AUBURN COUNCIL

To the Joint Regional Planning Panel

1 6-14 Park Road, Auburn

DA-150/2014/A

SUMMARY

Applicant	Zhinar Architects
Owner	Apartments On Park Pty Limited
Application No.	DA-150/2014/A
Description of Land	Lot 614 DP 1187933, 6-14 Park Road, Auburn
Proposed Development	Section 96(2) application for alterations and additions to the approved residential flat building including a reduction in the street setback of levels 8 to 11, subdividing a top floor apartment into two separate apartments, alteration to the balconies of apartments facing north east across Levels 5 to 11, addition of 3 car parking spaces to the development and alterations to building materials and finishes.
Site Area	2965.00m^2
Zoning	**Zone B4 - Mixed Use**
Disclosure of political donations and gifts	Nil disclosure

Recommendation

Pursuant to the provisions of Section 96(2) of the Environmental Planning and Assessment Act 1979 (as amended) that approval be granted to modify Development Consent No. DA-50/2014 on land at 6 - 14 Park Road, Auburn subject to the condition amendments in the attached conditions schedule.

Consultations

Internal Referrals

The development application was referred to relevant internal Council departments for comment. No objections have been raised to the proposed development subject to the imposition of conditions on any development consent.

External Referrals

The development application was not required to be referred to any external bodies or approval agencies.

History

On 27 May 2013, approval was granted to DA16/2013 for "*demolition of existing structures and construction of 8 storey mixed-use strata building including 98 residential units over ground level commercial premises with 3 levels of basement parking".* This approval has since been physically commenced by demolition and excavation works.

On 24 April 2014 approval was granted to a Section 96(2) application DA16/2013A to *"modify basement layout (B1-B3) and reduce floor height of ground floor".*

On 19 September 2014 approval was granted to development application DA-150/2014 for *" Alterations and additions to approved 8 storey mixed use development including construction of 4 additional levels".*

Site and Locality Description

The subject site is identified as Lot 614 DP 1187933 and is known as 6-14 Park Road, AUBURN. The site is located on the eastern side of Park Road, between intersections with Queen Street to the north and Mary Street to the south. The site is generally rectangular with a stepped northeastern corner and a site area of approximately 2,965.73sqm. The site has a street frontage of approximately 63.07m to Park Road and a stepped northern boundary with a total length of approximately 50.27m, a stepped eastern boundary of approximately 60.92m and a southern boundary of approximately 50.3m.

The site has a fall of approximately 4m from west to east away from the Park Road frontage. The site has a slight cross fall (0.32m) from south to north at the street frontage.

The site is located within the high density residential and commercial area of Auburn, approximately 100m from the Auburn commercial centre. The site is currently under construction under the existing approvals referred to above. Access to the site is via Park Road.

To the immediate north of the site is a residential flat building fronting Park Road and a mixed use development fronting Queen Street. The six storey residential flat building adopts a triangular shape in plan and contains private open space in the form of balconies facing east towards Park Road or west towards the adjoining development. The eastern portion of the northern boundary is adjoined by a part 7 and part 8 storey residential flat building which has its primary frontage to the Queen Street precinct.

The northern portion of the eastern boundary is adjacent to a 6 storey mixed use building and the southern portion of the eastern boundary is adjacent to a 5 storey commercial building. To the south of the subject site is a 3 storey residential flat building.

Opposite the subject site to the west is Trinity (Catholic College). The college occupies a large linear site extending in a north to south direction on the western side of Park Road. A three storey classroom building extends along the western side of the site with a large setback to Park Road.

Description of Proposed Development

Council has received on the **5-Feb-2015** an application under the provisions of Section 96(2) of the Environmental Planning and Assessment Act, 1979 to modify the subject development consent as follows:-

- Providing a nil front setback to western front units from Level 8-11, creating internal unit layouts consistent with floors below;
- Converting the northern penthouse at Level 11 from 1 to 2 units to create internal unit layouts, consistent with floor below. The total number of units under modified scheme is 181 units (one additional apartment);
- Extending the balconies to the north-eastern units between Levels 5-11 creating the same setback as the lower floors balconies;
- Replacing the roof behind southern penthouse to Level 11 with concrete slab and increase private open space to penthouse unit;
- Additional parking provided within basement level. The total parking provision under modified scheme is 256 (three additional spaces); and
- Minor changes to materials specifications as detailed on plans.

Assessment

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

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

The development consent granted approval for construction of a new 12 storey mixed use building and the proposed modifications do not seek to alter the nature of the approval. The amendments within the development and predominantly relates to minor alterations and additions to Levels 8 – 11 as well as increased private open space for some units and some minor to the materials and finishes specifications. The modifications are not to such an extent that they could be construed as being a substantially different development to that which for consent was originally granted. The GFA will only be marginally increased (156sqm) and will create 1 additional unit, parking will be increased by 3 spaces, however this well be accommodated within the existing basement levels. Accordingly, the modifications are considered acceptable in respect of Section 96(2) of the Act.]

(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirements of a concurrence to the consent or in accordance with the

general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent

The application did not require any consultation with a Minister, public authority or other approval body.

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

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

In accordance with Council's Notification of Development Proposals Development Control Plan, adjoining and nearby property owners and occupiers were advised of the proposed modification and were invited to comment. During this period, one submission (from a consultant on behalf of Trinity College) commenting on the proposal were received. The issues raised in the submissions and relevant responses are summarised below:-

- Excessive height and bulk,
- Overlooking of school grounds,
- Increase in traffic.

Comment: The proposal will not add any significant bulk. The upper 4 levels facing the street will be realigned (brought forward) with the lower levels following a change to Council's DCP which now permits the upper levels to be built to the street.

There is no material increase in overlooking of the school grounds. It is noted that the school grounds can be overlooked from the public domain in any case.

The additional apartment is to the rear of the site.

There will be an increase in 3 parking spaces, which will not materially impact traffic generation and congestion.

Section 94 Contributions Plan

The development would require amendment to 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 Occupation certificate for the development.

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

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

State Environmental Planning Policy No. 55 – Remediation of Land

The requirement at clause 7 of SEPP No. 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 respect of the original development application and no changes are proposed in this respect as part of the Section 96 Application.

Regional Environmental Planning Policies

The proposed development is affected by the following Regional Environmental Plans:

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the Sydney Harbour Catchment area and thus, SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues in this regard, as the proposal is considered to be consistent with the requirements and objectives of the SREP.

State Environmental Planning Policies

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

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-density residential, in the form of single-storey detached dwellings, to higher density mixed use developments within the Auburn Town centre.
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.*	☒	☐	☐	The proposed modifications retain the general scale of the development the proposal continues to be consistent with other developments of this nature which have been constructed in its near vicinity. The proposed design is therefore considered appropriate to the scale of the locality and the desired future character of the area.

