Attachment 4

# Report to Sydney Central City Planning Panel

| | |
|---|---|
| **Panel reference** | 2016SYW072 DA |
| **DA number** | JRPP-16-03305 |
| **Proposed development** | 2 x 18 storey mixed use buildings, including retail premises, serviced apartments, commercial premises and residential apartments |
| **Street address** | 9-17 Second Avenue, Blacktown |
| **Applicant/owner** | Fauborg 24 Pty Ltd (Applicant)<br>Better Buildings Pty Ltd (Owner of 11-17 Second Avenue, Blacktown)<br>Australia's Sun International (Sydney) Pty Ltd (Owner of 9 Second Avenue, Blacktown) |
| **Date of DA lodgement** | 24 March 2016 |
| **Number of submissions** | 0 |
| **Regional development criteria (Schedule 4A of the EP&A Act)** | Capital investment value (CIV) over $20 million (DA has CIV of $85.096 million) |
| **All relevant s79C(1)(a) matters** | • State Environmental Planning Policy (State and Regional Development) 2011<br>• State Environmental Planning Policy No. 55 – Remediation of Land<br>• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development<br>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004<br>• Blacktown Local Environmental Plan (BLEP) 2015<br>• Blacktown Development Control Plan (BDCP) 2015 |
| **Report prepared by** | Blacktown City Council |
| **Report date** | 27 October 2017 |
| **Recommendation** | Approval subject to conditions |

| | |
|---|---|
| **Summary of s79C matters**<br>Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? | Yes |
| **Legislative clauses requiring consent authority satisfaction**<br>Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report? | Yes |
| **Clause 4.6 Exceptions to development standards**<br>If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? | Yes |
| **Special Infrastructure Contributions**<br>Does the DA require Special Infrastructure Contributions conditions (s94EF)? | N/A |
| **Conditions**<br>Have draft conditions been provided to the applicant for comment? | Yes |

## CONTENTS


1 Executive summary ..... 3
2 Key issues list ..... 3
3 Location ..... 3
4 Site description ..... 4
5 The proposal ..... 4
6 Assessment against planning controls ..... 5
7 Key planning issues assessment ..... 5
8 Issues raised by the public ..... 9
9 External referrals ..... 9
10 Internal referrals ..... 9
11 Conclusion ..... 9
12 Recommendation ..... 10


## ATTACHMENTS


Attachment 1 – Location map
Attachment 2 – Aerial image
Attachment 3 – Zoning extract
Attachment 4 – Detailed information about proposal and DA submission material
Attachment 5 – Development application plans
Attachment 6 – Assessment against planning controls
Attachment 7 – Applicant's Clause 4.6 request
Attachment 8 – Council assessment of Clause 4.6 request
Attachment 9 – Draft conditions of consent

# 1 Executive summary

1.1 This report considers a proposal for demolition of existing structures and the staged construction of 2 x 18 storey mixed use buildings, including retail premises, serviced apartments, commercial premises as well as residential apartments at 9 to 17 Second Avenue, Blacktown.

1.2 Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.

1.3 The application is therefore satisfactory when evaluated against Section 79C of the Environmental Planning and Assessment Act 1979.

1.4 This report recommends that the Panel approve the application subject to the recommended conditions, including a deferred commencement condition.

# 2 Key issues list

2.1 The key issues that need to be considered by the Panel in respect of this application are:

a. **Building height variation** (Section 7) - The applicant seeks a building height variation of 7.2 %. This is for plant and equipment up to 4 m above the permissible height limit. The variation has been assessed and is considered acceptable on its merits subject to being integrated into architectural roof features.

b. **Building separation** (Section 7) – The applicant seeks a reduced building separation to a minimum 6 m between the buildings, which is non-compliant with the numerical building separation under the Apartment Design Guide which requires from 12 m up to 24 m building separation for buildings of this height. However, The Apartment Design Guide also allows for reduced building separation. The proposed building separation does meet the daylight access, urban form context and acoustic and visual privacy objectives of the control. Further, the 6 m building separation is consistent with similar developments within the Blacktown CBD. The reduced building separation is therefore considered satisfactory on its merits.

c. **Deferred commencement** – A deferred commencement condition has been recommended, requiring a flood study and report for the proposal. This is required as the development lies downstream of a small catchment that extends across Sunnyholt Road and up to Sarsfield Street. During large storm events, the existing drainage pipes will fill and overflow and the excess surface flow will travel along the roadway. The deferred commencement condition is recommended so that Council can be assured that the development itself has been appropriately protected from the surface flows.

# 3 Location

3.1 The site is located within the Blacktown Central Business District (CBD) on the northern side of the railway line.

3.2 The location of the site is shown in **Attachment 1**. The land immediately to the north, south, west and east of the site is zoned B4 Mixed Use. The land to the north, south and west has a building height limit of 56 m and the land immediately to the east has a building height limit of 64 m.

3.3 The site is located approximately 235 m north-east of Blacktown Station on the western rail line.

# 4 Site description

4.1 The site is a regular shaped corner lot, with road frontages to Second Avenue and Prince Street. The total site area is 4,092 sqm.

4.2 The site comprises 4 separate allotments. The current registered land is Lots 96 to 99 DP 11157. Lots 96 - 98 are vacant land and Lot 99 contains a single storey building currently used as a business premises.

4.3 An aerial image of the site and surrounding area is at **Attachment 2**.

4.4 The site is zoned B4 Mixed Use under the Blacktown Local Environmental Plan 2015 and has a height limit of 56 m. A copy of the zoning map is at **Attachment 3**.

# 5 The proposal

5.1 The Development Application (DA) has been lodged by Fauborg 24 Pty Ltd for the demolition of existing structures and the staged construction of 2 x 18 storey mixed use buildings.

5.2 Stage 1 comprises a single building on 11 - 17 Second Avenue consisting of:

- 3 ground floor retail premises
- Serviced apartments on the first level
- 16 levels of residential apartments with 227 residential units.

Stage 2 comprises a single building on 9 Second Avenue consisting of:

- 1 ground floor retail premises
- 4 commercial tenancies on the first and second levels
- 15 levels of residential apartments with 59 residential units.

5.3 The applicant proposes the construction of 4 basement levels of car parking with 470 car parking spaces. A single vehicle access point is proposed to the basement as part of Stage 1 of the development, from Second Avenue.

5.4 The maximum building height of the development is 60 m. The development exceeds the maximum building height limit of 56 m by 4 m, but this pertains to only the lift overrun and structure associated with the communal open space on the roof level. The proposed height variation is discussed in detail in Section 8 below.

5.5 The proposal has an FSR of 6.499:1, which is compliant with the maximum FSR of 6.5:1 permissible on the site under BLEP 2015.

5.6 Stage 1 provides an L shaped ground floor podium. The proposal provides for a 1 storey podium built to the front and secondary street boundaries. The first and second floors have a zero setback to the northern property boundary and a 6 m side setback to the eastern boundary. The tower located on top has a 6 m to 34.9 m side setback to the eastern boundary and a 9.5 m to 16.5 m setback to the northern boundary.

5.7 Stage 2 provides a 3 level podium with zero setbacks to the side setbacks on the ground, first and second levels. The tower on top has a zero setback to the western boundary

adjoining Stage 1 and a 6 m side setback to the eastern boundary. A 12 m rear setback to the northern boundary has been provided for all levels.

5.8 Communal open space areas are provided on the ground floor as well as on the roof for each stage. These areas are embellished with BBQs, seating, turfed areas and tree shaded areas.

5.9 The buildings have been designed to have a built form articulated by the solid podium base with recessive levels above. The façade is segmented to provide articulation. A variety of materials and finishes are proposed including metal cladding and white and dark frames to give the building a modern and light appearance. Glass balustrades, white louvres and vertical metal cladding elements are proposed to give the building interest. Building materials will be required to meet fire safety standards.

5.10 A Design Verification Statement prepared by a registered architect, Aleksandar Jelicic of Aleksandar Design Group, has been prepared for the development, in accordance with the requirements of SEPP 65.

5.11 Other details about the proposal are at **Attachment 4** and a copy of the development plans is included at **Attachment 5**.

# 6 Assessment against planning controls

6.1 A full assessment of the DA against relevant planning controls is provided in **Attachment 6**, including:

a. Environmental Planning and Assessment Act 1979

b. State Environmental Planning Policy (State and Regional Development) 2011

c. State Environmental Planning Policy (Infrastructure) 2007

d. State Environmental Planning Policy No. 55 – Remediation of Land

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

f. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

g. Blacktown Local Environmental Plan 2015

h. Draft West Central District Plan

i. Blacktown Development Control Plan 2015.

# 7 Key planning issues assessment

## 7.1 Building height variation to the Blacktown LEP development standard

a. The proposal seeks to vary the building height by up to 4 m above the permissible height limit of 56 m for Stage 1 and by 3 m for Stage 2. For both buildings, the variation is sought only for the lift overrun and roof structures to provide access to the rooftop common open space. The maximum variation sought is equivalent to 7.2%.

b. The variations relate only to encroachments of lift overrun, stairs and plant rooms. No element of a habitable floor or room is located above the height limit. The 18 storey buildings are considered to be consistent with the 56 m height limit permissible on the site.

The portions of the roof structures which exceed the height limit do not result in excessive bulk and scale and do not result in adverse shadow and amenity impacts on surrounding properties.

The additional height does not result in any additional yield and does not result in an additional residential storey.

Given that the additional height does not result in any commercial gain for the developer (in terms of yield or number of storeys), and will result in a better designed building by providing access to rooftop common open space, it is considered that the proposed variation to the height standard should be supported in this instance.

c. The applicant has submitted a written Clause 4.6 request to justify that compliance with the height development standard is unreasonable and unnecessary in this instance.

There are sufficient environmental planning grounds to justify varying this development standard. A copy of the applicant's written request is held at **Attachment 7**.

d. Council officers consider that the variation will not have unreasonable impacts on the neighbouring properties or the character of the area. The proposed is also consistent with the objectives of the development standards and the B4 Mixed Use zone. Conditions are recommended to be imposed for the lift overrun and plant and equipment to be incorporated as an architectural roof feature to minimise the visual impact of the variation.

**Attachment 8** details the Council officer assessment of the relevant Land and Environment Court matters for a consent authority to take into consideration when deciding whether to grant concurrence to the variation to the development standard.

## 7.2 Building separation

SEPP 65 requires that, when assessing an application, consideration must be given to the requirements of the Apartment Design Guide (ADG). The Council assessing officer's assessment against the relevant design concepts and numerical guidelines of the ADG is held at **Attachment 6**. The development complies with the ADG with the exception of the proposed building separation as discussed below.

### (a) Building separation

Under the ADG the building separation controls increase as the height of the development increases, as follows:

*i. Up to 4 storeys / 12 m*
- 12 m between habitable rooms / balconies
- 9 m between habitable / balconies and non-habitable rooms
- 6 m between non-habitable rooms.

*ii. 5 to 8 storeys / up to 25 m*
- 18 m between habitable rooms / balconies
- 13 m between habitable/balconies and non-habitable rooms
- 9 m between non-habitable rooms.

*iii. 9 storeys and above / over 25 m*
- 24 m between habitable rooms / balconies
- 18 m between habitable / balconies and non-habitable rooms
- 12 m between non-habitable rooms.

Above the 3 storey podium level, the proposed development provides:

- A zero setback to the front southern and western boundaries. The width of the adjacent roads (Prince Street and Second Avenue) ensures that the building separation requirements to any future development on the opposite side of these roads can be met
- A minimum 6 m setback to the eastern boundary
- A minimum 12 m setback to the northern boundary
- Internal building separation between the proposed Stage 1 and 2 buildings of 6 m.

The development complies with the required building separation to the northern boundary, providing a minimum 12 m setback. However, the proposed development does not provide 9 m – 12 m setbacks at levels 4 and above to the eastern boundary and therefore does not comply with the suggested building separation for its intended height. In addition, internally within the development, a 6 m building separation is provided between non-habitable rooms with no openings, which is desired to be 9 – 12 m under the ADG.

The ADG, however, is a guide only and allows building separation controls to be varied in response to site and contextual constraints. Where a proposed development intends to provide less than the recommended distance separation, it must demonstrate that daylight access, urban form and visual and acoustic privacy have been satisfactorily achieved.

As this proposal does seek to vary the building separation, these key parameters are each considered below for compliance.

*i. Daylight access*

The proposed development complies with the minimum 70 % of units solar access requirement, in that 71% of the units receive a minimum 2 hours direct sunlight between 9 am – 3 pm in mid-winter. Given the north-south orientation of the site, adjoining properties are not overshadowed by the development for at least 3 hours a day. The building separation is therefore considered satisfactory as the proposal and adjoining sites will receive adequate solar access.

*ii. Urban form*

In considering the existing urban form, consideration should be given to other DAs approved in the Northern Precinct of the CBD, which similarly have side and rear reduced setbacks. The table below compares the subject development with other approvals in the area.

| Address | Development | Side Setbacks (above podium) | Determination |
|---|---|---|---|
| 20 Second Avenue | DA-02-5551<br>11 storeys<br>mixed-use | 1 m - 5.7 m (average 3.3 m) | Approved<br>24 October 2004 |
| 29 - 31 Second Avenue | JRPP-09-1574<br>20 storeys<br>mixed-use | 6 m – 16 m (point encroachments to 5 m) | Approved<br>26 August 2010 |
| 26 Second Avenue | DA-13-1143<br>9 storeys<br>mixed-use | 6 m (point encroachments to 3.5 m) | Approved<br>15 September 2014 |

| Address | Development | Side Setbacks (above podium) | Determination |
|---|---|---|---|
| 28 Second Avenue | JRPP-14-2593<br>24 storeys<br>mixed-use | 6 m (point encroachments to 4 m) | Approved<br>23 June 2015 |
| 2 - 10 First Avenue | JRPP-15-2087<br>18 storeys<br>mixed-use | Minimum 6 m with no point encroachments | Approved<br>26 July 2016 |
| 16 Third Avenue | DA-15-00467<br>18 storeys<br>mixed-use | 3 m – 8 m | Approved<br>4 November 2016 |
| 16 Second Avenue | JRPP-15-02533<br>19 storeys<br>mixed-use | Minimum 6 m with no point encroachments | Approved<br>4 April 2017 |

It can be seen from the table that the proposed development is consistent with the setbacks established by previous approvals in the area. Further, the quality and character of the development is consistent with the objectives of the B4 zone, being *'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 design of the development encourages an active street frontage and achieves a high design quality, with suitable bulk and scale that considers the restrictions of the site.

Part D of BDCP 2015 establishes the development controls which shape the urban form for the Blacktown CBD. The BDCP establishes setback requirements, enabling a building within the CBD to be 20 storeys in height and have a setback of 6 m, with balcony encroachments to be considered on merit. The plans demonstrate a 6 m setback from the eastern boundary and will ensure that a minimum 12 m building separation is achieved between this development and the development on the adjoining site which is currently under construction. A 12 m separation is consistent with the provisions of Council's DCP.

Therefore, based on the urban form established by previous approvals in the area, as well as compliance with BDCP 2015, the development is considered to be consistent with the surrounding and future urban form.

*iii. Visual and acoustic privacy*

The proposed balconies are predominantly oriented towards the streets (Second Avenue and Prince Street) or rear, which is compliant with the building separation requirements. The internal building separation of 6 m between the Stages 1 and 2 buildings is considered satisfactory as no openings are proposed on the elevations between these buildings.

Based on the above assessment of solar access, urban form and visual and acoustic privacy, the proposed building separation of the development is considered satisfactory, and therefore a variation to the suggested building separation requirement is considered reasonable in this circumstance. It is also noted that the numerical standards in the ADG are guidelines only and that variations should not necessarily warrant refusal of the application.

# 8 Issues raised by the public

8.1 The proposed development was notified to property owners and occupiers within the locality between 9 and 23 August 2016. The DA was also advertised in the local newspapers, including the Blacktown Sun, and a sign was erected on the site.

8.2 During the notification period, no submissions were received.

# 9 External referrals

9.1 The DA was referred to the following external authorities for comment:

| Section | Comments |
|---|---|
| **Roads and Maritime Services** | Acceptable subject to conditions |
| **NSW Police** | Acceptable subject to conditions |

# 10 Internal referrals

10.1 The DA was referred to the internal sections of Council and is considered acceptable subject to conditions, based on the following:

- Council's City Architect has reviewed the design of the development. He is satisfied from a design perspective. Particular comments were provided in relation to satisfaction with the proposed massing of buildings and involving 6 m separation between buildings. This is acceptable as:
  - There is a 6 m setback from the boundary of the existing 1 - 7 Second Avenue proposal which is under construction
  - There is no direct line of sight between buildings
  - Blank, modulated walls are provided on both buildings facing each other where only 6 m apart.
- Concept engineering design meets Council's development standards.
- Parking provision satisfies the RMS Guide to Traffic Generating Developments.
- The anticipated traffic movements due to the proposal are likely to be accommodated within the existing and proposed road network in the area.
- Waste service vehicles can satisfactorily service the development.

# 11 Conclusion

11.1 The proposed development has been assessed against all matters for consideration and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

# 12 Recommendation

12.1 The development application be approved by the Sydney Central City Planning Panel subject to the conditions held at **Attachment 9**.

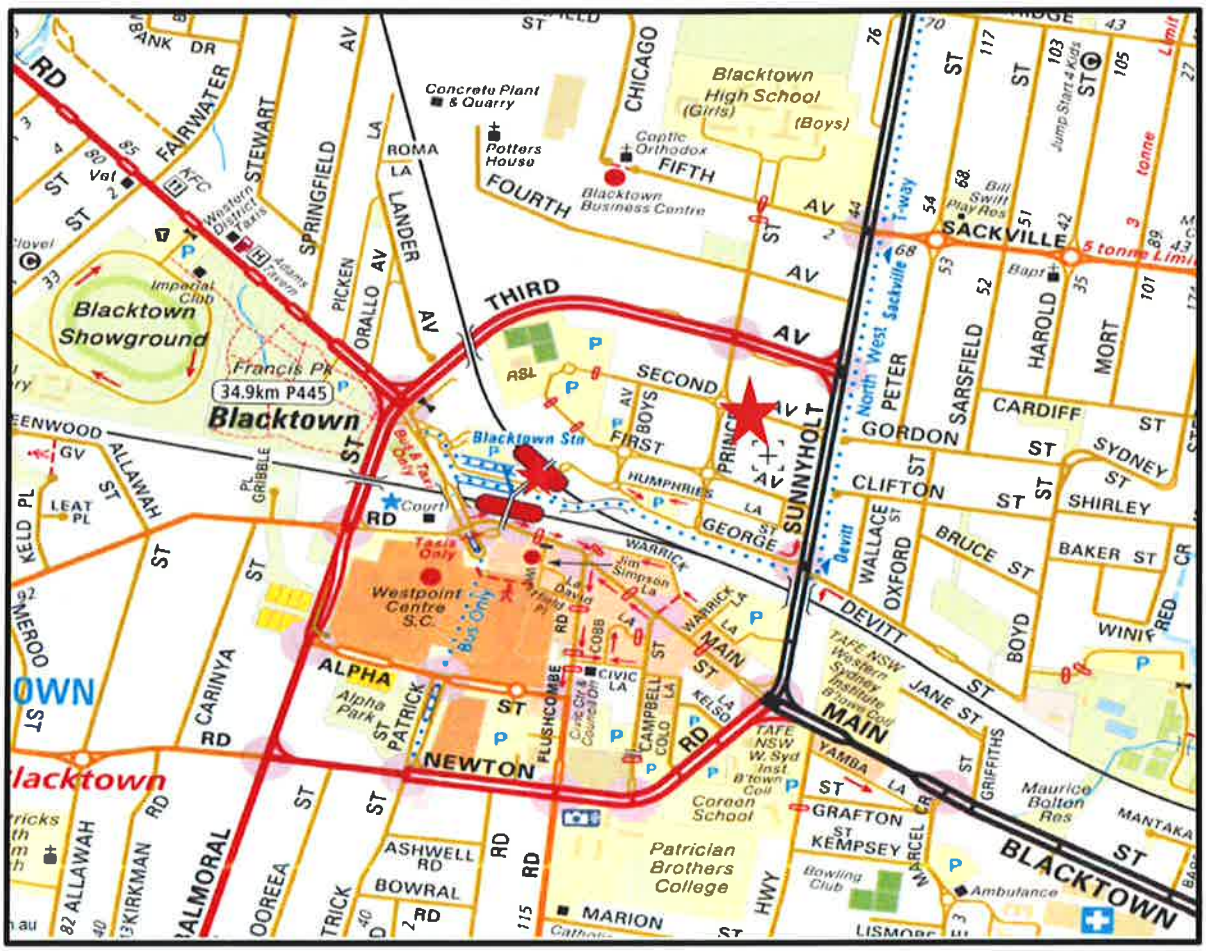
12.2 The submitter be notified of the Planning Panel's decision.

