

Compliance with Blacktown Local Environmental Plan 2015

Blacktown Local Environmental Plan 2015			
Development Standard	Requirement	Proposal	Compliant
Zoning B4 Mixed Use Objectives:	To provide a mixture of compatible land uses.	The proposed "shop top housing" development includes business / retail uses at the ground and 1 st floor level and 16 residential levels above.	Yes
	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 proposed "shop top housing" development is located in an accessible location.	Yes
	To promote employment opportunities on the land to which this clause applies.	The 900 sqm of business / retail floor space will provide employment opportunities. The proposal is consistent with other "shop top housing" developments in the northern precinct of the CBD.	Yes
	Development consent must not be granted to the erection of a building unless the consent authority is satisfied that the ground floor and 1 st floor of the building will be used for a purpose other than residential accommodation.	The ground and 1 st floors will be used for purposes other than residential accommodation. Some of this space is for business / retail activities, while the remaining area is for car parking and utility services.	Yes
Permissible uses:	Shop top housing is permissible with consent.	Shop top housing is defined as 1 or more dwellings located above ground floor retail premises or business premises. The proposal satisfies this definition.	Yes
Principal development standards			
Height of buildings	Maximum building height is 56 m.	The proposal exceeds the maximum height by 5.35 m. A clause 4.6 variation has been submitted.	No The proposed building height variation is discussed in detail under section 7 of the report and is considered satisfactory.

Blacktown Local Environmental Plan 2015

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Floor space ratio	6.5:1	6.76:1 A clause 4.6 variation has been submitted.	No The proposed FSR variation is discussed in detail under section 7 of the report and is considered satisfactory.
Exceptions to development standards	The applicant has submitted a written request to justify the contravention of the development standards. See attachment 2.	The additional height and FSR results in a better designed building (see also assessment under section 7 of the report).	Satisfactory The clause 4.6 request for variations to the above 2 development standards is considered justified.
Design excellence	This clause applies to land identified as "design excellence" on the Design Excellence Map.	The subject site falls within the "design excellence" area. The applicant has submitted a design excellence review and has satisfactorily demonstrated that the building will contribute to the visual and built character of the Blacktown CBD.	Yes
Miscellaneous Provisions			
Preservation of trees or vegetation	The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.	There is no vegetation to retain.	Yes
Heritage conservation	The objective of this clause is to conserve the environmental heritage in Blacktown.	The site is not in the immediate vicinity of a heritage item or area. The heritage dwellings at 41 and 47 Clifton Street, however, will have direct view to the high rise development in the CBD.	Yes See comments from Council's heritage advisor under section 8 of the report, and Council's City Architect's response.
Additional Local Provisions			
Flood planning	Minimise the flood risk to life and property.	The site has no risk flooding.	N/A
Terrestrial biodiversity	Protect native fauna and flora.	The site is not identified as containing terrestrial biodiversity.	N/A
Riparian land and watercourses	Protect and maintain water quality within watercourses.	The site is not within 40 m of a watercourse.	N/A

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Essential services	Adequate arrangements are to be made for the supply of water, supply of electricity, management and disposal of sewerage, stormwater drainage or conservation, and suitable road access.	The applicant has demonstrated these items are currently in place.	Yes
Design Excellence	The site is identified as requiring design excellence. Consequently, the development is to demonstrate a high level of architectural and urban design.	Refer to Council's City Architect's assessment of the proposal provided under section 7.4(c) of the report.	Yes