% (188/268) of units would receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June. 12/268 units (4.5%) would receive some sunlight, but less than 3 hours sunlight, while 68/268 units (25.3%) would receive zero sunlight, being the south-facing units. Nevertheless the south-facing units would have outlook over Zoe Place and have access to daylight. The proposal therefore complies with the solar access requirement.	Yes

	am and 3 pm on 21 June Living rooms and private open space areas for at least 70% of apartments must receive a minimum of 3 hours sunlight between 9 am and 3 pm on 21 June		
Natural Ventilation	A minimum of 60% of dwellings shall have natural ventilation	A minimum of 60% of dwellings are naturally ventilated.	Yes
BASIX	Submission of a BASIX certificate	BASIX certificates have been submitted for all three buildings and are satisfactory: Building A: 600287M Building B: 599562M Building C: 600289M Prepared by Gradwell Consulting.	Yes
Garbage room	The garbage room shall be of sufficient area to accommodate one 240 litre bin per unit	Council's Waste Services Section raises no objection to the proposal subject to conditions relating to ongoing management of waste bins and collection arrangements.	Yes, subject to conditions (Conditions 7 and 14.4).
Laundry Facilities	A communal area between 20 sqm for up to 10 units, plus 10 sqm per 10 units to a maximum of 60 sqm Each unit to be provided with 7.5 m of external drying line and a mechanical drying appliance in the unit.	All units have provision for external drying within their private open space areas and for a mechanical drying appliance in each apartment.	Yes

Part D – Development in the Business Zones

The Mount Druitt Town Centre is identified in the DCP as a sub-regional centre, secondary to the Blacktown CBD. In sub-regional centres, buildings should relate to the human scale and should be attractively designed. Some continuity of style should be maintained within the centre. The DA has been accompanied by details of building construction and the

materials to be used on the external facades: The proposed retail and commercial component of the development maintains the function to the existing uses within the Centre. The retail / commercial portion of the development is assessed under these controls.

Part 4 – General Guidelines for Development			
Control	Requirement	Proposal	Comply
4.1 Building Design & Construction	<ul style="list-style-type: none"> New buildings to be harmonious in form and style with the existing and intended development in the centre. Suitable access and facilities for aged and disabled Reflectivity of glass restricted (no glare and intense heat) Promote and integrate the use of public transport 	<p>Proposed building construction and the materials:</p> <p>External wall finishes</p> <ul style="list-style-type: none"> Levels 1-3: Façade Tile 600 x 300 Starview Grey Tile Levels 4-8: Face brick Austral Urban 1 'Urban Silver' and corner feature brick 'espresso' in combination Level 9: James Hardie Exoctec 900 x 1200 CFC Panels. Paint finish 'Dulux White Duck Qtr' P1681Q. <p>Feature wall finishes</p> <ul style="list-style-type: none"> Façade terrace sound Buildings A + C: Alucabond PE Black 326 Building B: Alucabond Brilliant Metallic 602 Corner brickwork: PGH Alfresco 'Espresso' Face Brick <p>Balustrades/windows</p> <ul style="list-style-type: none"> Dulux Duralloy 'Off White' Satin Powder Coat Roof Sheet Colorbond Trimdeck 'Shale Grey' <p>Barges + Fascias</p> <ul style="list-style-type: none"> Colourbond 'Shale Grey' 	Yes
		Incorporates awnings for pedestrians along Zoe Place and Mount street for weather protection.	Yes
		The proposal incorporates suitable access and facilities for the aged and disabled, subject to conditions to ensure that the Common Open Space areas are fully accessible (Condition 4.3.1).	Yes
		Located on a public transport route and within close proximity to the Mount Druitt railway station and bus interchange.	Yes

		External glazing of maximum 20% reflectivity. A condition of consent will ensure compliance with this requirement (Condition 4.8.1).	Yes
4.3 Building Setbacks	<p>In assessing any application for business development Council will take into consideration whether a building setback is required for aesthetic purposes or streetscape design (e.g. the reduction of bulk and scale of buildings by incorporating boundary setbacks and terracing of storeys) or to enable adequate sight distances for traffic using adjacent roads.</p> <p>In some cases a zero building setback may be acceptable.</p>	<p>The proposal generally provides zero building setbacks at the ground floor retail / commercial street frontages. The proposal has also been provided with staggered setbacks at the upper levels of the building to assist with articulation and modulation of the façade. The two upper most levels (Level 9 & Mezzanine Level 10) are setback an additional 3.5 metres from the levels below.</p> <p>The design of the proposal incorporates sufficient articulation and setbacks to reduce the bulk and scale and is considered to be satisfactory.</p> <p><i>Note: Also refer to other relevant setback controls below.</i></p>	Yes
4.4 Landscaping	<ul style="list-style-type: none"> Landscaping should aim primarily to enhance the appearance of the development from the street with substantial perimeter planting. 	<p>The proposal involves the removal of all existing site vegetation to facilitate the bulk excavation and redevelopment of the subject site. The application proposes the installation of new street trees to the Zoe Place and Mount Street frontages and communal landscaped areas on Levels 2 and 9 (Conditions 4.7 and 14.8).</p> <p>Council's Open Space Policy & Tree Management Coordinator has reviewed the proposed Landscape Plan and raises no objection to the DA.</p> <p>The street tree landscaping and common open space landscaping provided is considered appropriate for the CBD environment and consistent with requirements.</p>	Yes
4.5 Pedestrian Access, Public Spaces and Open Space	<ul style="list-style-type: none"> Increase the area of public spaces and pedestrian links that are available in the business centres. Where possible loading 	The proposed development does not restrict pedestrian access from Mount Street through to Zoe Place and onto Luxford Road.	Yes

