

CUMBERLAND COUNCIL**36 - 44 John Street, LIDCOMBE****DA-249/2014/C****SUMMARY**

Applicant	Architecture Design Studio
Owner	S.E.T. Services Pty Limited
Application No.	DA-294/2014/C
Description of Land	Lot 5 Sec A DP 979289, Lot 1 DP 1002517, Lot 1 DP 235940, Lot 1 DP 511612, 36 - 44 John Street, LIDCOMBE
Proposed Development	Section 96(2) application to increase the number of apartments from 137 to 141, modify the car park layout, provide solar panels to the roof of the topmost apartments and modify conditions numbered 1A, 1C, 3, 5 and 71 of the initial consent.
Site Area	2717.04m ²
Zoning	Zone B4 - Mixed Use
Disclosure of political donations and gifts	Nil disclosure
Issues	Increased bulk and scale Non-compliances with SEPP 65 Apartment Design Guide – Building separation, number of units accessed from a single corridor and solar performance

Recommendation

- 1. That Development Application No. DA-294/2014/C for Section 96(2) application to increase the number of apartments from 137 to 141, modify the car park layout, provide solar panels to the roof of the topmost apartments and modify various conditions on land at 36 - 44 John Street, LIDCOMBE be partially approved as follows and subject to the modified conditions in the attached schedule:**
 - a. Condition 1C to remain as carparking to stay as per original approval Condition 71 reference amended basement plans where visitor car spaces are located - Basement Floor Plans 1101 1102 1103 1104 and 1201 issue L;**
 - b. That condition 3 be amended to include plans relating to car parking levels and amended plans be submitted showing solar panels on the penthouse apartments;**
 - c. That the height variation be approved for additional height of 0.95 m for lift overrun components to the building. Impacts from the overruns were considered negligible and therefore the 36 m Maximum Height of Buildings contained within the LEP is considered unnecessary in the circumstances; and**
 - d. Approve solar panels to the roof.**
- 2. That the remaining modifications be refused for the following reasons:**
 - a. Retain condition 1A as the proposed increased floor plate and apartment numbers at level 8 would cause the following:**

- i. Increased bulk and scale of building that does not sympathetically integrate with the future character of the precinct particularly to the lower height and density precinct directly to the west.*
 - ii. Increased wall height creating unnecessary bulk and over weighted nature of the base building.*
 - iii. Unsatisfactory building setback (6 metres) at level 8 (25 – 28 metres) does not create an adequate transition in height and bulk with neighbouring lower density development to the west.*
 - iv. Increased apartments off a single corridor, 16 verses 12.*
 - v. Decreased % of apartments achieving satisfactory solar performance.*
- b. Retain condition 5 relating to privacy nibs at entrances to apartments because:**
- i. The floor plates approved all exceed the ADG maximum number of apartments per corridor. The recessed entrance treatments will assist with individualising apartments and reducing the “hotel feel” of multiple bland doors off the same corridor.*

History/Consultations

The s96 was lodged with Council 18 December 2015.

The applicant was requested by letter 02 March 2016 for additional information relating to the following:

- Design Statement (SEPP 65)
- Shadow Diagrams
- Information relating to suggested nib walls
- Corrections to overall height as wrongly stated in SEE
- Amended car park design that meets Councils standards.

Additional information and plans were submitted 17 March 2016.

The applicant was requested by letter dated 7 April 2016 for additional information.

- Detailed justification for newly proposed breach of height
- Specific inclusion of additional shadows additional height cast by the lift over runs.

Additional Information was submitted on 14 April 2016.

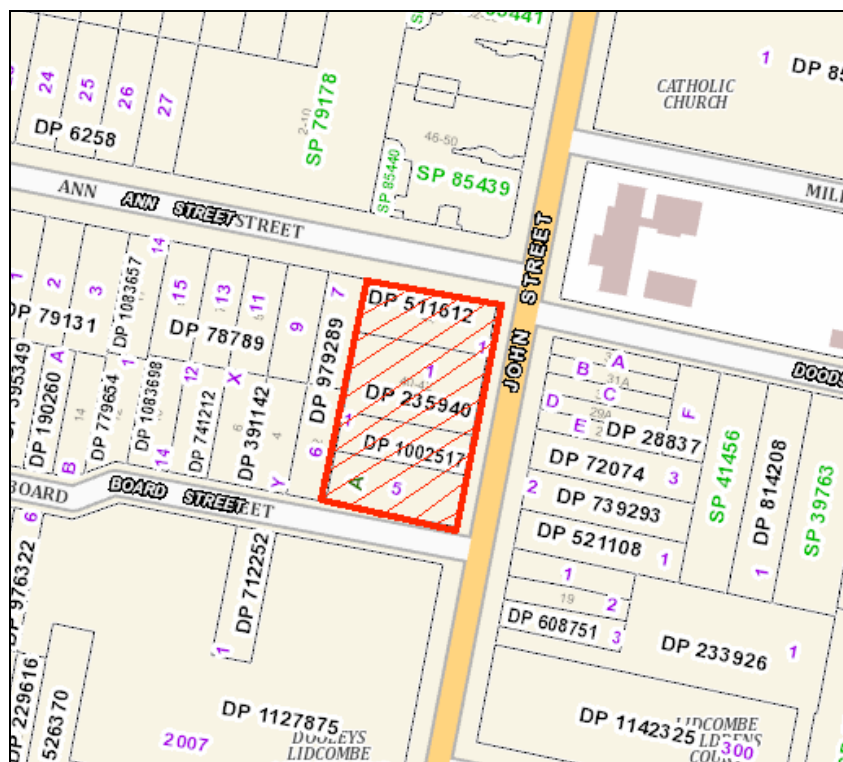
Site and Locality Description

The subject development site is comprised of four (4) lots which are legally described as Lot 1 DP1002517, Lot 1 DP235940, Lot 1 511612, Lot 5 Sec A DP 979289 and are known as 36-44 John Street, Lidcombe. The site is located within Lidcombe Town centre on the western side of John Street between Ann Street to the north and Board Street to the south. The site is regular in shape with an area of 2710.7 sqm, with a frontage to John Street of 68.42m and side boundaries of 39.44m to Ann Street and 39.725m to Board Street. The subject site is vacant with previous structures demolished and works are under way under the consent of previous DA-290/2012 for 36-38 John Street, and DA-352/2012 for 40-44 John Street.

The latest consent approved an 11 storey building by requiring the removal of one floor plate between level 2 and 8, thus reducing height and FSR.

Development adjoining the site includes a nine (9) storey mixed use building to the north fronting John Street, and 3-4 level residential to the south. Small scale retail/commercial is opposite the subject site to the east with a school and Church further along John Street. Low density residential is to the west of the subject site, however this precinct is zoned R4 with opportunity to develop to a height of 18 metres and an FSR of 1.7:1.

The site is identified on the map and aerial photo below.



Description of Proposed Development

Council has received a Section 96(2) application to increase the number of apartments from 137 to 141, modify the car park layout, provide solar panels to the roof of the topmost apartments, provide internal wall nibs to improve privacy and modify conditions numbered 1A, 1C, 3, 5 and 71 of the initial consent.

The apartment increase results from the following:

Deletion of previous floor plate level 8 (16 apartments) but where previous level 9 (12 units) would have dropped down to become level 8, the level 9 floorplate is proposed to be superseded by the 16 unit floorplate of previous level 8. Net increase 4 apartments.
Net increase of FSR to 4.97:1. Previous approval would have resulted in an FSR of 4.82:1

Related condition:

Condition 1A – relates to the deletion of a floorplate and number of units to 137 – with the proposed change of floorplate to previous level 8 floor plate change hence this application seeking the wording to be amended to 141 yield

The carpark layout change includes:

Reduction of the width to visitor spaces from 2.6 to 2.4 metres wide. Maintains compliance with ASD2890.1 and increases overall parking numbers to 230 complying with Auburn DCP 2010

Related condition:

Condition 1C to notate minimum visitor parking space width at 2.42 m.

Condition 71 relates to the area set aside for parking vehicles and references several plans. Where approved these plan references will need to change.

Plan Changes:

Condition 3 relates to approved plans and where this application is approved will require amendment to **reflect later revision references** of plans.

The modified proposal includes the installation of solar panels on the roofs of the Penthouse apartments.

Privacy

Condition 5 relates to privacy and the applicant would like to delete the requirement where apartment entries are recessed and include internal wall nibs.

Referrals

Internal Referrals

Development Engineer

The development application was referred to Council's Development Engineer who originally did not support the request for visitor space width variation. The applicant was requested to address this issue and submitted amended plans retaining the 2.6 m width visitor spaces.

The Councils engineer was referred these plans for comment who has advised that there were no objections to the amended parking layout for visitor spaces.

Building Surveyor

The development application was not referred to Council's Building Surveyor for comment.

Landscape Architect

The development application was not referred to Council's Landscape Architect for comment.

External Referrals

No external referrals were required to be actioned as part of the modification assessment process.

Assessment

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

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

The proposal is substantially the same as that originally granted with altering of one floor plate to accommodate two additional apartments and proposed insignificant change to height at lift overruns. The proposal also seeks to modify car park layout and add some solar panels.

- (b) **it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirements of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent**

Not applicable

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

The proposed modification was advertised 19 January 2016 to 2 February 2016. No submissions were received.

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

No submissions received.

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

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

State Environmental Planning Policies

State Environmental Planning Policy No. 55 – Remediation of Land

The requirement at clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration`	Yes/No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Details of contamination investigations carried out at the site: <ul style="list-style-type: none"> • Previous preliminary and detailed site investigations have been carried out for this site and submitted to Council with previous applications. A Remediation Action Plan has been progressed and excavation of the site is complete. It is recommended that should the application be approved, a condition be placed on the consent to ensure compliance with the recommendations of the report.	
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

The table provided at the end of this report under **(section A-A)** is a summary of compliance to demonstrate the overall design of the development proposal's consistency with the relevant planning controls that are applicable to the site with respect to SEPP 65 and the Auburn Local Environment Plan 2010. A detailed analysis and comprehensive assessment of the provisions and design quality principles of SEPP 65 have been considered and provided in **Appendix B** of this report.

Apartment Design Guide (SEPP 65)

The development controls and site and building design requirements within the Apartment Design Guide have been considered in the assessment of the development application and are provided in **Appendix B** of this report.

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

As the development relates to new residential flat buildings BASIX certificates have been submitted to accompany the development application. The plans and details submitted with the development application satisfy the relevant BASIX commitments required to be endorsed on the development application plans. Conditions will be imposed on the development consent to ensure that the construction of the new residential flat buildings is in accordance with all specified BASIX commitments. The proposed development is considered acceptable in respect of the relevant requirements of SEPP (BASIX) 2004.

State Environmental Planning Policy (Infrastructure) 2007

In accordance with Clause 104 of State Environmental Planning Policy (Infrastructure) 2007 and Schedule 3 – Traffic Generating Development, the application was referred to the NSW Roads and Maritime Services (RMS).

The RMS provided comments in correspondence dated 29 January 2014. The comments are detailed above in the External Referral section. The proposed amendments to the development do not raise any further issues with respect to compliance with the recommendations of the RMS. Given the reduction in the scale of the development, and reduced number of car parking spaces, the amended plans were not referred to the RMS for additional comment.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

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

Local Environmental Plans

Auburn Local Environmental Plan 2010

The provisions of the Auburn Local Environmental Plan (ALEP 2010) is applicable to the development proposal.

It should be noted that a more comprehensive assessment of the ALEP 2010 compliance table is attached to the end of this report in **Appendix B**.

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

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

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

Auburn Development Control Plan 2010

(a) Local Centres

The relevant design requirements and objectives of the Local Centres chapter of the Auburn Development Control Plan 2010 have been considered in the assessment of the development application. A comprehensive assessment of the compliance with respect to the Local Centres chapter of the ADCP 2010 is found in **Appendix B** of this report.