Holly Palmer
Senior Project Planner

Judith Portelli
Manager Development Assessment

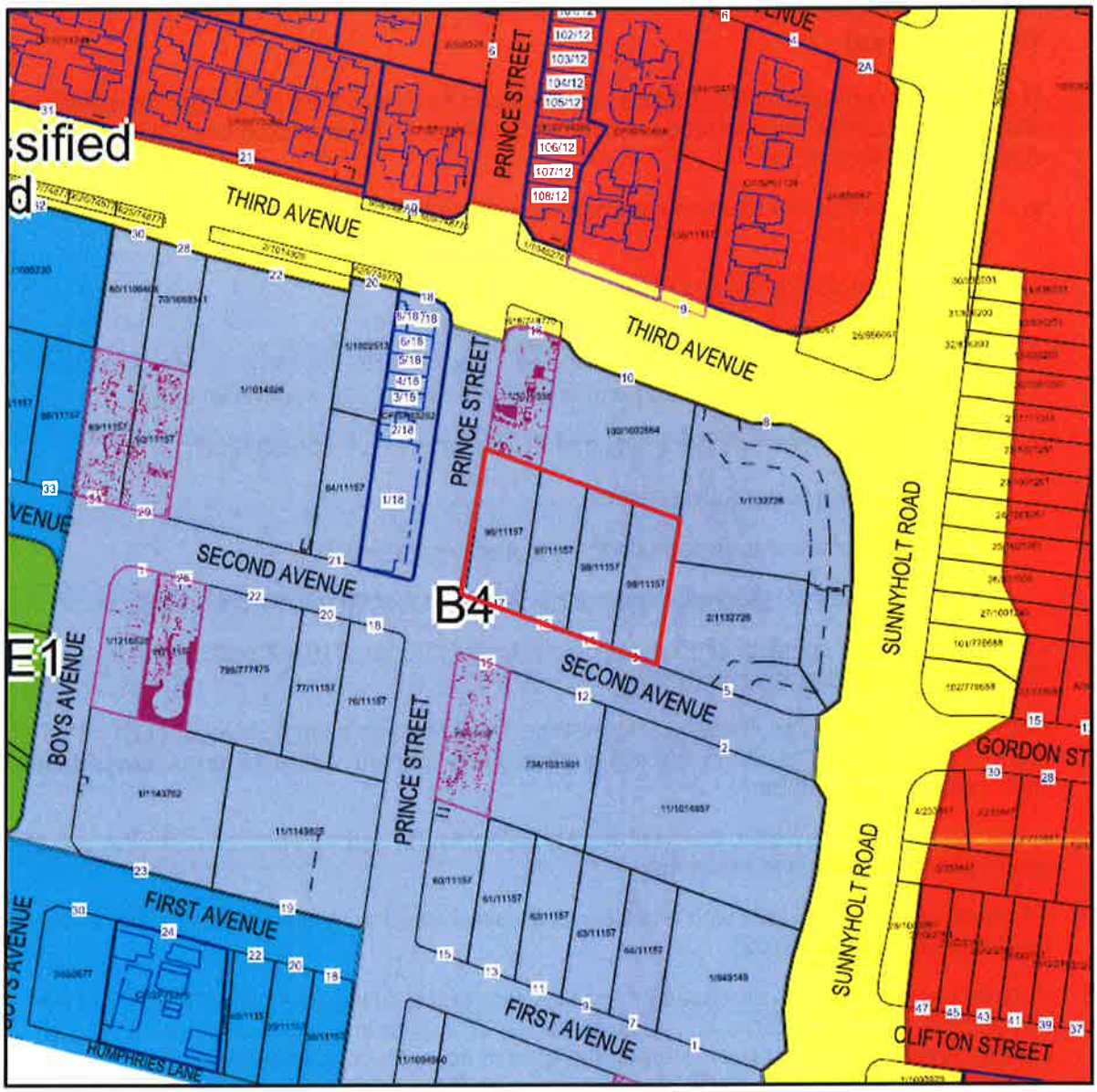
Glennys James
Director Design and Development

# Location map



# Aerial image as of 7 May 2017

# Zoning extract




**LEGEND**
**Zone**

| | | | |
|---|---|---|---|
| B1 | Neighbourhood Centre | IN2 | Light Industrial |
| B2 | Local Centre | R1 | General Residential |
| B4 | Mixed Use | R2 | Low Density Residential |
| B5 | Business Development | R3 | Medium Density Residential |
| B6 | Enterprise Corridor | R4 | High Density Residential |
| B7 | Business Park | RE1 | Public Recreation |
| E2 | Environmental Conservation | RE2 | Private Recreation |
| E3 | Environmental Management | RU6 | Transition |
| E4 | Environmental Living | SP2 | Infrastructure |
| IN1 | General Industrial | | |

# Detailed information about proposal and DA submission material

## 1 The proposal

1.1 The Development Application (DA) has been lodged by Fauborg 24 Pty Ltd for the demolition of existing structures and the staged construction of 2 x 18 storey mixed use buildings. The stages are outlined below.

a. Stage 1 comprises lot consolidation and a single building on 11-17 Second Avenue consisting of:

- 3 ground floor retail premises
- Serviced apartments on the first level
- 16 levels of residential apartments with a total of 227 residential units.

b. Stage 2 comprises a single building on 9 Second Avenue consisting of:

- 1 ground floor retail premises
- 4 commercial tenancies on the first and second levels
- 15 levels of residential apartments with a total of 59 residential units.

1.2 The apartment mix consists of 50 x 1 bedroom units (17.5 %), 219 x 2 bedroom units (76.5%), 17 x 3 bedroom units (6 %).

1.3 Both buildings are a podium design. The Stage 1 building has a single level podium with a 16 storey tower on top. The Stage 2 building has a 3 level podium with a 15 storey tower on top. Side setbacks are variable.

1.4 A loading area is provided in the basement adjacent to the garbage bin room, for the use of waste services trucks and residents.

1.5 All apartments are provided with a balcony, compliant with the minimum dimensions under the Apartment Design Guide.

1.6 Serviced apartments are proposed on the first floor of the building as part of Stage 1 of the development. The serviced apartments comprise 22 apartments and 2 common rooms on the first floor and one reception area on the ground floor. The applicant has submitted a plan of management for the operation and management of the serviced apartments. This includes a site manager who will be contactable 24 hours a day, 7 days a week. The serviced apartments are short term accommodation only, that is no more than 3 months in any one period, accommodating persons whose principal place of residence is elsewhere. The serviced apartments will be furnished and equipped to allow for tourists, business people or for short term accommodation.

1.7 For each stage, communal open space areas are provided on the ground floor of the site as well as on the rooftop. A total of 2,652 sqm of common open space is provided. These areas include a range of landscaping features, plants, facilities including BBQs with tables and seating, children's play area, seating and turfed areas.

1.8 Landscaping plans indicate a selection of trees, shrubs and groundcovers, including Australian native plants. Turfed areas, as well as on-structure planting, have been proposed to optimise use of these areas.

1.9 The application states that 28 (10%) apartments are adaptable.

1.10 The applicant has submitted a Traffic Impact Report and car parking certification prepared by SafeWay Traffic Management Solutions. The report provides a traffic impact assessment that includes a review of the surrounding road hierarchy, existing traffic controls and the impacts of the projected traffic generation from the development on the capacity of the surrounding road network. The report indicated that the additional traffic generated from the proposal is unlikely to generate any material impact on the existing traffic operations in the vicinity. The parking provision of the proposal is assessed in Attachment 6 of this report.

1.11 The application includes a Wind Impact Report which identifies that there are a number of key design elements, such as awnings, that should be retained as they provide a shield from prevailing winds. Further, additional landscaping requirements have been identified for the rooftop common open space and louvres on balconies, to ensure comfortable wind conditions for residents.

1.12 The applicant has submitted a DA Acoustic Assessment prepared by Acoustic Logic for the proposal. The Acoustic Assessment assesses the traffic noise from the surrounding public roads and the noise emission criteria of mechanical plant to surrounding properties. The assessment recommended acoustic treatment measures such as external walls being constructed of hebel and appropriate ventilation of apartments to ensure that the traffic noise impacts are addressed. External noise emission criteria can be met with detailed acoustic treatment at the Construction Certificate stage.

# Development Application

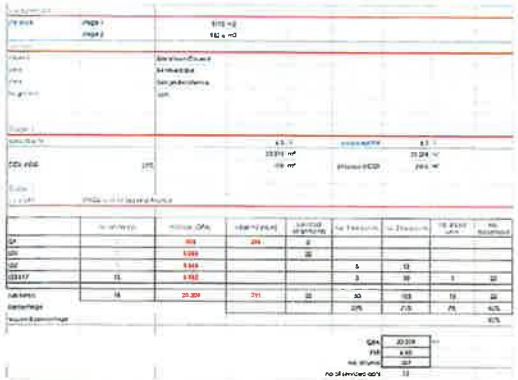
## STAGE 1: 11-17 Second Avenue, Blacktown, NSW
## STAGE 2: 9 Second Avenue, Blacktown, NSW

**Attachment 5**

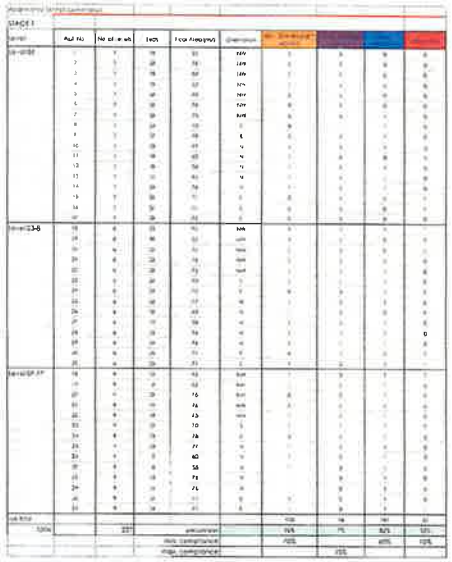
CONTEXT PLAN

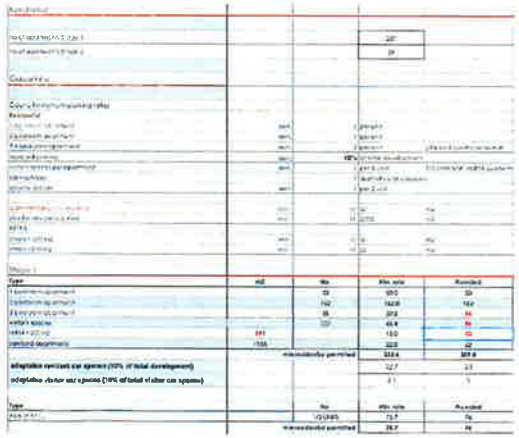
| Drawing List | | | | | |
|---|---|---|---|---|---|
| Sheet No. | Sheet Name | Sheet Size | Scale | Issue | Date |
| DA 00 | COVER PAGE | A1 | NTS @ A1 | B | 21/06/16 |
| DA 01 | PERSPECTIVES | A1 | NTS @ A1 | A | 14/03/16 |
| DA 02 | CONTEXT PLAN | A1 | 1:1000 @ A3 | A | 14/03/16 |
| DA 03 | SITE ANALYSIS, DEMOLITION PLAN | A1 | 1:200 @ A1 | A | 14/03/16 |
| DA 04 | ROOF SITE PLAN | A1 | 1:200 @ A1 | D | 21/06/16 |
| DA 05 | STAGE 1 BASEMENT 03/03/02, S1 | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 06 | STAGE 1GROUNDFLOOR | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 07 | STAGE 1 LEVEL 01, 02 | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 08 | STAGE 1 LEVEL 03, 04-17 | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 09 | STAGE 1 SECTION | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 10 | STAGE 1 ELEVATION SOUTH, WEST | A1 | 1:200 @ A1 | B | 21/06/16 |
| DA 11 | STAGE 1 ELEVATION EAST, NORTH | A1 | 1:200 @ A1 | A | 14/03/16 |
| DA 12 | STAGE 2 COVER PAGE | A1 | NTS @ A1 | B | 21/06/16 |
| DA 13 | STAGE 2 BASEMENT - 1.02 | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 14 | STAGE 2 PLANS L03-17, SECTION, ADAPTABLE APT | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 15 | STAGE 2 ELEVATIONS SOUTH, EAST | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 16 | STAGE 2 ELEVATIONS NORTH, WEST | A1 | 1:200 @ A1 | C | 22/08/16 |
| DA 17 | SHADOW DIAGRAM W N°FR 09:00, 12:00 | A1 | 1:500 @ A1 | A | 14/03/16 |
| DA 18 | SHADOW DIAGRAM W N°FR 3PM | A1 | 1:500 @ A1 | A | 14/03/16 |
| DA 19 | FACADE SECTIONS | A1 | 1:20 @ A1 | A | 14/03/16 |
| DA 20 | TIMBER SCHEME | A1 | NTS @ A1 | A | 14/03/16 |
| DA 21 | SOLAR ACCESS | A1 | NTS | A | 21/06/16 |

STAGE 1: 11-17 Second Avenue, Blacktown, NSW



AMENDMENTS IN RED





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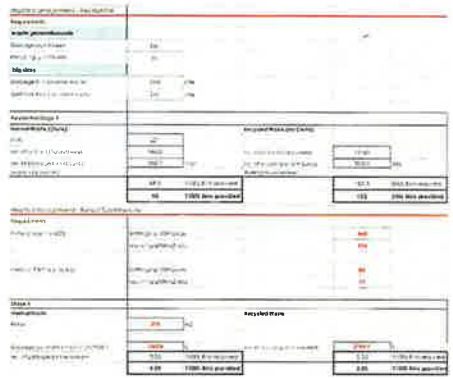

Storage STAGE 1

| | No. of apts | Required/m3 | Total Required/m3 | Provided/m3 |
|---|---|---|---|---|
| 1 bed | 22 | 8 | 176 | 176 |
| 2 bed | 50 | 10 | 500 | 500 |
| 3 bed | 162 | 12 | 1944 | 1944 |
| total | 234 | | 2620 | 2620 |

Architect
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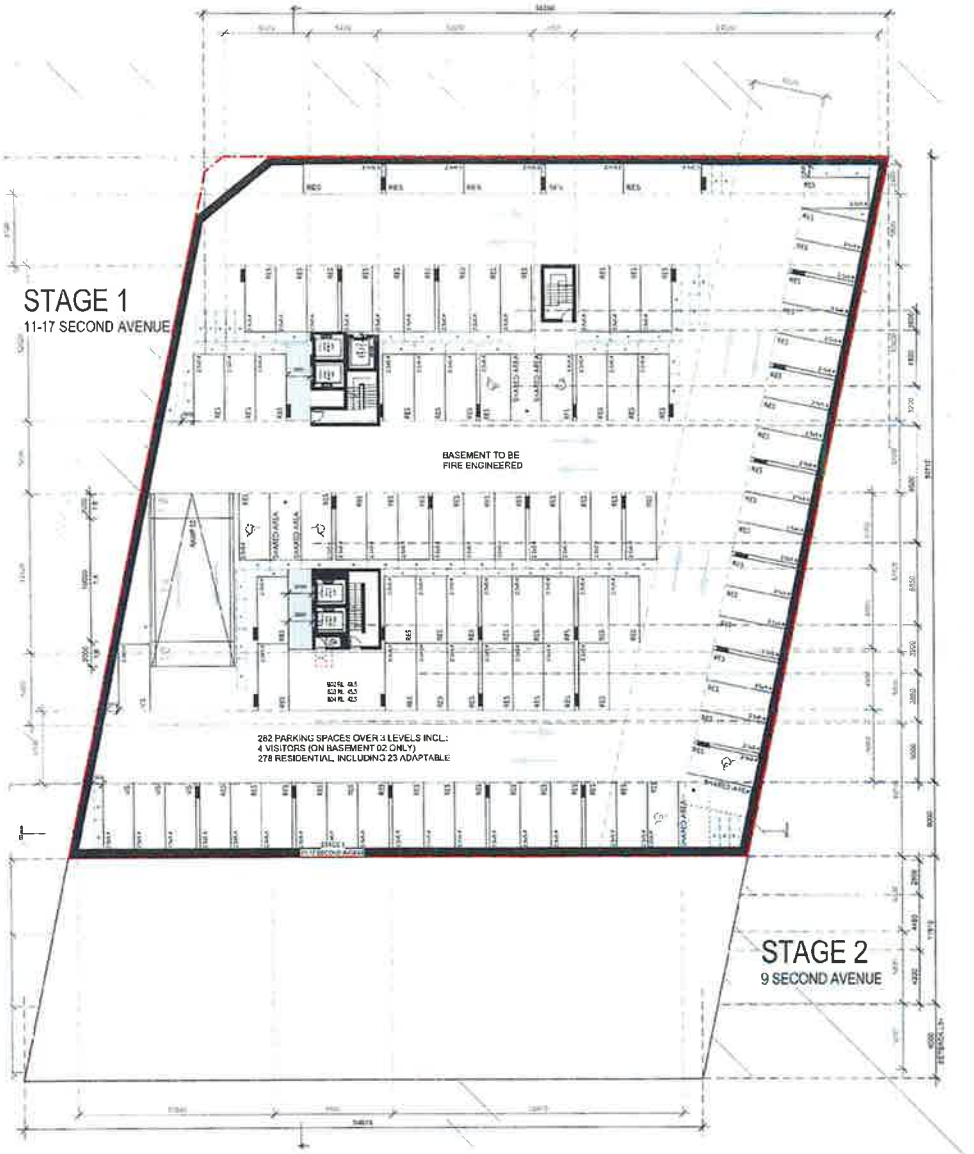
Client
DANY RHEIDAR
Baubourg24