Requirement	Yes	No	N/A	Comment
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 modifications respond appropriately to the site constraints and results in a development that is suitably sited so to ensure adequate building setbacks and privacy to the adjoining primary school playground. The proportions and presentation of the building is contemporary and the façade elements create visual interest within the streetscape.
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 181 apartments in mid rise building form that will contribute to the redevelopment of the area. The proposal complies with the FSR control. No objection is raised to the development in relation to density objectives.
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.*	☒	☐	☐	A modified 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 indicate appropriate landscaping on the site and responds adequately to the proposed built form. The proposal does provide planters with adequate deep soil planting (to 600mm).

Requirement	Yes	No	N/A	Comment
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.
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 studio, 2, 3 and 4/5 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 proposed modifications will result in a mixed use building that has an attractive contemporary appearance and utilises building elements that provide individuality to the development without compromising the streetscape or detracting from the appearance of existing surrounding development. The simple finishes and treatment to the building provide an appropriate response to the existing and likely future character of the locality.

Requirement	Yes	No	N/A	Comment
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.*	☒	☐	☐	Landscape areas are provided as per the last approval DA-150/2014.

Residential Flat Design Code

Requirement	Yes	No	N/A	Comment
Part 1 - Local Context				
Building Height				
Objectives To ensure future development responds to the desired scale and character of the street and local area.	☒	☐	☐	The building heights are as per the last approval DA 150/2014 and are found to be satisfactory and generally compliant with the Auburn Local Environmental Plan requirements.
To allow reasonable daylight access to all developments and the public domain.	☒	☐	☐	This is achieved where possible.
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.	☒	☐	☐	Dual aspect apartments are provided providing good levels of natural ventilation and sun access.
To provide for dual aspect apartments.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Controls The maximum internal plan depth of a building should be 18 metres from glass line to glass line.	☐	☒	☐	The building generally complies and is unchanged from the DA 150/201 Notwithstanding the building depth, the residential building achieves satisfactory daylight and natural ventilation given the orientation of the site.
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.	☒	☐	☐	
Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation.	☒	☐	☐	Dual aspect apartments have been included within the development. 69.1% of units are provided with cross-flow ventilation.
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.	☒	☐	☐	
Building Depth				

Requirement	Yes	No	N/A	Comment
Objectives To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.	☒	☐	☐	There are minor changes to the setbacks to the north-east corner apartments. The upper level apartments have been minimally altered to provide slightly changed floor plans and balconies that align with the lower level apartments at this corner. This results in a reduction in distance from the edge of the balconies on levels 5 to 11 to the neighbours to the north-east and east. These new increased balcony footprints (and consequently distances to these neighbours) are the same as the balconies on the lower levels of the building at this corner. In other words the upper level balconies now replicate the lower level balconies. Separation distances are maintained at between 13m and 21m to the neighbouring residents. The proposal will provide its share of the required setback with the adjoining apartment buildings, and the increase in balcony footprint will not materially impact any neighbour's amenity. Furthermore, it should be noted that privacy screens are provided to the altered balconies, which are designed to safeguard neighbour's privacy.
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.	☐	☒	☐	
Controls • For buildings over three storeys, building separation should increase in proportion to building height:	☒	☐	☐	
○ 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	☐	☐	☐	
○ 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	☐	☒	☐	
○ 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.				

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 provides an appropriate street setback comparable to that of adjoining sites.
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 the street 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. Where setbacks are less than those required no significant amenity impacts are noted. Nil deep soil landscaping is provided, which is in accordance with the current approval DA150/2014
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 consistent with the density requirements imposed by Councils Local environmental Plan 2010. The proposal complies with the FSR control. The proposal includes a high number (69.1%) of dual aspect units. 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				
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. Privacy screens to balconies and high level windows are used to minimise impacts on visual privacy.
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. 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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Appropriate building separation, staggering of private open space areas and suitable opportunity for screen planting at the ground level ensures that visual privacy between the building on site and adjacent buildings is maintained. Generally, 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.
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 basement levels which do not impact upon the aesthetic design of the building.

Requirement	Yes	No	N/A	Comment
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.	☒ ☐ ☒	☐ ☐ ☐	☐ ☒ ☐	There are 256 car parking spaces are provided in this development. Of that, there are 229 parking spaces for residents; 16 parking spaces for visitors; 10 parking spaces for commercial and 1 loading bay; including 18 spaces designated as disabled spaces All of the parking provided is located within the basement levels.
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 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. Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The layout of the two new units to Level 11 (resulting from the conversion of the northern penthouse apartment) is consistent with the lower levels. The layouts will allow for good amenity. The living area of each unit is connected to the balcony. The kitchens do not form part of the major circulation space of any apartment. Storage is provided within apartments and within the basement level.

Requirement	Yes	No	N/A	Comment
Include adequate storage space in apartment	☒	☐	☐	
Ensure apartment layouts and dimensions facilitate furniture removal and placement.	☐	☒	☐	Generally complies, the layout of the two new apartments to Level 11 is consistent with the units to the lower levels.
Single aspect apartments should be limited in depth to 8 metres from a window.	☐	☒	☐	Generally complies. Some back of kitchens are 8.5m from the window. No single aspect units have kitchens further than 8m from a window.
The back of a kitchen should be no more than 8 metres from a window.	☒	☐	☐	
The width of cross-over/cross-through apartments over 15 metres deep should be 4 metres or greater.	☒	☐	☐	
Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly for habitable rooms.	☒	☐	☐	The two new 3 bedroom units to Level 11 will have a compliant unit size of 95m^2
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.				
Apartment Mix				
Design Practice • Mixed use buildings: 3.3 metres minimum for ground floor retail/commercial and for first floor residential, retail or commercial.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
Balconies				
Objectives To provide all apartments with private open space.	☒	☐	☐	Generally consistent with approved DA 150/2014 The modifications increases the size of some balconies to the upper levels.
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.	☒	☐	☐	
Design Practice Where other private open space is not provided, provide at least one primary balcony.	☒	☐	☐	Generally consistent with approved DA 150/2014 The modifications increases the size of some balconies to the upper levels.
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.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies by: locating balconies which predominantly face north, east or west to provide solar access; utilising sun screens, pergolas, shutters ad operable walls to control sunlight and wind; providing balconies with operable screens, Juliet balconies or operable walls in special locations where noise or high windows prohibit other solutions; choose cantilevered balconies, partly cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; ensuring balconies are not so deep that they prevent sunlight entering the apartment below.	☒	☐	☐	
Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy.	☒	☐	☐	
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).	☒	☐	☐	
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.	☒	☐	☐	
Flexibility				
Objectives To encourage housing designs which meet the broadest range of the occupants' needs as possible.	☒	☐	☐	Development is as per the last approval DA-150/2014.
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.	☒	☐	☐	
• *Storage*				
Objectives • To provide adequate storage for everyday household items within easy access of the apartment.	☒	☐	☐	Development is generally as per the last approval DA-150/2014 in this regard.
• To provide storage for sporting, leisure, fitness and hobby equipment.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • 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. • 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.	☒ ☒	☐ ☐	☐ ☐	Development is as per the last approval DA-150/2014 in this regard. .
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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. 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. 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. 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. Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.	☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒	Suitable building separation is provided to allow private open space areas to be located away from each other. The Acoustic Report previously provided with the original application, satisfies requirements in terms of building construction.
Daylight Access				
Objectives To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development. 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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Development is as per the last approval DA-150/2014 in this regard.
Design Practice Plan the site so that new residential flat development is oriented to optimise northern aspect. Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	☒ ☒	☐ ☐	☐ ☐	Development is as per the last approval DA-150/2014 in this regard.