(b) Residential Flat Buildings

The relevant objectives and requirements of the DCP 2010 Residential Flat Buildings chapter of the Auburn Development Control Plan 2010 have been considered in the assessment of the development application. A comprehensive assessment of the compliance with respect to the Residential Flat Buildings chapter of the ADCP 2010 is found in **Appendix B** of this report.

(c) Parking and Loading

The relevant requirements and objectives of ADCP 2010 - Parking and Loading have been considered in the assessment of the development application. Council's Development Engineer has raised no objection subject to the imposition of conditions. In term of car parking provision the following is required:

Use	GFA / No. of units	Car parking / Loading rate	Required no. of spaces (NB: part spaces to be rounded up)	Proposed no. of spaces
Retail/business tenancies	789.38 sqm	1 space/40sqm GFA	19.73 (20)	20
Residential	17	1 space/1 bedroom unit	17	180
	101	1 space/2 bedroom unit	101	
	19	2 space/3 bedroom unit	38	
	4	2 space/4 bedroom unit	8	
			Total - 164	
Visitor	141 units	0.2 space/unit	28.2 (29)	29
Loading	789.38 sqm	Retail premises – 1 space per 400sqm GFA up to 2,000sqm plus 1 space per 1,000sqm thereafter	2	2
TOTAL			215	231

A total of 231 parking spaces are proposed, including accessible spaces. This in excess of the DCP requirements and has been included in the gross floor area/floor space ratio as per the definition under ALEP 2010.

The proposal also provides 134 bicycle parking spaces. The proposed development is satisfactory having regard to the requirements of the DCP.

(d) Stormwater

The previously approved stormwater plan is still applicable and conditions have been applied to the deferred commencement consent.

(e) Access and Mobility

The relevant requirements and objectives of ADCP 2010 - Access and Mobility have been considered in the assessment of the development application and are detailed in the report. A satisfactory number of adaptable units are to be provided and the development provides equitable access. Standard conditions of consent have been imposed with respect to compliance with the relevant provisions of the Building Code of Australia and Australian Standards.

(f) Waste

The relevant requirements and objectives of ADCP 2010 - Waste have been considered in the assessment of the development application and are detailed in the report. A satisfactory waste management plan has been submitted and approved for the construction phase and on-going occupation of the development. A condition of consent has been imposed requiring compliance with the submitted WMP.

Section 94 Contributions Plan

It is recommended that the proposal to modify the application to include additional units not be supported, therefore, the conditioning pertaining to S.94 conditions is not required to be amended.

Disclosure of Political Donations and Gifts

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

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

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

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

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

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

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed modified development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

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

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

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days between 19 January 2016 to 2 February 2016. No submissions were received in respect of the proposed development.

The public interest (EP& A Act s79C(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the modified development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

However, in relation to the request to modify the level 8 floor plate and inclusion of nib walls - In view of the foregoing analysis it is considered that the development as proposed would not be consistent with the public interest.

Operational Plan / Delivery Program

This assessment and report relates to the Auburn City Council Operational Plan and Delivery Program, Our Places – Attractive and Liveable theme, action "2a.1.1.3 Assess development applications, complying development and construction certificates".

Conclusion

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

However, in relation to the request to modify the level 8 floor plate and inclusion of nib walls - In view of the foregoing analysis it is considered that the development as proposed would not be consistent with the public interest.

(SECTION A-A)**Summary of Compliance****36 - 44 John Street, LIDCOMBE**

The compliance table below contains a summary of the applicable development standards and a compliance checklist relative to the subject development application no. DA-249/2014 C:-

Standard	Requirement	Proposal	Compliance	Percentage variance
SEPP 65 – Design Quality of Residential Apartment Development:				
Building Depth (Internal plan depth)	Max. 18m (glass line to glass line)	30.5 m (by comparison 25 m approved)	No	169%
Building Separation	1-4 storeys: 6m between non-habitable rooms, 9m between habitable/balconies and non-habitable rooms, 12m between habitable rooms/balconies.	N/A	Not Applicable to variation request	N/A
	5-8 storeys: 9m between non-habitable rooms, 13m between habitable/balconies and non-habitable rooms, 18m between habitable rooms/balconies.	As above	As Above	N/A
	9 storeys and above: 12m between non-habitable rooms, 18m between habitable/balconies and non-habitable rooms, 24m between habitable rooms/balconies.	12 metres (6 metre setback assumes shared separation with neighbour)	Yes	
Communal Open Space	Min. 25-30% site area, larger sites – 30%	N/A	No. change as per the modification	N/A
Deep Soil	Min. 25%	0%	No change to previously approved.	N/A
Apartments	Min. 20%	100% visitable, all	N/A	N/A

Visitable / Barrier free		units are accessible via lifts and ramps to main entries.		
Single Aspect – depth	Kitchens max. 8m from window, Cross-through width min. 4m	N/A	No change to previously approved unit depths.	N/A
Balcony Depth	Min. 2m & 2.4m – 2-3BR	Min. 2m & 2.4m for 2 and 3 bed	Yes.	N/A
Ceiling Heights	Min. 2.7m – Residential, min. 3.3m – Commercial	All residential units affected by modification have a floor to ceiling height of 2.7m.	Yes	N/A
Internal Circulation	Max. 8/per lift core	16	No. originally approved floor plate would have 12 apartments sharing one lift core.	200%
Storage	Min. 6cum – 1BR, 8cum – 2-3 BR	Provided in basement levels	Yes (no change via modification)	N/A
Daylight / Solar Access	Min. 2hr for 70% of apartments;	Solar Access 69.5 %	No	0.5%
		Approved by comparison 71.5%		
Natural cross Ventilation	Max. 10% south facing single aspect apartments Min. 60% of apartments	2 Additional single aspect south facing. 63%	Yes	N/A
Unit sizes	Studio 50m ² 1 bedroom (cross through) 50m ² 1 bedroom (mansionette) 62m ² 1 bedroom (single aspect) 63m ² 2 bedrooms (corner) 80m ² 2 bedrooms (cross through or over) 90m ² 3 bedrooms 115m ² 4 bedrooms 130m ²	N/A	No change to unit sizes as approved previously	N/A
Auburn Local Environmental Plan 2010				
Lot Size	2710.7 sqm	No change	N/A	N/A
Building Height	Max. 36 metres	36.95 metres	Variation requested and justified for lift overruns	0.95 metres 2.6% variation
Floor Ratio	Space 5.0:1	4.97:1	Yes	N/A

State Environmental Planning Policy Number 65 - Design Quality of Residential Flat Development

The relevant provisions and design quality principles of Part 2 of SEPP 65 have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment
Clause 2 Aims objectives etc. (3) Improving the design quality of residential flat development aims:				
(a) to ensure that it contributes to the sustainable development of NSW:				
(i) by providing sustainable housing in social and environmental terms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Essentially the modification involves removing the previous floor 9 instead of a floor plate from level 2 – 8.
(ii) by being a long-term asset to its neighbourhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(iii) by achieving the urban planning policies for its regional and local contexts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This results in a lowering of height. Floorspace reduces to a compliant FSR however is greater than the result if the lower level had been removed as the lower 7 levels have an increased floor plate which extends further south and west than the floor plates above.
(b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Four additional apartments result from the modification.
(c) to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed mix includes 3 more 2 bedders, 2 x 1 bedders (not offered on levels above) and 1 less 3 bedder. The modification results in 37.5% of apartments on the amended floor being single aspect which contrasts to 100% dual aspect of the floor layout which was granted approval. It is considered that the proposed built form is unsatisfactory in terms of its design balance (over heavy base building) and particularly its relationship and separation with the site immediately to its west that is zoned R4 and has a height limit of 18 metres. The modified floor plate cannot be supported due to: <ul style="list-style-type: none"> Increased Wall heights to the south and west, decreases articulation, creating an over heavy base building. Unsatisfactory setback and transition of height and bulk to western boundary at level 8 and

Requirement	Yes	No	N/A	Comment
				<p>predominantly flat wall interface with future development to the west.</p> <ul style="list-style-type: none"> Increased single aspect apartments with decreased solar and ventilation performance. 37.5% vs 0% single aspect.
<p>(d) to maximise amenity, safety and security for the benefit of its occupants and the wider community</p> <p>(e) to minimise the consumption of energy from non-renewable resources to conserve the environment and to reduce greenhouse gas emissions</p>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The ADG objective 4F-1 permits a maximum of 8 units per core. It is proposed that up to 16 apartments on each level are serviced by one hallway.</p> <p>The proposed modification seeks approval for privacy nibs, however these operate internally within the apartments and do not mitigate against the blandness of the corridor and the “hotel room” feel of the multi accessed hall.</p> <p>The recessed entries provide an opportunity to give each apartment an address and improve privacy / increased amenity.</p> <p>Therefore this aspect of the modification is not supported.</p>
Part 2 Design quality principles				
<p><u>Principle 1: Context and neighbourhood character</u></p> <p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area’s existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The character of the town centre is undergoing transition from older style, low-scale retail/business buildings to high density mixed use developments. The proposed modification does not impact street level – therefore continues to make a positive contribution to the streetscape through active frontages, and updated architectural design this is consistent with this revitalization of the town centre.</p> <p>A satisfactory transition of height and bulk however should occur between zones. Therefore a smaller floor plate is required at level 8 to emphasise the transition.</p>
<p><u>Principle 2: Built form and scale</u></p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The deferred commencement condition required the reduced height to make the development compliant for both FSR and Height. While height is below the 36 m maximum for the majority of the roof form and parapet 35.8m</p>

Requirement	Yes	No	N/A	Comment
the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.				<p>the three lift overrun components exceed height by 0.95m – Maximum height 36.95m</p> <p>As the lift overruns are recessed from parapets they will not impact the bulk of the building nor create overshadowing impacts as demonstrated by the shadow studies submitted with the modification.</p> <p>The larger floor plate at level 8 is not supported as the character of the streetscape and the relationship and interface between change in zones and densities requires a more prominent transition.</p>
Principle 3: Density Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The floorspace ratio proposed is within the permitted range.</p> <p>4.97:1</p> <p>However if the original approval is adhered to with the reduced floor plate at level 8 the FSR will be 4.82:1</p>
Principle 4: Sustainability Good design combines positive environmental, social and economic outcomes. 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The site is zoned for mixed use development and is located in the Lidcombe Town Centre.</p> <p>An amendment to Auburn LEP 2010 increased the allowable density on the site by increasing the maximum FSR from 3.6:1 to 5.0:1.</p> <p>The proposed development has an FSR of 4.97:1 and is under the maximum FSR for the site.</p> <p>The modification reduces height and floor space, however the additional 4 units proposed on level 8 will bring the FSR closer to the maximum permitted and the floor plate</p> <p>The overall performance of the building in terms of solar, ventilation and adaptability all reduce with the modification.</p>

Requirement	Yes	No	N/A	Comment
				This is considered unreasonable.
<p><u>Principle 5: Landscape</u></p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>BASIX Certificates have been submitted with the development application. The certificates require sustainable development features to be installed into the development, such as energy efficient fixtures and fittings and a rainwater tank.</p>
<p><u>Principle 6: Amenity</u></p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Retaining the recessed entries is considered important to facilitate amenity and well being for residents. The recessed entries will:</p> <ul style="list-style-type: none"> • Define the private entry points • Maintain visual privacy
<p><u>Principle 7: Safety</u></p> <p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modified proposal requested deletion of the recessed entries to individual apartments. These are considered important to define public and private spaces and create addresses for each apartment rather than the hotel corridor effect.</p> <p>Therefore this aspect of the modification is not supported.</p>
<p><u>Principle 8: Housing diversity and social interaction</u></p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<input checked="" type="checkbox"/>			<p>The modification involves removing the previous floor 9 instead of a floor plate from level 2 – 8.</p> <p>Four additional apartments result from the modification. The mix includes 3 more 2 bedders, 2 x 1 bedders (not offered on levels above) and 1 less 3 bedder.</p> <p>While the resulting mix is considered acceptable the performance of the apartments slightly reduces below acceptable</p> <p>The modification seeks to include internal nib walls rather than recess the apartment entries by 300 mm as required by the</p>

