

Compliance with Blacktown Development Control Plan 2015

Blacktown Development Control Plan 2015 – Part A Introduction and General Guidelines

Development standard	Requirement	Proposal	Compliant
Car parking	Resident parking 1 space per 1 or 2 bedroom unit Visitor parking 1 space per 2.5 dwellings Business / retail 1 space per 30 sqm GFA	Required 160 resident spaces 64 visitor spaces 30 business / retail spaces Total required 254 spaces	No See assessment under section 7.2 of the report. The proposal is satisfactory as it complies with the requirements of SEPP 65 and the parking rates specified in the RMS guide.

Blacktown Development Control Plan 2015 – Part D Development in Business Zones

Development standard	Requirement	Proposal	Compliant
Building design and construction	Suitable access and facilities are to be provided for the aged and disabled. All weather protection is to be provided for pedestrians. The reflectivity of external glass must not cause excessive glare or heat.	Wheelchair access is available. An awning is provided over the footpath. A standard condition will be imposed to ensure that the glass used has a 20% maximum reflectivity.	Yes Suitable conditions will be imposed on any consent to address accessibility, construction of the awning and the reflectivity of the glass.
Height	The maximum height is to comply with the relevant clause of BLEP.	A clause 4.6 request has been submitted to vary the height.	No See section 7(a) of the report.
Setbacks	Consideration is to be given as to whether a building setback is required for aesthetic purposes or streetscape design. In some cases a zero building setback may be acceptable.	The development provides a zero setback to First Avenue. This is considered acceptable in a CBD location.	Yes
Landscaping	Suitable trees, seating, paving and planter boxes are to be provided. The footpath materials are to be consistent with Council's guidelines for the CBD area.	Improvements to the kerb and gutter, footpath and public domain will be conditioned. Street tree planting will be provided by the developer.	Yes Suitable conditions will be imposed on any consent to address street planting, path paving and landscaping.

Development standard	Requirement	Proposal	Compliant
Pedestrian access, public spaces and open space	Developments must not reduce the amount of public space in a business centre or remove important pedestrian links.	The development does not remove or impact on any pedestrian links.	Yes
Vehicle access and circulation	Adequate loading / unloading facilities are to be provided. Where possible they should be located at the rear with access off a laneway system. Ingress / egress should be located where it will cause least interference with vehicular and pedestrian movements on public roads.	All vehicular access is provided off Humphries Lane at the rear of the site. All loading and unloading activities will be undertaken on site in a designated location. There will be no interference with vehicular or pedestrian movements on First Avenue.	Yes
Service laneways	Where a service laneway is indicated on the DCP map relevant to a business centre, Council will require the dedication and/or construction of part of the laneway which is contained within the development site where it is considered that the proposed development creates a demand for the laneway.	The widening of Humphries Lane is not indicated on the DCP map. Provisions, however, have been made for the widening of the lane by 1.5m as part of the development. Adequate ingress/egress and building separation cannot be achieved unless the laneway is widened.	Yes Suitable conditions will be imposed on any consent to address the widening of Humphries Lane by 1.5 m.
Car parking	On-site parking must satisfy the requirements contained in Part A.	See assessment above.	No See assessment under section 7.2 of the report.
Solar access	Development should be designed so as to minimise overshadowing and maximise solar access to adjoining public spaces or adjoining residential land.	The shadows are considered acceptable for an 18 storey development. A significant portion of the shadows fall towards the rail corridor and Sunnyholt Road.	Yes
Residential development	The residential component of the development should comply with the residential standards outlined in Part C of the DCP (Development in the Residential Zones). However, due to the unique nature of residential flat development in business zones, some of these requirements may not be applicable.	This requirement does not apply to mixed-use development located within the CBD. Specific controls are provided for residential development in the CBD (see below).	N/A However, an assessment against selective controls under Part C of the DCP is provided below (i.e. those controls that are silent under Part D of the DCP).

Development standard	Requirement	Proposal	Compliant
Drainage	Adequate provision must be made for the collection and disposal of surface and roofwater run-off. All stormwater shall be either reticulated to the street gutter or piped to a suitable location as approved by Council.	Council's development engineers have undertaken a separate drainage assessment and have recommended appropriate conditions to address drainage.	Yes
Residential/Mixed Use development – specific controls			
Height	On the northern side of First Avenue and all relevantly zoned land to the south down to the railway line - more than 20 storeys is permissible.	This control is out-dated and is now superseded by the height control specified under BLEP 2015.	N/A
Building quality and design	The design of buildings is to have regard to the provisions of <i>State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development</i> .	A separate assessment against the 9 design principles of SEPP 65 has been undertaken.	See separate assessment at attachment 5.
Front setback	A zero setback is permitted for ground level and 2 levels above.	A zero setback has been provided to First Avenue and is considered satisfactory in a CBD location.	Satisfactory.
Side and rear setback	Above the podium a minimum setback of 6 m. Greater setbacks preferred.	The side and rear setbacks are a minimum of 6 m when measured to the centreline of Humphries and Zolyomi Lanes. The development will achieve the distance separation required under the Apartment Design Guide (ADG).	Yes
Minimum site width	The minimum site width at the street shall be 30 m.	The site has a width of 42.5 m.	Yes
Common open space	Common open space is to be provided at the rate of 42% of the sum of the following: 30 sqm for each 1 bedroom unit and 40 sqm for each 2 bedroom unit.	The development requires 2,482 sqm of common open space. This is more than the area of the site (i.e. 2,111 sqm) and is considered a significant amount of common open space in a CBD context.	No See detailed assessment of common open space under section 7.2 of the report.

