

## Assessment against planning controls

### 1 Environmental Planning and Assessment Act 1979

**a. Section 79C 'Heads of Consideration'**

The development satisfies the matters for consideration under Section 79C of the Act as detailed below.

Heads of Consideration 79C	Comment	Complies
<p>a. The provisions of :</p> <ul style="list-style-type: none"> <li>(i) Any environmental planning instrument (EPI)</li> <li>(iii) Any development control plan (DCP)</li> <li>(iv) The regulations</li> </ul>	<p>The proposal is considered to be consistent with the relevant EPIs, including SREP No. 20 – Hawkesbury-Nepean River, SEPP (State and Regional Development) 2011, SEPP (Infrastructure) 2007, SEPP BASIX 2004, SEPP No. 55 – Remediation of Land, SEPP No. 65 – Design Quality of Residential Apartment Development and the 9 'design quality principles' of SEPP 65, BLEP 2015 and the Central City District Plan 2018.</p> <p>The proposal is consistent with the ADG, with the exception of building separation and natural ventilation.</p> <p>The proposed development comprises permissible land uses within the B4 Mixed Use zone and satisfies the zone objectives outlined under BLEP 2015. The applicant has submitted a request to vary the height control development standard pursuant to clause 4.6 of BLEP 2015. The height control is varied by up to 4 metres.</p> <p>The Blacktown DCP applies to the site. The proposed development is compliant with the numerical controls established under the DCP, where an ADG control does not apply, with the exception of side setbacks and the width of the site.</p> <p>As pipeline infrastructure is located underneath Second Avenue, a Safety Management Study is to be carried out in consultation with Caltex and must be conducted to comply with AS 2885 'Pipelines – Gas and Liquid Petroleum' and the Pipelines Regulation. The proposal is considered capable of satisfying this regulation.</p>	<p>No, the proposal seeks departures from these controls with regard to height of buildings, building separation, natural ventilation, side setbacks and width of the site. Refer to the Assessment Report for further discussion.</p> <p>The proposed departures from these matters for consideration are supported in this instance.</p>
<p>b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality</p>	<p>It is considered that the likely impacts of the development, including traffic, parking and access, design, bulk and scale, overshadowing, noise, privacy, waste management and stormwater and flooding management have been satisfactorily addressed, subject to conditions.</p> <p>A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties.</p>	<p>Yes</p>

Heads of Consideration 79C	Comment	Complies
	<p>Any potential impact on the pipeline infrastructure located underneath Second Avenue will be considered through the preparation of the Safety Management Study, with any recommendations incorporated into the design of this development prior to the issue of any Construction Certificate, as required by the owner and operator of the pipeline, Caltex.</p> <p>In view of the above it is believed that the proposed development will not have any adverse social, economic or environmental impacts.</p>	
c. The suitability of the site for the development	<p>The subject site is zoned B4 Mixed Use with a 72 metres building height limit under BLEP 2015. Shop top housing and commercial premises are permissible on the site with development consent.</p> <p>The site has an area and configuration that is suited to this form of podium and tower development. The design solution is based on sound site analysis and responds positively to the constraints of this narrow site and different types of land uses adjoining the site. The site is located within close proximity to the Blacktown railway station, Blacktown bus interchange and Blacktown CBD. The site is also located near services, facilities and a major arterial road network, making it suitable for higher residential densities.</p>	Yes
d. Any submissions made in accordance with this Act, or the regulations	<p>One submission was received as a result of the notification of this DA. This submission was received from the adjoining property owner to the west, whose site is currently under construction for a 24 storey mixed use development. The submission objected to the reduced setbacks and building separation and resulting impacts on the future residents at 28 Second Avenue with regard to amenity, ventilation and solar access, inadequacy of the DA submission material, failure to satisfy clause 7.7 Design Excellence of BLEP 2015, construction methods for the nil setback portion of the proposal, non-compliance with the site width requirement of BDCP 2015 and cross ventilation.</p> <p>The Applicant provided a response to these issues, which is assessed at attachment 9.</p> <p>These issues are considered to be suitably addressed and, subject to conditions of consent, do not warrant the refusal of this application.</p>	Yes
e. The public interest	<p>It is considered that no adverse matters relating to the public interest arise from the proposal.</p> <p>The proposal provides high quality housing stock and provides for a wider range of housing diversity within the Blacktown City area.</p>	Yes

## 2 State Environmental Planning Policy (State and Regional Development) 2011

The Sydney Planning Panel (SPP) is the consent authority for all development lodged but not yet determined prior to 1 March 2018 with a capital investment value (CIV) of over \$20 million. As the DA has a CIV of \$23.6 million, Council is responsible for the assessment of the DA and determination of the application is to be made by the SPP.

## 3 State Environmental Planning Policy (Infrastructure) 2007

This SEPP ensures that Roads and Maritime Services (RMS) is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP. The development does not trigger a referral to the RMS. The application is satisfactory with regard to the requirements of SEPP (Infrastructure) 2007.

## 4 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to "provide a State wide planning approach to the remediation of contaminated land." Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of a development consent.

The application is accompanied by a Stage 2 Environmental Site Assessment prepared by Environmental Investigation Services and dated March 2017. The assessment includes a contamination assessment of the development site against the National Environment Protection Measure (NEPM) 2013 guidelines and included soil samples due to fill material being identified on the site including asbestos. The assessment concludes that the site can be made suitable for the proposed development subject to the preparation of an Asbestos Management Plan for the site prior to excavation. The assessment also recommends that, following removal of the fill material, additional tests of the underlying natural soil / bedrock occur to confirm that this is classified as virgin excavated natural material.

The Asbestos Management Plan is to be implemented and further testing undertaken and validated prior to the construction of this development. These requirements ensure that the site is remediated and made suitable for the proposed development to the strict residential standard under the NEPM 2013 guidelines.