Requirement	Yes	No	N/A	Comment
				<p>deferred commencement consent.</p> <p>The modification is not supported as it does nothing to combat the long corridor / multi hotel style room entries. The purpose of the recessed entries was to give each apartment its own address and a sense of privacy when interacting at the front door rather than being fully exposed in a long corridor.</p> <p>The corridor spaces offer no break out areas for informal interaction of neighbours so the recessed apartment entries are considered the best alternative.</p>
<p><u>Principle 9: Aesthetics</u> 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. The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>		<input checked="" type="checkbox"/>		<p>The modification reduces the western setback of level 8 by 6 metres (setback proposed 6 metres) from the western boundary and nil setback to Board Street.</p> <p>The visual appearance of the proposed modification will be base heavy with increased vertical street wall height from the Board Street frontage and creating an unsatisfactory interface with the future developments of lower density character to the west.</p>
<p>Clause 28 Determination of DAs</p> <p>(1) After receipt of a development application for consent to carry out development to which this Policy applies (other than State significant development) and before it determines the application, the consent authority is to refer the application to the relevant design review panel (if any) for advice concerning the design quality of the development.</p> <p>(2) In determining a development application for consent to carry out development to which this Policy applies, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):</p> <p>(a) the advice (if any) obtained from the design review panel, and</p> <p>(b) the design quality of the development when evaluated in accordance with the design quality principles, and</p> <p>(c) the Apartment Design Guide.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Auburn City Council does not employ a formal design review panel.</p> <p>The design quality principles are considered above and the ADG is considered in the assessment table immediately below.</p>

Residential Flat Design Code

Requirement	Yes	No	NA	Comment
Part 3B – Orientation				
3B-1 Design Guidance Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1). Where the street frontage is to the east or west, rear buildings should be orientated to the north. Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2).	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	This proposed modification relates to levels 8, 9 and 10. Where previously the three proposed upper levels were on a reduced floor plate (9,10,11) the current proposal reduces overall levels to 10 and includes only 9 and 10 with reduced floor plates. Shadow diagrams show marginal increases to overshadowing to the south by the increased floor plate to level 8.
3B-2 Design Guidance Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access. Solar access to living rooms, balconies and private open spaces of neighbours should be considered. Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%. If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy. Overshadowing should be minimised to the south or downhill by increased upper level setbacks. It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development. A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Previous performance of apartments: Solar access 71.2 % Kitchen Ventilation 32% Cross Ventilation 64.7% Adaptable 10% Modified proposal Solar Access 69.5 % Kitchen Ventilation 29.7% Cross Ventilation 63% Adaptable 9.9% The modification will not significantly reduce solar access to neighbours. The modification results in two upper levels setback. No change to building orientation. N/A
Part 3C - Public domain interface				
3C-1 Design Guidance Terraces, balconies and courtyard apartments should have direct street entry where appropriate. Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings. Upper level balconies and windows should overlook the public domain. Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Modification does not impact street level apartments No change to fences and walls proposed. No change to walls at street frontages

<p>Length of solid walls should be limited along street frontages.</p> <p>In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions:-</p> <ul style="list-style-type: none"> • architectural detailing. • changes in materials. • plant species. • colours. <p>Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets.</p> <p>Opportunities for people to be concealed should be minimised.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No change to design solutions
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<p>3C-2 Design Guidance</p> <p>Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking.</p> <p>Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided.</p> <p>The visual prominence of underground car park vents should be minimised and located at a low level where possible.</p> <p>Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view.</p> <p>Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels.</p> <p>Durable, graffiti resistant and easily cleanable materials should be used.</p> <p>Where development adjoins public parks, open space or bushland, the design positively addresses this interface and uses a number of the following design solutions:</p> <ul style="list-style-type: none"> • street access, pedestrian paths and building entries which are clearly defined. • paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space. • minimal use of blank walls, fences and ground level parking. <p>On sloping sites protrusion of car parking above ground level should be minimised by using split levels to step underground car parking.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No change to these elements
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Part 3D - Communal and public open space				
<p>3D-1 Design Criteria</p> <p>Communal open space has a minimum area equal to 25% of the site (see figure 3D.3).</p> <p>Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No change to communal or open space proposed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

	between 9 am and 3 pm on 21 June (mid-winter).			
3D-1 Design Criteria				
Communal open space should be consolidated into a well-designed, easily identified and usable area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Communal open space should be co-located with deep soil areas.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Where communal open space cannot be provided at ground level, it should be provided on a podium or roof.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should:				
• provide communal spaces elsewhere such as a landscaped roof top terrace or a common room.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• provide larger balconies or increased private open space for apartments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• demonstrate good proximity to public open space and facilities and/or provide contributions to public open space.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3D-2 Design Guidance				
Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No change proposed to communal open space facilities.
• seating for individuals or groups.				
• barbecue areas.				
• play equipment or play areas.				
• swimming pools, gyms, tennis courts or common rooms.				
The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3D-3 Design Guidance				
Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include:-	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No change proposed to communal open space visibility and safety.
• Bay windows.				
• Corner windows.				
• Balconies.				
Communal open space should be well lit.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Where communal open space / facilities are provided for children and young children they are safe and contained.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3D-4 Design Guidance				
The public open space should be well connected				No change proposed to connecti9ons

with public streets along at least one edge.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	with public streets.															
The public open space should be connected with nearby parks and other landscape elements.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
Public open space should be linked through view lines, pedestrian desire paths, termination points and the wider street grid.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
Solar access should be provided year round along with protection from strong winds.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
A positive address and active frontages should be provided adjacent to public open space.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
Boundaries should be clearly defined between public open space and private areas.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
Part 3E1 - Deep soil zones																			
3E-1 Design criteria																			
Deep soil zones are to meet the following minimum requirements:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No change to deep soil areas															
<table border="1"> <thead> <tr> <th>Site Area</th><th>Dimensions</th><th>Deep Soil</th></tr> </thead> <tbody> <tr> <td>Less than 650m²</td><td></td><td>7%</td></tr> <tr> <td>650m² to 1,500m²</td><td>3m</td><td>7%</td></tr> <tr> <td>Greater than 1,500m²</td><td>6m</td><td>7%</td></tr> <tr> <td>Greater than 1,500m² with significant existing tree</td><td>6m</td><td>7%</td></tr> </tbody> </table>	Site Area	Dimensions	Deep Soil	Less than 650m ²		7%	650m ² to 1,500m ²	3m	7%	Greater than 1,500m ²	6m	7%	Greater than 1,500m ² with significant existing tree	6m	7%		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Area	Dimensions	Deep Soil																	
Less than 650m ²		7%																	
650m ² to 1,500m ²	3m	7%																	
Greater than 1,500m ²	6m	7%																	
Greater than 1,500m ² with significant existing tree	6m	7%																	
3E-1 Design Guidance																			
On some sites it may be possible to provide larger deep soil zones, depending on the site area and context:				No change to deep soil areas															
<ul style="list-style-type: none"> 10% of the site as deep soil on sites with an area of 650m² - 1,500m². 15% of the site as deep soil on sites greater than 1,500m². 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:																			
<ul style="list-style-type: none"> basement and sub basement car park design that is consolidated beneath building footprints. use of increased front and side setbacks adequate clearance around trees to ensure long term health. co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil. 																			
Achieving the design criteria may not be possible on some sites including where:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
<ul style="list-style-type: none"> the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres). there is 100% site coverage or non-residential uses at ground floor level. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of																			

planting provided such as on structure.																				
Part 3F - Visual privacy																				
3F-1 Design criteria Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table><tr><td>Building height</td><td>Habitable rooms & balconies</td><td>Non habitable rooms</td></tr><tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>Over 25m (9 + storeys)</td><td>12m</td><td>6m</td></tr></table> Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2). Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.				Building height	Habitable rooms & balconies	Non habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9 + storeys)	12m	6m	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Modification involves the inclusion of a floor plate which has already been assessed to meet visual privacy requirements.	
Building height	Habitable rooms & balconies	Non habitable rooms																		
Up to 12m (4 storeys)	6m	3m																		
Up to 25m (5-8 storeys)	9m	4.5m																		
Over 25m (9 + storeys)	12m	6m																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
3F-1 Design Guidance Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance. For residential buildings next to commercial buildings, separation distances should be measured as follows:- <ul style="list-style-type: none">for retail, office spaces and commercial balconies use the habitable room distances.for service and plant areas use the non-habitable room distances. New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring buildings. Design solutions include: <ul style="list-style-type: none">site layout and building orientation to minimise privacy impacts (see also section 3B Orientation).on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4). Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5). Direct lines of sight should be avoided for windows and balconies across corners. No separation is required between blank walls.				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only one step proposed.													
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Only adjacent to another property to the west, all other frontages to street.																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Visual privacy as previously approved is maintained.																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed modification decreases separation distances with future development to the west. A better transition between zones is achieved by maintaining the approved floor plate.																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Therefore the modified floor plate cannot be supported.																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																		
3F-2 Design Guidance Communal open space, common areas and access paths should be separated from private open space and windows to apartments,				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No change proposed to approved plans in this regard.													

<p>particularly habitable room windows. Design solutions may include:</p> <ul style="list-style-type: none"> • setbacks. • solid or partially solid balustrades to balconies at lower levels. • fencing and/or trees and vegetation to separate spaces. • screening devices. • bay windows or pop out windows to provide privacy in one direction and outlook in another. • raising apartments/private open space above the public domain or communal open space. • planter boxes incorporated into walls and balustrades to increase visual separation. • pergolas or shading devices to limit overlooking of lower apartments or private open space. • on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies. <p>Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.</p> <p>Balconies and private terraces should be located in front of living rooms to increase internal privacy</p> <p>Windows should be offset from the windows of adjacent buildings.</p> <p>Recessed balconies and/or vertical fins should be used between adjacent balconies.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Part 3G - Pedestrian access and entries				
<p>3G-1 Design Guidance</p> <p>Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge.</p> <p>Entry locations relate to the street and subdivision pattern and the existing pedestrian network.</p> <p>Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries.</p> <p>Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A
<p>3G-2 Design Guidance</p> <p>Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces. The design of ground floors and underground car parks minimise level changes along pathways and entries.</p> <p>Steps and ramps should be integrated into the overall building and landscape design.</p> <p>For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A

For large developments electronic access and audio/video intercom should be provided to manage access.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3G-3 Design Guidance Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport. Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Part 3H - Vehicle Access				
3H-1 Design Guidance Car park access should be integrated with the building's overall facade. Design solutions may include:- <ul style="list-style-type: none"> the materials and colour palette to minimise visibility from the street. security doors or gates at entries that minimise voids in the façade. where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed. Car park entries should be located behind the building line. Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout. Car park entry and access should be located on secondary streets or lanes where available. Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided. Access point locations should avoid headlight glare to habitable rooms. Adequate separation distances should be provided between vehicle entries and street intersections. The width and number of vehicle access points should be limited to the minimum. Visual impact of long driveways should be minimised through changing alignments and screen planting. The need for large vehicles to enter or turn around within the site should be avoided. Garbage collection, loading and servicing areas are screened. Clear sight lines should be provided at pedestrian and vehicle crossings. Traffic calming devices such as changes in paving material or textures should be used where appropriate. Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: <ul style="list-style-type: none"> changes in surface materials. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