Development standard	Requirement	Proposal	Compliant
	No more than 30% (i.e. 745 sqm) of the above-ground open space (balconies or terrace areas) may be included in total.	The development provides 745 sqm on the balconies (as the 30% allowance). The proposal also provides 633 sqm, being an open area at the podium level measuring 588 sqm and a 45 sqm 'resident only' meeting room/gymnasium at the 1st floor level.	Yes However, the overall amount of common open space provided (i.e. 1,378 sqm) does not comply with the DCP. See detailed assessment of common open space under section 7.2 of the report.
Private open space	Each unit is to be provided with a private balcony or courtyard with minimum dimensions of 3.0 m x 2.5 m	Under the ADG balconies are only required to measure 2.0 m x 3.0 m. The proposed development complies with the requirements of the ADG.	No However, clause 6A of SEPP 65 states that the private open space and balcony requirements of the ADG prevail over any inconsistent DCP control.
Natural cross ventilation and solar access	Developments must comply with the provisions of SEPP 65 in regard to cross ventilation and solar access.	A separate assessment against the requirements of the Apartment Design Guide (ADG), including the cross ventilation and solar access requirements, has been undertaken.	See separate assessment at attachment 6.
Lifts	All development is required to be serviced by stretcher sized lifts.	Two lifts service the building and are considered satisfactory.	Yes
Site waste management and minimisation	Separate garbage and recycling collections are to be provided.	A separate assessment has been undertaken by Council's waste services section.	Yes See also comments under section 7.4 of the report.
Blacktown CBD – detailed precinct plans			
Precinct 6 – Northside precinct			
Development in the vicinity of the 6(a) public recreation zone	Specific requirements apply to any building located on the eastern and northern boundaries of the 6(a) public recreation area in First Avenue.	The subject site does not immediately adjoin the public recreation area which is located on the opposite side of First Avenue.	N/A
Development standard	Requirement	Proposal	Compliant
Visual amenity	Pedestrian areas must be landscaped to complement	The stepped eastern façade, interesting cladding	Yes

	Council's CBD landscaping program. Buildings located along the southern boundary laneway and the railway line should ensure an interesting southern façade to the adjacent railway.	treatment and window placement generates visual interest.	See also comments under section 7.4 of the report.
Vehicular access and parking	No access shall be permitted from proposed developments to Sunnyholt Road. All developments within the precinct must provide all car parking on-site.	The site does not adjoin Sunnyholt Road. Adequate provisions have been made for on-site car parking in compliance with the RMS guide.	Yes
Site density controls	Minimum frontage 30 m Minimum depth 30 m Minimum area 1000 sqm	Frontage = 42.5 m Depth = 44.7 m Area = 2111 sqm	Yes
Separation between buildings	12 metres	The development will achieve a minimum 12 m building separation. The eastern and southern elevations have been setback 6 m from the centreline of the adjoining laneways.	Yes
Protection of views	Minimise the obstruction of views	There is no development on surrounding sites so the impacts in relation to views cannot be assessed.	Satisfactory

Blacktown Development Control Plan 2015 – Part C Development in Residential Zones

Development standard	Requirement	Proposal	Compliant
Visual and acoustic privacy	Visual privacy and freedom from overlooking is important. There is to be protection from mechanical noise. Noise disturbance is to be minimised.	Visual and acoustic privacy is considered satisfactory. Acoustic issues have been discussed in detail under section 7.4 of the report.	Yes
Accessibility	10% of units shall be designed for persons with a disability. Buildings with 4+ levels require a lift.	16 accessible units (10%) are provided. Two lifts are provided to all levels.	Yes
Development standard	Requirement	Proposal	Compliant

Safety and security	Building is to feature casual surveillance and adequate lighting. External materials are to be robust to discourage vandalism and graffiti.	The Blacktown Local Area Command has undertaken a safer by design assessment and has raised no objections to the development subject to standard conditions.	Yes Standard conditions will be imposed to ensure compliance with the applicant's completed crime prevention through environmental design (CPTED) checklist.
Building design - general	Floor plans are to achieve an appropriate level of amenity for the future occupants.	The development has been designed to maximise resident's privacy and amenity.	Yes
Unit types	The unit mix is to respond to market expectation and contain a mix of 1, 2 and 3 bedroom units	The applicant has submitted a market assessment report supporting the unit mix.	Satisfactory
Floor to ceiling height	Habitable rooms and corridors are to be 2.7 m	The development complies with the required floor to ceiling height of 2.7 m	Yes
Energy performance and sustainability	A BASIX certificate is to be submitted.	A BASIX certificate has been submitted.	Yes Suitable conditions will be imposed to ensure compliance with the submitted BASIX certificate.
Provision of services	Any electricity substation is to be to Council and the electricity provider's requirements.	Provisions have been made for the existing electricity substation located on the site.	Yes
Provision for other building services	External walls are to be free of plumbing and fixtures, wall mounted A/C and service conduits/wiring.	Details have not been provided as part of the DA plans.	Yes Suitable conditions will be imposed to ensure that the external walls of the building are free of building services.
Laundry facilities	A communal drying area of 60 sqm should be provided. Each dwelling is to have a mechanical drying appliance in the unit.	Each dwelling has been provided with a mechanical drying appliance. This is considered acceptable in a CBD location.	Yes Suitable conditions will be imposed to ensure that balconies are not used for clothes drying.