## 5 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 65 (SEPP 65) – *Design Quality of Residential Apartment Development* applies to the assessment of Development Applications for residential flat buildings 3 or more storeys in height and containing at least 4 dwellings.

### *i. Clause 28 Determination of development applications*

Clause 28 of SEPP 65 requires a consent authority to take into consideration:

- (a) the advice (if any) obtained from the design review panel
- (b) the design quality of the development when evaluated in accordance with the design quality principles, and
- (c) the Apartment Design Guide.

Blacktown City Council does not have a design review panel. However, Council's assessing officer's comments in relation to the 9 design quality principles and assessment against the relevant design concepts of the ADG is provided below. The development is considered to comply with the 9 design principles and the ADG, with the exception of building separation and natural ventilation.

<b>Principle 1: Context and Neighbourhood Character</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p>	<p>The design responds to the context of the site within the Blacktown CBD. The development is generally compliant with the height limit established by Blacktown Local Environmental Plan 2015. The development meets the objectives of the B4 Mixed Use zone and contributes to the social and economic diversity of the Blacktown local area through the provision of retail, commercial and residential apartments. The building responds to the streetscape, providing an active street frontage and building setbacks consistent with those envisaged for the CBD.</p>
<b>Principle 2: Built Form and Scale</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>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.</p>	<p>The design responds to the surrounding context, providing a development generally compliant with the building height and compliant with the floor space requirements established by Blacktown Local Environmental Plan 2015. The shop top housing and commercial premises development responds to the site's location within the CBD. The podium at ground level, which gradually tapers back to the tower form above, is consistent with Council's controls and the creation of a suitable streetscape.</p>

<b>Principle 3: Density</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The development complies with the maximum FSR established for the site under BLEP 2015. The scale of the development being 22 storeys is consistent with the height limit for the area and is consistent with the desired density of the area. In addition, the site is located within 400 m of Blacktown railway station and is located within the Blacktown CBD. It is therefore considered a suitable density that can be sustained with existing infrastructure.</p> <p>Council is now proposing to remove the FSR from its CBD controls.</p>
<b>Principle 4: Sustainability</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The design of the development ensures that the development exceeds the minimum design criteria for solar access and natural cross ventilation.</p> <p>The proposal provides for a mix of dwellings, contributing to the housing diversity within the locality.</p> <p>The proposal is supported by a BASIX Certificate. The commitments are incorporated into the design of the building. The proposal demonstrates satisfactory levels of sustainability, waste management and efficient use of energy and water resources.</p>
<b>Principle 5: Landscape</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p>	<p>A Landscape Plan has been submitted with the proposal, which incorporates a variety of planting that contributes to the amenity of the development. The proposal includes a deep soil zone at the rear of the site which is commendable, in particular given deep soil zones have not been provided for other similar development in the CBD.</p> <p>The landscape design provides for suitable screening to adjoining properties, creates usable spaces for future residents and improves the overall quality of the development.</p>

<p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	
<b>Principle 6: Amenity</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>The design of the proposal is considered to provide a high level of amenity through a carefully considered spatial arrangement and layout.</p> <p>The proposal achieves a suitable level of internal amenity through providing appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas.</p>
<b>Principle 7: Safety</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposal is considered to be satisfactory in terms of future residential occupants. Communal areas are provided which are open whilst also maintaining visual privacy within the development and to adjoining properties. Public and private spaces are clearly defined and suitable safety measures are integrated into the development.</p> <p>The proposal provides suitable casual surveillance of the public domain.</p>
<b>Principle 8: Housing Diversity and Social Interaction</b>	
<b>Control</b>	<b>Town Planning Comment</b>
<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p>	<p>The proposal consists of a mix of dwellings which are responsive to anticipated market and demographic demands. The provision of multi-use indoor and outdoor recreation spaces at Level 1 provides the opportunity for social interaction among residents.</p> <p>The proposal provides additional housing choice which is in close proximity to public transport and is located within the Blacktown CBD.</p>

<p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>		
<b>Principle 9: Aesthetics</b>		
<b>Control</b>	<b>Town Planning Comment</b>	
<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials, finishes and colours and reflect the use, internal design and structure of the resultant building.</p> <p>This distinct and contemporary design assists in setting a high quality standard for the transitioning character of this locality and creates a desirable streetscape.</p>	
<b>ADG Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
<b>Siting the Development</b>		
<b><u>3A Site Analysis</u></b>		
Satisfy the site analysis guidelines-App 1.	Site analysis submitted and satisfactory.	Yes
<b><u>3B Orientation</u></b>		
Where an adjoining property does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by more than 20%.	N/A	N/A
4 hours of solar access should be retained to solar collectors on neighbouring buildings.	Adjoining properties do not contain solar collectors	N/A
<b><u>3C Public Domain Interface</u></b>		
Ground level courtyards to have direct access, if appropriate.	N/A. No ground level units.	N/A
Ground level courtyards to be above street level for visual privacy.	N/A. No ground level units.	N/A
Balconies and windows to overlook the public domain.	Balconies and windows provide casual surveillance of the public domain.	Yes
Front fences to be visually permeable with max 1m height, and limited length.	N/A. No front fences proposed.	N/A
Entries to be legible.	Residential entry is appropriately located.	Yes