<ul style="list-style-type: none"> level changes. the use of landscaping for separation. 				
Part 3J - Bicycle and car parking				
3J-1 Design Criteria For development in the following locations: <ul style="list-style-type: none"> on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A No change
3J-1 Design Guidance Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces when provided should be on site. Where less car parking is provided in a development, Council should not provide on street resident parking permits.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
3J-2 Design Guidance Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters. Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas. Conveniently located charging stations are provided for electric vehicles, where desirable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3J-3 Design Guidance Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces. Direct, clearly visible and well lit access should be provided into common circulation areas. A clearly defined and visible lobby or waiting area should be provided to lifts and stairs. For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3J-4 Design Guidance Excavation should be minimised through efficient car park layouts and ramp design. Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles. Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

[illegible]

The design maximises north aspect and the number of single aspect south facing apartments is minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	South facing single aspect apartments increase by 2 with the replacement of the floor plate and additional 4 apartments. Two of these are north facing and two south.
Single aspect, single storey apartments should have a northerly or easterly aspect.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Living areas are best located to the north and service areas to the south and west of apartments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
To optimise the direct sunlight to habitable rooms and balconies a number of the following design features are used:				
• dual aspect apartments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• shallow apartment layouts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• two storey and mezzanine level apartments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• bay windows.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m ² of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Modifications do not change courtyards /skylights / windows to floor plates previously approved.
Achieving the design criteria may not be possible on some sites. This includes:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• where greater residential amenity can be achieved along a busy road or rail line by orientating the living rooms away from the noise source.				
• on south facing sloping sites.				
• where significant views are oriented away from the desired aspect for direct sunlight.				
Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria and how the development meets the objective.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4A-2 Design Guidance				
Courtyards, skylights and high level windows (with sills of 1,500mm or greater) are used only as a secondary light source in habitable rooms.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Where courtyards are used:				
• use is restricted to kitchens, bathrooms and service areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• building services are concealed with appropriate detailing and materials to visible walls.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• courtyards are fully open to the sky.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• access is provided to the light well from a communal area for cleaning and maintenance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• acoustic privacy, fire safety and minimum privacy separation distances (see section 3F Visual privacy) are achieved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Opportunities for reflected light into apartments are optimised through:				
• reflective exterior surfaces on buildings opposite south facing windows.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• positioning windows to face other buildings or surfaces (on neighbouring sites or within the site) that will reflect light.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• integrating light shelves into the design.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• light coloured internal finishes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4A-3 Design Guidance				
A number of the following design features are used:				

<ul style="list-style-type: none"> • balconies or sun shading that extend far enough to shade summer sun, but allow winter sun to penetrate living areas. • shading devices such as eaves, awnings, balconies, pergolas, external louvres and planting. • horizontal shading to north facing windows. • vertical shading to east and particularly west facing windows. • operable shading to allow adjustment and choice. • high performance glass that minimises external glare off windows, with consideration given to reduced tint glass or glass with a reflectance level below 20% (reflective films are avoided). 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Part 4B - Natural ventilation				
4B-1 Design Guidance The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms. Depths of habitable rooms support natural ventilation. The area of unobstructed window openings should be equal to at least 5% of the floor area served. Light wells are not the primary air source for habitable rooms. Doors and openable windows maximise natural ventilation opportunities by using the following design solutions: <ul style="list-style-type: none"> • adjustable windows with large effective openable areas. • a variety of window types that provide safety and flexibility such as awnings and louvres. • windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A no change to approved layouts
4B-2 Design Guidance Apartment depths are limited to maximise ventilation and airflow. Natural ventilation to single aspect apartments is achieved with the following design solutions: <ul style="list-style-type: none"> • primary windows are augmented with plenums and light wells (generally not suitable for cross ventilation). • stack effect ventilation / solar chimneys or similar to naturally ventilate internal building areas or rooms such as bathrooms and laundries. • courtyards or building indentations have a width to depth ratio of 2:1 or 3:1 to ensure effective air circulation and avoid trapped smells. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4B-3 Design Criteria At least 60% of apartments are naturally cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	63% cross ventilated

ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	<input checked="" type="checkbox"/>															
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
4B-3 Design Guidance The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths. In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment. Apartments are designed to minimise the number of corners, doors and rooms that might obstruct airflow. Apartment depths, combined with appropriate ceiling heights, maximise cross ventilation and airflow.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	There is a 37.5 % overall increase in single aspect apartments on the floor with the modified floor plate. 6 of 16.												
4C - Ceiling heights																
4C-1 Design Criteria Measured from finished floor level to finished ceiling level, minimum ceiling heights are: <table border="1"> <thead> <tr> <th>Type / Use</th><th>Minimum ceiling height</th></tr> </thead> <tbody> <tr> <td>Habitable rooms</td><td>2.7m.</td></tr> <tr> <td>Non habitable rooms</td><td>2.4m.</td></tr> <tr> <td>For 2 storey apartments</td><td>2.7m for main living area floor. 2.4m for second floor where its area does not exceed 50% of the apartment area.</td></tr> <tr> <td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope.</td></tr> <tr> <td>If located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use.</td></tr> </tbody> </table> These minimums do not preclude higher ceilings if desired.	Type / Use	Minimum ceiling height	Habitable rooms	2.7m.	Non habitable rooms	2.4m.	For 2 storey apartments	2.7m for main living area floor. 2.4m for second floor where its area does not exceed 50% of the apartment area.	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.	If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A
Type / Use	Minimum ceiling height															
Habitable rooms	2.7m.															
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Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.															
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.															
4C-1 Design Guidance Ceiling height can accommodate use of ceiling fans for cooling and heat distribution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A												
4C-2 Design Guidance A number of the following design solutions can be used: <ul style="list-style-type: none"> the hierarchy of rooms in an apartment is defined using changes in ceiling heights and alternatives such as raked or curved ceilings, or double height spaces. Well-proportioned rooms are provided, for example, smaller rooms feel larger and more spacious with higher ceilings. ceiling heights are maximised in habitable rooms by ensuring that bulkheads do not intrude. The stacking of service rooms from floor to floor and coordination of bulkhead location above non-habitable areas, such as robes or storage, can assist. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	N/A												
4C-3 Design Guidance Ceiling heights of lower level apartments in centres				N/A												

should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
4D - Apartment size and layout														
4D-1 Design Criteria Apartments are required to have the following minimum internal areas: <table border="1" style="margin-top: 10px;"> <thead> <tr> <th>Apartment type</th><th>Minimum internal area</th></tr> </thead> <tbody> <tr> <td>Studio</td><td>35m²</td></tr> <tr> <td>1 bedroom</td><td>50m²</td></tr> <tr> <td>2 bedroom</td><td>70m²</td></tr> <tr> <td>3 bedroom</td><td>95m²</td></tr> </tbody> </table> <ul style="list-style-type: none"> The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms. 	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	95m ²	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A No change to apartment sizes from previously approved floorplates.
Apartment type	Minimum internal area													
Studio	35m ²													
1 bedroom	50m ²													
2 bedroom	70m ²													
3 bedroom	95m ²													
4D-1 Design Guidance Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space). A window should be visible from any point in a habitable room. Where minimum areas or room dimensions are not met apartments need to demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A										
4D-2 Design Criteria Habitable room depths are limited to a maximum of 2.5 times of the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A										
4D-2 Design Guidance Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths. All living areas and bedrooms should be located on the external face of the building. Where possible: <ul style="list-style-type: none"> bathrooms and laundries should have an external openable window main living spaces should be oriented toward the primary outlook and aspect and away from noise sources. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A										
4D-3 Design Criteria Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space). Living rooms or combined living/dining rooms have a minimum width of:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Modifications do not change bedrooms or living areas to the proposed floor plates previously approved.										

<ul style="list-style-type: none"> 3.6m for studio and 1 bedroom apartments. 4m for 2 and 3 bedroom apartments. <p>The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																
<p>4D-3 Design Guidance</p> <p>Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas.</p> <p>All bedrooms allow a minimum length of 1.5m for robes.</p> <p>The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high.</p> <p>Apartment layouts allow flexibility over time, design solutions may include:</p> <ul style="list-style-type: none"> dimensions that facilitate a variety of furniture arrangements and removal. spaces for a range of activities and privacy levels between different spaces within the apartment. dual master apartments. dual key apartments <i>Note: dual key apartments which are separate but on the same title are regarded as two sole occupancy units for the purposes of the Building Code of Australia and for calculating the mix of apartments.</i> room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1)). <p>Efficient planning of circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Apartment design minimises direct access from service areas and bedrooms to living areas.</p> <p>The modification does not propose changes to previously approved floor plate design.</p>															
Part 4E - Private open space and balconies																			
<p>4E-1 Design Criteria</p> <p>All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m²</td><td>-</td></tr> <tr> <td>1 bedroom apartments</td><td>8m²</td><td>2m</td></tr> <tr> <td>2 bedroom apartments</td><td>10m²</td><td>2m</td></tr> <tr> <td>3 plus bedroom apartments</td><td>12m²</td><td>2.4m</td></tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m ²	-	1 bedroom apartments	8m ²	2m	2 bedroom apartments	10m ²	2m	3 plus bedroom apartments	12m ²	2.4m	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Modification includes previously approved floor plate.</p> <p>One non conforming balcony (3 bedroom unit) would be removed with the modification.</p>
Dwelling type	Minimum area	Minimum depth																	
Studio apartments	4m ²	-																	
1 bedroom apartments	8m ²	2m																	
2 bedroom apartments	10m ²	2m																	
3 plus bedroom apartments	12m ²	2.4m																	
<p>4E-1 Design Guidance</p> <p>Increased communal open space should be provided where the number or size of balconies are reduced.</p> <p>Storage areas on balconies is additional to the minimum balcony size.</p> <p>Balcony use may be limited in some proposals by:</p> <ul style="list-style-type: none"> consistently high wind speeds at 10 storeys and above. close proximity to road, rail or other noise sources. exposure to significant levels of aircraft noise. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A															

<ul style="list-style-type: none"> heritage and adaptive reuse of existing buildings. <p>In these situations, Juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both. Natural ventilation also needs to be demonstrated.</p>				
4E-2 Design Guidance Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space. Private open spaces and balconies predominantly face north, east or west. Primary open space and balconies should be orientated with the longer side facing outdoors or be open to the sky to optimise daylight access into adjacent rooms.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	N/A
4E-3 Design Guidance Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred. Full width full height glass balustrades alone are generally not desirable. Projecting balconies should be integrated into the building design and the design of soffits considered. Operable screens, shutters, hoods and pergolas are used to control sunlight and wind. Balustrades are set back from the building or balcony edge where overlooking or safety is an issue. Downpipes and balcony drainage are integrated with the overall facade and building design. Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design. Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design. Ceilings of apartments below terraces should be insulated to avoid heat loss. Water and gas outlets should be provided for primary balconies and private open space.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	N/A
4E-4 Design Guidance Changes in ground levels or landscaping are minimised. Design and detailing of balconies avoids opportunities for climbing and falls.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	N/A
Part 4F - Common circulation and spaces				
4F-1 Design criteria The maximum number of apartments off a circulation core on a single level is eight.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4F-1 Design Guidance Greater than minimum requirements for corridor widths and/ or ceiling heights allow comfortable movement and access particularly in entry lobbies, outside lifts and at apartment entry doors. Daylight and natural ventilation should be provided to all common circulation spaces that are above ground. Windows should be provided in common circulation spaces and should be adjacent to the stair or lift core or at the ends of corridors. Longer corridors greater than 12m in length from the lift core should be articulated. Design solutions may include: <ul style="list-style-type: none"> a series of foyer areas with windows and spaces for seating. wider areas at apartment entry doors and varied ceiling heights. Design common circulation spaces to maximise opportunities for dual aspect apartments, including multiple core apartment buildings and cross over apartments. Achieving the design criteria for the number of apartments off a circulation core may not be possible. Where a development is unable to achieve the design criteria, a high level of amenity for common lobbies, corridors and apartments should be demonstrated, including: <ul style="list-style-type: none"> sunlight and natural cross ventilation in apartments. access to ample daylight and natural ventilation in common circulation spaces common areas for seating and gathering generous corridors with greater than minimum ceiling heights. other innovative design solutions that provide high levels of amenity. Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level. Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4F-2 Design Guidance Direct and legible access should be provided between vertical circulation points and apartment entries by minimising corridor or gallery length to give short, straight, clear sight lines. Tight corners and spaces are avoided. Circulation spaces should be well lit at night. Legible signage should be provided for apartment numbers, common areas and general way finding . Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
In larger developments, community rooms for activities such as owners corporation meetings or resident use should be provided and are ideally co-located with communal open space.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Where external galleries are provided, they are more open than closed above the balustrade along their length.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
4G – Storage														
4G-1 Design Criteria In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <table border="1" data-bbox="225 562 764 707"> <thead> <tr> <th>Dwelling type</th> <th>Storage</th> </tr> </thead> <tbody> <tr> <td>Studio apartments</td> <td>4m³</td> </tr> <tr> <td>1 bedroom apartments</td> <td>6m³</td> </tr> <tr> <td>2 bedroom apartments</td> <td>8m³</td> </tr> <tr> <td>3 plus bedroom apartments</td> <td>10m³</td> </tr> </tbody> </table>	Dwelling type	Storage	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3 plus bedroom apartments	10m ³	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Dwelling type	Storage													
Studio apartments	4m ³													
1 bedroom apartments	6m ³													
2 bedroom apartments	8m ³													
3 plus bedroom apartments	10m ³													
4G-1 Design Guidance Storage is accessible from either circulation or living areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A										
Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Left over space such as under stairs is used for storage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
4G-2 Design Guidance Storage not located in apartments is secure and clearly allocated to specific apartments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Storage is provided for larger and less frequently accessed items.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
If communal storage rooms are provided they should be accessible from common circulation areas of the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Part 4H - Acoustic Privacy														
4H-1 Design Guidance Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A										
Window and door openings are generally orientated away from noise sources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
The number of party walls (walls shared with other apartments) are limited and are appropriately	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											