	<p>facilities should be located at the rear of developments with access off a laneway system.</p>	<p>Existing pedestrian links are maintained and enhanced with new awnings for pedestrian amenity.</p> <p>Proposed loading facilities for the retail / commercial units are located to the rear of the tenancies, accessed via the existing entry/exit driveway and away from the retail customer parking areas.</p>	Yes
4.6 Vehicular Access and Circulation	<ul style="list-style-type: none"> Adequate space shall be provided within any development site for the loading and unloading of service vehicles. Vehicular movements associated with loading facilities and customer parking should be separated wherever possible and all pedestrian movements should be segregated from vehicular movements to avoid possible conflict and congestion. Ingress to and egress from a site should be located where they will cause least interference with vehicular and pedestrian movement on public roads. Direct access will not be permitted off existing or proposed high traffic volume roads wherever an alternative access can be provided. Road access to parking areas will not be permitted in close proximity to traffic signals, intersections or where sight distance is inadequate. The number of access points from a site to any one street frontage should be limited to one ingress and one egress. Parking areas should have a separate entrance and exit where more than 50 car spaces are provided or where the development generates a 	<p>A loading dock is provided on Level 1 (Ground Level) for the service vehicles for the commercial and retail tenants on ground level.</p>	Yes
		<p>Customer/retail parking is separated from the loading area parking on ground level. One-way entry driveway via Zoe Place at the north-eastern portion of the subject site. Separate loading and waste collection access via southern entry/exit driveway to Zoe Place.</p>	Yes
		<p>All ingress and egress is via Zoe Place, with no direct access to Luxford Road.</p>	Yes
		<p>Proposed separate entry driveway from north-eastern Zoe Place frontage adjacent the Red Rooster site and exit driveway towards the southern Zoe Place site frontage.</p>	Yes
		<p>Separate entry and exit for retail parking and also into and out of a basement for the proposed 479 car parking spaces for this development.</p>	Yes
		<p>The entry driveway is an existing driveway located towards the north-eastern end of Zoe Place site frontage.</p>	Yes

	<p>high turnover of traffic (i.e. a supermarket or drive-in service facility).</p> <ul style="list-style-type: none"> The potential for on-street queuing should be eliminated by the provision of sufficient standing areas on-site for vehicles entering the car parking and loading areas. Provision is to be made for all vehicles to enter and leave a site in a forward direction. 	<p>The exit driveway an existing driveway located towards the southern end of the Zoe Place site frontage.</p> <p>All vehicles enter and leave the site in a forward direction.</p>	<p>Yes</p> <p>Yes</p>
4.7 Service Laneways	Provide rear loading access for delivery vehicles and access to rear car parking where the retail/commercial development has a zero lot line or minor setback only to the fronting street.	Proposed separate loading dock access is provided via southern entry / exit driveway.	Yes
4.8 Car Parking	On-site car parking is to be provided by developments in accordance with the standards detailed in <u>Part A</u> of the DCP.	Proposed car parking is provided in excess of requirements.	Yes
4.10 Solar Access	All development to minimise overshadowing and maximise solar access to adjoining public spaces or adjoining residential land.	Shadow diagrams have been provided and assessed. The adjoining commercial and retail land uses to the south are set back with their car parking fronting their site and the shadows cast from the proposed development remain consistent with the solar access provisions.	Yes
4.12 Residential Development	Adding to their diversity and enlivening the centres outside normal business hours. Must comply with the residential standards outlined in Part C of the DCP (Development in the Residential Zones). However, due to the unique nature of residential flat development in business zones, some of these requirements may not be applicable.	<p>9 storeys of residential units above ground floor retail / commercial uses are considered to be a desirable additional use to the Mount Druitt Sub-Regional Centre.</p> <p>Part C of the DCP (Development in the Residential Zones) has been considered in the assessment and the proposal complies with the provisions of the DCP thereby ensuring adequate residential amenity will be provided.</p>	<p>Yes</p> <p>Yes</p>