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	The applicant provided shadow statistics schedule that shows that 121 units or 67.2% of the units having living areas and private open space areas achieving the minimum 2 hours solar access. Given that the site is part of the Auburn Town Centre and therefore undergoing re-development to higher density area, the proposal is considered a dense urban development where a minimum 2 hours direct sunlight between 9am and 3pm may be acceptable. This is considered a relatively minor non-compliance and as each unit is provided with suitable internal and external spaces and meets the necessary ventilation requirements the proposal is considered acceptable in this regard.
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).	☒	☐	☐	There are 30 single aspect south facing units, which is 16.6% for the development. This non-compliance is considered acceptable, given the restrictions of the site and good levels of natural ventilation and adequate internal solar access of the development.
Limit the use of light wells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms.	☐	☐	☒	
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.	☐	☒	☐	
Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.	☐	☒	☐	
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.	☒	☐	☐	
Natural Ventilation				

Requirement	Yes	No	N/A	Comment
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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Development is as per the last approval DA-150/2014 in this regard.
Facades				
Objectives To promote high architectural quality in residential flat buildings. 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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The modifications are considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed.
Design Practice Consider the relationship between the whole building form and the façade and/or building elements. 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.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	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.
Roof Design				
Objectives To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings. 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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Development is as per the last approval DA-150/2014 in this regard. The modifications propose changes to the building materials used behind the southern penthouse only, allowing an increase to the private open space at this level.

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, photovoltaic, water features. Where habitable space is provided within the roof optimise residential amenity in the form or attics or penthouse apartments.	☒ ☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☒	Development is as per the last approval DA-150/2014 in this regard.
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.
Maintenance				
Objectives To ensure long life and ease of maintenance for the development.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☐ ☒ ☒ ☒	☐ ☐ ☐ ☐	☒ ☐ ☐ ☐	Suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	
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.	☒	☐	☐	

Auburn Local Environmental Plan (LEP) 2010

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

Clause	Yes	No	N/A	Comment
Zone B4 Mixed Use **1Objectives 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.
2Permitted without consent Nil	☐	☐	☒	All proposed development requires consent from Council.
3Permitted 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);	☐	☐	☒	No prohibited development is proposed.

Clause	Yes	No	N/A	Comment
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				

Clause	Yes	No	N/A	Comment
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 38m height limit under the Auburn LEP 2010. The proposed modifications retain the existing approved height which generally compiles with the maximum allowable height limit of 38 metre, with only a minor breach of 0.5m which is attributed to the lift overrun and skylights within the centre of the building.
(b) to ensure that the height of buildings is compatible with the character of the locality	☒	☐	☐	
(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:				Development not on Parramatta Road Precinct.
(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,	☐	☐	☒	Development not on land within zone B6 – Enterprise Corridor.
(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.	☐	☐	☒	
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	☒	☐	☐	The modifications will result in a floor space ratio of 5:1.
(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.	☐	☒	☐	
(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:				Not a multi dwelling development.
(a) for sites less than 1,300 square metres—0.75:1,	☐	☐	☒	
(b) for sites that are 1,300 square metres or greater but less than 1,800	☐	☐	☒	

Clause	Yes	No	N/A	Comment
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:				Not within Zone – B6 Enterprise Corridor.
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and	☐	☐	☒	
(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	☐	☐	☒	
(b) 2:1 for office premises and hotel or motel accommodation.	☐	☐	☒	

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

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

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

ADCP 2010 – Local Centres

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

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
Objectives a. To provide richness of detail and architectural interest, especially to visually prominent parts of buildings such as lower storeys and street facades.	☒	☐	☐	The minor modifications will continue to provide a 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.	☒	☐	☐	
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.				The design substantially complies with the ALEP 2010 building FSR and building height controls.
d. To ensure consistency in the main street frontages of buildings.	☒	☐	☐	
e. To ensure building depth and bulk appropriate to the environmental setting and land form.	☒	☐	☐	
f. To ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments.	☒	☐	☐	
g. To ensure that the form, scale, design and nature of development enhances the streetscape and visual quality of commercial areas.	☒	☐	☐	
h. To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.	☒	☐	☐	
i. To ensure development appropriately supports the centres hierarchy.	☒	☐	☐	
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 minimised; and	☒	☐	☐	
• Ceiling heights for the ground floor is to be a minimum of 3.6m.	☒	☐	☐	
D2 Residential components are to be provided with direct access to street level with entrances clearly distinguishable from entries to commercial premises.	☒	☐	☐	
D3 Secure entries are to be provided to all entrances to private areas, including car parks and internal courtyards.	☒	☐	☐	
D4 Car parking provided for the residential component of the development is to be clearly delineated and provided separate to general customer 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 form residential areas.	☒	☐	☐	
D6 Vehicular circulation areas must be legible and must differentiate between the commercial service requirements, such as loading areas, and residential access.	☒	☐	☐	
D7 Mechanical plant is to be located on the roof or visually and acoustically isolated from residential 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 is as per the last approval DA-150/2014 in this regard.
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.	☒	☐	☐	
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.	☒	☐	☐	The bulk and scale of the development is considered appropriate with regard to the future desired character of the area and zone objectives.
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.	☒	☐	☐	The building can be divided into distinct element comprising the commercial street level base with associated awning, centre core and top elements. The development is considered to respond well in this regard.
P4 New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings.	☐	☐	☒	Surrounding development comprise of mixed use, residential and educational developments.
P5 Ensure infill development is well articulated, makes a positive contribution to the streetscape and responds to local urban character.	☐	☐	☒	
P6 Retain the use of awnings as visually dominant and coordinating townscape features.	☒	☐	☐	
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. The building is modulated with the provision of recesses in the front facade of the building.
• modulation and texture; and				
• architectural features which give human scale at street level such as entrances and porticos.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
	☒	☐	☐	

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. **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. **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. **D5** Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development. **D6** Where development has two (2) street frontages the streetscape should be addressed by both facades.	☒ ☒ ☒ ☐	☐ ☐ ☐ ☐	☐ ☐ ☐ ☒	The proposal does not provide any blank walls with an exterior exceeding 5m at the street level. The public domain interface is considered to provide an appropriate level of visual interest. All windows and doors are considered to possess appropriate proportions. There is an awning provided over the footpath.
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. 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	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Proposed modifications replace the roof behind the southern penthouse unit with a concrete slab to increase the private open space only. The development is as per the last approval DA-150/2014.