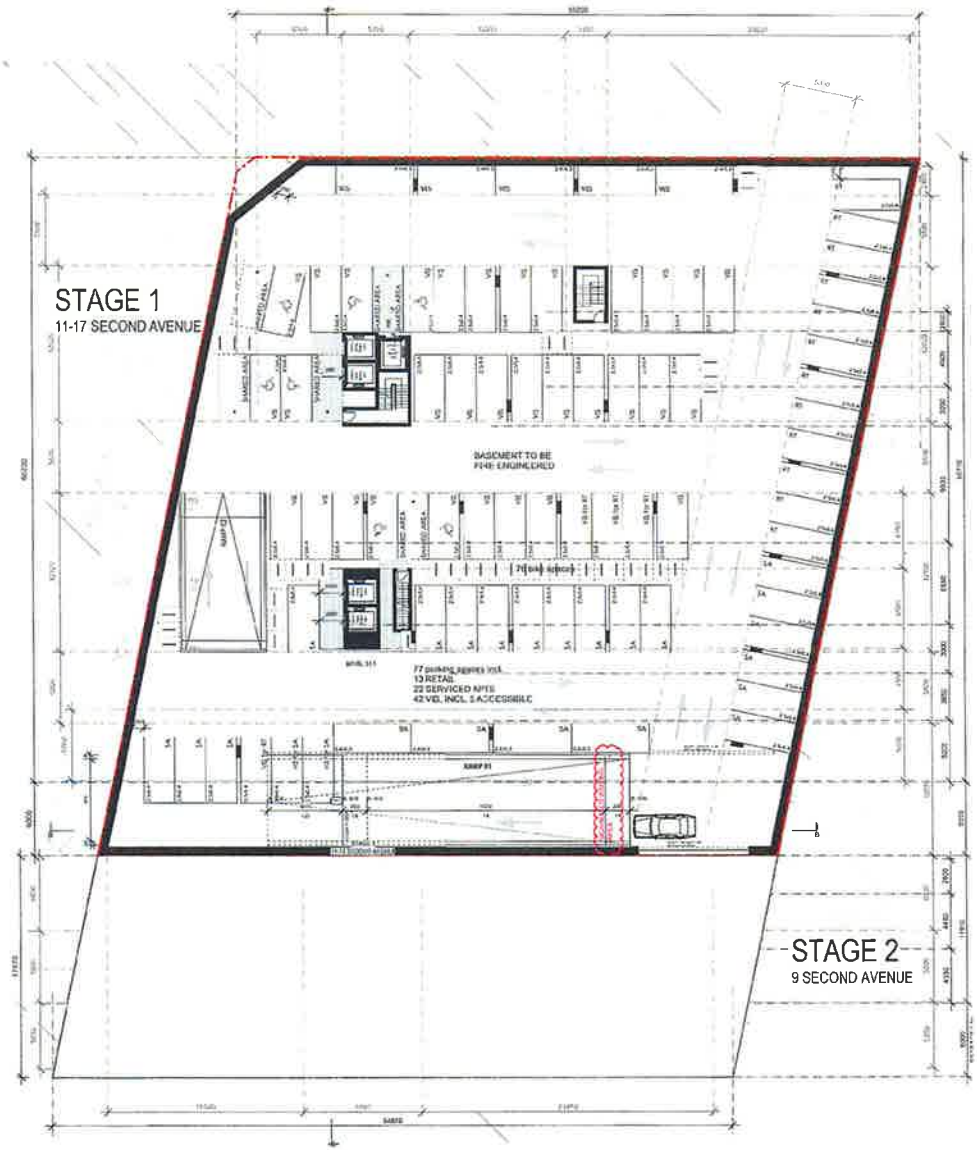
Scale: NTS @ A1
Date: 21/06/16

COVER PAGE
9, 11-17 SECOND AVE, BLACKTOWN

Drawing No. DA 00
Project No. 15006/15076

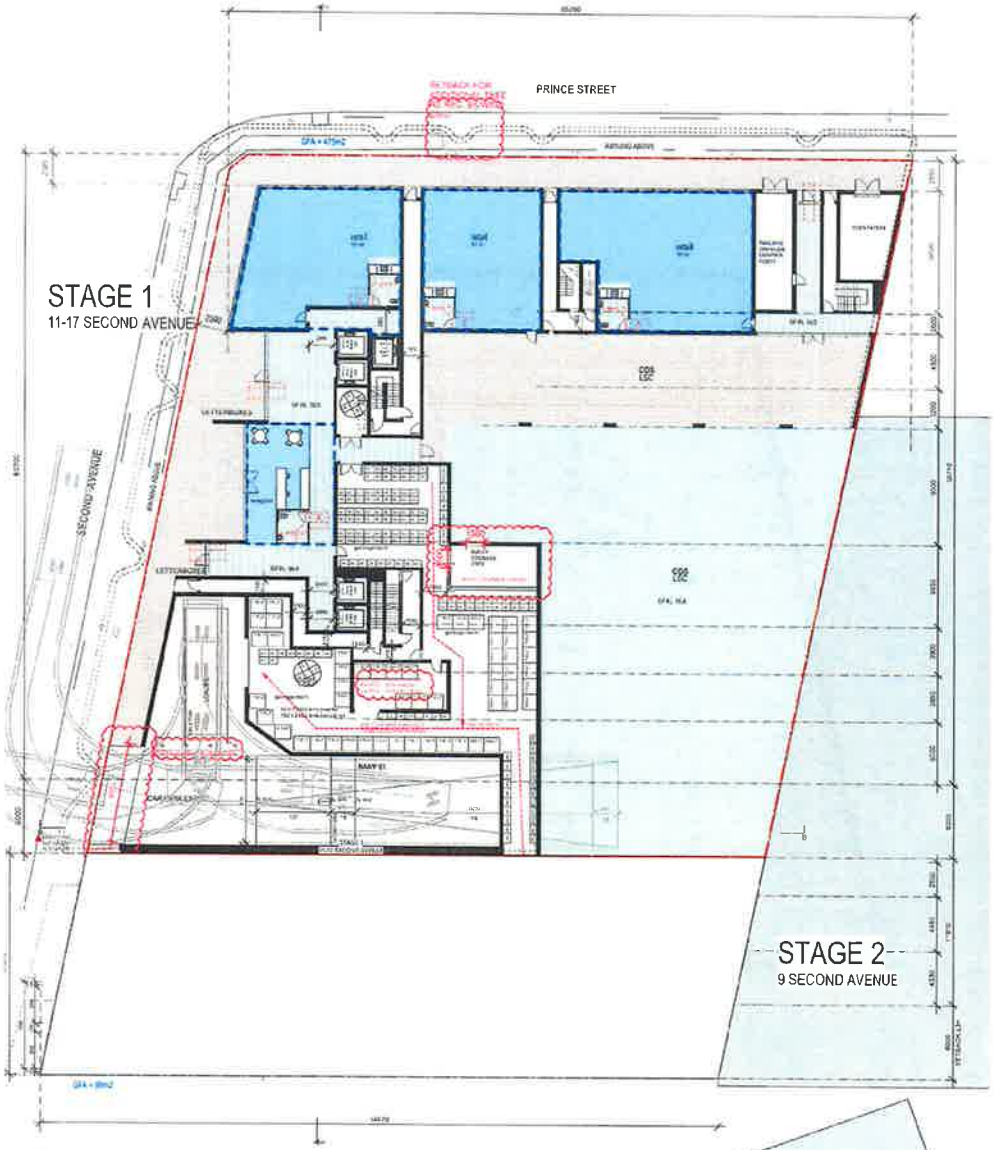



BASEMENT 04/03/02




BASEMENT 01

| | | | | | |
|---|---|---|---|---|---|
| Architect: Aleksandar Design Group Pty Ltd, 41 Albion Avenue, Paddington NSW 2021, T: 02 9361 3043 | aleksandardesigngroup.com.au | Client: DANY KHOURY, Baubourg24 | Issue: C, Scale: 1:200 @ A1, Date: 22/08/16 | Title: STAGE 1 BASEMENT 04/03/02, 01 | Drawing No. DA 05 |
| | | | | Address: 9, 11-17 SECOND AVE, BLACKTOWN | Project No. 15006/15076 |




GROUNDFLOOR

LEVEL 01

Architect: Aleksandar Design Group
41 Albion Avenue,
Paddington NSW 2021
aleksandardesigngroup.com.au

Client: TANY ANOURY
Baubourg24

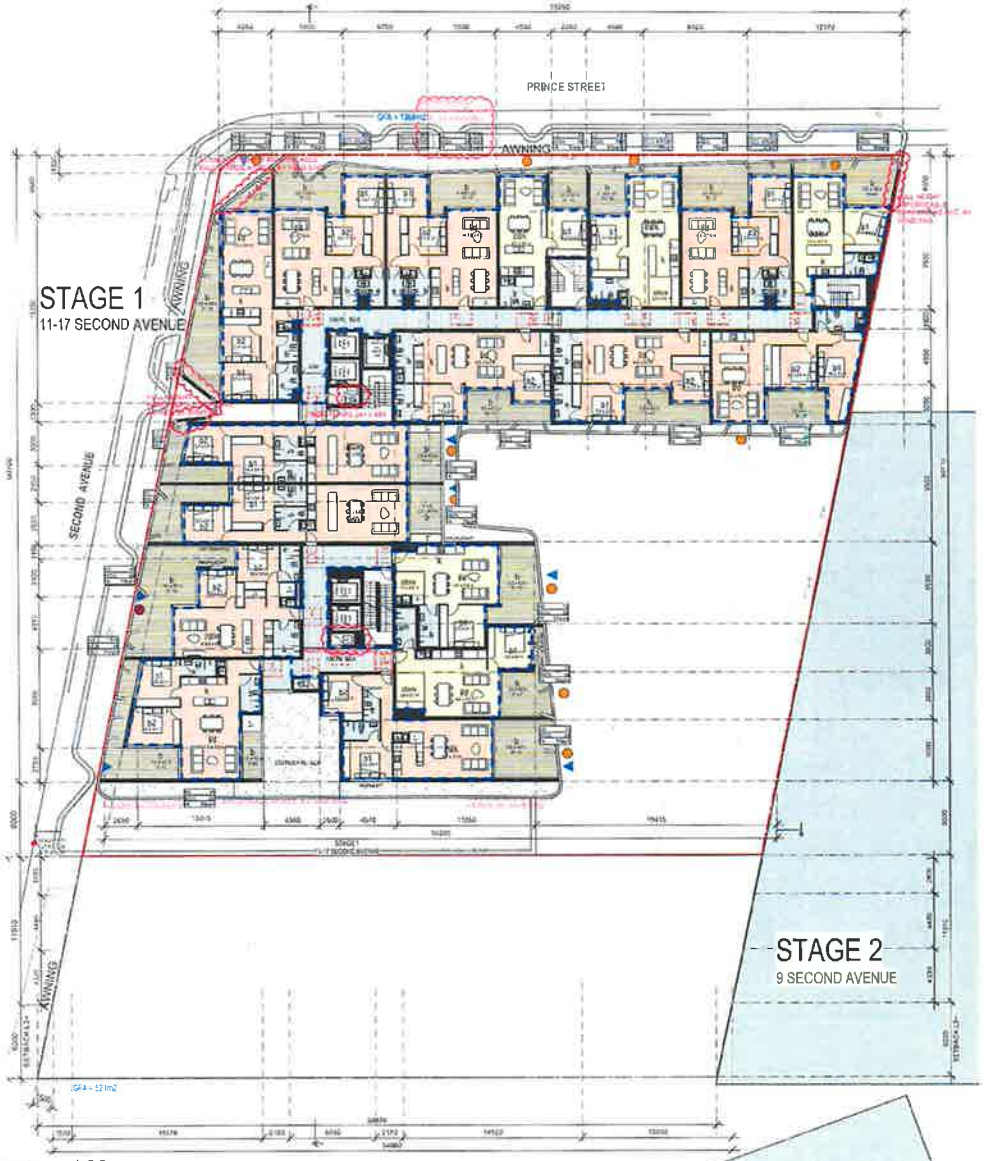
Size: C
Scale: 1:200 @ A1
Date: 22/08/16

Site Address: 9, 11-17 SECOND AVE, BLACKTOWN

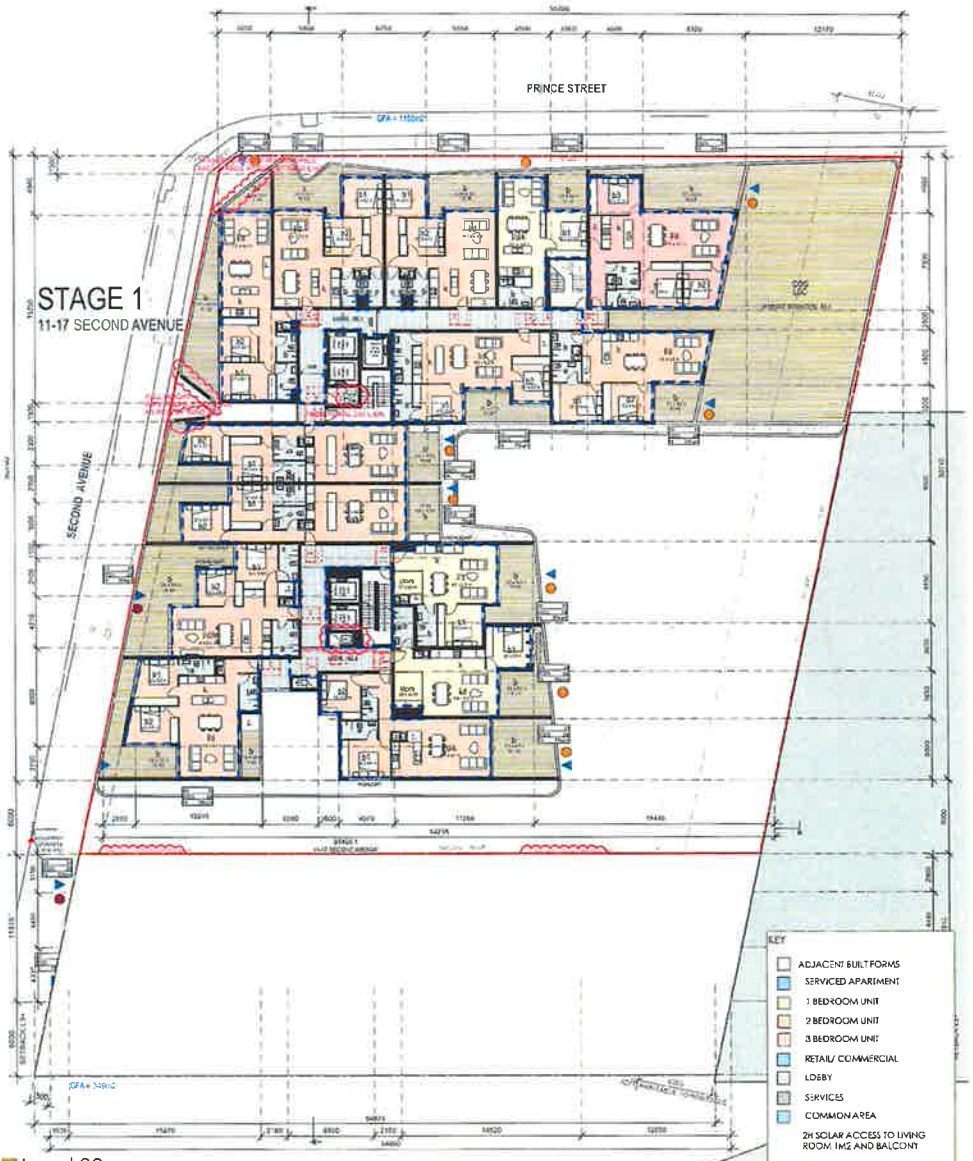
STAGE 1GROUNDFLOOR

Drawing No: DA 06

Project No: 15006/15076




Level 02




Level 03

KEY

- ADJACENT BUILT FORMS
- SERVICED APARTMENT
- 1 BEDROOM UNIT
- 2 BEDROOM UNIT
- 3 BEDROOM UNIT
- RETAIL/ COMMERCIAL
- LOBBY
- SERVICES
- COMMON AREA
- 2H SOLAR ACCESS TO LIVING ROOM 1M2 AND BALCONY
- NO SOLAR ACCESS TO LIVING OR BALCONY
- CROSS VENTILATION

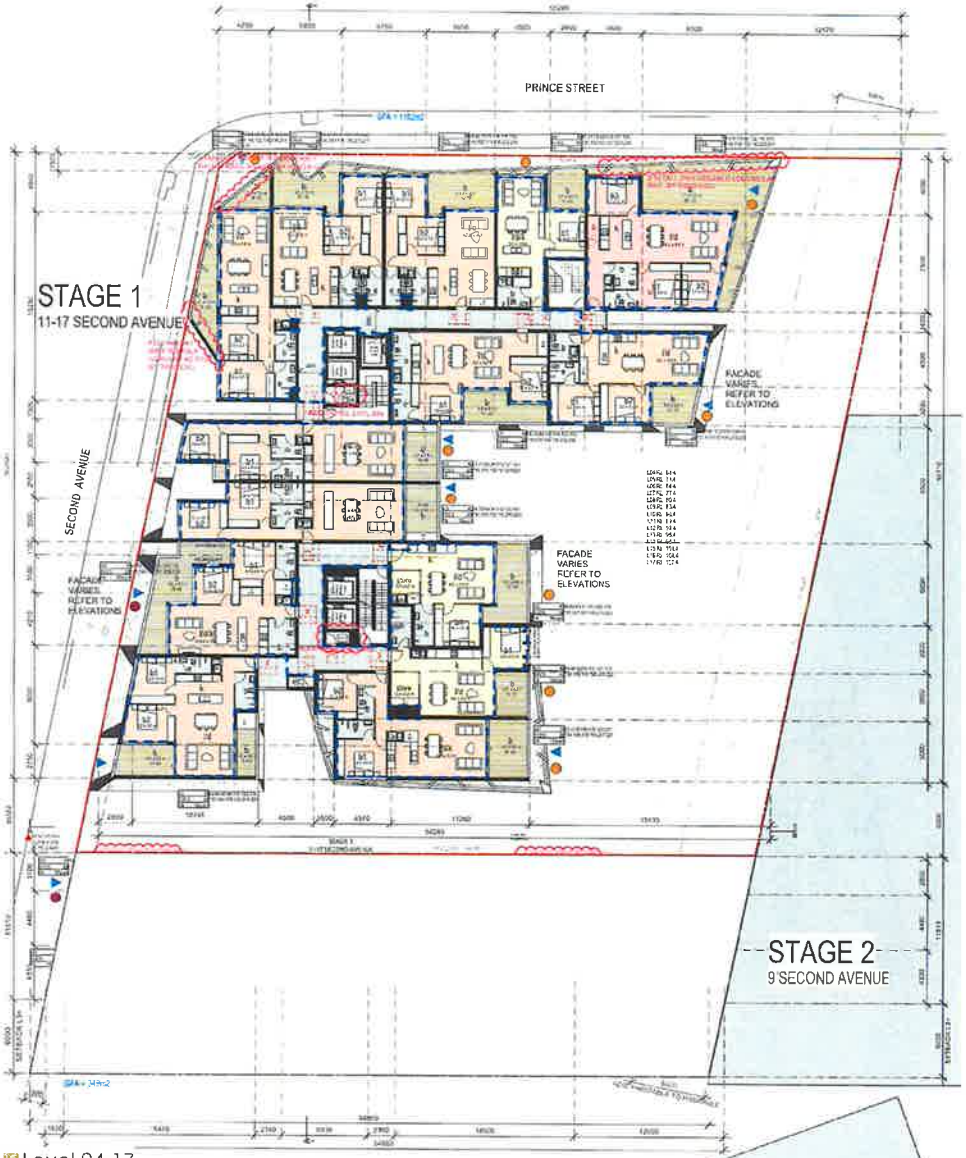
Architect: Aleksandar Design Group, 61 Adam Avenue, Paddington NSW 2021, p 02 9361 3360
aleksandardesigngroup.com.au