ADG Requirement	Proposal	Compliance
Raised terraces to be softened by landscaping.	Raised areas are suitably landscaped.	Yes
Mail boxes to be located in lobbies, perpendicular to the street or within the front fence.	Mailboxes are located within the lobby.	Yes
Basement carpark vents not to be visually prominent.	Satisfactory	Yes
Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement carparks or out of view.	Substation integrated into design. Service rooms adequately located.	Yes
Ramping for accessibility to be minimised.	Ramping is suitable.	Yes
Durable, graffiti resistant and easily cleanable materials should be used.	Suitable and durable materials are proposed.	Yes
On sloping sites, protrusion of car parking should be minimised.	Car parking is suitably designed and within the basement of the site.	Yes
<b><u>3D Communal and Public Open Space</u></b>		
COS >25% of the site.	Site area: 992.7 sqm Required 25% = 248.2 sqm Provided: 764 sqm (77%). Complies.	Yes
Direct sunlight to >50% of COS for 2 hours between 9 am and 3 pm.	Direct sunlight is achieved.	Yes
Minimum dimension of 3 m.	Minimum dimension of 3 m achieved.	Yes
Direct and equitable access.	Direct and accessible COS is achieved.	Yes
If COS cannot be located on Ground Level, provide on the podium or roof. If COS cannot be achieved, provide on rooftop of a common room, provide larger balconies, or demonstrate proximity to public open space and facilities.	COS is provided at Level 1 and the rooftop. Satisfactory.	Yes
Range of activities (e.g. seating, BBQ, play area, gym or common room).	COS embellished with seating, play areas, a multi-use room, terraces and covered outdoor areas.	Yes
Visual impacts minimised from ventilation, substations and detention tanks.	The COS is clear of services.	Yes
Maximise safety.	The COS demonstrates a safe design.	Yes
Public Open Space, where provided, is to be well connected and adjacent to street.	N/A	N/A

ADG Requirement	Proposal	Compliance												
<p><b><u>3E Deep Soil Zones</u></b></p> <p>Minimum area = 7% of site area. Preferred area = 15%. If the site is between 650 to 1,500 sqm then minimum dimensions of 3 m. If over 1,500 sqm then min dimensions of 6 m.</p> <p>Achieving deep soil may not be possible on some sites including where the location and building typology have limited or no space for deep soil at ground level (e.g. CBD, constrained sites, high density areas, or in centres), and where there are non-residential uses at ground floor level.</p>	<p>The proposal includes a deep soil zone at the rear of the site which is commendable, in particular given deep soil zones have not been provided for other similar developments in the CBD. Only 3.5% of the total site area is provided as deep soil area. However, design guidance allows for location within the Central Business District, and building typology as a shop top housing development, to not meet deep soil zone design criteria.</p>	<p>Yes.</p>												
<p><b><u>2F Building Separation</u></b></p> <p>Separation distances from buildings to the side and rear boundaries are as follows:</p> <table border="1" data-bbox="169 1021 644 1249"> <thead> <tr> <th>Building height</th> <th>Habitable rooms and balconies</th> <th>Non-habitable rooms</th> </tr> </thead> <tbody> <tr> <td>Up to 12 m (4 storeys)</td> <td>6 m</td> <td>3 m</td> </tr> <tr> <td>Up to 25 m (5-8 storeys)</td> <td>9 m</td> <td>4.5 m</td> </tr> <tr> <td>Over 25 m (9+ storeys)</td> <td>12 m</td> <td>6 m</td> </tr> </tbody> </table> <p>Increased separation distance of 3 m when adjacent to a different zone that permits lower density</p> <p>Direct lines of sight should be avoided for windows and balconies across corners</p> <p>No building separation is necessary where building types incorporate black party walls. Typically this occurs along a main street or at podium level within centres</p>	Building height	Habitable rooms and balconies	Non-habitable rooms	Up to 12 m (4 storeys)	6 m	3 m	Up to 25 m (5-8 storeys)	9 m	4.5 m	Over 25 m (9+ storeys)	12 m	6 m	<p>Development is 22 storeys in height and provides varied setbacks to each boundary, being a departure from this guideline.</p> <p>N/A</p> <p>This is achieved to the adjoining site to the west. However, this is not applicable to the adjoining sites to the east and south as development of a similar scale has not yet occurred on these sites.</p> <p>The Applicant has designed the floor plan layout to locate the services core of the building along the western façade of the building. This portion of the western façade is a blank wall and has a nil setback to that boundary of the site. This nil setback is satisfactory given the context of the site within the Blacktown CBD and the narrow width of the site.</p>	<p>No. Refer to further discussion at <b>Section 7</b> of the Assessment Report.</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
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ADG Requirement	Proposal	Compliance
<p><b><u>3G Pedestrian Access and Entries</u></b></p> <p>Connect to and activate the public domain.</p> <p>Easy to identify access.</p> <p>Internal pedestrian links to be direct.</p>	<p>Pedestrian access is direct to the street frontage and easily identifiable.</p>	<p>Yes</p>
<p><b><u>3H Vehicle Access</u></b></p> <p>Access points are safe and create quality streetscapes.</p>	<p>Car parking and driveway location is suitable.</p>	<p>Yes</p>
<p><b><u>3J Bicycle and Car Parking</u></b></p> <p>Sites within 800 m of a railway station comply with Guide to Traffic Generating Developments.</p> <p><b>&gt;20 units (ADG)</b></p> <p>Metropolitan Regional Centres (CBD):</p> <p>0.4 spaces per 1 bedroom unit. 0.7 spaces per 2 bedroom unit. 1.2 spaces per 3 bedroom unit. 1 space per 7 units (visitor parking)</p> <p>Retail (BDCP) 1 space per 300 sqm</p> <p>Commercial (BDCP) 1 space per 30 sqm</p>	<p>The site is within 400 m of Blacktown Railway Station.</p> <p>The proposal is for: 90 apartment units (30 x 1 bed and 60 x 2 bed), 55 sqm retail tenancy and 98 sqm commercial tenancy.</p> <p>12 42 - 13 67 required 99 provided (comprising 86 residential and 13 visitor spaces)</p> <p>55 sqm requires 2 spaces. 2 provided</p> <p>98 sqm requires 3.3 spaces (3). 2 provided</p> <p>Total required 71 spaces. 103 provided</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No, only 2 spaces are allocated for commercial use where 3 are required. This allocation will be managed via a condition of consent.</p>
<p>At least 1 loading dock.</p>	<p>1 loading dock is provided.</p>	
<p>Conveniently located and sufficient numbers of bicycle and motorbike spaces.</p>	<p>Visitor and resident bicycle parking is provided.</p> <p>A condition is recommended to be imposed providing 2 motorbike parking spaces.</p>	
<p><b>Designing the Building</b></p>		
<p><b><u>4A Solar and Daylight Access</u></b></p> <p>Living rooms and POS receive minimum 2 hours direct sunlight between 9 am – 3 pm in midwinter &gt; 70% of units.</p>	<p>All units (100%)</p>	<p>Yes</p>