insulated.				
Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4H-2 Design Guidance Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions: <ul style="list-style-type: none">rooms with similar noise requirements are grouped together.doors separate different use zones.wardrobes in bedrooms are co-located to act as sound buffers. Where physical separation cannot be achieved noise conflicts are resolved using the following design solutions: <ul style="list-style-type: none">double or acoustic glazing.acoustic seals.use of materials with low noise penetration properties.continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Part 4J - Noise and pollution				
4J-1 Design Guidance To minimise impacts the following design solutions may be used: <ul style="list-style-type: none">physical separation between buildings and the noise or pollution source.residential uses are located perpendicular to the noise source and where possible buffered by other uses.non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces.non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources.buildings should respond to both solar access and noise. Where solar access is away from the noise source, non-habitable rooms can provide a buffer.where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4).landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry. Achieving the design criteria in this Apartment Design Guide may not be possible in some situations due to noise and pollution. Where developments are unable to achieve the design criteria, alternatives may be considered in the following areas: <ul style="list-style-type: none">solar and daylight access.private open space and balconies.natural cross ventilation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	These issues are not impacted by the proposed modification.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4J-2 Design Guidance Design solutions to mitigate noise include:				These issues are not impacted by the

<ul style="list-style-type: none"> limiting the number and size of openings facing noise sources. providing seals to prevent noise transfer through gaps. using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens). using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	proposed modification.
Part 4K - Apartment mix				
4K-1 Design Guidance A variety of apartment types is provided. The apartment mix is appropriate, taking into consideration: <ul style="list-style-type: none"> the distance to public transport, employment and education centres. the current market demands and projected future demographic trends. the demand for social and affordable housing. different cultural and socioeconomic groups. Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One three bedroom apartment is lost with the proposed modification. Range of mix slightly reduces with the proposal.
4K-2 Design Guidance Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3). Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4L - Ground floor apartments				
4L-1 Design Guidance Direct street access should be provided to ground floor apartments. Activity is achieved through front gardens, terraces and the facade of the building. Design solutions may include: <ul style="list-style-type: none"> both street, foyer and other common internal circulation entrances to ground floor apartments. private open space is next to the street doors and windows face the street. Retail or home office spaces should be located along street frontages. Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases provide higher floor to ceiling heights and ground floor amenities for easy conversion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4L-2 Design Guidance Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include: <ul style="list-style-type: none"> elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4). landscaping and private courtyards. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

<ul style="list-style-type: none"> • window sill heights that minimise sight lines into apartments. • integrating balustrades, safety bars or screens with the exterior design. <p>Solar access should be maximised through:</p> <ul style="list-style-type: none"> • high ceilings and tall windows. • trees and shrubs that allow solar access in winter and shade in summer. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4M - Facades				
4M-1 Design Guidance Design solutions for front building facades may include: <ul style="list-style-type: none"> • a composition of varied building elements • a defined base, middle and top of buildings. • revealing and concealing certain elements. • changes in texture, material, detail and colour to modify the prominence of elements. <p>Building services should be integrated within the overall façade.</p> <p>Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include:</p> <ul style="list-style-type: none"> • well composed horizontal and vertical elements • variation in floor heights to enhance the human scale • elements that are proportional and arranged in patterns • public artwork or treatments to exterior blank walls • grouping of floors or elements such as balconies and windows on taller buildings <p>Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights. Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4M-2 Design Guidance Building entries should be clearly defined. <p>Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height.</p> <p>The apartment layout should be expressed externally through facade features such as party walls and floor slabs.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4N - Roof design				
4N-1 Design Guidance Roof design relates to the street. Design solutions may include:- <ul style="list-style-type: none"> • special roof features and strong corners. • use of skillion or very low pitch hipped roofs. • breaking down the massing of the roof by using smaller elements to avoid bulk. • using materials or a pitched form complementary to adjacent buildings. <p>Roof treatments should be integrated with the building design. Design solutions may include:-</p> <ul style="list-style-type: none"> • roof design proportionate to the overall 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

building size, scale and form. • roof materials compliment the building. • service elements are integrated.				
4N-2 Design Guidance Habitable roof space should be provided with good levels of amenity. Design solutions may include: • penthouse apartments. • dormer or clerestory windows. • openable skylights. Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4N-3 Design Guidance Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access). Well located, screened outdoor areas should be provided for clothes drying.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar access marginally below required 69.5%
4O - Landscape Design				
4O-1 Design Guidance Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating:- • diverse and appropriate planting. • bio-filtration gardens. • appropriately planted shading trees. • areas for residents to plant vegetables and herbs. • Composting. • green roofs or walls. Ongoing maintenance plans should be prepared Microclimate is enhanced by: • appropriately scaled trees near the eastern and western elevations for shade. • a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter. • shade structures such as pergolas for balconies and courtyards. Tree and shrub selection considers size at maturity and the potential for roots to compete.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4O-2 Design Guidance Landscape design responds to the existing site conditions including: • changes of levels. • Views. • significant landscape features including trees and rock outcrops. Significant landscape features should be protected by: • tree protection zones (see figure 4O.5). • appropriate signage and fencing during construction. Plants selected should be endemic to the region and reflect the local ecology.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4P - Planting on structures				
4P-1 Design Guidance Structures are reinforced for additional saturated soil weight. Soil volume is appropriate for plant growth, considerations include:- • modifying depths and widths according to the planting mix and irrigation frequency. • free draining and long soil life span.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<ul style="list-style-type: none"> tree anchorage. <p>Minimum soil standards for plant sizes should be provided in accordance with Table 5.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4P - Planting on structures				
4P-2 Design Guidance Plants are suited to site conditions, considerations include: <ul style="list-style-type: none"> drought and wind tolerance. seasonal changes in solar access. modified substrate depths for a diverse range of plants. plant longevity. <p>A landscape maintenance plan is prepared.</p> <p>Irrigation and drainage systems respond to:</p> <ul style="list-style-type: none"> changing site conditions. soil profile and the planting regime. whether rainwater, stormwater or recycled grey water is used. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4P-3 Design Guidance Building design incorporates opportunities for planting on structures. Design solutions may include: <ul style="list-style-type: none"> green walls with specialised lighting for indoor green walls. wall design that incorporates planting. green roofs, particularly where roofs are visible from the public domain. planter boxes. <p>Note: structures designed to accommodate green walls should be integrated into the building facade and consider the ability of the facade to change over time.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4Q - Universal design				
4Q-1 Design Guidance Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4Q-2 Design Guidance Adaptable housing should be provided in accordance with the relevant council policy. <p>Design solutions for adaptable apartments include:-</p> <ul style="list-style-type: none"> convenient access to communal and public areas. high level of solar access. minimal structural change and residential amenity loss when adapted. larger car parking spaces for accessibility. parking titled separately from apartments or shared car parking arrangements. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adaptable units slightly reduce to 9.9% with the modification
4Q-3 Design Guidance Apartment design incorporates flexible design solutions which may include:- <ul style="list-style-type: none"> rooms with multiple functions. dual master bedroom apartments with separate bathrooms. larger apartments with various living space options open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modification does not propose any apartment design changes to those already approved.
4R - Adaptive reuse				
4R-1 Design Guidance Design solutions may include: <ul style="list-style-type: none"> new elements to align with the existing 				N/A

<p>building.</p> <ul style="list-style-type: none"> • additions that complement the existing character, siting, scale, proportion, pattern, form and detailing. • use of contemporary and complementary materials, finishes, textures and colours. <p>Additions to heritage items should be clearly identifiable from the original building.</p> <p>New additions allow for the interpretation and future evolution of the building.</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
<p>4R-2 Design Guidance</p> <p>Design features should be incorporated sensitively into adapted buildings to make up for any physical limitations, to ensure residential amenity is achieved. Design solutions may include:</p> <ul style="list-style-type: none"> • generously sized voids in deeper buildings. • alternative apartment types when orientation is poor. • using additions to expand the existing building envelope. <p>Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas:</p> <ul style="list-style-type: none"> • where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation). • alternatives to providing deep soil where less than the minimum requirement is currently available on the site. • building and visual separation - subject to demonstrating alternative design approaches to achieving privacy. • common circulation. • car parking. • alternative approaches to private open space and balconies. 	<input type="checkbox"/> <input type="checkbox"/> 	<input type="checkbox"/> <input type="checkbox"/> 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> 	N/A
4S - Mixed use				
<p>4S-1 Design Guidance</p> <p>Mixed use development should be concentrated around public transport and centres.</p> <p>Mixed use developments positively contribute to the public domain. Design solutions may include:</p> <ul style="list-style-type: none"> • development addresses the street. • active frontages are provided. • diverse activities and uses. • avoiding blank walls at the ground level. • live/work apartments on the ground floor level, rather than commercial. 	<input type="checkbox"/> 	<input type="checkbox"/> 	<input checked="" type="checkbox"/> 	<p>N/A</p> <p>No change to mixed use component of development</p>
<p>4S-2 Design Guidance</p> <p>Residential circulation areas should be clearly defined. Design solutions may include:</p> <ul style="list-style-type: none"> • residential entries are separated from commercial entries and directly accessible from the street. • commercial service areas are separated from residential components. • residential car parking and communal 	<input type="checkbox"/> 	<input type="checkbox"/> 	<input type="checkbox"/> 	N/A