Client: DAVE ALBURY
Baubourg24

Issue: C
Scale: 1:200 @ A1
Date: 22/08/16

STAGE 1 LEVEL 01, 02 — DA 07

Address: 9, 11-17 SECOND AVE, BLACKTOWN — Project No. 15006/15076




Level 04-17

ROOF TERRACE

KEY

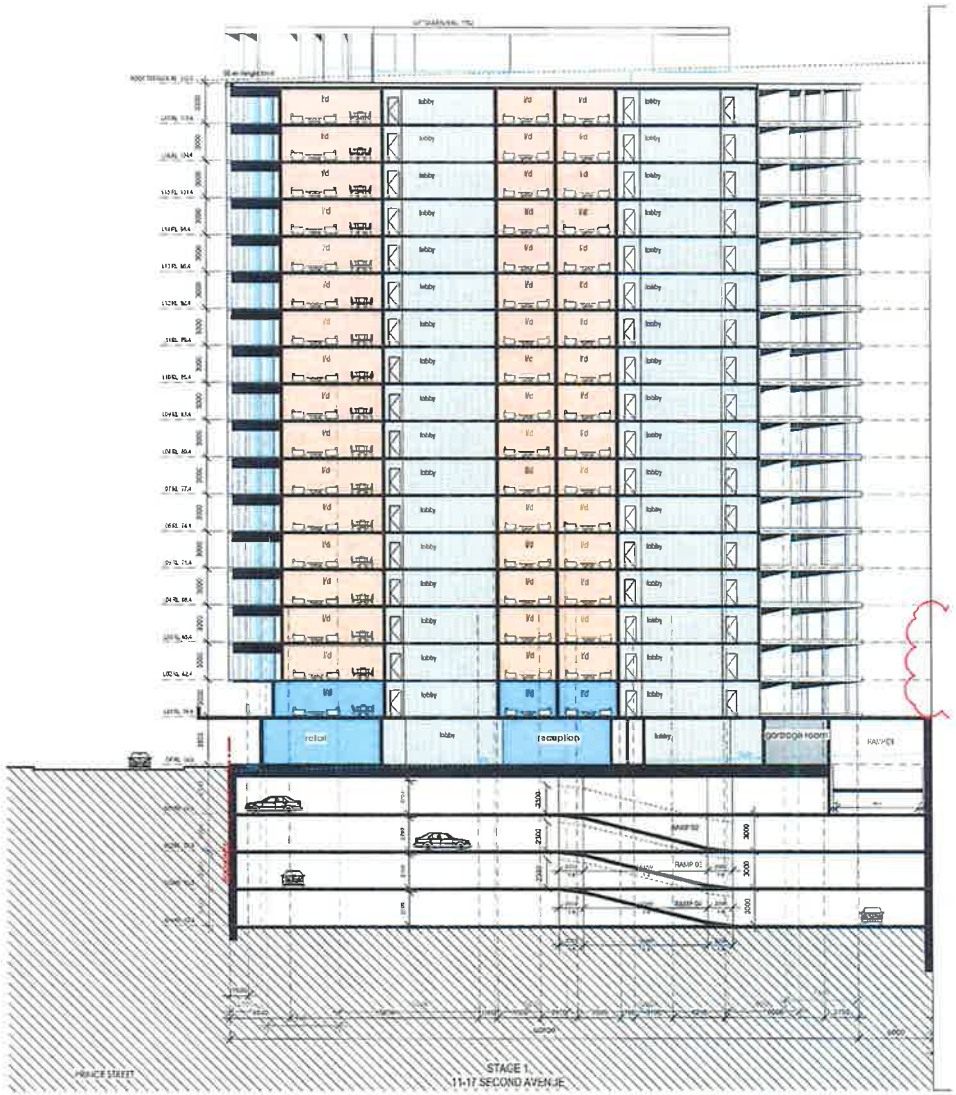
- ADJACENT BUILT FORMS
- SERVICED APARTMENT
- 1 BEDROOM UNIT
- 2 BEDROOM UNIT
- 3 BEDROOM UNIT
- RETAIL/ COMMERCIAL
- LOBBY
- SERVICES
- COMMON AREA
- 2H SOLAR ACCESS TO LIVING ROOM 1M2 AND BALCONY
- NO SOLAR ACCESS TO LIVING OR BALCONY
- CROSS VENTILATION

Architect: Alexander Design Group
41 Albion Avenue
Paddington NSW 2021
p 02 9361 5540
alexandardesigngroup.com.au

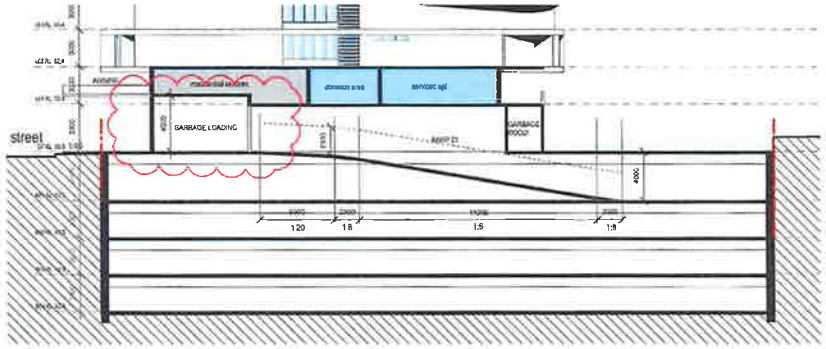
Client: SAM WOUND
Baubourg24

Issue: C
Scale: 1:200 @ A1
Date: 22/08/16

Title: STAGE 1 LEVEL 03, 04-17
Drawing No: DA 08
Address: 9, 11-17 SECOND AVE, BLACKTOWN
Project No: 15006/15076




SECTION AA




SECTION BB - RAMP SECTION

ADAPTABLE UNITS STAGE 1

FINISHES SCHEDULE

| | |
|---|---|
| PC | CEMENT RENDERED IN 'LEXICON QUARTER (WHITE)' |
| CF | CONCRETE FINISH IN LIGHT GREY |
| MF1 | METAL FINISH IN ALUCOBOND 'ANNODIZED LOOK C31' (BRONZE) OR EQU. |
| MF2 | METAL FINISH IN ALUCOBOND 'ANNODIZED LOOK C34' (DARK GREY) OR EQU. |
| MF3 | METAL FINISH IN ALUCOBOND 'INDIANA COPPER' OR EQU. |
| SC | EXTERNAL SCREENS TO MATCH 'MF1' |
| GB | GLASS BALUSTRADE |
| GMD1 | METAL DOOR FOR GARAGE TO MATCH 'MF1' |
| GMD2 | METAL DOOR FOR GARAGE TO MATCH 'CF' |
| LSC | TO LANDSCAPE ARCHITECT'S DETAIL |
| CDS | COMMUNAL OPEN SPACE |

Architect: Aleksandar Design Group
41 Albion Avenue,
Paddington NSW 2021
p 02 9361 5560
aleksandardesigngroup.com.au

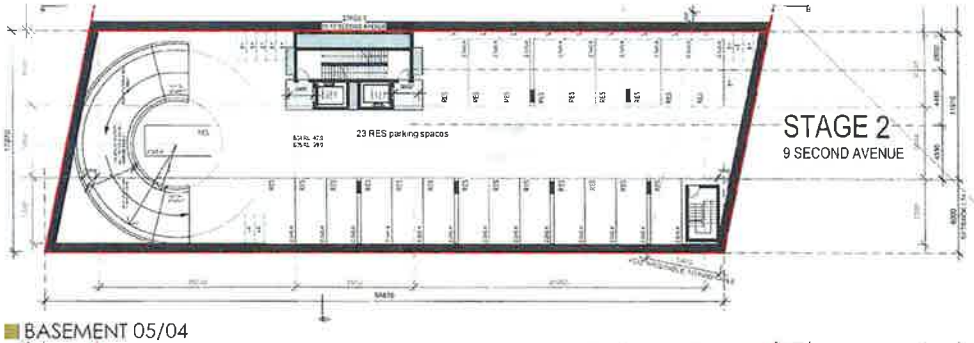
Client: DAVID MOUSLEY
Baubourg24

Scale: 1:200 @ A1
Date: 22/08/16

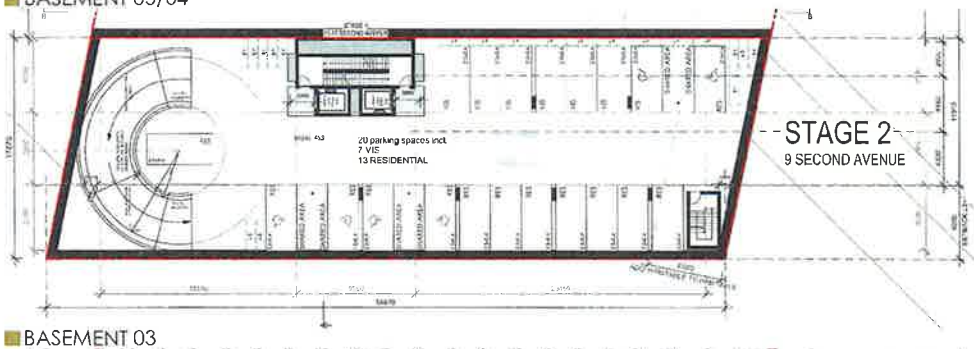
STAGE 1 SECTION
Drawing No: DA 09
9, 11-17 SECOND AVE, BLACKTOWN
Project No: 15006/15076

STAGE 2: 9 Second Avenue, Blacktown, NSW

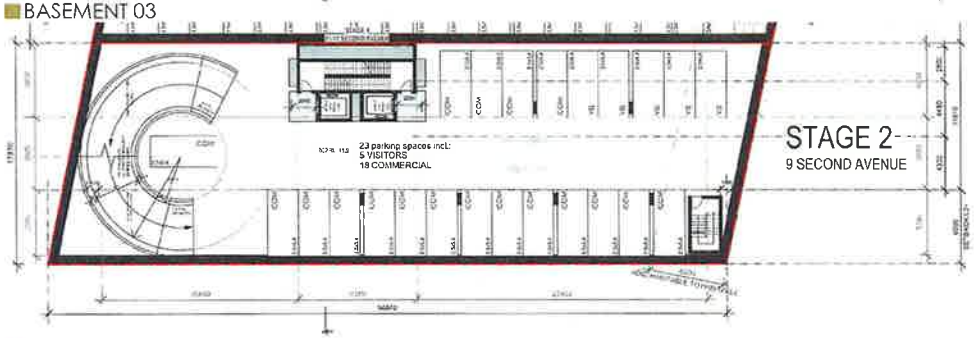
PERSPECTIVE FROM SECOND AVE



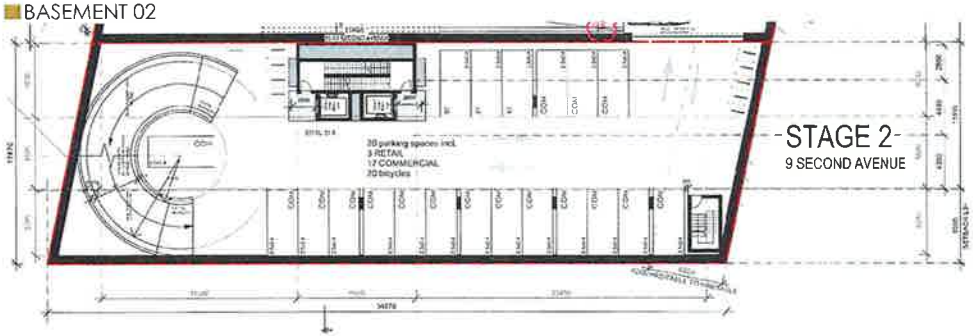

BASEMENT 05/04



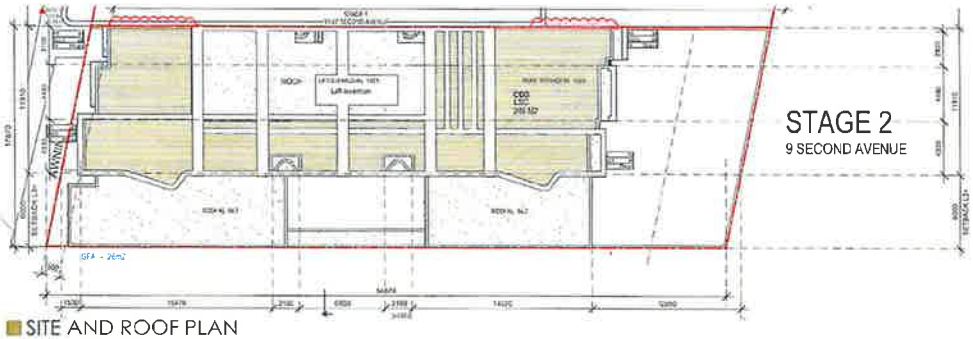

BASEMENT 03



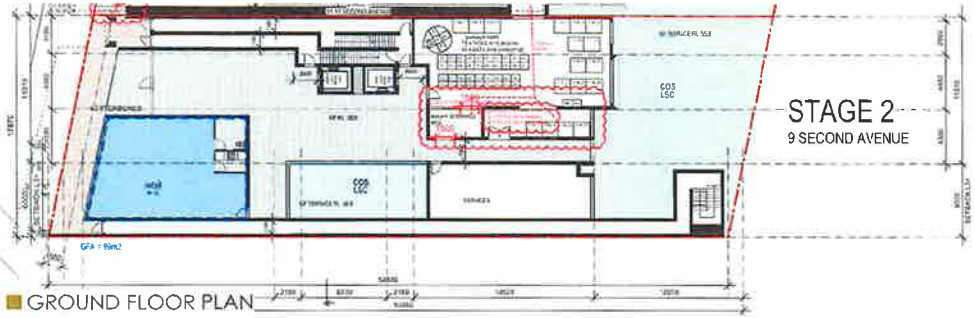

BASEMENT 02



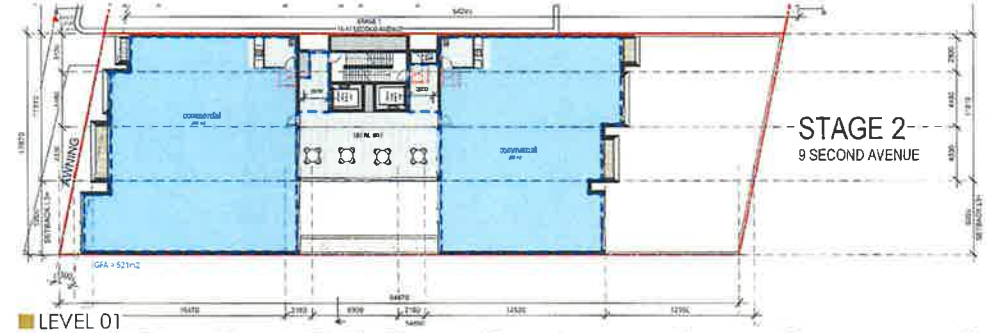

BASEMENT 01



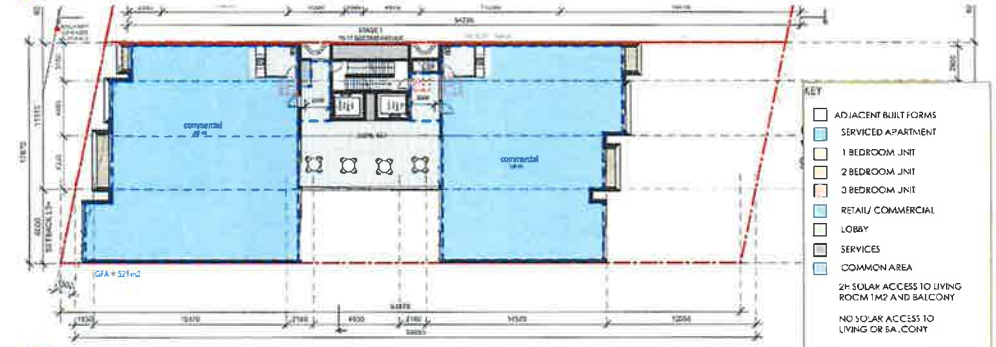

SITE AND ROOF PLAN




GROUND FLOOR PLAN




LEVEL 01




LEVEL 02

Aleksandar Design Group
41 Albion Avenue,
Paddington NSW 2021
aleksandardesigngroup.com.au

Client: MIDREW CAD

Issue C
Scale: 1:200 @ A1
Date: 22/08/16

Title: STAGE 2 BASEMENT - L02

Address: 9, 11-17 SECOND AVE, BLACKTOWN

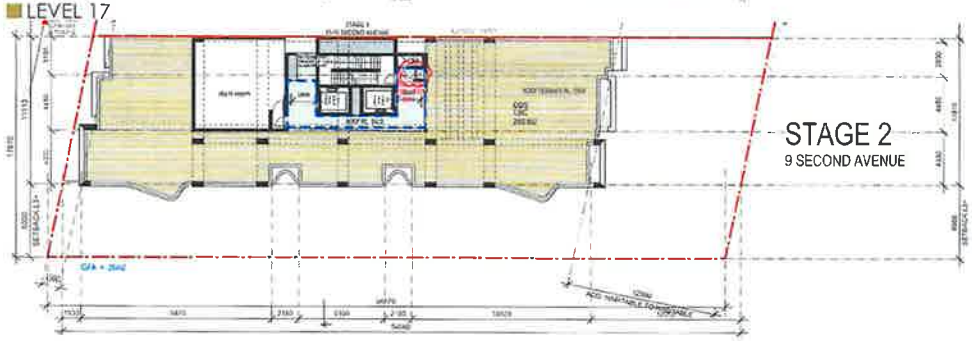
Project No. 15006/15076

DA 13

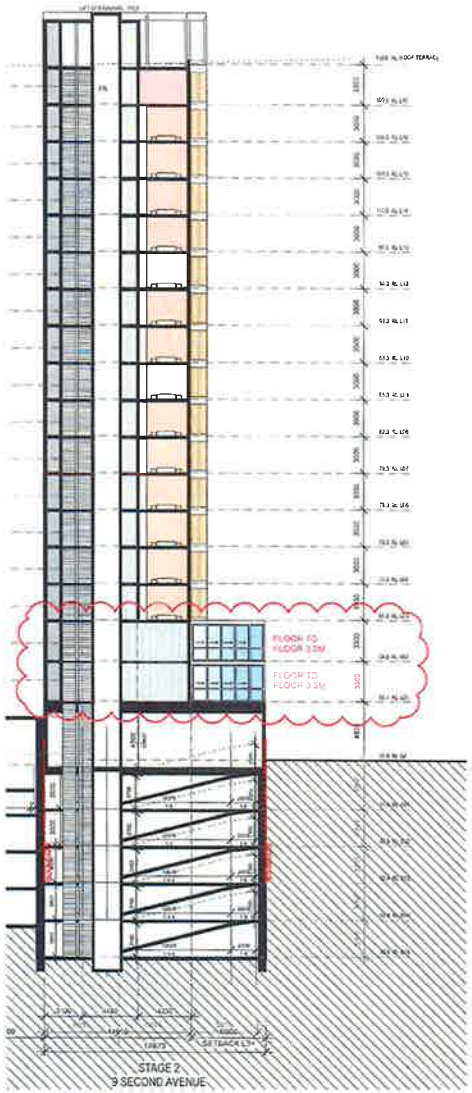
LEVEL 03

LEVEL 04-16

LEVEL 17




ROOF TERRACE




SECTION AA

ADAPTABLE UNITS 9 SECOND AVE

KEY

- ADJACENT BUILT FORMS
- SERVICED APARTMENT
- 1 BEDROOM UNIT
- 2 BEDROOM UNIT
- 3 BEDROOM UNIT
- RETAIL/ COMMERCIAL
- LOBBY
- SERVICES
- COMMON AREA