ADG Requirement	Proposal	Compliance
Maximum number with no sunlight access < 15%.	None	Yes
Suitable design features are available for shading and glare control.	Appropriate sun shading is provided for the balconies to enable shading from the summer sun and sun penetration in winter. North facing windows are narrow to permit shading from the sun.	Yes
<b><u>4B Natural Ventilation</u></b>		
All habitable rooms naturally ventilated.	All habitable rooms are ventilated.	Yes
Number of naturally cross ventilated units > 60% for the first 9 storeys.	50% of units within the first 9 storeys of the development are cross ventilated. This is a shortfall of 3 apartments.	No, variation sought. Refer to <b>Section 7</b> of the Assessment Report.
Apartments at 10 storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	Above the first 9 storeys, 50% of the apartments are cross-through (corner) apartments which do not exceed a depth of 18 m, and all apartments consist of open balconies with openable doors to all open plan living rooms and all bedrooms, which allow for adequate natural ventilation and which cannot be fully enclosed.	Yes
Depth of cross over apartments < 18 m.	N/A	N/A
The area of unobstructed window openings should be equal to at least 5% of the floor area served.	The window areas are satisfactory.	Yes
<b><u>4C Ceiling Heights</u></b>		
2.7 m for habitable 2.4 m for non-habitable Service bulkheads are not to intrude into habitable spaces.	Satisfactory	Yes
<b><u>4D Apartment Size and Layout</u></b>		
Studio > 35 sqm 1 bed > 50 sqm 2 bed > 70 sqm 3 bed > 90sqm	- 50 sqm 75-85 sqm -	Yes
+ 5 sqm for each unit with more than 1 bathroom.	Where second bathrooms are provided, unit size exceeds the minimum size by 5 sqm.	Yes
Habitable Room Depths: limited to 2.5 m x Ceiling Height (6.75 m with 2.7 m ceiling heights)	Satisfactory room depths.	Yes

ADG Requirement	Proposal	Compliance
Open plan layouts that include a living, dining room and kitchen – maximum 8 m to a window.	Open plan layouts are provided. Kitchens are less than 8 m to a window.	Yes
Bedroom sizes (excluding wardrobe space): Master – 10 sqm Other – 9 sqm Minimum dimensions – 3 m	Master bedrooms meet the minimum bedroom sizes excluding wardrobe space.	Yes
Living rooms/dining areas have a minimum width of: 3.6 m - Studio/1 bedroom 4 m – 2 bedroom/3 bedroom	Minimum living/dining room areas are achieved.	Yes
Cross-over/cross-through: 4m wide	N/A	N/A
<b><u>4E Private Open Space and Balconies</u></b>		
Studio > 4 sqm 1 bed > 8 sqm and 2 m depth 2 bed > 10 sqm and 2 m depth 3 bed > 12 sqm and 2.4 m depth	- 15 sqm 22 sqm - 36 sqm -	Yes
Ground level/ podium apartments > 15 sqm and 3m depth	Min 15 sqm and 3 m	Yes
Extension of the living space.	POS is an extension of the living space	Yes
A/C units should be located on roofs, in basements, or fully integrated into the building design.	A/C units located on balconies	Yes
<b><u>4F Common Circulation and Spaces</u></b>		
Maximum number of apartments off a circulation core on a single level – 8 to 12.	4 or 5 per level	Yes
Buildings over 10 storeys - maximum of 40 units sharing a single lift.	2 lifts provided	Yes
Daylight and natural ventilation to all common circulation areas above ground level.	Achieved	Yes
Corridors greater than 12 m from the lift core to be articulated by more foyers, or wider areas / higher ceiling heights at apartment entry doors.	N/A	N/A
Maximise dual aspect apartments and cross over apartments.	Dual aspect apartments are provided.	Yes
Primary living room and bedroom windows are not to open directly onto common circulation spaces.	Windows do not open onto COS areas.	Yes

ADG Requirement	Proposal	Compliance
Direct and legible access.	Achieved	Yes
Tight corners and spaces to be avoided.	Achieved	Yes
Well lit at night.	Achieved	Yes
For larger development – community rooms for owners meetings of resident use should be provided.	A Common Recreation Space is provided at Level 1.	Yes
<b><u>4G Storage</u></b>		
Studio > 4 m <sup>3</sup> 1 bed > 6 m <sup>3</sup> 2 bed > 8 m <sup>3</sup> 3 bed > 10 m <sup>3</sup> Min 50% within the apartment.	Minimum storage areas provided, with a minimum 50% provided in apartment. Storage spaces also provided within basement.	Yes
<b><u>4H Acoustic Privacy</u></b>		
Window and door openings orientated away from noise sources.	Achieved.	Yes
Noise sources from garage doors, driveways, services, COS and circulation areas to be 3m from bedrooms.	Achieved.	Yes
Separate noisy and quiet spaces.	Achieved.	Yes
Provide double/acoustic glazing, acoustic seals, materials with low noise penetration.	Suitable acoustic measures to be installed.	Yes
<b><u>4J Noise and Pollution</u></b>		
In noisy or hostile environments, the impacts of external noise and pollution are to be minimised through the careful siting and layout of buildings.  To mitigate noise transmission:  Limit the number and size of openings facing the noise sources.  Use double or acoustic glazing, acoustic louvres or enclosed balconies (winter gardens).  Use materials with mass and/or sound insulation (e.g. solid balcony balustrades, external screens or soffits).	The layout of the development considers potential noise and pollution impacts, and is satisfactory.	Yes