facilities are separated or secured.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• security at entries and safe pedestrian routes are provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• concealment opportunities are avoided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Landscaped communal open space should be provided at podium or roof levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4T - Awnings and signage				
4T-1 Design Guidance				N/A
Awnings should be located along streets with high pedestrian activity and active frontages.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
A number of the following design solutions are used:-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• continuous awnings are maintained and provided in areas with an existing pattern.				
• height, depth, material and form complements the existing street character.				
• protection from the sun and rain is provided.				
• awnings are wrapped around the secondary frontages of corner sites.				
• awnings are retractable in areas without an established pattern.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Awnings should be located over building entries for building address and public domain amenity. Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gutters and down pipes should be integrated and concealed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lighting under awnings should be provided for pedestrian safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4T-2 Design Guidance				N/A
Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Legible and discrete way finding should be provided for larger developments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Signage is limited to being on and below awnings and a single facade sign on the primary street frontage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4U - Energy efficiency				
4U-1 Design Guidance				
Adequate natural light is provided to habitable rooms.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Well located, screened outdoor areas should be provided for clothes drying.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4U-2 Design Guidance				N/A
A number of the following design solutions are used:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• the use of smart glass or other technologies on north and west elevations.				
• thermal mass in the floors and walls of north facing rooms is maximised.				
• polished concrete floors, tiles or timber rather than carpet.				
• insulated roofs, walls and floors and seals on window and door openings.				
• overhangs and shading devices such as awnings, blinds and screens.				
Provision of consolidated heating and cooling infrastructure should be located in a centralised	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

location (e.g. the basement).				
4U-2 Design Guidance A number of the following design solutions are used: <ul style="list-style-type: none"> rooms with similar usage are grouped together. natural cross ventilation for apartments is optimised. natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4V - Water management and conservation				
4V-1 Design Guidance Water efficient fittings, appliances and wastewater reuse should be incorporated. Apartments should be individually metered. Rainwater should be collected, stored and reused on site. Drought tolerant, low water use plants should be used within landscaped areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4V-2 Design Guidance Water sensitive urban design systems are designed by a suitably qualified professional. A number of the following design solutions are used: <ul style="list-style-type: none"> runoff is collected from roofs and balconies in water tanks and plumbed into toilets, laundry and irrigation. porous and open paving materials is maximised. on site stormwater and infiltration, including bio-retention systems such as rain gardens or street tree pits. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4V-3 Design Guidance Detention tanks should be located under paved areas, driveways or in basement car parks. On large sites parks or open spaces are designed to provide temporary on site detention basins.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4W - Waste management				
4W-1 Design Guidance Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park. Waste and recycling storage areas should be well ventilated. Circulation design allows bins to be easily manoeuvred between storage and collection points. Temporary storage should be provided for large bulk items such as mattresses. A waste management plan should be prepared.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4W-2 Design Guidance All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days worth of waste and recycling. Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alternative waste disposal methods such as composting should be provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4X - Building Maintenance				
4X-1 Design Guidance A number of the following design solutions are used: <ul style="list-style-type: none"> • roof overhangs to protect walls. • hoods over windows and doors to protect openings. • detailing horizontal edges with drip lines to avoid staining of surfaces. • methods to eliminate or reduce planter box leaching. • appropriate design and material selection for hostile locations. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4X-2 Design Guidance Window design enables cleaning from the inside of the building. Building maintenance systems should be incorporated and integrated into the design of the building form, roof and façade. Design solutions do not require external scaffolding for maintenance access. Manually operated systems such as blinds, sunshades and curtains are used in preference to mechanical systems. Centralised maintenance, services and storage should be provided for communal open space areas within the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4X-3 Design Guidance A number of the following design solutions are used:- <ul style="list-style-type: none"> • sensors to control artificial lighting in common circulation and spaces. • natural materials that weather well and improve with time such as face brickwork. • easily cleaned surfaces that are graffiti resistant. • robust and durable materials and finishes are used in locations which receive heavy wear and tear, such as common circulation areas and lift interiors. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A

Auburn Local Environmental Plan 2010

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

Clause	Yes	No	N/A	Comment
Part 1 Preliminary				
1.1 Name of Plan				
This Plan is <i>Auburn Local Environmental Plan 2010</i> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.1 AA Commencement				
This Plan commences on the day on which it is published on the NSW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plan was gazetted on 29 October 2010.

Clause	Yes	No	N/A	Comment
legislation website.				
1.3 Land to which Plan applies				
(1) This Plan applies to the land identified on the Land Application Map. Note. Part 23 of Schedule 3 to the <i>State Environmental Planning Policy (Major Development) 2005</i> applies to certain land identified on the Land Application Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plan applies to the site.
(2) Despite subclause (1), this Plan does not apply to the land identified on the Land Application Map as "Deferred matter".	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.4 Definitions				
The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
1.6 Consent authority				
The consent authority for the purposes of this Plan is (subject to the Act) the Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In accordance with Clause 23G of the Environmental Planning & Assessment Act, 1979, development proposals with a capital investment value of \$20 million or more are to be determined by the Joint Regional Planning Panel (JRPP). Council remains the assessment authority.
1.7 Maps				
(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name: (a) approved by the Minister when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both. Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled <i>Standard technical requirements for LEP maps</i> and <i>Standard requirements for LEP GIS data</i> which are available on the Department of Planning and infrastructure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Clause	Yes	No	N/A	Comment
website.				
<p>1.8A Savings provision relating to development applications</p> <p>If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.</p> <p><u>Note.</u></p> <p><i>However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant land is appropriately amended or, if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The savings provisions do not apply to this application as it was lodged subsequent to commencement of this Plan.
<p>1.9 Application of SEPPs and REPs</p> <p>(1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.</p> <p>(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:</p> <p><i>State Environmental Planning Policy No 1—Development Standards</i></p> <p><i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> (clause 6, clause 10 and Parts 3 and 4)</p> <p><i>State Environmental Planning Policy No 60—Exempt and Complying Development</i></p> <p><i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i></p>	<input checked="" type="checkbox"/> 	<input type="checkbox"/> 	<input type="checkbox"/> 	
<p>1.9A Suspension of covenants, agreements and instruments</p> <p>(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>(2) This clause does not apply:</p> <ol style="list-style-type: none"> (a) to a covenant imposed by the Council or that the Council requires to be imposed, or (b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act</i> 	<input type="checkbox"/> 	<input type="checkbox"/> 	<input checked="" type="checkbox"/> 	There are no covenants, agreements or similar instruments that require suspension to enable development of the land in accordance with this Plan.

Clause	Yes	No	N/A	Comment
<p>1989, or</p> <p>(c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or</p> <p>(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or</p> <p>(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or</p> <p>(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or</p> <p>(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.</p>				
(3) This clause does not affect the rights or interests of any public authority under any registered instrument.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 2 Permitted or prohibited development				
2.3 Zone objectives and land use table				
(1) The Table at the end of this Part specifies for each zone:				
(a) the objectives for development, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A mixed use development is permitted with consent in the B4 Mixed Use Zone.
(b) development that may be carried out without consent, and				
(c) development that may be carried out only with consent, and				
(d) development that is prohibited.				
(2) 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) In the Table at the end of this Part:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and				
(b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.				
(4) This clause is subject to the other provisions of this Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.4 Unzoned land				
(1) Development may be carried out on unzoned land only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The land is zoned B4 Mixed Use.
(2) Before granting consent, the consent authority:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) must consider whether the				

Clause	Yes	No	N/A	Comment
<p>development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and</p> <p>(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>2.5 Additional permitted uses for particular land</p> <p>(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:</p> <p>(a) with consent, or</p> <p>(b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.</p> <p>(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>2.6 Subdivision—consent requirements</p> <p>(1) Land to which this Plan applies may be subdivided, but only with consent.</p> <p><u>Notes:-</u></p> <p>1 <i>If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent.</i></p> <p>2 <i>Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development.</i></p> <p>(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subdivision is not proposed.
<p>2.7 Demolition requires consent</p> <p>The demolition of a building or work may be carried out only with consent.</p> <p>Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this plan or <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> as exempt development, the Act enables it to be carried out without development consent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No demolition works are proposed as part of this Development Application .

Clause	Yes	No	N/A	Comment
Land Use Table				

Clause	Yes	No	N/A	Comment
Zone B4 Mixed Use				
1 Objectives of zone				<i>The modification relates to the residential floor plate, parking and installation of solar panels. All are permitted</i>
• To provide a mixture of compatible land uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed building comprises of ground floor retail/business premises and residential flat building above. The development is defined as a “mixed use development” and is permissible in the zone. The proposal is also consistent with the zone objectives.
• To encourage high density residential development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To encourage appropriate businesses which contribute to economic growth.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To achieve an accessible, attractive and safe public domain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	mixed use development means a building or place comprising 2 or more different land uses.
2 Permitted without consent				business premises means a building or place at or on which:
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
3 Permitted with consent				(b) a service is provided directly to members of the public on a regular basis,
Backpackers’ accommodation; Boarding houses; Business premises ; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings ; Retail premises ; Roads; Self-storage units; Seniors housing; Serviced apartments (but only as part of a mixed use development); Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital. Note. Business premises are a type of <i>commercial premises</i> —see the definition of that term in this Dictionary.
4 Prohibited				retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;
Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Canal estate developments; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Marinas; Mining; Moorings; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Rural supplies; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	(a) bulky goods premises, (b) cellar door premises, (c) food and drink premises, (d) garden centres, (e) hardware and building supplies, (f) kiosks, (g) landscaping material supplies, (h) markets, (i) plant nurseries, (j) roadside stalls, (k) rural supplies, (l) shops, (m) timber yards, (n) vehicle sales or hire premises, but does not include highway service centres, service stations, industrial retail outlets or restricted premises. Note. Retail premises are a type of <i>commercial premises</i> —see the definition of that term in this Dictionary.
Part 4 Principal development standards				

Clause	Yes	No	N/A	Comment
4.1 Minimum subdivision lot size				
(1) The objectives of this clause are as follows: (a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and (b) to ensure that subdivision of land is capable of supporting a range of development types.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subdivision is not proposed.
(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.				
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.				
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.				
(3B) Despite subclause (3), if a lot is a battle-axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.				
(3C) Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of: (a) dwelling houses: (i) 350 square metres, or (ii) if a garage will be accessed from the rear of the property - 290 square metres, or (iii) if the dwelling house will be on a zero lot line - 270 square metres, (b) semi-detached dwellings - 270 square metres, (c) multi dwelling housing - 170 square metres for each dwelling, (d) attached dwellings - 170 square metres.				
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.3 Height of buildings				
(1) The objectives of this clause are as follows: (a) to establish a maximum building	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>height to enable appropriate development density to be achieved, and</p> <p>(b) to ensure that the height of buildings is compatible with the character of the locality.</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>In accordance with the Height of Buildings Map HOB_007, the subject site has a maximum building height limit of 36m. At its highest point the proposed development has a height of 36.95m at the lift over runs.</p> <p>It is considered that the proposed height exceedence is acceptable as it only relates to the lift overruns and does not add unnecessarily to the overall perceived bulk of the building or contribute to significant additional over shadowing.</p> <p>Noted that as this is a s96 no formal 4.6 variation request is required.</p>
<p>(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:</p> <p>(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,</p> <p>(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>4.4 Floor space ratio</p> <p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> To establish a maximum floor space ratio to enable appropriate development density to be achieved, and To ensure that development intensity reflects its locality. <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>In accordance with the Floor Space Ratio Map FSR_007, the maximum FSR permitted is 5.0:1. The FSR of the proposed development is 4.97:1</p> <p>Where the approved floor plate is maintained the FSR will be 4.82:1</p>
<p>(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows: (a) for sites less than 1,300 square metres—0.75:1, (b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1, (c) for sites that are 1,800 square metres or greater—0.85:1.				
(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows: (a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and (b) 3:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows: (a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and (b) 2:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2D) Despite subclause (2), the maximum floor space ratio for retail premises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is 1.5:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.5 Calculation of floor space ratio and site area				
(1) Objectives The objectives of this clause are as follows: (a) to define <i>floor space ratio</i> , (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to: (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and (ii) prevent the inclusion in the site area of an area that has already been included as part	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FSR has been calculated in accordance with this clause.