2H SOLAR ACCESS TO LIVING ROOM 1M2 AND BALCONY

NO SOLAR ACCESS TO LIVING OR BALCONY

CROSS VENTILATION

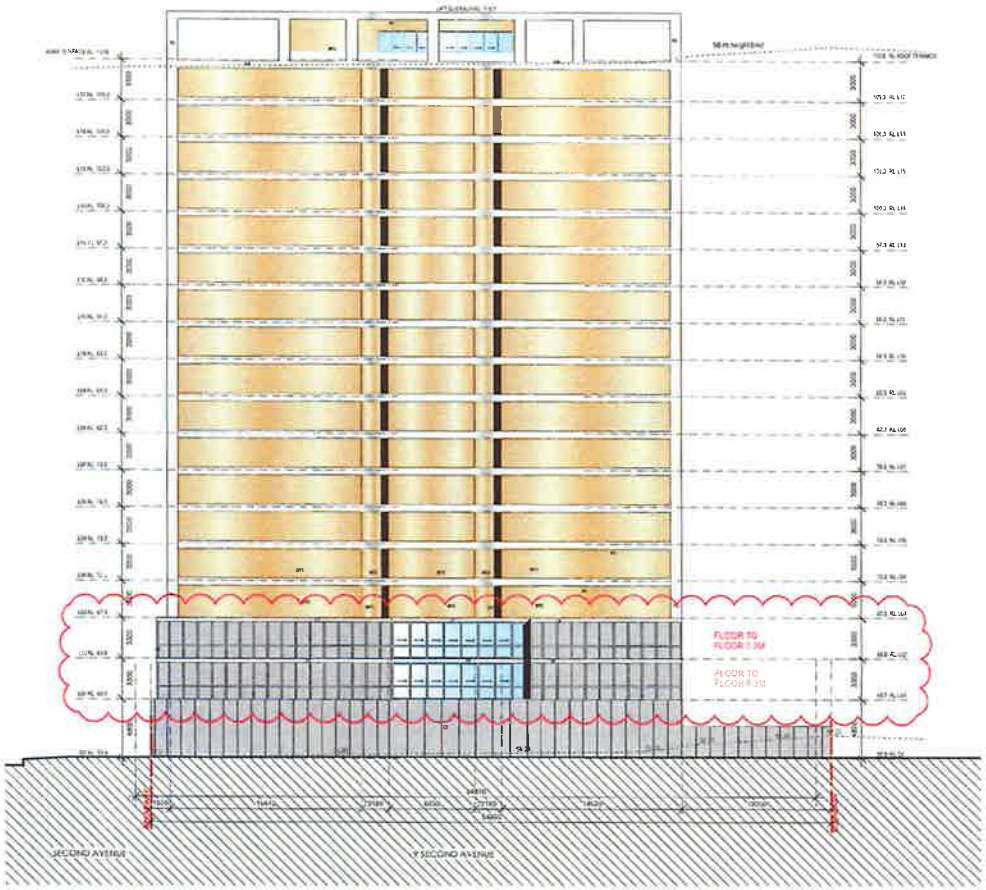
Aleksandar Design Group
41 Alston Avenue,
Paddington NSW 2021
t: 02 9361 8140
aleksandardesigngroup.com.au

Client: ANDREW CAO

Issue: C
Scale: 1:200 @ A1
Date: 22/08/16

Title: STAGE 2 PLANS L05-17, SECTION, ADAPTABLE APT
Drawing No: DA 14
Address: 9, 11-17 SECOND AVE, BLACKTOWN
Project No: 15006/15076

ELEVATION SOUTH - SECOND AVE




ELEVATION EAST

FINISHES SCHEDULE

| | |
|---|---|
| PC | CEMENT RENDERED IN 'LEXICON QUARTER' (WHITE) |
| CF | CONCRETE FINISH IN LIGHT GREY |
| MF1 | METAL FINISH IN ALUCOBOND 'ANNODIZED LOOK C31' (BRONZE) OR EQU. |
| MF2 | METAL FINISH IN ALUCOBOND 'ANNODIZED LOOK C34' (DARK GREY) OR EQU. |
| MF3 | METAL FINISH IN ALUCOBOND 'INDIANA COPPER' OR EQU. |
| SC | EXTERNAL SCREENS TO MATCH 'MF1' |
| GB | GLASS BALUSTRADE |
| GMD1 | METAL DOOR FOR GARAGE TO MATCH 'MF1' |
| GMD2 | METAL DOOR FOR GARAGE TO MATCH 'CF' |
| LSC | TO LANDSCAPE ARCHITECTS DETAIL |
| COS | COMMUNAL OPEN SPACE |

Aleksandar Design Group
41 Alison Avenue,
Paddington NSW 2021
p 02 9361 5556
aleksandardesigngroup.com.au

Client: ANDREW CHO

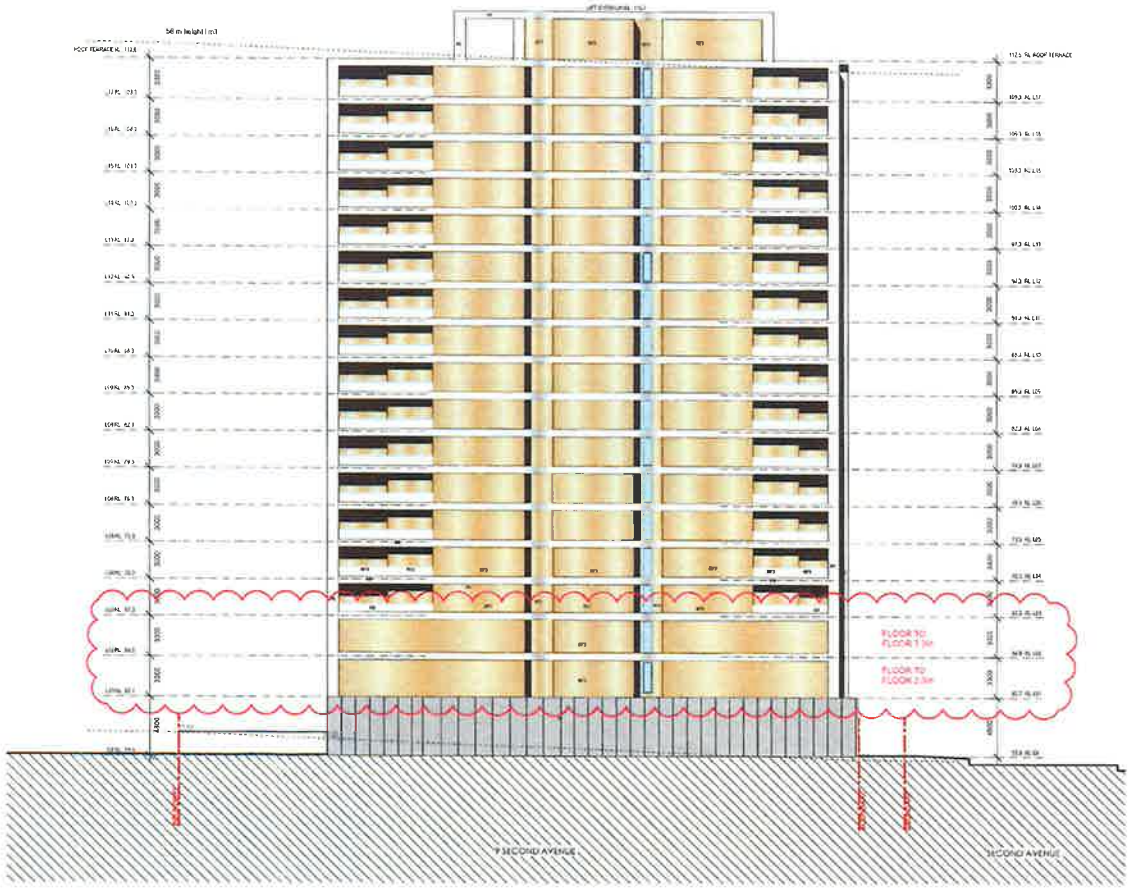
Rev: C
Scale: 1:200 @ A1
Date: 22/08/16

STAGE 2 ELEVATIONS SOUTH, EAST

Drawing No: DA 15

9, 11-17 SECOND AVE, BLACKTOWN

Project: 15006/15076




ELEVATION NORTH

ELEVATION WEST

| FINISHES SCHEDULE | |
|---|---|
| PC | CEMENT RENDERED IN 'LEXICON QUARTER' (WHITE) |
| CF | CONCRETE FINISH IN LIGHT GREY |
| MF1 | METAL FINISH IN ALUCOBOND 'ANNODISED LOOK C31' (BRONZE) OR EQU. |
| MF2 | METAL FINISH IN ALUCOBOND 'ANNODISED LOOK C34' (DARK GREY) OR EQU. |
| MF3 | METAL FINISH IN ALUCOBOND 'INDIANA COPPER' OR EQU. |
| SC | EXTERNAL SCREENS TO MATCH 'MF1' |
| GB | GLASS BALUSTRADE |
| GMD1 | METAL DOOR FOR GARAGE TO MATCH 'MF1' |
| GMD2 | METAL DOOR FOR GARAGE TO MATCH 'CF' |
| LSC | TO LANDSCAPE ARCHITECTS DETAIL |
| COS | COMMUNAL OPEN SPACE |

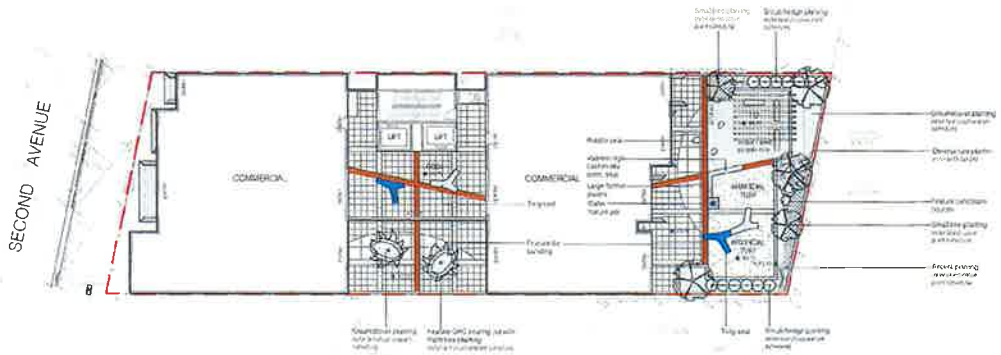
Aleksandar Design Group
41 Albion Avenue,
Paddington NSW 2021
t 02 9361 5560
aleksandardesigngroup.com.au

Client: AFONLEW CAD

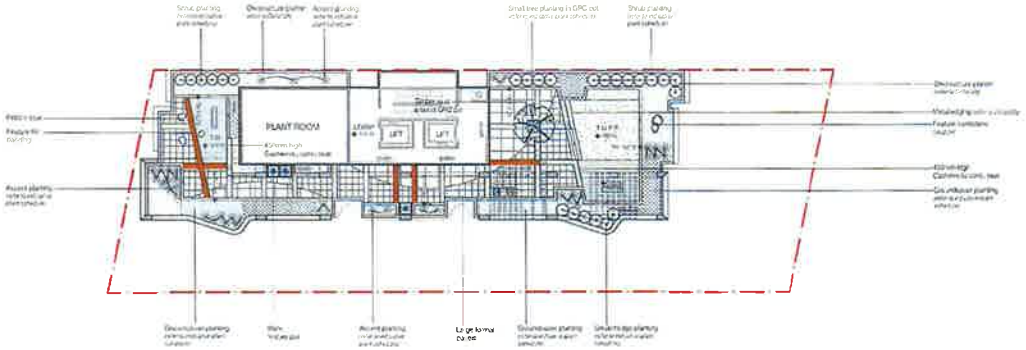
Scale: C
Scale: 1:200 @ A1
Date: 22/08/16

STAGE 2 ELEVATIONS NORTH, WEST
9, 11-17 SECOND AVE, BLACKTOWN

Drawing No. DA 16
Project No. 15006/15076



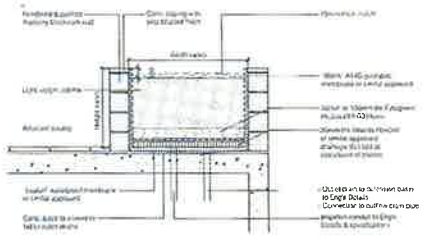

LANDSCAPE CONCEPT PLAN: level 01 scale: 1:200



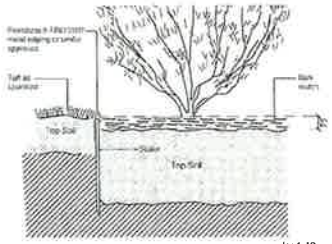

LANDSCAPE CONCEPT PLAN: roof terrace communal open space scale: 1:200

## LEGEND

- Proposed small tree planting (refer to indicative plant schedule)
- Proposed Palm tree planting (refer to indicative plant schedule)
- Proposed shrub planting (refer to indicative plant schedule)
- Proposed groundcover planting (refer to indicative plant schedule)
- Proposed accent planting (refer to indicative plant schedule)
- Proposed raised or artificial turf area (refer to indicative plant schedule)
- Proposed on-structure planter
- Proposed tile paving to Architect's details
- Proposed large formal pavers with feature banding
- Proposed metal edging
- Proposed timber + steel pergola
- Proposed feature sandstone boulders
- Proposed cast-in situ conc. bench
- Proposed timber seat
- Proposed feature GRC pot with seating
- Proposed pebble seat
- Proposed timber deck
- Proposed BBQ
- Proposed water feature pot
- 24.25 Design levels
- Existing levels
- Site boundary



TYPICAL DETAIL 01: on-structure planter scale: 1:25




TYPICAL DETAIL 02: metal edging scale: 1:10

## PROPOSED INDICATIVE PLANT SCHEDULE

| BOTANICAL NAME | COMMON NAME | POT SIZE | MATURE HEIGHT |
|---|---|---|---|
| **TREES & PALM** | | | |
| Cycad species varietals | | | |
| Lagerstroemia indica | Crape Myrtle | 45L | 6m |
| Livistona australis | Cabbage Palm Tree | 200L | 12m |
| Magnolia grandiflora 'Little Gem' | Little Gem Magnolia | 45L | 5m |
| Pittosporum tenuifolium | Pittosporum | 45L | 4m |
| Syzygium australe | Water Gum | 45L | 8m |
| Ulmus parvifolia | Chinese Elm | 45L | 7m |
| **SHRUBS** | | | |
| Dietes iridioides 'Great Balls of Fire' | Great Balls of Fire Dietes | 200mm | 1.5m |
| Gardenia augusta 'Florida' | Gardenia 'Florida' | 200mm | 1.5m |
| Phormium cookianum | Wind Flaxes | 200mm | 1.5m |
| Syzygium australe 'Tiny Leaf' | Tiny Tree Lilly Pilly | 25L | 1.5m |
| Westringia fruticosa | Westringia | 200mm | 0.5m |
| **TURF GRASS** | | | |
| Stenotaphrum secundatum | St Kilda Buffalo | N/A | |

| BOTANICAL NAME | COMMON NAME | POT SIZE | MATURE HEIGHT |
|---|---|---|---|
| **GROUND COVERS** | | | |
| Crinum pedunculatum | Kalli Lily | 150mm | 0.4m |
| Dianella caerulea 'Little Jess' | Flax Lily | 150mm | 0.4m |
| Dianella revoluta | Black Anther Flax Lily | 150mm | 0.8m |
| Dianella tasmanica 'Silver Dianna' | Silver Dianna Flax Lily | 150mm | 0.6m |
| Lomandra longifolia 'Katrinus' | Spiny-headed Mat-rush 'Katrinus' | 150mm | 0.7m |
| Ophiopogon japonicus 'Black Dragon' | Mondo Grass | 100mm | 0.2m |
| Pennisetum alopecuroides 'Purpureum' | Purple Fountain Grass | 150mm | 1.5m |
| Pennisetum alopecuroides 'Nigrum' | Black Lace | 150mm | 0.8m |
| Retinella australis | Kangaroo Grass | 200mm | 0.8m |
| Tradescantia pallida cv. 'Purpurea' | Purple Heart Tradscantia | 200mm | 0.4m |
| **ACCENT PLANTS** | | | |
| Agave attenuata | Century Plant | 200mm | 1.5m |
| Cordyline australis 'Cabernet' | Cordyline Cabernet | 200mm | 1.5m |
| Dracaena fragrantis | Dragon Tree | 250mm | 2m |
| Phormium 'Platyt Baby' | Mirror Baby Flax | 200mm | 0.5m |
| Strelitzia reginae 'Dwarf' | Dwarf Bird-of-Paradise | 200mm | 0.8m |
| Yucca elephantipes | Yucca | 200mm | 2m |

## PROPOSED PLANTING & LANDSCAPE ELEMENT PALETTE

CANVAS landscape architects

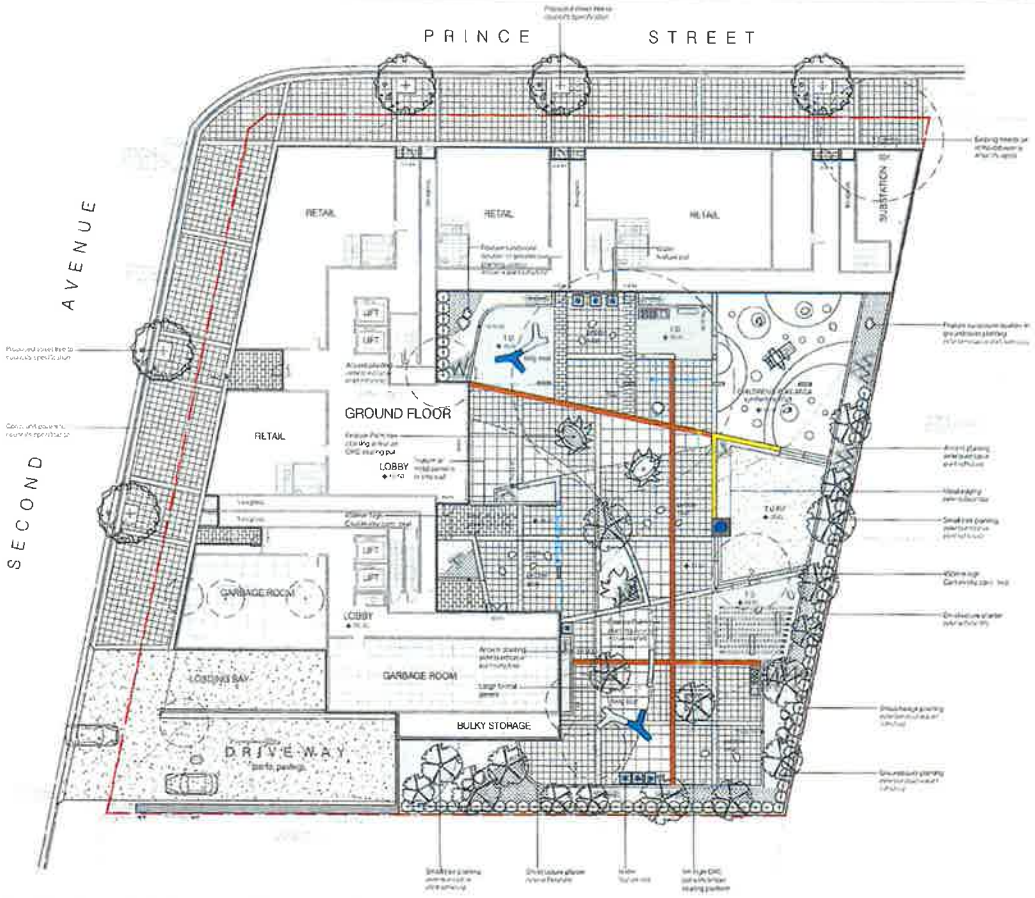
9 Second Avenue, Blacktown, NSW

0 1 2 5 10 20 scale 01: 200A1 01: 400A3

Do not scale off this drawing. Use figured dimensions only. Report discrepancies with the Landscape Architect before proceeding. Copyright of indicative and diagrams executed in this material is vested in CANVAS landscape architects.

north

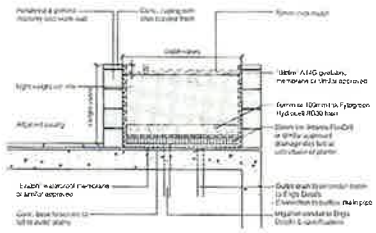
| dwg title | scale: 1:200 & as shown @a1 | revision | | date |
|---|---|---|---|---|
| landscape concept plan: level 01 + roof terrace & typical details | dwg no.: DA-L101 | P1 | co-ordination | 05/02/16 |
| | Client: Andrew Cao | A | da submission | 04/03/16 |