ADG Requirement	Proposal	Compliance
<b>Configuration</b>		
<b><u>4K Apartment Mix</u></b>		
Provide a variety of apartment types.	90 apartments (30 x 1 bed and 60 x 2 bed).	Yes
Flexible apartment mix.	A suitable and responsive apartment mix is provided.	Yes
<b><u>4L Ground Floor Apartments</u></b>		
Maximise street frontage activity.	N/A - No ground floor apartments proposed.	N/A
Direct street access to ground floor apartments.		
Ground floor apartments to deliver amenity and safety for residents.		
<b><u>4M Facades</u></b>		
Front building facades are to provide visual interest whilst respecting the character of the local area.	The front façade is architecturally treated to create visual interest and contributes to the desired future character of this area.	Yes
Building services are to be integrated into the overall façade.	Plant and equipment is catered for within the basement levels, within the building and the rooftop of the building.	
Provide design solutions which consider scale and proportion to the streetscape and human scale.		
<b><u>4N Roof Design</u></b>		
Roof treatments are to be integrated into the building design and positively respond to the street.	The proposal comprises rooftop plant and equipment and a communal open space area which is designed to be recessive and not visible from the public domain.	Yes
<b><u>4O Landscape Design Site Area</u></b>		
< 850 sqm - 1 medium tree per 50 sqm of deep soil zone.	The site area is 922.7 sqm.	Acceptable as site is within the CBD context.
850 sqm to 1,500 sqm - 1 large tree or 2 medium trees per 90 sqm of DSZ.	35 sqm of deep soil is provided at the rear of the site, being 3.5 % of the site area.	
>1,500 sqm - 1 large tree or 2 medium trees per 80 sqm of DSZ.		

ADG Requirement	Proposal	Compliance
<p><b><u>4P Planting on Structures</u></b></p> <p>Refer to Table 5 for minimum soil standards.</p> <p>Provide suitable plant selection.</p> <p>Provide suitable irrigation and drainage systems and maintenance.</p> <p>Enhance the quality and amenity of COS with green walls, green roof and planter boxes, etc.</p>	<p>Planting is provided throughout the lower levels of the development and the roof top. The proposal comprises suitable plant selection which is considered to enhance the quality and amenity of the COS.</p>	<p>Yes</p>
<p><b><u>4Q Universal Design</u></b></p> <p>10% adaptable housing.</p> <p>Flexible design solutions to accommodate the changing needs of occupants.</p>	<p>9 adaptable units are provided (10%). The layout of the units comprises flexible design solutions.</p>	<p>Yes</p>
<p><b><u>4R Adaptive Reuse</u></b></p> <p>New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.</p>	<p>N/A</p>	<p>N/A</p>
<p><b><u>4S Mixed Use</u></b></p> <p>Provide active street frontages and encourage pedestrian movement.</p> <p>Residential entries separate and clearly defined.</p> <p>Landscaped COS to be at podium or roof level.</p>	<p>An active street frontage is achieved by providing a retail tenancy which opens directly to the footpath and providing an open and inviting forecourt area for access to the commercial tenancy on Level 1 and the residential apartments.</p> <p>The entries are clearly defined.</p> <p>Landscaping provided on podium and roof.</p>	<p>Yes</p>
<p><b><u>4T Awnings and Signage</u></b></p> <p>Awnings to be continuous and complement the existing street character.</p> <p>Provide protection from sun and rain, wrapped around the secondary frontage.</p> <p>Gutters and down pipes to be integrated and concealed.</p> <p>Lighting under awnings is to be provided.</p> <p>Signage is to be integrated and in scale with the building.</p> <p>Legible and discrete way finding is to be provided.</p>	<p>An extended awning is proposed over the entry to the ground level retail tenancy. This is considered to complement the presentation of the site as well as the existing and future street character. Conditions of consent are recommended to be imposed to ensure that this awning is in accordance with Council's design requirements.</p>	<p>Yes</p>

ADG Requirement	Proposal	Compliance
<b>Performance</b>		
<p><b><u>4U Energy Efficiency</u></b></p> <p>The development is to incorporate passive solar design.</p> <p>Heating and cooling infrastructure are to be centrally located (e.g. basement).</p>	<p>The development allows for the optimisation / management of heat storage in winter and heat transfer in summer.</p> <p>No details of services, however plant rooms provided within basement, within the building and on the rooftop.</p>	Yes
<p><b><u>4V Water Management and Conservation</u></b></p> <p>Rainwater collection and reuse.</p> <p>Drought tolerant plants.</p> <p>WSUD measures.</p> <p>Detention tanks should be located under paved areas, driveways or in basement carparks.</p>	<p>Provided within the basement levels.</p> <p>Suitable plants are proposed.</p> <p>WSUD measures are proposed.</p> <p>Detention tanks are located within the basement levels and are suitably placed.</p>	Yes
<p><b><u>4W Waste Management</u></b></p> <p>Waste storage should be discreetly located away from the front of the development or in the basement.</p> <p>Waste cupboard within each dwelling.</p> <p>Waste and recycling rooms are to be in convenient and accessible locations related to each vertical core.</p>	<p>Waste storage within the building at ground level.</p> <p>Each dwelling has sufficient storage.</p> <p>Waste chutes are centrally located on each floor.</p>	Yes
<p><b><u>4X Building Maintenance</u></b></p> <p>The design is to provide protection from weathering.</p> <p>Enable ease of maintenance.</p> <p>The materials are to reduce ongoing maintenance costs.</p>	<p>The proposal demonstrates ease of maintenance.</p>	Yes

## 6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate has been lodged as part of the DA, as well as a NatHERS (Nationwide House Energy Rating Scheme) Assessor Certificate. The BASIX Certificate indicates that the development has been designed to achieve the required water, thermal comfort and energy scores. A suitable condition will be imposed requiring compliance with the submitted BASIX Certificate.