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.	☐	☐	☒	
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 overlook public spaces.
D3 Balconies and terraces shall be oriented to overlook public spaces.	☒	☐	☐	Should the application be recommended for approval, appropriate condition could be imposed in this regards.
D4 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.	☒	☐	☐	
D5 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:				Site is located on the opposite side of the road adjacent to Trinity Catholic College. The western façade provides passive surveillance to the street.
• This interface shall be identified in the site analysis plan and reflected in building design;	☒	☐	☐	The western façade is suitably designed an appropriate in scale and character.
• 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.	☒	☐	☐	Whilst there is some overlooking from private living areas orientated toward Park Road, the degree of overlooking is not unreasonable and given that the school play areas are already visible from the public domain. It is recognised that the proposal provides casual surveillance of the area which is recognised as benefiting safety and security in the area.
D3 Fencing along boundaries shared with public open space shall have a minimum transparency of 50%.	☒	☐	☐	
D4 Sight lines from adjacent development to public open space	☐	☐	☒	The development does not directly adjoin public open space.

shall be maintained and/or enhanced. Direct, secure private access to public open space is encouraged, where possible.				
3.0 Streetscape and Urban form				
Objectives				
a. To ensure development integrates well with the locality and respects the streetscape, built form and character of the area.	☒	☐	☐	The development in itself is not considered to be inappropriate for the area in terms of streetscape and built form.
b. To encourage innovative development which is both functional and attractive in its context.	☒	☐	☐	
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, use and surrounding development.
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.
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.	☒	☐	☐	
P4 To maintain the surviving examples of original whole shop frontages where the shop frontages contribute to the local character.	☐	☐	☒	
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.	☐	☐	☒	The proposed building bulk and scale and the adjoining northern development represent a more urban form associated with the Auburn Centre which progressively transitions to a lower density residential form as Park Road continues in a southerly direction.
D2 New shopfronts shall be constructed in materials which match or complement materials use in the existing building.	☒	☐	☐	
D3 Development shall provide direct access between the footpath and the shop.	☒	☐	☐	
D4 Development shall avoid the excessive use of security bars.	☒	☐	☐	
D5 Block-out roller shutters are not permitted.	☒	☐	☐	
D6 Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.	☐	☐	☒	There are no signs proposed as part of the subject application.
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. The site is not located on a corner or identified as a gateway site.
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).	☒	☐	☐	
D2 Levels above the street wall height are to be setback 4m.	☐	☒	☐	
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.	☒	☐	☐	
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 development to ensure distinctive and unique design of buildings that will form gateways and entrance statements to commercial centres.	☒	☐	☐	The ground floor is identifiable as a commercial component of the development. The residential lobbies are separated from the commercial tenancies.
Development controls				
D1 The architecture of ground level uses shall reflect the commercial/retail function of the centre.	☒	☐	☐	The building will establish the future character of the immediate area. All commercial servicing will be undertaken at the ground floor level. Residential parking is to the basement levels.
D2 Buildings shall achieve a quality living environment that sympathetically integrates into the character of the commercial precinct.	☒	☐	☐	
D3 Commercial and retail servicing, loading and parking facilities shall be separated from residential access and servicing and parking.	☒	☐	☐	
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.				
5.0 Privacy and Security				
Objectives				
a. To provide personal and property security for residents and visitors and enhance perceptions of community safety.	☒	☐	☐	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 ensure that new development achieves adequate visual and acoustic privacy levels for neighbours and residents.	☒	☐	☐	
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.	☒	☐	☐	
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:				
• Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or	☒	☐	☐	The development maintains sufficient building separation provided to minimise visual and acoustic overlooking onto adjoining private open spaces.
• 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.	☒	☐	☐	The development is acceptable in this regard.
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.	☒	☐	☐	Modified balconies are provided with privacy screens to minimise overlooking impacts.
D3 Shared pedestrian entries to buildings shall be lockable.	☒	☐	☐	
D4 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	☒	☐	☐	The reduced setback to the upper levels will increase the developments passive surveillance of the street and public domain.
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.	☒	☐	☐	

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.	☐	☐	☒	
D8 Adequate lighting shall be provided to minimise shadows and concealment spaces.	☒	☐	☐	
D9 All entrances and exits shall be made clearly visible.	☒	☐	☐	
D10 Buildings shall be arranged to overlook public areas and streets to maximise surveillance.	☒	☐	☐	
D11 Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.	☒	☐	☐	
5.1 Noise **Performance criteria**				
P1 New commercial developments within major arterial roads or railway lines are designed to mitigate noise and vibration impacts.	☐	☐	☒	The development is not located in the vicinity of any major arterial roads or railway lines.
P2 All 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.	☒	☐	☐	An Acoustic report has been submitted with the application in relation to potential traffic noise and noise from the school. 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.
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.	☐	☐	☒	
D2 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	☐	☐	☒	Development is as per the last approval DA-150/2014 in this regard.

commercial premise. **D3** An acoustic report shall be submitted with a development application for a proposed commercial use in the local centre that operates during the hours between 10pm and 6am.	☐	☐	☒	
5.2 Wind Mitigation **Performance criteria** **P1** New development satisfy nominated wind standards and maintain comfortable conditions for pedestrians. **Development controls** **D1** Site design for tall buildings (towers) shall: • Set tower buildings back form 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.	☒ ☐ ☐ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☐ ☐ ☒	Development is as per the last approval DA-150/2014 in this regard.
6.0 Access and Car Parking				
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.	☒	☐	☐	The modifications will increase the approved number of spaces by 3. This has been achieved by minimally altering part of the layout. The proposal complies with parking requirements.
7.0 Landscaping				
Objectives a. To create attractive buildings, public spaces and walkways. b. To improve visual quality and contribute to a more positive local centre experience. c. To reduce impacts on climate change at the local level and improve the natural environmental features	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposal provides appropriate landscaped areas. Development is as per the last approval DA-150/2014 in this regard.

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.	☒	☐	☐	.
P4 Landscaped areas are provided for passive and recreational use of workers.	☒	☐	☐	
P5 Enhance the existing streetscape and promote a scale and density of planting that softens the visual impacts of buildings.	☒	☐	☐	
P6 Encourage the planting of low water consumption plants and tress.	☒	☐	☐	
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 carparks.	☐	☐	☒	
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.	☐	☐	☒	
D5 Paving and other hard surfaces shall be consistent with architectural elements.	☒	☐	☐	
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
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.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	regards. With regard to overshadowing of the public domain, the building has been appropriately sited however if the building was sited in a way to minimise the overshadowing of the street, this would result in an unacceptable design outcome and increased overshadowing impact on adjoining uses. Accordingly the buildings overshadowing of the street and public domain is considered acceptable in this instance.
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. **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. **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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The building internal layout is generally considered acceptable. The building will be made out of appropriate masonry materials with suitable thermal massing properties. This is as per the BASIX certificate requirements.
8.2 Water conservation **Performance criteria** **P1** Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances. **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	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	BASIX Certificate submitted addresses water conservation for the residential component.