Clause	Yes	No	N/A	Comment
(iii) require community land and public places to be dealt with separately.				
(2) Definition of "floor space ratio" The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site area.				
(3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the <i>site area</i> is taken to be: (a) if the proposed development is to be carried out on only one lot, the area of that lot, or (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out. In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(4) Exclusions from site area The following land must be excluded from the site area: (a) land on which the proposed development is prohibited, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclause (7)).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.				
(6) Only significant development to be included The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only the lots upon which development is proposed are included in the site area.
(7) Certain public land to be separately considered For the purpose of applying a floor				

Clause	Yes	No	N/A	Comment
space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.				
(8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(9) Covenants to prevent "double dipping" When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A covenant is not required as a condition of consent is to be imposed requiring the sites be amalgamated should consent be granted.
(10) Covenants affect consolidated sites If: (a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(11) Definition In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i> .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.6 Exceptions to development standards				
(1) The objectives of this clause are: (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and (b) to achieve better outcomes for and from development by allowing flexibility in particular	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>circumstances.</p> <p>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>As discussed previously, the applicant is seeking to vary the development standards pertaining to building height as follows:</p> <ul style="list-style-type: none"> • Clause 4.3 – a maximum building height of 36.0m applies to the site. A maximum building height of 36.95m is proposed. • Clause 4.4 – a maximum FSR of 5.0:1 applies to the subject site. A maximum FSR of 4.97:1 is proposed.
<p>(3) 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:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Says 4.8 on architectural set</p> <p>The applicant has submitted a written request to justify the contravention of the development standard in accordance with this clause. This matter is discussed in detail at the end of the compliance table.</p>
<p>(4) Consent must not be granted for development that contravenes a development standard unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(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</p> <p>(b) the concurrence of the Director-General has been obtained.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This matter is discussed in further detail at the end of the compliance table.</p>
<p>(5) In deciding whether to grant concurrence, the Director-General must consider:</p>				

Clause	Yes	No	N/A	Comment
<p>(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and</p> <p>(b) the public benefit of maintaining the development standard, and</p> <p>(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Concurrence not required as 4.6 variation not required due to this being a modification (s96)
<p>(6) Development consent must not be granted under this clause for a subdivision of land in Zone RUI Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:</p> <p>(a) The subdivision will result will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or</p> <p>(b) The subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(8) This clause does not allow consent to be granted for development that would contravene any of the following:</p> <p>(a) a development standard for complying development,</p> <p>(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated,</p> <p>(c) clause 5.4.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 5 Miscellaneous provisions				
<p>5.3 Development near zone boundaries</p> <p>(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is permissible in the zone.

Clause	Yes	No	N/A	Comment
(2) boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) This clause does not apply to:				
(a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) land within the coastal zone, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) and proposed to be developed for the purpose of sex services or restricted premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the development is not inconsistent with the objectives for development in both zones, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) This clause does not prescribe a development standard that may be varied under this Plan.				
5.4 Controls relating to miscellaneous permissible uses				The proposal does not incorporate any miscellaneous permissible uses.
(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the <i>Building Code of Australia</i> .	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 30 square metres of floor area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) 43% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) 400 square metres, whichever is the lesser.				
(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 10 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
the following is the greater:- (a) 60 square metres, (b) 25% of the total floor area of the principal dwelling.				
5.6 Architectural roof features				
(1) The objectives of this clause are: (a) To ensure that any decorative roof element does not detract from the architectural design of the building, and (b) To ensure that prominent architectural roof features are contained within the height limit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed building does not have any architectural roof features.
(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted to any such development unless the consent authority is satisfied that: (a) the architectural roof feature: (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5.8 Conversion of fire alarms				
(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The clause is not applicable to this application.
(2) The following development may be carried out, but only with development consent: (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>with the alarm monitoring system of another private service provider,</p> <p>(c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(3) Development to which subclause (2) applies is complying development if it consists only of:</p> <p>(a) internal alterations to a building, or</p> <p>(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm x 100mm x 100mm.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(5) In this clause: <i>private service provider</i> means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.</p>				
<p>5.9 Preservation of trees or vegetation</p>				
<p>(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no trees or significant vegetation on the site.
<p>(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.</p>				
<p>(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:</p> <p>(a) development consent, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(b) a permit granted by the Council.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) that is or forms part of a heritage item, or that is within a heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the Council is satisfied that the proposed activity:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>Note.</u> As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.				
(8) This clause does not apply to or in respect of:				
(a) the clearing of native vegetation:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the clearing of vegetation on State	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i>) that is authorised by a development consent under the provisions of the <i>Native Vegetation Conservation Act 1997</i> as continued in force by that clause, or</p> <p>(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <i>Forestry Act 1916</i>, or</p> <p>(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i>, the <i>Roads Act 1993</i> or the <i>Surveying and Spatial Information Act 2002</i>, or</p> <p>(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i>.</p> <p><u>Note.</u> Permissibility may be a matter that is determined by or under any of these Acts.</p> <p>(9) Not adopted</p>				
<p>5.9AA Trees or vegetation not prescribed by development control plan</p> <p>(1) This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.</p> <p>(2) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.</p>				
<p>5.10 Heritage conservation</p> <p>Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.</p> <p>(1) Objectives</p> <p>The objectives of this clause are:</p> <p>(a) to conserve the environmental heritage of Auburn, and</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and</p> <p>(c) to conserve archaeological sites, and</p> <p>(d) to conserve places of Aboriginal</p>				<p>The site is not listed in the Auburn Local Environmental Plan 2010 as a heritage item, archaeological site, aboriginal place of significance, nor is it in a heritage conservation area.</p> <p>The site is, however, in close proximity to the following heritage items which are of local significance:</p> <ul style="list-style-type: none"> Item No. I33 – Lidcombe

Clause	Yes	No	N/A	Comment
(2) Requirement for consent Development consent is required for any of the following: (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area, (i) a heritage item. (ii) An Aboriginal object. (iii) A building, work, relic or tree within a heritage conservation area. (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance, (e) erecting a building on land: (i) on which a heritage item is located or that is within a heritage conservation area or, (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land on which a heritage item is located or that is within a heritage conservation area. (i) on which a heritage item is located or that is within a heritage conservation area or, (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Police Station (11 John Street) • Item No. I35 – Lidcombe Public School and Infants Department (Corner John Street, Doodson Avenue and Mill Street) • Item No. I39 – St Joachims Catholic Church, Parish Hall and School (John Street and 7 Mary Street)
(3) When consent not required However, consent under this clause is not required if: (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modification will not create any additional impact to the nearby heritage buildings.

Clause	Yes	No	N/A	Comment
<p>(i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and</p> <p>(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development:</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(b) the development is exempt development.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(4) Effect on heritage significance The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to comments below.
<p>(5) Heritage impact assessment The consent authority may, before granting consent to any development on land:</p> <p>(a) on which a heritage item is situated, or</p> <p>(b) within a heritage conservation area, or</p> <p>(c) within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A Heritage Impact Statement was not required due to the minor nature of the modification in comparison to the approved development.

Clause	Yes	No	N/A	Comment
significance of the heritage item or heritage conservation area concerned.				
(6) Heritage conservation management plans The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):				
(a) notify the Heritage Council of its intention to grant consent, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:				
(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(9) Demolition of item of State significance The consent authority must, before granting consent for the demolition of a nominated State heritage item:				
(a) notify the Heritage Council about the application, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed				

Clause		Yes	No	N/A	Comment
by this Plan, if the consent authority is satisfied that:					
(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the proposed development is in accordance with a heritage conservation management document that has been approved by the consent authority, and		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting or the heritage significance of the Aboriginal place of heritage significance, and		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 6 Additional local provisions					
6.1 Acid sulfate soils					
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modification does not impact ASS.
(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Class	Works of land				
1	Any works.				
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.				
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.				
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.				
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian				

Clause	Yes	No	N/A	Comment
Height Datum on adjacent Class 1, 2, 3 or 4 land.				
(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if: (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power): (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Despite subclause (2), development consent is not required under this clause to carry out any works if: (a) the works involve the disturbance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or</p> <p>(b) the works are likely to lower the watertable.</p>				
<p>6.2 Earthworks</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without separate development consent.</p> <p>(2) Development consent is required for earthworks, unless:</p> <p>(a) (a) the work does not alter the ground level (existing) by more than 600 millimetres, or</p> <p>(b) (b) the work is exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(c) the work is ancillary to other development for which development consent has been given.</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The modified proposal makes no change regarding earthworks (excavation) for the basement car parking (which to a large extent has already occurred via previous consents on site) .</p>

Clause	Yes	No	N/A	Comment
(f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. Note. The <i>National Parks and Wildlife Act 1974</i> , particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				
6.3 Flood planning				
(1) The objectives of this clause are: (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is not in a flood planning area.
(2) This clause applies to: (a) land that is shown as "Flood planning area" on the Flood Planning Map, and (b) other land at or below the flood planning level.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development: (a) is compatible with the flood hazard of the land, and (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.				
(8) A word or expression used in this clause has the same meaning as it has in the NSW Government's <i>Floodplain Development Manual</i> published in 2005, unless it is otherwise defined in this clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(9) In this clause: <i>flood planning level</i> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. <i>Flood Planning Map</i> means the Auburn Local Environmental Plan 2010 Flood Planning Map.				
6.4 Foreshore building line				
(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not situated adjacent to a watercourse or a water body. The clause will not apply to this application.
(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.				
(3) Development consent must not be granted for development on land in the foreshore area except for the following purposes:				
(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoor).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:				
(a) the development will contribute to achieving the objectives for the zone in which the land is located, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(c) the development is not likely to cause environmental harm such as: (i) pollution or siltation of the waterway, or (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or (iii) an adverse effect on drainage patterns, and (d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and (g) in the case of development for the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, the extension, alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and (h) sea level rise or change of flooding patterns as a result of climate change have been considered.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <			

Clause	Yes	No	N/A	Comment
providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.				

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

ADCP 2010 – Local Centres

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

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
Objectives				
a. To provide richness of detail and architectural interest, especially to visually prominent parts of buildings such as lower storeys and street facades.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed modification does not satisfactorily address compatible height, bulk and scale with the existing and currently adopted and desired future character of the precinct (particularly to the west) Architectural detailing and visual interest is not lost with the amendment. The modification does not impact approved active street frontages.
b. To establish the scale, dimensions, form and separation of buildings appropriate for local centre locations.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. To encourage mixed use development with residential components that achieve active street fronts with good physical and visual connection between buildings and the street, and maintain residential amenity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Discussed above.
d. To achieve active street frontages with good physical and visual connections between buildings and the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Discussed above.
e. To ensure consistency in the main street frontages of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Discussed above.
f. To ensure building depth and bulk appropriate to the environmental setting and landform.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Amenity, daylight and privacy are not impacted by the modification.
h. To ensure that the form, scale, design and nature of development enhances the streetscape and visual quality of commercial areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
j. To ensure development appropriately supports the centres hierarchy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>Development Controls</p> <p>D1 To allow for their adaptive use, mixed use buildings are to incorporate the following flexible design requirements:</p> <ul style="list-style-type: none"> the number of internal apartment structural walls are to be minimised; and ceiling heights for the ground floor is to be a minimum of metres. <p>D2 Residential components are to be provided with direct access to street level with entrances clearly distinguishable from entries to commercial premises.</p> <p>D3 Secure entries are to be provided to all entrances to private areas, including car parks and internal courtyards.</p> <p>D4 Car parking provided for the residential component of the development is to be clearly delineated and provided separate to general customer parking.</p> <p>D5 Development shall be designed to locate loading bays, waste storage/collection areas and any other noise and odour generating aspects of buildings away from residential areas.</p> <p>D6 Vehicular circulation areas must be legible and must differentiate between the commercial service requirements, such as loading areas, and residential access.</p> <p>D7 Mechanical plant is to be located on the roof or visually and acoustically isolated from residential uses.</p>	<input checked="" type="checkbox"/> 	<input type="checkbox"/> 	<input type="checkbox"/> 	<p>The modification does not alter internal layouts from those previously approved.</p> <p>The modification does not alter the separation of commercial and residential car parking.</p> <p>No amendment to loading areas.</p> <p>Solar panels are to be installed on the roof and do not impact the environment.</p>
<p>2.1 Number of storeys</p> <p>Performance criteria</p> <p>P1 To ensure an acceptable level of amenity and future flexibility is provided for new commercial and residential developments.</p> <p>Development controls</p> <p>DI The minimum finished floor level (FFL) to finished ceiling level (FCL) shall be as follows:</p> <ul style="list-style-type: none"> 3300mm for ground level (regardless of the type of development); 3300 for all commercial/retail levels; and 2700mm for all residential levels above ground floor. 	<input checked="" type="checkbox"/> 	<input type="checkbox"/> 	<input type="checkbox"/> 	<p>While the modification increases yield by 4 apartments it does not improve external or internal amenity</p> <p>No amendment to ceiling levels.</p>