## 7 Central City District Plan 2018

Whilst the *Environmental Planning and Assessment Act 1979* does not require consideration of District Plans in the assessment of development applications, an assessment of the Draft Central City District Plan has been undertaken. Outlined below is where the development

application is consistent with the overarching priorities outlined in the Central City District Plan 2018:

### Productivity

- Driving the growth of the Central City
- Delivering job targets in strategic and district centres
- Growing Central City District's economy with smart jobs
- Improving access to a greater number of jobs and centres within 30 minutes.

### Liveability

- Improving housing choice
- Improving housing diversity and affordability
- Creating great places.

## 8 Blacktown Local Environmental Plan 2015

The Blacktown Local Environmental Plan 2015 (BLEP 2015) applies to the site. The table below provides a summary assessment of the development standards established within the BLEP 2015 and the proposal's compliance with these standards. The development complies with the development standards contained within BLEP 2015.

<b>Blacktown Local Environmental Plan 2015 – came into effect on 29 July 2015</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
<b>2.6 Subdivision – consent requirements</b>	Land may be subdivided with development consent.	N/A	N/A
<b>2.7 Demolition requires development consent</b>	The demolition of a building may only be carried out with development consent.	N/A	N/A
<b>Zoning B4 Mixed Use</b>			
Objectives:	To provide a mixture of compatible land uses.	The proposed retail tenancy, commercial tenancy and residential apartments are compatible with the existing and future land uses, site and surrounds envisaged within the Blacktown CBD.	Satisfactory
	To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public	The site benefits from being a site in an accessible location and will assist with maximising public transport patronage.	Satisfactory

<b>Blacktown Local Environmental Plan 2015 – came into effect on 29 July 2015</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
	transport patronage and encourage walking and cycling.		
Permissible Uses:	Commercial premises and shop top housing	The proposed land uses are permissible in the zone with consent.	Satisfactory
<b>PRINCIPAL DEVELOPMENT STANDARDS</b>			
4.3 Height of buildings	Maximum building height is 72 m.	The proposal complies with the building height with the exception of the lift overrun (to provide access to the rooftop communal open space area) which exceeds the height limit by up to 4 m, being 5.6%.	Variation sought. Refer to <b>Section 7</b> of the Assessment Report.
4.4 Floor space ratio	Maximum FSR is 8.5:1 or 8,437 sqm	Site area: 992.7 sqm Proposed GFA: 7,932 sqm Proposed FSR: 7.99:1.	Yes
4.6 Exceptions to development standards	The applicant must submit a written request to justify the contravention of the development standard.	The applicant has submitted a clause 4.6 request in support of a variation to height which is provided at <b>Attachment 7</b> .  Council's consideration of the clause 4.6 request is provided at <b>Section 7</b> of the Assessment Report and at <b>Attachment 8</b> .	The clause 4.6 request is satisfactory in this instance and supported.
<b>MISCELLANEOUS PROVISIONS</b>			
5.9 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 are no trees or vegetation on the site.	N/A
5.10 Heritage Conservation	The objective of this clause is to conserve the environmental heritage in Blacktown.	The site is not in the vicinity of a heritage item.	N/A

Blacktown Local Environmental Plan 2015 – came into effect on 29 July 2015			
Development Standard	Requirement	Proposal	Compliant
<b>ADDITIONAL LOCAL PROVISIONS</b>			
7.1 Flood planning	Minimise the flood risk to life and property.	The site is not identified as subject to flood risk.	N/A
7.2 Terrestrial biodiversity	Protect native fauna and flora.	N/A	N/A
7.3 Riparian land and watercourses	Protect and maintain water quality within watercourses.	The site is not in the vicinity of a watercourse.	N/A
7.4 Active street frontages	N/A	N/A	N/A
7.5 Essential services	Adequate arrangements 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 and are capable of being replaced/augmented.	Yes
7.7 Design Excellence	The development is to demonstrate a high level of architectural and urban design.	See comments below:	Yes
	<p>The development demonstrates a high standard of architectural design, with a suitable and interesting mix of materials and detailing.</p> <p>The external appearance will enhance the public domain.</p> <p>This is an area undergoing significant transition and there are distant views of the general locality, however the proposed building does not detrimentally impact on view corridors.</p> <p>The development is designed to address the streetscape and constraints of the site.</p> <p>The relationship of this development to other existing or proposed developments is appropriate in terms of separation, setbacks, amenity and urban form, given the constraints of this site and design / orientation of surrounding buildings. Refer to further discussion at <b>Sections 7 and 10</b> of the report.</p> <p>The bulk, massing and modulation of the building is suitably broken up given the context of the site and locality.</p> <p>The street frontage height is appropriate in the context of its location in the Blacktown CBD.</p> <p>The development demonstrates a sustainable design.</p> <p>The proposal results in overshadowing of existing and future developments, however this is not excessive.</p> <p>The development is satisfactory with regard to potential wind and reflectivity</p>		

<b>Blacktown Local Environmental Plan 2015 – came into effect on 29 July 2015</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
	<p>impacts.</p> <p>The development is capable of achieving the principles of ecologically sustainable development.</p> <p>The development demonstrates appropriate circulation with respect to pedestrian, cycle, vehicular and services access movements.</p>		
			The proposal provides an aesthetically pleasing presentation as viewed from the public domain, and provides footpath improvements and street tree planting.
7.10 Minimum site requirements for development on certain land	Development on land identified as 'clause 7.10' on the Key Sites Map that requires each lot to have a minimum width of 50 metres and minimum depth of 65 metres.	N/A	N/A
7.12 Development in Zone B4	Development consent must not be granted to the erection of a building, or to the change of use of a building on land in zone B4 Mixed Use unless the consent authority is satisfied that the ground floor and first floor of the building will be used for a purpose other than residential accommodation.	The ground and first floors do not contain residential accommodation.	Yes

## 9 Blacktown Development Control Plan 2015

The provisions of Blacktown Development Control Plan 2015 (BDCP), including Part A - Introduction and Design Guidelines, Part D – Development in the Business Zones (2006), Part G – Site Waste Management and Minimisation and Part J - Water Sensitive Urban Design and Integrated Water Cycle Management are relevant to the proposal. The following table outlines that the application is generally compliant with the relevant provisions of BDCP, with the exception of the side setbacks and the width of the site.