LANDSCAPE CONCEPT PLAN: ground floor scale: 1:200

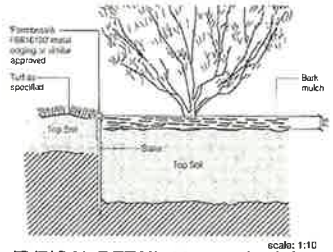
## LEGEND

- Proposed street tree planting (refer to Council's specification)
- Proposed small tree planting (refer to indicative plant schedule)
- Proposed Palm tree planting (refer to indicative plant schedule)
- Existing trees to be removed (refer to arborist's report)
- Proposed shrub planting (refer to indicative plant schedule)
- Proposed groundcover planting (refer to indicative plant schedule)
- Proposed accent planting (refer to indicative plant schedule)
- Proposed turf area (refer to indicative plant schedule)
- Proposed main entry walkway paving to Architect's detail
- Proposed conc. paving
- Proposed tile paving to Architect's details
- Proposed feature paving (communal open space)
- Proposed synthetic softfall on play area
- Proposed metal edging
- Proposed timber or steel pergola
- Proposed on-structure planter
- Proposed feature sandstone boulders
- Proposed feature twig seat
- Proposed cast-in-situ conc. seat
- Proposed timber seat
- Proposed feature GRC pot with seating
- Proposed feature lifted seating wall
- Proposed GRC pots
- Proposed timber deck
- Proposed pebble seat
- Proposed BBQ
- Proposed water feature pot
- Proposed shade structure over play area
- Proposed above ground OSD basin to Hydraulic eng's detail
- Proposed grated drains to Hydraulic eng's detail
- Design levels
- Existing levels
- Site boundary



scale: 1:25

TYPICAL DETAIL 01: on-structure planter




scale: 1:10

TYPICAL DETAIL 02: metal edging

## PROPOSED INDICATIVE PLANT SCHEDULE

| BOTANICAL NAME | COMMON NAME | POT SIZE | MATURE HEIGHT |
|---|---|---|---|
| TREES & PALM | | | |
| Arecaceae sp. | Lily Pilly | 45L | 7m |
| Banksia serrata | Wallum Banksia | 45L | 6m |
| Callistemon citrinus | Lemon Scented Bottlebrush | 45L | 3m |
| Cupaniopsis anacardioides | Tuckeroo | 45L | 7m |
| Lagerstroemia indica | Crape Myrtle | 45L | 6m |
| Magnolia grandiflora 'Little Gem' | Little Gem Magnolia | 45L | 3m |
| Melaleuca linariifolia | Grey Leaved Honey Myrtle | 45L | 3m |
| Pennisetum sp. | Pennisetum | 45L | 4m |
| Pyrus calleryana 'Chanticleer' | Ornamental Pear | 75L | 10m |
| Syzygium australe | Water Gum | 45L | 8m |
| Ulmus parvifolia | Chinese Elm | 45L | 7m |
| SHRUBS | | | |
| Callistemon 'Great Balls of Fire' | Great Balls of Fire Bottlebrush | 200mm | 1.5m |
| Dianella caerulea | Purple Flax Lily / Blue Flax | 200mm | 2m |
| Grevillea longistyla 'Flame' | Grevillea 'Flame' | 200mm | 1.5m |
| Grevillea 'Robyn Gordon' | Robyn Gordon Grevillea | 200mm | 1.5m |
| Hibbertia scandens | Wax Flower | 200mm | 1.5m |
| Hydrocotyle tenella | Acacia | 200mm | 0.6m |
| Kniphofia sarmentosa | Red Hot Poker | 200mm | 2m |
| Lomandra longifolia 'Tanika' | Tanika Mat Rush | 2L | 1m |
| Rosmarinus officinalis 'Prostratus' | Creeping Rosemary | 2L | 2m |
| Westringia fruticosa | Westringia | 200mm | 0.6m |
| TURF GRASS | | | |
| Stenotaphrum secundatum | St Augustine | N/A | |

| BOTANICAL NAME | COMMON NAME | POT SIZE | MATURE HEIGHT |
|---|---|---|---|
| GROUND COVERS | | | |
| Chlorophytum comosum | Spider Plant | 150mm | 0.6m |
| Dianella caerulea 'Little Jess' | Flax Lily | 150mm | 0.4m |
| Dianella revoluta | Black Anther Flax Lily | 150mm | 0.8m |
| Dianella 'Silver Streak' | Silver Streak Flax Lily | 150mm | 0.4m |
| Dianella tasmanica 'Tasred' | Tasred Red Flax Lily | 200mm | 0.5m |
| Liriope muscari | Lily Turf | 150mm | 0.3m |
| Lomandra longifolia 'Katrinus' | Spiny-Headed Mat-Rush 'Katrinus' | 200mm | 0.7m |
| Pennisetum alopecuroides 'Rubrum' | Purple Fountain Grass | 150mm | 1.5m |
| Pennisetum alopecuroides 'Nafrum' | Black Lace | 150mm | 0.8m |
| Philodendron Xanadu | Xanadu | 200mm | 0.8m |
| Poa labillardieri | Tussock Grass | 150mm | 0.5m |
| Scaevola aemula | Fan Flower | 200mm | 0.5m |
| Themeda australis | Kangaroo Grass | 200mm | 0.8m |
| Trachelospermum jasminoides 'Tricolor' | Variegated Jasmine | 200mm | 0.3m |
| ACCENT PLANTS | | | |
| Alpinia zerumbet 'Variegata' | Red Ginger / Variegated Ginger | 300mm | 2m |
| Agave attenuata | Century Plant | 200mm | 1.5m |
| Cordyline australis 'Cabbage' | Cordyline Cabbage | 200mm | 1.5m |
| Cordyline terminalis 'Tricolor' | Tiffany | 300mm | 2m |
| Dracaena sanderiana | Chinese Lily | 2L | 2m |
| Dracaena marginata | Dragon Tree | 200mm | 2m |
| Fatsia japonica 'Spider Baby' | Spider Baby Fatsia | 200mm | 0.6m |
| Nephrolepis exaltata | Sword Fern / Boston Fern | 200mm | 0.6m |
| Xanthorrhoea australis | Austral Grass Tree | 300mm | 1.5m |
| Yucca elephantipes | Yucca | 200mm | 2m |

## PROPOSED PLANTING & LANDSCAPE ELEMENT PALETTE

11-17 Second Avenue, Blacktown NSW 2111

0 1 2 5 10 20 scale @1: 200A1 @1: 400A3

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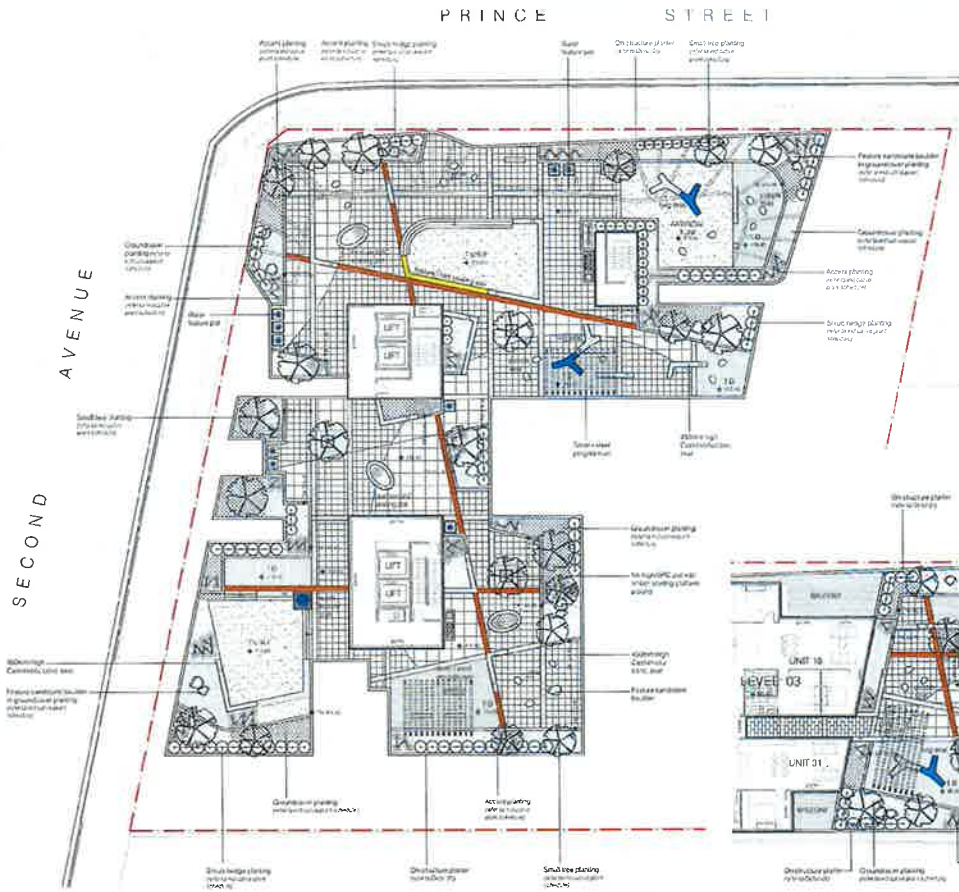
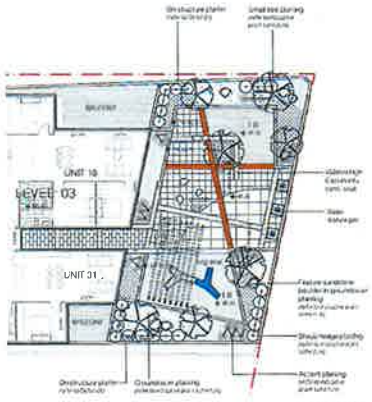
north

| dwg title | scale: 1:200 & as shown @a1 | revision | | date |
|---|---|---|---|---|
| landscape concept plan: ground fr & typical details | cwg no.: DA-L101 | P | co-ordination | 05/02/16 |
| | Client: Faubourg 24 | A | da submission | 29/02/16 |




scale: 1:200

LANDSCAPE CONCEPT PLAN: roof terrace communal open space

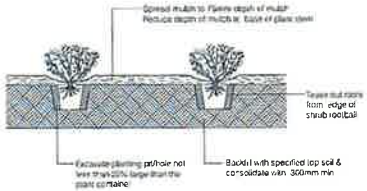



scale: 1:200

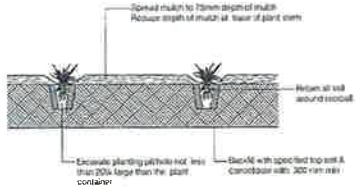
LANDSCAPE CONCEPT PLAN: level 03

## LEGEND

- Proposed street tree planting (refer to Council's specification)
- Proposed small tree planting (refer to indicative plant schedule)
- Proposed Palm tree planting (refer to indicative plant schedule)
- Existing trees to be removed (refer to arborist's report)
- Proposed shrub planting (refer to indicative plant schedule)
- Proposed groundcover planting (refer to indicative plant schedule)
- Proposed accent planting (refer to indicative plant schedule)
- Proposed turf area (refer to indicative plant schedule)
- Proposed main entry walkway paving to Architect's detail
- Proposed conc. paving
- Proposed tile paving to Architect's details
- Proposed feature paving (communal open space)
- Proposed synthetic soft fall on play area
- Proposed metal edging
- Proposed timber + steel pergola
- Proposed on-structure planter
- Proposed feature sandstone boulders
- Proposed feature twig seat
- Proposed cast-in-situ conc. seat
- Proposed timber seat
- Proposed feature GRC pot with seating
- Proposed feature tilled seating wall
- Proposed GRC pots
- Proposed timber deck
- Proposed pebble seat
- Proposed BBQ
- Proposed water feature pot
- Proposed shade structure over play area
- Proposed above ground OSD basin to Hydraulic eng's detail
- Proposed grated drains to Hydraulic eng's detail
- Design levels
- Existing levels
- Site boundary




TYPICAL DETAIL 03: shrub planting scale: 1:20




TYPICAL DETAIL 04: groundcover planting scale: 1:20

## PROPOSED INDICATIVE PLANT SCHEDULE

| BOTANICAL NAME | COMMON NAME | POT SIZE | MATURE HEIGHT |
|---|---|---|---|
| **TREES & PALM** | | | |
| Acmena smithii | Lilly Pilly | 45L | 7m |
| Backhousia myrtifolia | Grey Myrtle | 45L | 5m |
| Cupaniopsis anacardioides | Tuckeroo | 45L | 8m |
| Elaeocarpus reticulatus | Blueberry Ash | 45L | 8m |
| Magnolia grandiflora 'Little Gem' | Little Gem Magnolia | 45L | 5m |
| Melaleuca linariifolia | Snow in Summer | 45L | 8m |
| Pittosporum undulatum | Native Daphne | 45L | 8m |
| Syzygium australe 'Aussie Compact' | Lilly Pilly | 45L | 5m |
| Syzygium australe 'Resilience' | Lilly Pilly | 45L | 5m |
| Tristaniopsis laurina 'Luscious' | Water Gum | 45L | 8m |
| Ficus microcarpa 'Hillii' | Hillii Fig | 45L | 15m |
| Livistona chinensis | Chinese Fan Palm | 45L | 8m |
| **SHRUBS** | | | |
| Callistemon 'Great Balls of Fire' | Great Balls of Fire Bottlebrush | 200mm | 1.5m |
| Dodonaea viscosa | Purple Broad Leaf Hop Bush | 200mm | 2m |
| Gardenia augusta 'Florida' | Gardenia 'Florida' | 200mm | 1.5m |
| Grevillea 'Poorinda Royal Mail' | Poorinda Royal Mail | 200mm | 1.5m |
| Westringia fruticosa | Coastal Rosemary | 200mm | 2m |
| Westringia fruticosa 'Wynyabbie Gem' | Wynyabbie Gem | 200mm | 1.5m |
| Xanthorrhoea australis | Grass Tree | 200mm | 2m |
| **TURF GRASS** | | | |
| Cynodon dactylon cv. tifdwarf | Bermuda Grass | N/A | |

| BOTANICAL NAME | COMMON NAME | POT SIZE | MATURE HEIGHT |
|---|---|---|---|
| **GROUND COVERS** | | | |
| Carex testacea | New Zealand Flax | 150mm | 0.6m |
| Dianella caerulea 'Cassa Blue' | Blue Flax Lily | 150mm | 0.6m |
| Dianella revoluta | Black Anther Flax Lily | 150mm | 0.6m |
| Dianella tasmanica 'Tasred' | Tasmanian Flax Lily | 150mm | 0.6m |
| Liriope muscari 'Big Blue' | Big Blue Lilyturf | 150mm | 0.3m |
| Liriope muscari 'Variegata' | Variegated Lilyturf | 150mm | 0.3m |
| Lomandra longifolia 'Tanika' | Tanika Mat Rush | 150mm | 0.6m |
| Lomandra longifolia 'Katrinus' | Katrinus Mat Rush | 150mm | 0.6m |
| Pennisetum alopecuroides 'Hamelin' | Hamelin Fountain Grass | 150mm | 0.6m |
| Pennisetum alopecuroides 'Nafray' | Nafray Fountain Grass | 150mm | 0.6m |
| Philodendron 'Xanadu' | Xanadu | 200mm | 0.8m |
| Ophiopogon japonicus | Mondo Grass | 150mm | 0.3m |
| Zoysia tenuifolia | Zoysia Grass | 150mm | 0.3m |
| Zoysia japonica | Zoysia Grass | 150mm | 0.3m |
| Trachelospermum jasminoides 'Variegatum' | Variegated Jasmine | 200mm | 0.3m |
| **ACCENT PLANTS** | | | |
| Aloe ferox | Tree Aloe | 200mm | 2m |
| Agave attenuata | Fox Tail Agave | 200mm | 1.5m |
| Cordyline australis 'Red Sensation' | Red Sensation Cabbage Tree | 200mm | 1.5m |
| Cordyline australis 'Purpurea' | Purple Cabbage Tree | 200mm | 2m |
| Dracaena marginata | Dragon Tree | 200mm | 2m |
| Phormium tenax 'Bronze Baby' | Bronze Baby Flax | 200mm | 0.8m |
| Phormium tenax 'Yellow Wave' | Yellow Wave Flax | 200mm | 0.8m |
| Xanthorrhoea australis | Austral Grass Tree | 200mm | 1.5m |
| Yucca elephantipes | Yucca | 200mm | 2m |

CANVAS

11-17 Second Avenue, Blacktown NSW 2111

0 1 2 5 10 20 scale @A1: 1:200 @A3: 1:400

north

| dwg title | scale: 1:200 & as shown @a1 | revision | | date |
|---|---|---|---|---|
| landscape concept plan: level 03 + roof terrace & typical details | dwg no.: DA-L102 | P | co-ordination | 05/02/16 |
| | Client: Faubourg 24 | A | da submission | 29/02/16 |

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# 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 |
|---|---|---|
| a. The provisions of:<br>(i) Any environmental planning instrument (EPI)<br>(ii) Any development control plan (DCP)<br>(i) The regulations | The proposal is considered to be consistent with the relevant EPIs, including BLEP 2015, SEPP (Infrastructure) 2007, SEPP 55 Remediation of Land, SEPP BASIX 2004 and the 10 'design quality principles' of SEPP 65.<br>The proposed development is a permissible land use 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 of building development standard pursuant to Clause 4.6. The height control is varied by up to 4 m.<br>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. | Yes |
| 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 | It is considered that the likely impacts of the development, including traffic, noise, parking and access, design, bulk and scale, overshadowing, privacy, waste management and stormwater management have been satisfactorily addressed.<br>A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties.<br>In view of the above it is believed that the proposed development will not have any adverse social, economic or environmental impacts. | Yes |
| c. The suitability of the site for the development | The subject site is zoned B4 Mixed Use with a 56 m building height limit under BLEP 2015. Shop top housing is permissible on the site with development consent.<br>The site has an area and configuration that is suited to this form of development. The design solution is based on sound site analysis and responds positively to the different types of land uses adjoining the site. The site is located within close proximity to the Blacktown train 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. | Yes |

| Heads of Consideration 79C | Comment | Complies |
|---|---|---|
| d. Any submissions made in accordance with this Act, or the regulations | No submissions were received from notification of the DA. | Yes |
| e. The public interest | It is considered that no adverse matters relating to the public interest arise from the proposal. The proposal provides high quality housing stock and provides for a wider range of housing diversity within the Blacktown City area. | Yes |

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

The Sydney Planning Panel (SPP) is the consent authority for all development with a capital investment value (CIV) of over $20 million. As the DA has a CIV of $85.096 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

The 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 was referred to RMS, who found the development acceptable, subject to conditions of consent.

## 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 granting of a development consent.

As part of the DA, the site is an existing commercial premises, land contamination is not likely. To ensure these works are undertaken prior to the release of a construction certificate on the site for the proposed residential flat building, suitable **conditions** will be imposed. The conditions will require the validation to ensure that the site is made suitable for residential development without any limitations under the NEPM 2013 guidelines.

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

State Environmental Planning Policy No. 65 (SEPP 65) – *Design Quality of Residential Flat 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.