Part 5 – Sub-Regional Centres			
Control	Requirement	Proposal	Comply
5.1 Description	A sub-regional centre is one which has major office, retail and community facilities and is situated on highly accessible transport routes.	Mount Druitt Town Centre has been identified by the State Government as a Sub-Regional Centre. A diversity of uses is encouraged in these centres, including the integration of residential accommodation and retail / commercial uses. The proposed mixed-use development is consistent with these provisions.	Yes
5.2 Car Parking	Refer to discussion above.	Refer to discussion above.	Yes
5.2.1 Pedestrian Access & Open Space	Protect and enhance existing open space and create a pedestrian network.	The proposed development would enhance pedestrian access from Mount Street through to Zoe Place and onto Luxford Road. Existing pedestrian links are maintained and enhanced with awnings to all street frontages and by the setting back of tenancies 12, 13 and 14 by a further 2.7 m from the property boundary alignment (adjacent foyer entries 1 and 2) to create additional pedestrian circulation space adjacent the public domain.	Yes
5.3.1 Residential/Mixed Use Development – Specific Controls	<p>Provide a pleasant living and working environment for the residents of the building.</p> <p>(4) Ensure developments promote a positive relationship and 'human scale' with the public domain and maintain solar access to public places and footpaths.</p> <p>(5) Maintain the amenity of any adjoining residential land in terms of building bulk and solar access.</p> <p>(6) Provide attractive, usable and accessible landscaped areas of open space for the residents of the development.</p> <p>(7) Minimise the overlooking of living spaces in dwellings</p>	<p>The proposed development will remain consistent with the provisions of this clause by providing opportunities for improved living and working environments for residents and workers.</p> <p>The development will remain consistent with the desired future character of the Mount Druitt Sub-Regional Centre and provide a high quality mixed-use redevelopment of the subject site that met the density and amenity provisions of the site and use.</p>	Yes

	<p>and private open space. (8) Ensure the adequate provision of service facilities in the development and that such facilities are integrated with the design of the development and are conveniently located for use by residents.</p>		
<p>5.3 Blacktown CBD – Residential / mixed use development</p>	<p><i>The following controls are in relation to the Blacktown CBD, however are included in this assessment table as these are controls in relation to a 'sub-regional centre' which is considered to be directly applicable to the subject site:</i></p> <p>Front Setbacks: A zero setback to the front boundary is permissible for the ground floor and the 1 - 2 levels above, i.e. the podium.</p> <p>Side & rear setbacks: A zero setback to the side and rear boundaries is permitted for the ground floor and the 1 - 2 levels above, i.e. the podium. For the levels of the building above the podium, each development site shall be examined on its individual merits with the <u>absolute minimum setback being 6 metres</u>. However, in order to ensure a quality environment, especially in regard to solar access and privacy for the future residents of the CBD, <u>setbacks greater than 6 metres are highly desirable</u> and are advocated by Council. Balcony encroachments into any building setback area which is not to a street</p>	<p>Front Setbacks: The proposal provides a zero setback to the street frontages from the ground level up to Level 8. Levels 9 & 10 are setback a further 3.5m. These setbacks to the street frontage are considered acceptable given suitable architectural articulation is provided which enhances the streetscape, sufficient solar access is achieved, and a comfortable street scale and bulk and scale is provided.</p> <p>Side & rear setbacks: In relation to the setback to the northern boundary, the proposal provides a zero setback for the ground floor level, which is satisfactory in the context of this sub-regional centre. The residential levels (Levels 2 to 10) all satisfy the minimum separation distance of 6m. The applicant has included the following measures to mitigate potential visual and acoustic impacts:</p> <ol style="list-style-type: none"> Highlight windows with a minimum sill height of 1.5m to the bedrooms. Screens to the terraces. 	<p>Yes</p> <p>Yes Also refer to further discussion at Section 9.9 of the Assessment Report.</p>

JRPP-14-2628 - 1 Zoe Place, Mount Druitt

	frontage will not necessarily be accepted but will be assessed on their merits. In this respect, Council will have regard to matters such as privacy, overlooking and articulation of the façade.		
5.5 Mount Druitt Town Centre	The Mount Druitt Town Centre is also a sub-regional centre, secondary to the Blacktown CBD. Approximately half the land within the Town Centre is still available for commercial and/or retail development. Any new development in the Centre should relate in function to the existing uses within the Centre.	The proposed mixed-use development is located in the Mount Druitt Town Centre. The proposed retail/commercial units maintain the retail and business function of the centre. The residential units will add to the diversity within the Mount Druitt Town Centre and enliven the area outside normal business hours while providing casual surveillance opportunities.	Yes