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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
8.4 Ventilation **Performance criteria** **P1** Natural ventilation is incorporated into the building design. **Development controls** **D1** 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, the building is 68.5% naturally ventilated. The development is acceptable in this regard.
8.5 Solar amenity **Performance criteria** **P1** New buildings are designed to protect solar amenity for the public domain and residents. **Development controls** **D1** Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 3.00 pm on 21 June for: ● public places or open space; ● 50% of private open space areas; ● 40% of school playground areas; or ● windows of adjoining residences. **D2** Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.	☒ ☐ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☒ ☐ ☐ ☐ ☐	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 buildings will receive sufficient solar access during the morning, daytime or afternoon at times throughout the year. The building to the south does not receive the required amount of solar access on 21 June. However submitted solar access diagrams demonstrate that this building receives good levels of solar access throughout the year. For the most part the proposal complies with this control. There are no adjoining public outdoor spaces.
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	☒ ☒	☐ ☐	☐ ☐	Development is as per the last approval DA-150/2014 in this regard.

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. **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.	☒	☐	☐	
10.0 Other Relevant Controls				
10.1 Waste **DI** Applicants shall consult the Waste Part of this DCP for requirements for disposal. **10.2 Access and amenity** **DI** Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.	☒ ☒	☐ ☐	☐ ☐	An acceptable waste management plan dealing with the demolition and construction waste has been submitted for the application. The development is acceptable in this regard.
14.0 Auburn Town Centre				
14.1 Development to which this section applies This section applies to the Auburn Town Centre which is zoned B4 Mixed Use under *Auburn LEP 2010.* Refer to Figure 4. 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.	☒	☐	☐	The subject site lies within the boundary of Figure 4.
14.2 Setbacks **Development controls** **DI** Setbacks within the town centre shall be consistent with Figure 2.	☒	☐	☐	The proposal is consistent with Figure 2, which determines that the site may be built to the boundary.
14.3 Active frontages **Development controls** **DI** As a minimum, buildings shall provide active street frontages consistent with Figure 3.	☐	☐	☒	Active frontage is provided. Development is as per the last approval DA-150/2014 in this regard.
14.5 Laneways **Development controls** **DI** Redevelopment within the Auburn Town Centre shall make provision for the creation of new laneways as shown in Figure 4.	☐	☐	☒	No laneway is shown to be provided to service the site as per figure 8. Accordingly the development is considered to be acceptable in this regard.

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
2.0 Built Form				
• **Objectives** • To ensure that all development				The proposed development is

contributes to the improvement of the character of the locality in which it is located. • To ensure that development is sensitive to the landscape setting and environmental conditions of the locality. • To ensure that the appearance of development is of high visual quality and enhances and addresses the street. • To ensure that the proposed development protects the amenity of adjoining and adjacent properties. • To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and locality. • To ensure that development relates well to surrounding developments. • To ensure that development maximises sustainable living.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	consistent with the built form objectives as it results in an articulated, balanced development, which improves the existing streetscape, provides deep soil zones and landscaping, is consistent with the form and scale of like developments in the near vicinity and achieves the required energy efficiency ratings.
2.1 Site area **Performance criteria** **P1** The site area of a proposed development is of sufficient size to accommodate residential flat buildings. **Development controls** **D1** A residential flat building development shall have a minimum site area of 1000m^2 and an average minimum width of 24m. **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.	☒ ☒ ☐	☐ ☐ ☐	☐ ☐ ☒	Development is as per the last approval DA-150/2014 in this regard.
2.2 Site coverage **Performance criteria** **P1** Adequate areas for landscaping, open space and spatial separation is provided between buildings. **Development controls** **D1** **The built upon area shall not exceed 50% of the total site area.**	☒ ☐	☐ ☒	☐ ☐	Development is as per the last approval DA-150/2014 in this regard.

D2	The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.	☒	☐	☐	
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;	☐	☐	☒	
	• align with the street and/or proposed new streets;	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
	• are located across the site; and	☒	☐	☐	
	• form an L shape or a T shape where there is a wing at the rear.	☒	☐	☐	
Note: The development control diagrams in section 10.0 illustrate building envelope controls**.**					
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.
Development controls					
2.4.1	**Front setback**				
D1	The minimum front setback shall be between 4m to 6m (except for residential flat development in the B1, B2 and B4 zones).	☒	☐	☐	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	☐	☐	☒	The reduction in the front setback to the upper levels is consistent with the revised DCP setback controls.

	depending on the width of the lane.				
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.	☐	☐	☒	
D4	Setbacks from the street shall ensure that the distance between the front of one building to the front of the building on the opposite side of the street is a minimum of 10m for three (3) storey buildings. For example, 2m front setbacks and a 6m wide laneway where that laneway is a shareway. Where a footpath is to be incorporated a greater setback shall be required.	☐	☐	☒	Development is as per the last approval DA-150/2014 in this regard.
D5	All walls shall be articulated by bay windows, verandahs, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 600mm.	☒	☐	☐	The modified front facade of the development is considered to be well articulated with the incorporation of recesses in horizontal and vertical planes and contrasting material with fenestration treatments to create a varied facade.
2.4.2 Side setback					
D1	Where the external walls have no windows or only windows to bathrooms/laundries, these shall be setback at least 3m from a side boundary. Where there are windows in the wall to living rooms the setback from the side boundary shall be at least 3m.	☐	☒	☐	The setbacks are appropriate to the site. They allow for reasonable amenity to be achieved to the surrounding buildings. Side setbacks vary, and are generally greater than 3m (generally 9m). Good separation distances to the neighbours is maintained.
D2	Eaves may extend a distance of 700mm from the wall.	☒	☐	☐	The proposal provides compliant courtyard spaces to both side elevations.
D3	If the depth of the building is greater than 12m, a courtyard space that is at least 3m from the side	☒	☐	☐	

	boundary and a minimum 3m deep shall be included on the side wall, generally mid-way along the length of the wall.				
2.4.3	**Rear setback**				
D1	**Rear setbacks shall be a minimum of 10m.**	☐	☒	☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☐	☐	☒	
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.	☒	☐	☐	
2.5	**Building depth**				
Performance criteria					
P1	A high level of amenity is provided for residents.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
Development controls					
D1	The maximum depth of a residential flat building shall be 18m excluding balconies.	☐	☒	☐	
2.6	**Number of storeys**				
Performance criteria					
P1	The number of storeys is achievable within the maximum building height in *Auburn LEP 2010.*	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
Development controls					
D1	Residential flat buildings shall be a maximum four (4) storeys above ground level (existing), except where basement car parking allows for natural ventilation up to less than 1m above ground level.	☐	☒	☐	
2.7	**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.	☐	☐	☒	
	D3	When located near business areas, a floor to ceiling height of 3 to 3.3m for the ground and first floor shall be provided.	☐	☐	☒	
•	**D4**	When located within business areas, a floor to ceiling height of 3.3m for the ground and first floor shall be provided.	☒	☐	☐	
2.8 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 modified materials and colour scheme of the proposal, which is considered to be of high quality and will make a positive contribution to the streetscape.
Development controls						
2.10.1 Materials						
	D1	All developments shall be constructed from durable, quality materials. As a guide, preference shall be given to bricks that are smooth faced and in mid to dark tones.	☒	☐	☐	
2.10.2 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.	☒	☐	☐	
	D3	Elevations shall provide for variation and depth rather than relying on front façade treatment only. Varied massing projections and recesses	☒	☐	☐	The facade provides recessed elements on every facade of the building. The additional levels are provided with