(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. The development is considered to comply with the 9 design principles and the ADG.

| **Principle 1: Context and Neighbourhood Character** | |
|---|---|
| **Control** | **Town Planning Comment** |
| 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.<br><br>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. | The design responds to the context of the site within the Blacktown CBD. The development is generally compliant with the height limit established by the 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, business and residential apartments. The building responds to the streetscape providing an active street frontage and building setbacks consistent with those envisaged for the CBD. |
| **Principle 2: Built Form and Scale** | |
| **Control** | **Town Planning Comment** |
| Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.<br><br>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.<br><br>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 design responds to the surrounding context, providing a development generally compliant with the building height and floor space requirements established by the Blacktown Local Environmental Plan 2015. The shop top housing development responds to the sites location within the CBD. The 3 storey podium is consistent with Council's controls and creation of a suitable streetscape. |
| **Principle 3: Density** | |
| **Control** | **Town Planning Comment** |
| Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.<br><br>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. | The development complies with the maximum FSR established for the site under BLEP 2015. The scale of the development being 18 storeys is consistent with the height limit for the area is consistent with the desired density of the area. In addition, the site is located within 400 m from Blacktown train station and is located within the Blacktown CBD. It is therefore considered a suitable density that can be sustained with existing infrastructure.<br><br>Council is now proposing to remove the FSR from the CBD controls. |

| Principle 4: Sustainability | |
|---|---|
| **Control** | **Town Planning Comment** |
| Good design combines positive environmental, social and economic outcomes.<br><br>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. | The design of the development ensures that the development exceeds the minimum design criteria for solar access and natural cross ventilation.<br><br>The proposal provides for a mix of dwellings, contributing to the housing diversity within the locality.<br><br>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. |

| Principle 5: Landscape | |
|---|---|
| **Control** | **Town Planning Comment** |
| 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.<br><br>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.<br><br>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. | A Landscape Plan has been submitted with the proposal, which incorporates a variety of planting that contributes to the amenity of the development. Whilst deep soil zones have not been provided throughout the development given the CBD context of the site, planters have been provided to ensure sufficient planting can be achieved.<br><br>The landscape design provides for suitable screening to adjoining properties, creates usable spaces for future residents and improves the overall quality of the development. |

| Principle 6: Amenity | |
|---|---|
| **Control** | **Town Planning Comment** |
| Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.<br><br>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. | The design of the proposal is considered to provide a high level of amenity through a carefully considered spatial arrangement and layout.<br><br>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. |

| Principle 7: Safety | |
|---|---|
| **Control** | **Town Planning Comment** |
| 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.<br><br>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. | The proposal is considered to be satisfactory in terms of future residential occupants overlooking communal spaces while maintaining internal privacy. Public and private spaces are clearly defined and suitable safety measures are integrated into the development.<br><br>The proposal provides suitable casual surveillance of the public domain. |

| Principle 8: Housing Diversity and Social Interaction | |
|---|---|
| **Control** | **Town Planning Comment** |
| Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.<br><br>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.<br><br>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. | The proposal consists of a mix of dwellings which are responsive to anticipated market and demographic demands.<br><br>The proposal provides additional housing choice which is in close proximity to public transport and is located within the Blacktown CBD. |

| Principle 9: Aesthetics | | |
|---|---|---|
| **Control** | **Town Planning Comment** | |
| 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.<br><br>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. | 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 buildings.<br><br>This distinct and contemporary design assists in setting a high quality standard for the transitioning character of this locality and creates a desirable streetscape. | |
| **ADG Requirement** | **Proposal** | **Compliance** |
| **Siting the Development** | | |
| **3A Site Analysis**<br><br>Satisfy the site analysis guidelines-App 1. | Site Analysis submitted, however does not take into consideration existing fragmentation of land or existing approved development in the locality. | Yes |
| **3B Orientation** | | |
| 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%. | The adjoining properties currently receive adequate solar access. The proposal will overshadow the adjoining properties, however, they will still receive the required solar access. | Yes |
| 4 hours of solar access should be retained to solar collectors on neighbouring buildings. | N/A Adjoining properties do not contain solar collectors | N/A |
| **3C Public Domain Interface** | | |
| Ground level courtyards to have direct access, if appropriate. | N/A No ground level units. | Yes |
| Ground level courtyards to be above street level for visual privacy. | N/A No ground level units. | |
| Balconies and windows to overlook the public domain. | Balconies and windows provide casual surveillance of the public domain. | |
| Front fences to be visually permeable with max 1m height, and limited length. | N/A No front fences proposed. | |
| Entries to be legible. | Residential entry is appropriately located. | |
| Raised terraces to be softened by landscaping. | Raised areas are suitably landscaped. | |
| Mail boxes to be located in lobbies, perpendicular to the street or within the front fence. | Mailboxes are perpendicular to the street frontage. | |
| Basement car park vents not to be visually prominent.<br>Substations, pump rooms, garbage | Satisfactory. | |

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| storage rooms and other service rooms should be located in the basement car parks or out of view.<br><br>Ramping for accessibility to be minimised.<br><br>Durable, graffiti resistant and easily cleanable materials should be used.<br><br>On sloping sites, protrusion of car parking should be minimised. | Substation integrated into design. Service rooms adequately located.<br><br>Ramping is suitable.<br><br>Suitable and durable materials are proposed.<br><br>Car parking is suitably designed to be within building footprint. | |
| **3D Communal and Public Open Space**<br><br>COS >25% of the site.<br><br>Direct sunlight to >50% of COS for 2 hours between 9 am and 3 pm.<br><br>Minimum dimension of 3m.<br><br>Direct and equitable access.<br><br>If COS cannot be located on Ground Level, provide on the podium or roof.<br><br>If it COS can't be achieved, provide on rooftop of a common room, provide larger balconies, or demonstrate proximity to public open space and facilities.<br><br>Range of activities (e.g. seating, BBQ, play area, gym or common room).<br><br>Visual impacts minimised from ventilation, substations and detention tanks.<br><br>Maximise safety.<br><br>Public Open Space, where provided, is to be well connected and adjacent to street. | Stage 1 site area: 3,110 sqm<br><br>Stage 2 site area: 982.6 sqm<br><br>Required 25% stage 1 = 778 sqm<br><br>Required 25% stage 2 = 246 sqm<br><br>Stage 1 provided: 2406 sqm (77%)<br><br>Stage 2 provided: 246 sqm (25%)<br><br>Minimum dimension of 3 m.<br><br>Direct and accessible COS is achieved.<br><br>COS embellished with seating, terraces and covered outdoor areas.<br><br>The COS is clear of services.<br><br>The COS demonstrates a safe design.<br><br>N/A | Yes |
| **3E Deep Soil Zones**<br><br>Minimum area = 7% of site area.<br><br>Preferred area = 15%.<br><br>If the site is between 650 to 1,500 sqm then minimum dimensions of 3 m.<br><br>If over 1,500 sqm then min dimensions of 6 m. | Nil deep soil zone provided, 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. | Yes as the ADG permits no deep soil zones in a CBD context and planter boxes are provided throughout the development. |

<table>
<tr><th>ADG Requirement</th><th>Proposal</th><th>Compliance</th></tr>
<tr><td><u>2F Building Separation</u><br><br>Separation distances from buildings to the side and rear boundaries are as follows:<br><br><table><tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12 m (4 storeys)</td><td>6 m</td><td>3 m</td></tr><tr><td>Up to 25m (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></table><br>Increased separation distance of 3m when adjacent to a different zone that permits lower density<br><br>Direct lines of sight should be avoided for windows and balconies across corners<br><br>No separation is required between blank walls</td><td>Development is 18 stories in height and provides for a 6 m building separation setback to property boundaries. This is consistent with similar development within the Blacktown CBD.<br><br>N/A<br><br>N/A - Adjoining development of a similar scale has not occurred.<br><br>N/A</td><td>No – Building separation discussed in report.</td></tr>
<tr><td><u>3G Pedestrian Access and Entries</u><br><br>Connect to and activate the public domain.<br><br>Easy to identify access.<br><br>Internal pedestrian links to be direct.</td><td>Pedestrian access is direct to the street frontage and easily identifiable.</td><td>Yes</td></tr>
<tr><td><u>3H Vehicle Access</u><br><br>Access points are safe and create quality streetscapes.</td><td>Car parking and driveway location is suitable.</td><td>Yes</td></tr>
<tr><td><u>3J Bicycle and Car Parking</u><br><br>Sites within 800 m of a railway station comply with Guide to Traffic Generating Developments.</td><td>The site is within 400 m from Blacktown Railway Station.<br><br>The proposal is for:<br><br><u>Stage 1</u><br><br>227 units (50 x 1 bed, 162 x 2 bed and 15 x 3bed).<br><br><u>Stage 2</u><br><br>59 units (57 x 2 bed and 2 x 3bed).</td><td>Yes</td></tr>
<tr><td>>20 units<br><br>Metropolitan Regional Centres (CBD):<br><br>0.4 spaces per 1 bedroom unit.<br><br>0.7 spaces per 2 bedroom unit.<br><br>1.2 spaces per 3 bedroom unit.<br><br>1 space per 7 units (visitor parking)</td><td><u>Stage 1</u><br><br>20<br>114<br>18<br>33<br><br>Total required 185 spaces<br><br>Provided 333 spaces (242 residents and 91 visitors)</td><td>Yes</td></tr>
</table>

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| | Stage 2<br>-<br>40<br>3<br>9<br>Total required 52 spaces<br>Provided 73 spaces (61 residents and 12 visitors) | Yes |
| At least 1 loading dock.<br>Conveniently located and sufficient numbers of bicycle and motorbike spaces. | 1 loading dock is provided.<br>Visitor and resident bicycle parking is provided. | Yes |
| **Designing the Building** | | |
| **4A Solar and Daylight Access**<br>Living rooms and POS receive minimum 2 hours direct sunlight between 9 am – 3 pm in mid-winter > 70% of units.<br>Maximum number with no sunlight access < 15%.<br>Suitable design features for operable shading to allow adjustment and choice. | Stage 1 – 158/227 units (70%)<br>Stage 2 – 48/59 units (81%)<br>Stage 1 – 16 units (7%)<br>Stage 2 - 2 units (4%)<br>Louvres are provided which allow for management of solar access. | Yes |
| **4B Naturally Ventilation**<br>All habitable rooms naturally ventilated.<br>Number of naturally cross ventilated units > 60%.<br>Depth of cross over apartments < 18 m.<br>The area of unobstructed window openings should be equal to at least 5% of the floor area served. | All habitable rooms are ventilated.<br>Stage 1 – 82% of units are cross ventilated (187/227 units).<br>Stage 2 – 100% (59/59 units)<br>N/A<br>The window areas are satisfactory. | Yes |
| **4C Ceiling Heights**<br>2.7 m for habitable<br>2.4 m for non-habitable<br>Service bulkheads are not to intrude into habitable spaces. | Satisfactory | Yes |
| **4D Apartment Size and Layout**<br>Studio > 35 sqm<br>1 bed > 50 sqm<br>2 bed > 70 sqm<br>3 bed > 90 sqm<br>+ 5 sqm for each unit with more than 1 bathroom. | -<br>51 - 64 sqm<br>71 - 87 sqm<br>96 - 109 sqm<br>Where second bathrooms are provided unit size exceed the minimum size by 5 sqm. | Yes |

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| Habitable Room Depths:<br><br>Limited to 2.5 m x Ceiling Height (6.75 m with 2.7 m ceiling heights)<br><br>Open plan layouts that include a living, dining room and kitchen – maximum 8 m to a window.<br><br>Bedroom sizes (excluding wardrobe space):<br>Master – 10 sqm<br>Other – 9 sqm<br>Minimum dimensions – 3 m<br><br>Living rooms/dining areas have a minimum width of:<br>3.6 m - Studio/1 bedroom<br>4 m – 2 bedroom / 3 bedroom<br><br>Cross-over/cross-through:<br>4 m wide | <br><br>Satisfactory room depths.<br><br>Open plan layouts are provided. Kitchens are less than 8m to a window.<br><br>Master bedrooms meet the minimum bedroom sizes excluding wardrobe space.<br><br>Minimum living/dining room areas are achieved.<br><br>N/A | |
| **4E Private Open Space and Balconies**<br><br>Studio > 4 sqm<br>1 bed > 8 sqm and 2 m depth<br>2 bed > 10 sqm and 2 m depth<br>3 bed > 12 sqm and 2.4 m depth<br><br>Ground level/ podium apartments > 15 sqm and 3 m depth<br><br>Extension of the living space.<br><br>A/C units should be located on roofs, in basements, or fully integrated into the building design. | <br><br>-<br>10 sqm<br>10 sqm<br>23 sqm<br><br>Min 22 sqm and 3 m – Complies<br><br>POS is an extension of the living space<br><br>A/C units located on balconies | Yes |
| **4F Common Circulation and Spaces**<br><br>Maximum number of apartments off a circulation core on a single level – 8-12.<br><br>Buildings over 10 storeys - maximum of 40 units sharing a single lift.<br>Daylight and natural ventilation to all common circulation areas above ground level.<br><br>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.<br><br>Maximise dual aspect apartments and cross over apartments. | <br>Yes – 8 units per level<br><br>No – however for this scale of development, the common circulation areas provide an efficient layout which does not compromise amenity.<br><br>Corridors lengths exceed 12 m, however, windows and seating areas provided.<br><br>Dual aspect apartments are provided. | Yes |

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| Primary living room and bedroom windows are not to open directly onto common circulation spaces.<br><br>Direct and legible access.<br><br>Tight corners and spaces to be avoided.<br><br>Well lit at night.<br><br>For larger development – community rooms for owners meetings of resident use should be provided. | Windows do not open onto COS areas.<br><br>Achieved.<br><br>Achieved.<br><br>Achieved.<br><br>N/A | |
| **4G Storage**<br>Studio > 4 $m^3$<br>1 bed > 6 $m^3$<br>2 bed > 8 $m^3$<br>3 bed > 10 $m^3$<br>Min 50% within the apartment. | Minimum storage areas provided, with a minimum 50% provided in apartment. Storage spaces also provided within basement. | Yes |
| **4H Acoustic Privacy**<br><br>Window and door openings orientated away from noise sources.<br><br>Noise sources from garage doors, driveways, services, COS and circulation areas to be 3 m from bedrooms.<br><br>Separate noisy and quiet spaces.<br><br>Provide double / acoustic glazing, acoustic seals, materials with low noise penetration. | <br><br>Achieved.<br><br>Achieved.<br><br>Achieved.<br><br>Suitable acoustic measures to be installed. | Yes |
| **4J Noise and Pollution**<br><br>In noisy or hostile environments, the impacts of external noise and pollution are to be minimised through the careful siting and layout of buildings.<br><br>To mitigate noise transmission:<br><br>Limit the number and size of openings facing the noise sources.<br><br>Use double or acoustic glazing, acoustic louvres or enclosed balconies (winter gardens).<br><br>Use materials with mass and/or sound insulation (e.g. solid balcony balustrades, external screens or soffits). | <br><br>The layout of the development considers potential noise and pollution impacts, and is satisfactory. | Yes |

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| **Configuration** | | |
| **4K Apartment Mix**<br><br>Provide a variety of apartment types. Flexible apartment mix. | Stage 1<br><br>227 units (50 x 1 bed, 162 x 2 bed and 15 x 3 bed).<br><br>Stage 2<br><br>59 units (57 x 2 bed and 2 x 3 bed<br>A suitable and responsive apartment mix is provided. | Yes |
| **4L Ground Floor Apartments**<br><br>Maximise street frontage activity. Direct street access to ground floor apartments.<br><br>Ground floor apartments to deliver amenity and safety for residents. | N/A No ground floor apartments proposed. | N/A |
| **4M Facades**<br><br>Front building facades are to provide visual interest whilst respecting the character of the local area.<br><br>Building services are to be integrated into the overall façade.<br><br>Provide design solutions which consider scale and proportion to the streetscape and human scale. | The front façade is architecturally treated to create visual interest and contributes to the desired future character of this area.<br><br>Plant and equipment catered for on ground floor. | Yes |
| **4N Roof Design**<br><br>Roof treatments are to integrated into the building design and positively respond to the street. | The roof is designed to be recessive and not visible from the public domain. | Yes |
| **4O Landscape Design**<br>**Site Area**<br><br>< 850 sqm - 1 medium tree per 50 sqm of deep soil zone.<br><br>850 sqm to 1,500 sqm - 1 large tree or 2 medium trees per 90 sqm of DSZ.<br>>1,500 sqm - 1 large tree or 2 medium trees per 80 sqm of DSZ. | The site area is 4,092.6 sqm.<br>No deep soil zones provided. | Acceptable as site is within the CBD context. |

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| **4P Planting on Structures**<br><br>Refer to Table 5 for minimum soil standards.<br><br>Provide suitable plant selection.<br><br>Provide suitable irrigation and drainage systems and maintenance.<br>Enhance the quality and amenity of COS with green walls, green roof and planter boxes, etc. | Planting is provided within the setbacks, some of which is above the basement structures. The proposal comprises suitable plant selection which is considered to enhance the quality and amenity of the COS. | Yes |
| **4Q Universal Design**<br><br>10% adaptable housing.<br><br>Flexible design solutions to accommodate the changing needs of occupants. | Stage 1 - 22 adaptable units are provided (9.7%).<br><br>Stage 2 – 6 adaptable units are provided (10.7%).<br><br>The layout of the units comprises flexible design solutions. | Yes |
| **4R Adaptive Reuse**<br><br>New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place. | N/A | N/A |
| **4S Mixed Use**<br><br>Provide active street frontages and encourage pedestrian movement.<br><br>Residential entries separate and clearly defined.<br><br>Landscaped COS to be at podium or roof level. | Active street frontages provided by ground floor commercial.<br><br>Residential entry separate from commercial entries.<br><br>Landscaping provided on podium and roof. | Yes |
| **4T Awnings and Signage**<br><br>Awnings to be continuous and complement the existing street character.<br><br>Provide protection from sun and rain, wrapped around the secondary frontage.<br><br>Gutters and down pipes to be integrated and concealed.<br><br>Lighting under awnings is to be provided.<br><br>Signage is to be integrated and in scale with the building.<br><br>Legible and discrete way finding is to be provided. | Condition of consent to be imposed in accordance with Council's Civil and Open Space requirements. | Yes |

| ADG Requirement | Proposal | Compliance |
|---|---|---|
| **Performance** | | |
| **4U Energy Efficiency**<br><br>The development is to incorporate passive solar design.<br><br>Heating and cooling infrastructure are to be centrally located (e.g. basement). | The development allows for the optimisation / management of heat storage in winter and heat transfer is summer.<br>No details of services, however plant rooms provided within basement and on roof. | Yes |
| **4V Water Management and Conservation**<br><br>Rainwater collection and reuse.<br><br>Drought tolerant plants.<br><br>WSUD measures.<br><br>Detention tanks should be located under paved areas, driveways or in basement car parks. | None proposed.<br><br>Suitable plants are proposed.<br><br>WSUD measures are proposed.<br><br>Detention tanks located within the western side setbacks, and are suitably placed given the existing site conditions and levels. These are clear of the COS areas. Satisfactory. | Yes<br><br>However, no rainwater re-use. |
| **4W Waste Management**<br><br>Waste storage should be discreetly located away from the front of the development or in the basement.<br><br>Waste cupboard within each dwelling.<br><br>Waste and recycling rooms are to be in convenient and accessible locations related to each vertical core. | Waste storage located within basement.<br><br>Each dwelling has sufficient storage.<br><br>Waste chutes are centrally located on each floor. | Yes |
| **4X Building Maintenance**<br><br>The design is to provide protection from weathering.<br><br>Enable ease of maintenance.<br><br>The materials are to reduce ongoing maintenance costs. | The proposal demonstrates ease of maintenance. | 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 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.

| Development Standard | Proposal | Compliance |
|---|---|---|
| **Zoning**<br>B4 Mixed Use | Mixed use – ground floor retail, first floor serviced apartments and 16 storey residential | Yes |
| **Maximum Height of Buildings**<br>56 m | Stage 1 – 60 m<br>Stage 2 – 59 m | No – see Clause 4.6 variation |
| **Maximum Floor Space Ratio**<br>6.5:1 | 6.5:1 (Stage 1)<br>6.48:1 (Stage 2) | Yes |
| **4.6 Exception to development standards** | Written statement submitted and considered in main report. | Variation request discussed in main report. The variation is considered acceptable on its merits. |
| **7.4 Active street frontages**<br><br>This clause applies to land identified as 'Active street frontage' on the Active Street Frontages Map.<br><br>Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use. | Site is not identified as requiring an 'Active street frontage'. | N/A |
| **7.5 Essential Services**<br><br>Consent Authority is to be satisfied that essential services are available or adequate arrangements have been made. | The site is within the existing CBD, therefore services available. Relevant servicing conditions will be imposed. | Yes |
| **7.7 Design Excellence**<br><br>Development consent must not be granted to development involving the erection of a new building or external alterations to an existing building on any land unless the consent authority is satisfied that the development exhibited design excellence. | The building has been architecturally designed and generally consistent with the Apartment Design Guide (ADG). | Yes |

| Development Standard | Proposal | Compliance |
|---|---|---|
| **7.12 Development in Zone B4**<br><br>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. | Retail proposed on ground floor and first floor of podium. | Yes |

Some specific clauses are detailed below.