<b>Blacktown Development Control Plan 2015 – Part A Introduction and General Guidelines</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
6 - Parking Requirements	RFB – refer to ADG above. Commercial/Retail Premises: 1 space per 30 sqm GFA Plus 1 space per services vehicles.	Refer to ADG requirements and discussion above.	Yes

<b>Blacktown Development Control Plan 2006 – Part D Development in Business Zones</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
4.1 - Building Design and Construction	DAs are to be accompanied by details of construction and external facades.	Provided and satisfactory.	Yes
	New buildings are to be harmonious in form and style with existing or intended development.	The character of the building is compatible with the desired future character.	Yes
	Suitable access is required.	The development is accessible and capable of satisfying the Australian Standards.	Yes
	All weather protection (awnings) are required.	Provided and satisfactory.	Yes
	Reflectivity of external glass is to be a maximum of 20%.	Recommended to be conditioned.	To be conditioned.
4.2 - Height of Buildings	To maintain human scale and prevent overshadowing, particularly in areas adjacent to residential zones, buildings in local centres should not exceed 2 storeys in height above finished ground level.	This control is relevant for small local shopping centres which are zoned B1 and B2 only. This control is not applicable to the subject site.	N/A
4.3 - Building Setbacks	In assessing any application for business development Council will take into consideration whether a building setback is required for aesthetic purposes or streetscape design (e.g. the reduction of bulk and scale of buildings by incorporating boundary setbacks and terracing of storeys) or to enable adequate sight distances for traffic using adjacent roads. In some cases a zero building setback may be acceptable.	The proposal consists of a suitable building setback which reinforces the street edge and responds to the constraints of this site.	Satisfactory
4.4 - Landscaping	Landscaping is to make improvements the streetscape by creating a public plaza, widening of footpaths, paving and tree planting and planter boxes on levels above ground.	The proposal includes new street tree planting and landscaping throughout the lower levels of the development and the roof top.	Satisfactory

<b>Blacktown Development Control Plan 2006 – Part D Development in Business Zones</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
4.5 - Pedestrian Access, Public Spaces and Open Space	Consider solar access, protection from wind and rain, and 24 hour public access.	The proposal provides a covered pedestrian entry point.	Satisfactory
4.6 - Vehicular Access and Circulation	Provision for loading and unloading of service vehicles. Avoid conflict and congestion with pedestrians. Ingress and egress should be located where there is the least interference with public road. On-street queuing should be eliminated.	The proposal includes a suitable vehicular access point and dedicated turntable for service vehicles.  The proposal was considered by Council's Access and Transport Management Section and no objection was raised.	Satisfactory
4.8 - Car Parking	Headroom clearance of 2.2 m.  Headroom clearance for service vehicles of 4.6 m.  Parking areas are to be signposted to indicate the entry and exit points for car parking to ensure visibility from the street.	Achieved  Achieved  Achieved	Satisfactory
4.9 - Signs	Signs require approval.	This proposal does not include any signage.	N/A
4.10 - Solar Access	Development is to minimise overshadowing and maximise solar access to adjoining public spaces and residential land.	The proposal results in overshadowing of existing and future developments. The extent of overshadowing is not considered to be excessive.	Satisfactory
4.11 - Community Facilities	The incorporation of community facilities are encouraged for larger retail centres, including public plaza areas and public transport shelters and seating.	The development includes internal and outdoor communal open space areas for the use of residents. Further community facilities are not considered necessary.  Contribution Plan No.19 Blacktown Growth Precinct also includes a new local park including playground and landscaping on the western side of Boys Avenue, which assist with providing opportunities for recreational activities for the future occupants of this development.	N/A

<b>Blacktown Development Control Plan 2006 – Part D Development in Business Zones</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
4.12 - Residential Development	Residential uses are desirable as they add diversity and enliven centres outside of normal business hours.	The proposal includes compatible residential units.	Satisfactory
	<p>This is to be no more than 2 storeys.</p> <p>In larger centres, particularly the Blacktown CBD, the opportunity exists to incorporate residential units in retail/commercial development.</p> <p>The relevant parts of Part C (Development in Residential zones) are to be considered.</p>	The development exceeds 2 storeys, however this control is only relevant for small local shopping centres. This control is not applicable to the subject site.	N/A
4.13 - Drainage	Adequate provision for the collection and disposal of surface and roofwater run-off.	The proposal provides suitable collection, re-use and disposal of stormwater.	Satisfactory

The Blacktown CBD is identified in the DCP as a sub-regional centre. In sub-regional centres, buildings should relate to the human scale and should be attractively designed. Some continuity of style should be maintained within the centre.

<b>Part 5 – Sub-regional Centres</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Comply</b>
5.1 - Description	A sub-regional centre is one which has major office, retail and community facilities and is situated on highly accessible transport routes.	<p>Blacktown CBD has been identified by the State Government as a Strategic Centre.</p> <p>A diversity of uses is encouraged in these centres, including the integration of residential accommodation and retail / commercial uses. The proposed mixed use development is consistent with these provisions.</p>	Yes
5.2 - Car Parking	Refer to discussion above.	Refer to discussion above.	Yes