	shall be used to create a sense of articulation and depth.				a distinct faced treatment to create visual interest and a sense of articulation.
2.10.3 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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
2.10.4 Balustrades and balconies					
D1	Balustrades and balconies shall allow for views from the interior. Accordingly, balustrades shall be partly transparent and partly solid.	☒	☐	☐	The upper level balconies are provided with partly transparent and partly solid balustrades proposed.
D2	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.	☒	☐	☐	Complies.
2.11 Dwelling size					
Performance criteria					
P1	Internal dwelling sizes and shapes are suitable for a range of household types.	☒	☐	☐	Units generally comply with the minimum dwelling size. The layout is suitable to accommodate a variety of furniture layouts. The development is acceptable in this regard.
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 (maisonette) — 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	☐	☒	☐	The northern penthouse will be split to create two 3 bedroom units each with a compliant size of 95m^2. The proposal complies. It is noted that proposed apartment sizes is compliant with SEPP 65 controls.
D2	At least one living area shall be spacious and connect to private outdoor areas.	☒	☐	☐	All balconies are accessible from the living rooms of every unit.
2.12 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 some variety of unit types of differing sizes and bedrooms.
P2 Housing designs meet the broadest range of the occupants' needs possible.	☒	☐	☐	
Development controls				
D1 A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings.	☒	☐	☐	The modifications result in the following bedroom mix:- 32 x 1 bedroom apartments – (17.7%) 126 x 2 bedroom apartments – (69.6%) 22 x 3 bedroom apartments – (12.2%) 1 x 4+ bedroom apartments – (0.1%)
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.	☒	☐	☐	
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
D4 The number of accessible and adaptable apartments to cater for a wider range of occupants shall be optimised.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
D5 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.				
D6	Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
D7	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-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.	☒ ☒	☐ ☐	☐ ☐	Unit floor sizes are considered to be of sufficient size to provide flexible furniture layouts. Dual master bedroom apartments not strictly provided. However some two bedroom units, provide bedroom with adjacent bathrooms and essentially function as a multiple master bedroom arrangement.
D8	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.				
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
b.	To provide private open areas that relate well to the living areas of dwellings.	☒	☐	☐	
c.	To enhance the appearance and amenity of residential flat buildings through integrated landscape design.	☐	☐	☒	
d.	To provide for the preservation of existing trees and other natural features on the site, where appropriate.	☐	☐	☒	
e.	To provide low maintenance communal open space areas.	☒	☐	☐	
f.	To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.	☒	☐	☐	
g.	To conserve and enhance street tree planting.	☒	☐	☐	
3.1 Deep soil zone **Performance criteria**					
P1	A deep soil zone allows adequate opportunities for tall trees to grow and spread. **Note:** Refer to the development control diagrams in section 10.0.	☒ ☒	☐ ☐	☐ ☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☒	☐	☐	
3.1	**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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☒	☐	☐	
Development controls					
D1	Development on steeply sloping sites shall be stepped to minimise cut and fill.	☐	☐	☒	
D2	Existing significant trees shall be retained within the development.	☐	☐	☒	
D3	Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.	☐	☐	☒	
D4	Residential flat buildings shall address and align	☐	☐	☒	

	with any public open space and/or bushland on their boundary.				
D5	All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.	☒	☐	☐	
3.1 Private open space					
Performance criteria					
P1	Private open space is clearly defined and screened for private use.	☒	☐	☐	The modifications increase the size of some balconies, improving the development in this regard.
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.	☒	☐	☐	
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.	☒	☐	☐	Split balconies to Level 11 have been allocated appropriate private open space areas.
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.	☒	☐	☐	
D3	Dwellings located above ground level shall be provided with a balcony or roof terrace that has a minimum area of $8m^2$ and a minimum dimension of 2m.	☒	☐	☐	All apartments have a minimum balcony depth of 2m and have a total area that exceeds 8sqm.
D4	Balconies may be semi enclosed with louvres and screens.	☒	☐	☐	
D5	Private open space shall				

	have convenient access from the main 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.	☒	☐	☐	
D7	Additional small, screened service balconies may be provided for external clothes drying areas and storage.	☒	☐	☐	
D8	Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.	☒	☐	☐	
3.1	**Communal open space**				
Performance criteria					
P1	The site layout provides communal open spaces which:	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
	▪ contribute to the character of the development;	☒	☐	☐	
	▪ provide for a range of uses and activities;	☒	☐	☐	
	▪ allows cost-effective maintenance; and	☒	☐	☐	
	▪ contributes to stormwater management.	☒	☐	☐	
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.	☒	☐	☐	
D2	The communal open space area shall have minimum dimensions of 10m.	☒	☐	☐	
3.1	**Street trees**				
Performance criteria					
P1	Existing street landscaping				

	is maintained and where possible enhanced.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
Development controls					
D1	Driveways and services shall be located to preserve existing significant trees.	☐	☐	☒	
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.	☐	☐	☒	
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.		☒	☐	☐	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.
4.2	**Basements**				
	Performance criteria				
P1	Basements allow for areas of deep soil planting.	☒	☐	☐	
	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.	☒	☐	☐	
D3	Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.	☐	☒	☐	
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☒	☐	☐	Modifications are provided with suitable privacy features.
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.	☐	☐	☒	
D2 Windows to living rooms and main bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape.	☒	☐	☐	
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.	☒	☐	☐	
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.	☒	☐	☐	
5.2 Noise				

Performance criteria				
P1 The transmission of noise between adjoining properties is minimised.	☒	☐	☐	The development is not located in close proximity to high noise sources.
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:	☒	☐	☐	The proposed development has provided an Acoustic Report with the application, which recommended measure to minimise potential noise impacts.
■ 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;	☒	☐	☐	
■ 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 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.	☒	☐	☐	A crime safety report was submitted with the application stating that the development had been designed in accordance with the CPTED principles.
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
D2 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	☒	☐	☐	
D3 Ground floor apartments may have individual entries from the street.	☐	☒	☐	
D4 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.	☐	☐	☒	
5.4 Fences				
Performance controls				
P1 Front fences and walls maintain the streetscape character and are consistent with the scale of development.	☐	☐	☒	Development is as per the last approval DA-150/2014 in this regard.
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. Front and side dividing fences where located within the front yard area shall not be constructed of solid pre-coated metal type	☐	☒	☐	