***a. Clause 2.3 Zone objectives and land use table***

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The subject site is zoned B4 Mixed Use under BLEP 2015. Retail premises, business premises, commercial premises, serviced apartments and shop top housing are permissible within the zone with consent.

***b. Clause 4.6 Exceptions to development standards***

Consent must not be granted for development that contravenes a development standard unless:

The consent authority is satisfied that the applicant has made a written request that has adequately addressed the matters required to demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The consent authority must also be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular zone.

The applicant is seeking an exemption under Clause 4.6 to the height development control. A copy of the applicant's Clause 4.6 variation request is provided at **Attachment 7**, while an assessment against the development standards is discussed in detail in Section 8 of the main report.

## 8 Draft West Central District Plan

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 West Central District Plan has been undertaken. Outlined below is where the development application is consistent with the overarching priorities outlined in the Draft West Central District Plan:

**Productivity**

- Driving the growth of the Central City
- Delivering job targets in strategic and district centres
- Growing West Central 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.

# 9 Blacktown Development Control Plan 2015

Blacktown DCP 2015 applies to the site. The table below outlines the proposal's compliance with the controls established in the DCP.

| Development Standard | Proposal | Compliant |
|---|---|---|
| **Minimum Site Width**<br><br>30 m | 53.64 m (Prince Street)<br>74.985 m (Second Avenue) | Yes |
| **Building Quality**<br><br>Design of Buildings is to have regard to SEPP 65.<br><br>New development should provide visual interest through architectural design elements, including material selection, finishes and colour should complement and enhance existing streetscapes. | The development complies with the design quality principles established by SEPP 65. | Yes |
| **Minimum Setbacks:**<br><br>**Front**<br>Zero setback to the front boundary for ground floor (GF) and the 1 - 2 levels above (i.e. podium). Levels above the podium should be setback in order to create a comfortable street scale, reduce building bulk and provide greater solar access. Courtyards and balconies may encroach into the setback area to provide articulation.<br><br>**Rear and Side**<br>Zero setback to side and rear boundaries permitted for ground floor and the 1 - 2 levels above. Minimum 6 m side and rear setback, balcony encroachment permissible. | <u>Stage 1</u><br>3 levels of podium. Zero setback to Prince Street and Second Ave.<br><u>Stage 2</u><br>3 level podium. Zero setback to Second Ave.<br><br><u>Stage 1</u><br>6 m side setback (east)<br>12.5 m rear (north)<br><u>Stage 2</u><br>Zero side (west)<br>6 m side (east)<br>12 m rear (north) | No – discussed in main report. |

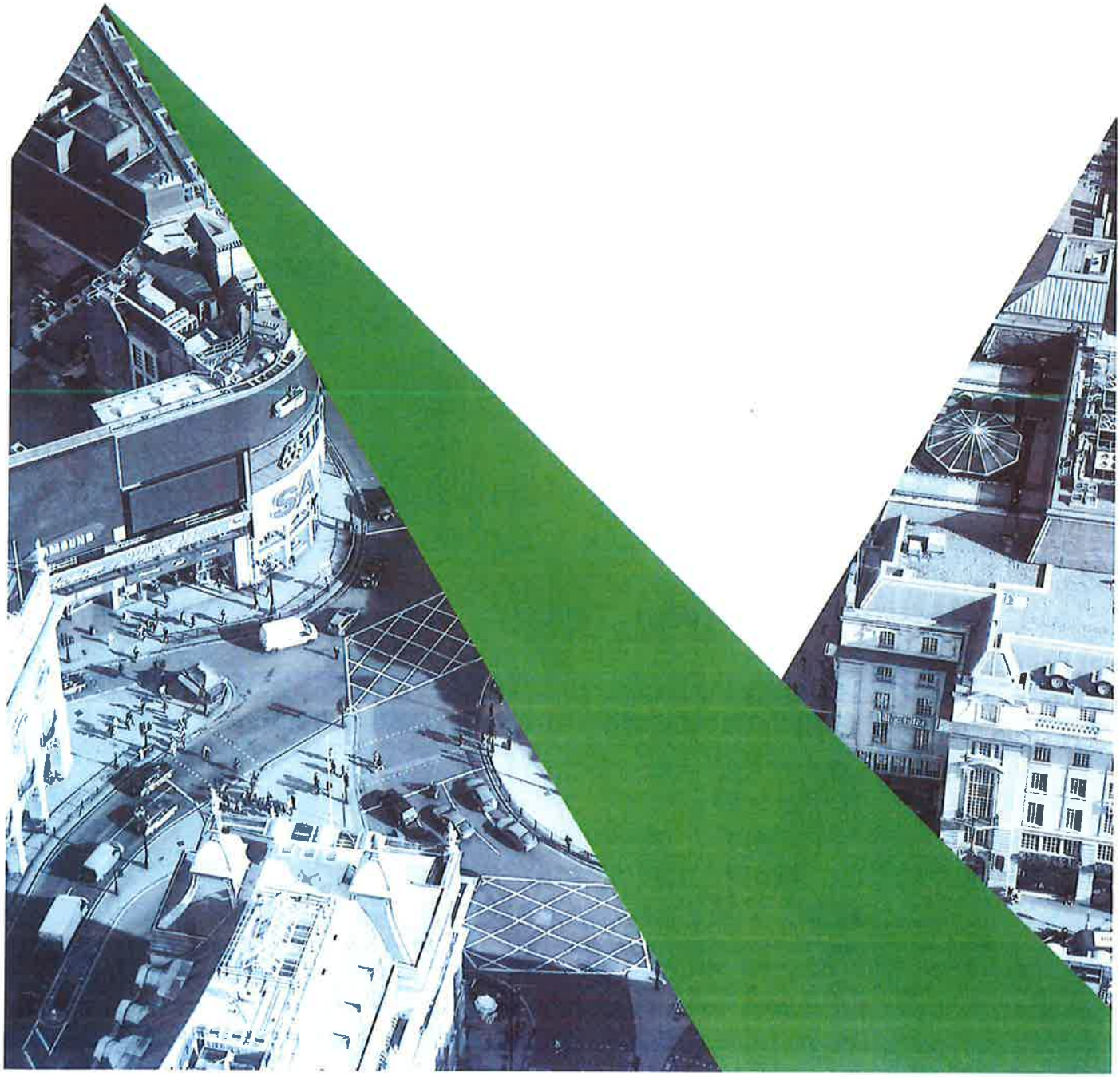
| Development Standard | Proposal | Compliant |
|---|---|---|
| **Minimum Common Open Space Provision**<br><br>A minimum rate of 42% of the sum of the following:<br><br>40 sqm 1 bedroom unit<br>50 sqm 2 bedroom unit<br>70 sqm 3 bedroom unit<br><br>No more than 30% of the above-ground open space (balconies or terrace areas) may be included in total. | Stage 1<br>50 x 1 bed – 200 sqm<br>162 x 2 bed – 8,100 sqm<br>15 x 3 bed – 1,050 sqm<br>Requires – 3,927 sqm (42% of 9,350 sqm)<br>2,406 sqm proposed on roof terrace and above podium. (61% of required).<br><br>Stage 2<br>0 x 1 bed – 0 sqm<br>57 x 2 bed – 2,850 sqm<br>2 x 3 bed – 140 sqm<br>Requires – 1,255.8 sqm (42% of 2,990 sqm)<br>246 sqm proposed on roof terrace. (20% of required). | No – however, compliant with ADG and considered acceptable. |
| **Private Open Space**<br><br>Each unit is to be provided with a private balcony/courtyard or terrace area with minimum dimensions of 3 m x 2.5 m. | All private balconies/courtyards meet the minimum dimensions requirements, and are a minimum 10 sqm. | Yes |
| **Natural Cross Ventilation and Solar Access**<br><br>Development will be required to comply with the provisions of SEPP 65 and the Residential Flat Design Code concerning cross ventilation and solar access. | 75% of units meet the solar access requirements.<br>70% of units are naturally ventilated. | Yes |
| **Lifts**<br><br>All development will be required to be service by stretcher-sized lifts. | All lifts achieve minimum dimensions. | Yes |
| **Parking Provision**<br><br>1 vehicle space/dwelling<br>1 additional space per 3 bedroom dwelling<br>1 visitor space / 2.5 dwellings<br>1 vehicle space/ 30 sqm GFA for commercial component | ADG requirements for residential. 242 resident and 91 residential visitor for Stage 1 and 61 resident and 12 residential visitor spaces provided for Stage 2.<br><br>Commercial requirements:<br><br>Stage 1<br>426 sqm – 15 required and provided<br>22 apartments – 22 spaces provided<br><br>Stage 2<br>1,105 sqm – 37 spaces required, 38 spaces provided | Yes – Consistent with Blacktown Parking Management Plan 2014. |

| Development Standard | Proposal | Compliant |
|---|---|---|
| **Waste Management**<br><br>Commercial tenants must be a dedicate area/room for the storage of waste. Residential component requires a minimum 110 L per unit (collected weekly) for garbage and 90 L per unit (collected fortnightly) for recycling. | On-site waste collection proposed through private contractor. | Yes |

Attachment 7

# Clause 4.6 Departure - Height

## 9 & 11-17 SECOND AVE BLACKTOWN



## QUALITY ASSURANCE

**PROJECT:** Clause 4.6 Departure -Height

**ADDRESS:** 9 & 11-17 Second Ave Parramatta

**COUNCIL:** City of Blacktown

**AUTHOR:** Think Planners Pty Ltd

| Date | Purpose of Issue | Rev | Reviewed | Authorised |
|---|---|---|---|---|
| 25 July 2017 | Re-issued Final | Final | AB | AB |

## UPDATED CLAUSE 4.6 DEPARTURE –HEIGHT

Summary of Variations Proposed

As shown on the elevations below the proposals exceed the maximum building height of 56m, noting that the proposals are predominantly compliant with the maximum building height. It is noted that the proposals are predominantly compliant with the maximum building height however a small portion of the buildings comprising the lift over run/structure associated with the communal open space on the roof level) exceeds the maximum building height requirement and as such does not comply with Clause 4.3. The variation results in a better outcome as explained generally below and as specifically addressed in the final part of this submission.

Establishing the Relevant Tests

A Clause 4.6 variation request has been prepared, noting that the request addresses a number of recent Land and Environment Court cases including Four 2 Five v Ashfield and Micaul Holdings Pty Ltd v Randwick City Council and Moskovich v Waverley Council.

The key tests or requirements arising from the above judgments are:

- The consent authority is to be satisfied the proposed development will be in the public interest because it is "consistent with" the objectives of the development standard and zone, and it is not a requirement to "achieve" those objectives. It is a requirement that the development be compatible with the objectives, rather than having to 'achieve' the objectives.

- Establishing that 'compliance with the standard is unreasonable or unnecessary in the circumstances of the case' does not always require the applicant to show that the relevant objectives of the standard are achieved by the proposal (Wehbe "test" 1). Other methods are available as per the previous 5 tests applying to SEPP 1, set out in Wehbe v Pittwater.

- When pursuing a Clause 4.6 variation request it is appropriate to demonstrate how the proposal achieves a better outcome than a complying scheme; and

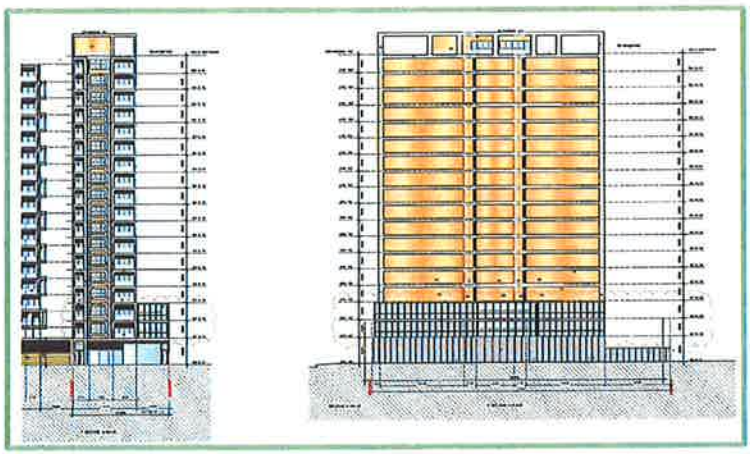
- The proposal is required to be in 'the public interest'.

In relation to the current proposal the keys are:

- Demonstrating that the development remains consistent with the objectives of the building height standard;
- Demonstrating consistency with the zoning and a better outcome; and
- Satisfying the relevant provisions of Clause 4.6.

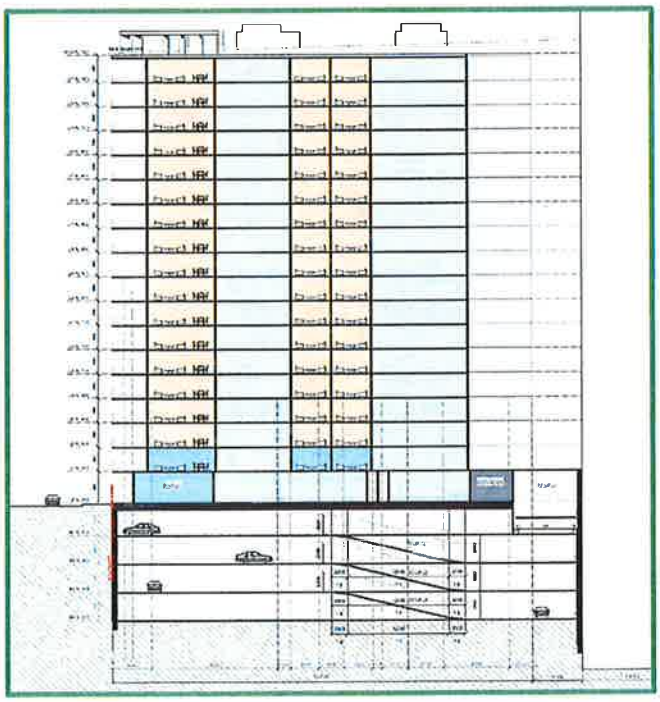
Departure Proposed - Number 9

The extent of departure is approximately 4.8m which equates to 8.5% of the control. It is noted that the roof terrace only exceeds the height limit by 700mm or 1.2%. This is illustrated by the elevation extracts below.



Departure Proposed - Numbers 11-17

The extent of departure is approximately 4.3m which equates to 7.6% of the control. This is illustrated by the section below.



Departure Comment

The designs of the two buildings ensure that habitable floor space is compliant with the maximum building height line, with the lift over run/service structures recessed so that they are not visible/negligible when viewed from street level. Furthermore, the exceedance is considered incapable of being perceived having regard to the 56m height limit.

This indicates that the variation is not simply a means of achieving additional development yield on the site, but a site-specific design response to service the rooftop communal open space area to both buildings. Despite the departure, the proposal continues to be consistent with the underlying intent of the control and the variation is considered appropriate.

Blacktown Local Environmental Plan 2015 – Clause 4.6

Blacktown Local Environmental Plan 2015 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed, in particular subclause 3-5 which provide:

> *(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
>
> *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
>
> *(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*
>
> *(4) Development consent must not be granted for development that contravenes a development standard unless:*
>
> *(a) the consent authority is satisfied that:*
>
> *(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
>
> *(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for*

*development within the zone in which the development is proposed to be carried out, and*

*(b) the concurrence of the Secretary has been obtained.*

*(5) In deciding whether to grant concurrence, the Secretary must consider:*

*(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*

*(b) the public benefit of maintaining the development standard, and*

*(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

Each of these provisions are addressed in turn in the following pages.

Clause 4.6(3)

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved. The objectives of the building height development standard are stated as:

*1) The objectives of this clause are as follows:*

*(a) to minimise the visual impact, loss of privacy and loss of solar access to surrounding development and the adjoining public domain from buildings,*

*(b) to ensure that buildings are compatible with the height, bulk and scale of the surrounding residential localities and commercial centres within the City of Blacktown,*

*(c) to define focal points for denser development in locations that are well serviced by public transport, retail and commercial activities,*

*(d) to ensure that sufficient space is available for development for retail, commercial and residential uses,*

*(e) to establish an appropriate interface between centres, adjoining lower density residential zones and public spaces*

The current development proposal is consistent with the building height with the exception of lift core/service area remains consistent with the objectives based on the following:

- The overall height of the development presents as a compatible form of development with the evolving high density development within the Blacktown North CBD Precinct.
- The lift core/service structures are recessed and not visible from the street level.
- The proposal has been designed to ensure that privacy impacts are mitigated that the proposal will not obstruct existing significant view corridors;
- The proposal does not result in additional overshadowing to residential properties as the shadow cast by the development falls on the site and surrounding reserves with only limited overshadowing to adjoining properties and this overshadowing would not be discernibly different as compared to a compliant height;
- The minor non-compliance to the height control has no impact on the setting of any items of environmental heritage or view corridors; and
- The non compliance is the direct result of providing additional amenities to the residents and not an attempt to gain additional saleable floor space.

The unique circumstances of the case that warrant support of the departure are:

- The sites location in the city centre, where ground level space is taken up with large podiums; driveways that service parking; spaces for the provision of garbage movements and pick up; and the location of essential services such as fire panels and substations warrants the provision of communal open space in the form of a roof top terrace.
- A roof top terrace is also a preferable location in the circumstances as it will benefit from being elevated and enjoying views and excellent solar access and provide superior open space amenity to building occupants than at grade open space.

As outlined above the proposal remains consistent with the underlying objectives of the control and as such compliance is considered unnecessary or unreasonable in the circumstances. The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the building height control. In addition, the proposal is consistent with the objectives of the B4 Zone, being:

- *To provide a mixture of compatible land uses.*
- *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 proposal will provide a large mixed use building that will assist in the evolution of development of Blacktown North CBD Precinct. In addition the proposal complements and enhances the local streetscape by virtue of the careful siting of the development.

It is understood that the concurrence of the Secretary can be assumed in the current circumstances.

Clause 4.6(5)

As addressed it is understood the concurrence of the Secretary may be assumed in this circumstance, however the following points are made in relation to this clause:

- The contravention of the building height control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal; and
- There is no public benefit in maintaining the development standard as it relates to the current proposal. The departure from the building height control is acceptable in the circumstances given the underlying objectives are achieved and it will not set an undesirable precent for future development within the locality given the proposal provides for a site specific design response (i.e. slope) and interfaces with a reserve to the south.

Strict compliance with the prescriptive building height requirement is unreasonable and unnecessary in the context of the proposal and its particular circumstances.

The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts. The proposal also not have any adverse effect on the surrounding locality. The proposal promotes the economic use and development of the land

consistent with its zone and purpose. Council is requested as part of the future development application to invoke its powers under Clause 4.6 to permit the variation proposed.

## The Departure is a Better Outcome

The proposal results in a better outcome as –

- The communal open space area is afforded exceptional amenity in terms of privacy and solar access, that is accessible to building occupants, and that is not compromised by ground level constraints and impacts such as –
    - Overshadowing from the building above;
    - Overlooking from surrounding towers; and
    - The space being allocated only after other spaces are first allocated, such as activation of street edges, driveway locations, essential services and garbage facilities.
- As the site is zoned B4, residential flat buildings are not permitted and the form of development is to comprise "shop top housing". Shop top housing is intended to ensure that retail and business premises are provided on the ground level and no residential development take up that space on the ground floor. The provision of communal open space on the roof top results in the better outcome of reinforcing the planning intention of retail and business premises on the ground floor.