<b>Part 5 – Sub-regional Centres</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Comply</b>
5.3.1 -Residential/ Mixed Use Development – Specific Controls	<p>(1) Provide a pleasant living and working environment for the residents of the building.</p> <p>(2) Ensure that development sites have sufficient frontage to achieve a good relationship to adjoining sites.</p> <p>(3) Ensure that the siting of buildings provides for adequate separation between buildings for the amenity of the development and adjoining properties to provide equitable access for sunlight and to minimise the overshadowing of adjoining properties.</p> <p>(4) Ensure developments promote a positive relationship and 'human scale' with the public domain and maintain solar access to public places and footpaths.</p> <p>(5) Maintain the amenity of any adjoining residential land in terms of building bulk and solar access.</p> <p>(6) Provide attractive, usable and accessible landscaped areas of open space for the residents of the development.</p> <p>(7) Minimise the overlooking of living spaces in dwellings and private open space.</p> <p>(8) Ensure the adequate provision of service facilities in the development and that such facilities are integrated with the design of the development and are conveniently located for use by residents.</p>	<p>The proposed development is consistent with these objectives and provides opportunities for good quality living and working environments for residents and workers.</p> <p>The proposal has demonstrated that the site has sufficient frontage to accommodate vehicular and pedestrian access to the site, and the Applicant confirms that adequate provision for services is provided.</p> <p>The siting of the building has taken into consideration the existing and future privacy and solar access to surrounding properties.</p> <p>The development is consistent with the desired future character of the Blacktown Strategic Centre which complements the surrounding residential and retail/ commercial land uses.</p>	Yes

Part 5 – Sub-regional Centres			
Control	Requirement	Proposal	Comply
5.3.1 - Residential/ mixed use development - Setbacks	<p><b>Front Setbacks:</b></p> <p>A zero setback to the front boundary is permissible for the ground floor and the 1 - 2 levels above, i.e. the podium.</p> <p><b>Side and rear setbacks:</b></p> <p>A zero setback to the side and rear boundaries is permitted for the ground floor and the 1 - 2 levels above, i.e. the podium.</p> <p>For the levels of the building above the podium, each development site shall be examined on its individual merits with the absolute minimum setback being 6 metres.</p> <p>However, in order to ensure a quality environment, especially in regard to solar access and privacy for the future residents of the CBD, setbacks greater than 6 metres are highly desirable and are advocated by Council.</p> <p>Balcony encroachments into any building setback area which is not to a street frontage will not necessarily be accepted but will be assessed on their merits. In this respect, Council will have regard to matters such as privacy, overlooking and articulation of the façade.</p>	<p>The ground level is generally a zero setback to the front (north) boundary. The Level 1 front setback ranges from 6.5 m to 9.5 m. Levels 2 to 21, have a 1.5 m front setback.</p> <p>These setbacks create a comfortable street scale and are in keeping with the desired future character of this CBD precinct. The setbacks and external steel structures provide articulation and an interesting appearance.</p> <p>To the western (side) boundary, the ground level has a zero setback, and the core of the building for Levels 1 to 21, and also the roof level has a zero setback. The northern and southern wings of these Levels 1 to 21 have a 3 m setback to the corridor, and a 4.7 m setback to the blank walls of the apartments.</p> <p>To the eastern (side) setback, the ground level has a zero setback with a 300 mm to 500 mm setback for landscaping and the façade's external column structures. Level 1 has a 2 m setback. The setback to Levels 2 to 21 gradually increase, and is 2.88 m for Level 2, 3.6 m for Level 3 and 4.5 m for Levels 4 to 21.</p> <p>To the south (rear) the ground level setback is at least 300 mm, and for Levels 1 to 21 the setback is 6 m.</p> <p>Overall, the proposed setbacks are satisfactory in the context of this Strategic centre.</p>	<p>Yes.</p> <p>No, variation sought. Refer to further discussion regarding DCP setbacks and ADG building separation at Section 7 of the Assessment report.</p>

<b>Part 5 – Sub-regional Centres</b>			
<b>Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Comply</b>
5.3.1 - Minimum allotment size or width of sites	30 m Notwithstanding this, development must have regard to existing, adjacent sites which could become isolated as a consequence of that development. In these instances the developer will need to demonstrate how those sites not incorporated in the Development Application could be redeveloped successfully on their own in compliance with the provisions of the DCP.	18.29 m along the northern frontage to Second Avenue. The redevelopment of this site does not constrain the redevelopment of any surrounding sites.	No - variation sought. Refer to <b>Section 7</b> of the Assessment Report.
5.3.1 - Common Open Space	A minimum rate of 42% of the sum of the following: 40 sqm 1 bedroom unit 50 sqm 2 bedroom unit 70 sqm 3 bedroom unit  No more than 30% of the above-ground open space (balconies or terrace areas) may be included in total.	N/A. This control is overridden by the ADG.	N/A

<b>Blacktown Development Control Plan 2015 – Part G Site Waste Management and Minimisation</b>			
<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
Waste management and minimisation	The proposal is to be accompanied by a satisfactory waste management plan in relation to the demolition, construction and ongoing use stages.	The WMP has been reviewed by Council's waste management officer and is considered satisfactory.	Satisfactory.
Garbage pickup	The collection room and point is to be conveniently placed, turning circles and height requirements must be met.	The site will be serviced by Council's waste trucks.  The waste storage and loading dock are conveniently placed. The manoeuvrability and height clearances for the path of travel satisfies the relevant AS for heavy rigid vehicles.  The proposal has been reviewed by Council's waste management officer and is considered satisfactory.	Satisfactory.

**Blacktown Development Control Plan 2015 – Part G Site Waste Management and Minimisation**

<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
Garbage/recycling room requirements	The room is to be conveniently located to all units, relate to other loading areas, provide adequate weather protection, be secure and lockable, be well ventilated and drain to the sewer, complement the design of the development, provide sufficient space between bins for servicing, and roof drainage is to be directed to the stormwater system.	The WMP has been reviewed by Council's waste management officer and is considered satisfactory.	Satisfactory.

**Blacktown Development Control Plan 2015 – Part J WSUD Integrated Water Cycle Management**

<b>Development Standard</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliant</b>
Water management	The development is to demonstrate water conservation, management of stormwater quality and quantity, stormwater erosion, sediment and pollution control, and management of ground water.	Council's Engineers have undertaken an assessment of the proposal in accordance with the requirements of BDCP Part J, and no objection is raised subject to conditions of consent.	Satisfactory.