	materials such as Colorbond™ or similar.				
D2	All fences forward of the building alignment shall be treated in a similar way.	☒	☐	☐	
D3	Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building line.	☐	☐	☒	
D4	Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.	☐	☐	☒	
D5	Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.	☒	☐	☐	
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 generally receive adequate solar access. The adjacent development to the south will retain good levels of solar access for the majority of the year. A greater building setback is provided to this boundary. The development incorporates a suite of energy efficiency and water conservation measure and detailed in the submitted plans and BASIX certificate. The measures include: • Energy efficient lighting • Water saving fixtures • Appropriate floor and wall insulation measures • Use of shading devices over windows • Installed appliances to meet minimum efficiency targets • Instantaneous hot water system • Water reuse system
b.	To create comfortable living environments.	☒	☐	☐	
c.	To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.	☒	☐	☐	
d.	To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.	☒	☐	☐	
e.	To encourage installation of energy efficient appliances that minimise green house gas generation.	☒	☐	☐	
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. The primary communal outdoor space is located on the north-eastern side of the building.
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 are noted however any that may be proposed or installed will be able to receive at least three hours of solar access a day on all or a portion of their rooves in accordance with this control. The development is acceptable in this regard.
	Where adjoining properties do not have any solar collectors, a minimum of $3m^2$ 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 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 at different times throughout the year. Whilst the building to the south is affected by the works, it is likely that in time this building will be redeveloped in time and improved solar access achieved to this site.
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 be located to face an outdoor space.	☒	☐	☐	All living rooms and balconies in the proposal are orientated towards the street, rear or sides of the site for maximum outlook and minimal privacy intrusion into adjoining sites.
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.	☐	☒	☐	
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.
D8	The western walls of the residential flat building shall be appropriately shaded.	☒	☐	☐	Shading devices are shown on balconies the western elevation of the building.
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☒	☐	☐	
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.				
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.	☒	☐	☐	
6.3	**Rainwater tanks**				
Performance criteria					
P1	The development design reduces stormwater runoff.				
	Development controls				
D1	Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.	☐	☐	☒	A rainwater tank can be provided if required.
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.	☒	☐	☐	
7.0 Ancillary site facilities					
Objectives					
a.	To ensure that site facilities are effectively integrated into the development and are unobtrusive.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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 facilities which are easily accessible to all residents and screened, are provided.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
	Development controls				
D1	Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	☒	☐	☐	
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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
	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.	☒	☐	☐	
	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.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
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.	☒	☐	☐	Can comply.
	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 letterboxes shall be lockable.	☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.
	D3 Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.	☒	☐	☐	
7.5	**Waste disposal**				An acceptable waste management plan

Applicants shall refer to the requirements held in the Waste Part of this DCP.	☒	☐	☐	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.
9.0 Adaptable housing				
Objectives a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents. *b.* To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	☒ ☒	☐ ☐	☐ ☐	The development is fully accessible from the basement levels via lifts to residential levels above and from the level street entry.
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; ■ doorways wide enough to provide unhindered access to a wheelchair; ■ adequate circulation space in corridors and approaches to	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Can comply.

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** **Number of dwellings** | **Number of units** 5-10 | **1**	☒ ☒	☐ ☐	☐ ☐	The development proposes 181 units with 18 units identified as being adaptable. This represent 10% of the units and therefore compliant with this clause.

11-20	**2**				
21 – 30	**3**				
31- 40	**4**				
41 - 50	**5**				
Over 50	**6**				
(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.					
• **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.		☒	☐	☐	The development proposed two separate lifts within the building. The development is acceptable in this regard.
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.		☐	☐	☒	
9.4 Physical barriers • **Development controls** • **D1** Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.		☒	☐	☐	Development is as per the last approval DA-150/2014 in this regard.

Parking and Loading DCP

Requirement	Yes	No	N/A	Comment
2.0 Off-Street Parking Requirements This section applies to all development. Objectives a. To ensure that an acceptable level of parking is provided on-site to minimise adverse impacts on surrounding streets.	☒	☐	☐	An appropriate amount of parking is provided for the proposed residential use.
b. To provide for the reasonable parking needs of business and industry to support their viability, but discourage unnecessary or excessive parking.	☒	☐	☐	
Performance criteria **P1** New development provides adequate off-street parking to service the likely parking demand of that development.	☒	☐	☐	Adequate parking is provided as follows:
P2 New development does not introduce unnecessary or excessive off-street parking.	☒	☐	☐	32 x studio/1bed units (1 space per unit) = 32

P3 Parking provided for development which is not defined in this Part on sound and detailed parking assessment. Development controls **D1** All new development shall provide off-street parking in accordance with the parking requirement tables of the respective developments in this Part. **D2** That in circumstances where a land use is not defined by this plan, the application shall be accompanied by a detailed parking assessment prepared by a suitably qualified professional which includes: • A detailed parking survey of similar establishments located in areas that demonstrate similar traffic and parking demand characteristics; • Other transport facilities included in the development; • Anticipated traffic generation directional distribution and nature of impacts expected; • An assessment as to whether the precinct is experiencing traffic and on-street parking congestion and the implications that development will have on existing situation; • An assessment of existing public transport networks that service the site, particularly in the off-peak, night and weekend periods and initiatives to encourage its usage; • Possible demand for car parking space from adjoining localities; • Occasional need for overflow car parking; and • Requirements of people with a limited mobility, sensory impairment.	☐ ☒ ☐	☐ ☐ ☐	☒ ☐ ☒	126 x 2 br units (min1.2-max 3.0 space per unit) = 126-378 22 x 3 br units (min1.5-max3.0 spaces per unit) = 33-66 1 x 4/5 bed unis (min2-max6 spaces per unit) = 2-6 101-250 units, min 12-max 55 visitor spaces = 12-55 Total residential/visitor parking required 215-547 Commercial 1 per 60 sqm = 563.63 / 60 = 10 1 loading bay per 4,000 sqm = 1 loading bay required. Total = 215 + 10 + 1 = spaces required. The subject proposal proposes 256 total car parking spaces including 1 loading bay, 10 commercial spaces, 15 visitor spaces and 18 adaptable residential disabled spaces. Landuse is defined as residential/commercial use.
3.1 Bicycle parking Development controls **D1** Bicycle racks in safe and convenient locations are provided throughout all developments with a total gross floor area exceeding 1,000sqm and shall be designed in accordance with AS2890.3 – Bicycle Parking Facilities. 3.2 Access driveway and circulation roadway design Performance criteria **D1** Vehicular movement to and from the site and	☒	☐	☐	Bicycles spaces provided within the basement area.

within the site reduces potential conflict with other vehicles and pedestrians by creating minimal interference with vehicular and pedestrian movements on public roads, as well as within the site being developed.	☒	☐	☐	
D2 Access driveways, circulation roadways and open parking areas are suitably landscaped to enhance amenity which providing for security and accessibility to all residents and visitors.	☐	☐	☒	Basement parking proposed.
D3 Access driveways and circulation roadways shall not be wider than prescribed for their particular use.	☒	☐	☐	
Development controls				
D1 Circulation driveways are designed to:				
• Enable vehicles to enter the parking space in a single turning movement;	☒	☐	☐	Should the application be recommended for approval appropriate condition shall be imposed in this regards.
• Enable vehicles to leave the parking space in no more than two turning movements;	☒	☐	☐	
• Comply with AS2890 (all parts);	☒	☐	☐	
• Comply with AS1429.1 – Design for Access and Mobility; and	☒	☐	☐	
• Comply with Council's road design specifications and quality assurance requirements.	☐	☐	☒	
3.3 Sight distance and pedestrian safety				
Performance criteria				
P1 Clear sight lines are provided to ensure pedestrian safety.	☒	☐	☐	
Development controls				
D1 Access driveways and circulation roadways shall be design to comply with sight distance requirements specified in AS2890 – Parking Facilities.	☒	☐	☐	
D2 Obstruction/fences shall be eliminated to provide adequate sight distances.	☐	☐	☒	
3.4 General parking design				
Performance criteria				
P1 Parking facilities are designed in a manner that enhances the visual amenity of the development and provides a safe and convenient parking facility for users and pedestrians.	☒	☐	☐	Basement car parking proposed.
P2 The site layout enables people with a disability to use one continuously accessible path of travel:				
• To the site from the street frontage;	☒	☐	☐	
• To individual or main car parking areas; and	☒	☐	☐	
• To all buildings, site facilities and communal open space.	☒	☐	☐	
Development controls				
D1 Visual dominance of car parking areas and access driveways shall be reduced.	☒	☐	☐	
D2 All basement/underground car parks shall be designed to enter and leave the site in a forward direction.	☒	☐	☐	
D3 Car parking modules and access paths shall be designed to comply with AS2890 – Parking Facilities (all parts). Note 1: Disabled parking shall comply with AS2890 – Parking Facilities requirements. Parking bay envelope width shall be maintained for the length of the parking bay. Note 2: Visitor parking dimensions shall be a minimum 2.6 metres by 5.4 metres.	☒	☐	☐	
D4 All pedestrian paths and ramps shall:				
• Have a minimum width of 1000mm;	☒	☐	☐	Should the application be recommended for approval appropriate condition shall be imposed in this regards.
• Have a non-slip finish;				
• Not be steep (ramp grades between 1:20 and				

1:14 are preferred); • Comply with AS1428.1 – Design for Access and Mobility; and • Comply with AS1428.2 – Standards for blind people or people with vision impairment.				
7.0 Loading requirements Objectives a. To ensure that all development proposals for industry and business are adequately provided with appropriate loading and unloading facilities. b. To prevent industrial and business development giving rise to adverse impacts associated with truck and service vehicles being parked off-site.	☒ ☒	☐ ☐	☐ ☐	Loading bay provided within the basement of the development. Suitable manoeuvring and internal area provided for small rigid vehicles and smaller.
Performance criteria **P1** Separation is provided between service areas (i.e. loading and unloading areas) and parking. **P2** Size of service vehicle bays are adequate for the likely vehicles utilising the spaces. **P3** Service areas are located and designed to facilitate convenient and safe usage. Development controls **D1** Driveway access and adequate on-site manoeuvring shall be provided to enable all delivery vehicles to enter and leave the site in a forward direction. **D2** Industrial developments having a floor area greater than 400sqm shall include loading and unloading facilities to accommodate a 'heavy rigid vehicle' as classified under AS2890 – Parking Facilities. Smaller developments shall make a provision for a 'medium rigid vehicle' as classified under the Australian Standard. All development applications shall be accompanied with a manoeuvring analysis with 'auto turn or the like' and details of swept paths showing compliance with AS2890 – Parking Facilities. Note: The applicant shall identify the likely service vehicle sizes accessing the site and shall provide service vehicle spaces in accordance with AS2890 – Parking Facilities. **D3** Loading/unloading facilities shall be positioned so as to not interfere with visitor/employee or resident designated parking spaces. **D4** The service area shall be a physically defined location which is not used for other purposes, such as the storage of goods and equipment. **D5** The design of loading docks shall accommodate the type of delivery vehicles associated with the development and potential uses of the development. **D6** Buildings shall be designed to allow loading and unloading of vehicles within the building and at all times. Where achievable, loading docks should be situated to the side or rear of buildings. In the case of commercial development access can be provided from a laneway. **D7** That loading bays for trucks and commercial vehicles shall be provided in accordance with 9: Land use / Loading requirements Business and office premises / 1 space per 4,000m2 GFA up to 20,000m2 GFA plus 1 space per 8,000m2	☒ ☒ ☒ ☒ ☐ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☐	General parking and loading is separated. Loading Bay is provided to Basement 1 and delivery vehicles may enter and leave the site in a forward direction. Not an industrial development. Appropriate condition could be imposed in this regard to ensure compliance.

	thereafter				
Retail premises - department stores	1 space per 1,500m2 GFA up to 6,000m2 GFA plus 1 space per 3,000m2 thereafter	☒	☐	☐	1 loading bay provided and considered adequate for the proposed development.
Retail premises - shops and food and drink premises	1 space per 400m2 GFA up to 2,000m2 GFA plus 1 space per 1,000m2 thereafter				
Hotel and motel accommodation	1 space per 50 bedrooms or bedroom suites up to 200 plus 1 space per 100 thereafter plus 1 space per 1,000m2 of public area set aside for bar, tavern, lounge and restaurant				
Other	1 space per 2,000m2				
Industrial/warehouse, bulky goods retail and wholesale supplies	1 space per 800m2 GFA up to 8,000m2 GFA 1 space per 1,000m2 thereafter				
Note: It is not possible to establish criteria for the size of trucks likely to access the land uses specified above. This will be done on a case by case basis. Larger trucks such as B-Doubles shall be assessed on their individual requirements, but will usually require a minimum loading area dimension of 25 metres (length) by 3.5 metres (width). The heights of the loading area, platform in the service bay and of the service bay itself will vary with vehicle type and loading/unloading methods. **D8** Loading/unloading areas shall be provided in accordance with AS2890.2 – Off-Street Commercial Vehicle Facilities.		☒	☐	☐	Council's development engineer has raised no objections to the proposed loading area.

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

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

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

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

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

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed modification(s). Accordingly, the site can be said to be suitable to accommodate the modification(s). The proposed modification(s) has been assessed in regard it its environmental consequences

and having regard to this assessment, it is considered that the modification(s) is suitable in the context of the site and surrounding locality.

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

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

In accordance with Council's Notification of Development Proposals Development Control Plan, the modification(s) was publicly exhibited for a period of 14 days between 25 February 2014 and 11 March 2014. The notification generated one submission in respect of the proposal (submission was on behalf of the Trinity College, which is opposite the site). The issues raised in the public submissions are summarised and commented on as follows:

- Excessive height and bulk,
- Overlooking of school grounds,
- Increase in traffic.

Comment: The proposal will not add any significant bulk. The upper 4 levels facing the street will be realigned (brought forward) with the lower levels following a change to Council's DCP which now permits the upper levels to be built to the street.

There is no material increase in overlooking of the school grounds. It is noted that the school grounds can be overlooked from the public domain in any case.

The additional apartment is to the rear of the site.

There will be an increase in 3 parking spaces, which will not materially impact traffic generation and congestion.

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 proposed modification(s), if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

Conclusion

The proposed modification, under the provisions of Section 96(2), is considered acceptable having regard to the provisions of Sections 79C(1) and 96(2) of the Environmental Planning and Assessment Act 1979. The proposed modification is considered to result in a development substantially the same as that development for which consent was granted.