2.2 Articulation and proportion				
Performance criteria				
P1 The bulk, scale and intensity of development is consistent with the scale of surrounding existing and planned developments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The modification achieves the intended outcome of the deferred commencement approval by reducing FSR and Height but does not achieve appropriate transition between zone boundaries.</p> <p>The vertical rhythms created by the modification are considered to be too overbearing with the smaller floor plate considered to create a better design balance.</p> <p>The facades have balanced horizontal and vertical elements and well-spaced and proportional windows. The building is modulated with the provision of recesses in the building elevations.</p> <p>The modification maintains pedestrian scale.</p>
P2 Existing horizontal or vertical rhythms in a streetscape are complemented by new facades. Visual interest in a building is achieved by: articulation of facade into horizontal divisions of base, middle and top; balcony and fenestration details; and proportion, spacing and modelling of the surface through detail and relief.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3 New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P4 New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P5 Ensure infill development is well articulated, makes a positive contribution to the streetscape and responds to local urban character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P6 Retain the use of awnings as visually dominant and coordinating townscape features.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P7 Ensure new development maintains a pedestrian scale, and provides weather protection at street level	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Buildings shall incorporate:				<p>The integrity of the original approved design is compromised by the modification as appropriate transition to the lower scale future character to the west is not achieved.</p>
<ul style="list-style-type: none">balanced horizontal and vertical proportions and well spaced and proportioned windows;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">a clearly defined base, middle and top;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">modulation and texture; and	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">architectural features which give human scale at street level such as entrances and porticos.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 The maximum width of blank walls for building exteriors along key retail streets shall be 5m or 20% of the street frontage,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>whichever is the lesser.</p> <p>D3 Articulation of the building exterior shall be achieved through recesses in the horizontal and vertical plane, adequate contrasts in materials, design features and the use of awnings.</p> <p>D4 Features such as windows and doors shall be in proportion with the scale and size of the new building and any adjoining buildings which contribute positively to the streetscape.</p> <p>D5 Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.</p> <p>D6 Where development has two (2) street frontages the streetscape should be addressed by both facades.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>2.3 Materials</p> <p>Performance criteria</p> <p>P1 Materials enhance the quality and character of the business precinct.</p> <p>Development controls</p> <p>D1 New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality.</p> <p>D2 Building materials and finishes complement the finishes predominating in the area. Different materials, colours or textures may be used to emphasise certain features of the building.</p> <p>D3 Building facades at street level along primary streets and public places consist of a minimum of 80% for windows/glazed areas and building and tenancy entries.</p> <p>D4 Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No material change proposed.
<p>2.4 Roofs</p> <p>Performance criteria</p> <p>P1 Roof design is integrated into the overall building design.</p> <p>Development controls</p> <p>D1 Design of the roof shall achieve the following:</p> <ul style="list-style-type: none"> concealment of lift overruns and service 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modification settles on the lift manufacturer which results in additional height to the lift overruns requiring consideration of the overall</p>

<p>plants;</p> <ul style="list-style-type: none"> • presentation of an interesting skyline; • enhancing views from adjoining developments and public places; and • complementing the scale of the building. 				<p>height exceeding the maximum permitted by 0.95 m</p> <p>This is considered satisfactory as the overruns are well setback from the edge of the building and will not interfere with roof design and skyline from any public vantage point.</p>
<p>D2 Roof forms shall not be designed to add to the perceived height and bulk of the building.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The roof form including lift overruns do not add to the perceived height and bulk of the building.</p>
<p>D3 Where outdoor recreation areas are proposed on flat roofs, shade structures and wind screens shall be provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>2.5 Balconies</p> <p>Performance criteria</p> <p>P1 Balconies contribute positively to the amenity of residents and the visual quality of the local centre.</p> <p>Development controls</p> <p>D1 Balustrades and balconies shall be constructed from a balance of solid and transparent material to allow for views from the interior.</p> <p>D2 Balcony balustrades should be of a light open material.</p> <p>D3 Verandahs and balconies shall not be enclosed.</p> <p>D4 Balconies and terraces shall be oriented to overlook public spaces.</p> <p>D5 The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall not have exposed pipes and utilities.</p> <p>D6 Screens, louvers or similar devices shall be provided to balconies so as to visually screen any drying of laundry.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Other than the replacement of previous level 9 floor plate with that of previous level 2 – 8, the modification does not alter balcony design or location.</p>
<p>2.6 Interface with schools, places of public worship, and public precincts</p> <p>Development controls</p> <p>D1 Where a site adjoins a school, place of public worship or public open space:</p> <ul style="list-style-type: none"> • This interface shall be identified in the site analysis plan and reflected in building design; • Building design incorporates an appropriate transition in scale and character along the site boundary(s); • Building design presents an appropriately detailed facade and 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Modification does not impact this interface with surrounding public buildings.</p>
<ul style="list-style-type: none"> • This interface shall be identified in the site analysis plan and reflected in building design; • Building design incorporates an appropriate transition in scale and character along the site boundary(s); • Building design presents an appropriately detailed facade and 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> • Building design presents an appropriately detailed facade and 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

landscaping in the context of the adjoining land use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Fencing along boundaries shared with public open space shall have a minimum transparency of 50%.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4 Sight lines from adjacent development to public open space shall be maintained and/or enhanced. Direct, secure private access to public open space is encouraged, where possible.				
3.0 Streetscape and Urban form				
Objectives				
a. To ensure development integrates well with the locality and respects the streetscape, built form and character of the area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed minor exceedence of the maximum height limit is considered satisfactory in the resulting urban form. The architectural treatment of the building is functional and attractive.
b. To encourage innovative development which is both functional and attractive in its context.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.1 Streetscape Performance criteria				
P1 New and infill development respects the integrity of the existing streetscape and is sympathetic in terms of scale, form, height, shopfront character, parapet, verandah design, and colours and materials, in a manner which interprets the traditional architecture, albeit in modern forms and materials.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed modification will not contribute positively to the scale and future character of the precinct – particularly to the west.
P2 New development conserves and enhances the existing character of the street with particular reference to architectural themes.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
P3 To ensure that a diversity of active street frontages is provided which are compatible with the scale, character and architectural treatment of Auburn's local area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4 To maintain the surviving examples of original whole shop frontages where the shop frontages contribute to the local character.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P5 To encourage new or replacement shop fronts to be compatible with the architectural style or period of the building to which they belong and the overall character of the local centre.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls				
D1 Applicants shall demonstrate how new				

development addresses the streetscape and surrounding built environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D2 New shopfronts shall be constructed in materials which match or complement materials used in the existing building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Development shall provide direct access between the footpath and the shop.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4 Development shall avoid the excessive use of security bars.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Block-out roller shutters are not permitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6 Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No modification to signage proposed.
3.2 Setbacks Performance criteria P1 The setback of new buildings is consistent with the setback of adjoining buildings. P2 The built edge of development at the street frontage contributes to a sense of enclosure and scale within the centre. Development controls D1 New development or additions to existing development shall adopt front setbacks, as shown in Figure 8 (refer to section 15.2 Setbacks for Lidcombe Town Centre). D2 Levels above the street wall height are to be setback 4m.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The modification results in level 9 and level 10 being further setback from the southern and western boundary by: South (Board Street): 6 metres West: 12 / 16 metres The proposed setback to level 8 is in line with the floor plates below: South (Board Street): Nil setback West nil at level ground and 1 6/ 16 metres – level 2 - 8 The proposal is not acceptable having regard to the performance criteria, in that the built edge of the development does not respond to the future character of development to the west. Although the development to the west is restricted to 18 metres – building separation therefore is not an issue above, however there is no adequate transition of height between the two sites.
4.0 Mixed Use Developments				
Objectives a. To encourage sustainable development by permitting services and employment-generating uses in conjunction with residential uses. b. To provide affordable residential development within close proximity to transport, employment and services. c. To enhance the vitality and safety of commercial centres by encouraging	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Slightly higher apartment numbers including two additional one bedroom apartments while they may contribute to affordability and choice do not improve internal or external amenity.

<p>further residential development.</p> <p>d. To achieve a lively and active street frontage by encouraging the integration of appropriate retail and commercial uses with urban housing.</p> <p>e. To manage the bulk, scale and traffic generation of mixed use developments.</p> <p>f. To ensure that mixed use developments are designed having adequate regard for the amenity of occupants and surrounding development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modification does not have regard to surrounding development (particularly to the west).</p>
<p>4.1 Building design</p> <p>Performance criteria</p> <p>P1 Mixed use developments are designed to architecturally express the different functions of the building while sympathetically integrating into the local centre streetscape.</p> <p>P2 Ensure key landmark corner sites are developed to ensure distinctive and unique design of buildings that will form gateways and entrance statements to commercial centres.</p> <p>Development controls</p> <p>D1 The architecture of ground level uses shall reflect the commercial/retail function of the centre.</p> <p>D2 Buildings shall achieve a quality living environment that sympathetically integrates into the character of the commercial precinct.</p> <p>D3 Commercial and retail servicing, loading and parking facilities shall be separated from residential access and servicing and parking.</p> <p>D4 The design of buildings on corner sites or at the ends of a business/commercial zone shall emphasise the corner as a focal point.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modification will result in a distinctive corner building of unique design.</p> <p>The smaller floor plate on level 8 should be retained as it will result in a building that will sympathetically integrate with surrounding streetscape.</p> <p>The modification does not impact the other development criteria.</p>
<p>4.2 Active street frontages</p> <p>Performance criteria</p> <p>P1 Active frontage uses are defined as one of a combination of the following at street level:</p> <ul style="list-style-type: none"> ■ front entry to shopfront; ■ shop front; ■ café or restaurant if accompanied by an entry from the street; ■ active office uses, such as reception, if visible from the street; and ■ public building if accompanied by an entry. <p>Development controls</p> <p>D1 Retail outlets and restaurants are located at the street frontage on the ground level.</p> <p>D2 A separate and defined entry shall be</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The modified proposal results in no impact on these criteria.</p>

provided for each use within a mixed use development.				
D3 Only open grill or transparent security (at least 70% visually transparent) shutters are permitted to retail frontages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.3 Awnings				
Performance criteria				The modified proposal results in no impact on these criteria.
P1 Street frontage awnings are to be provided in all areas with active frontage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Awning dimensions shall generally be:				
■ horizontal in form;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ minimum 2.4m deep (dependent on footpath width);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ minimum soffit height of 3.2m and maximum of 4m;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ steps for design articulation or to accommodate sloping streets are to be integral with the building design and should not exceed 700mm;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ low profile, with slim vertical fascia or eaves (generally not to exceed 300mm height);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ 1.2m setback from kerb to allow for clearance of street furniture, trees, and other public amenity elements; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ In consideration of growth pattern of mature trees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Awning design must match building facades, be complementary to those of adjoining buildings and maintain continuity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Awnings shall wrap around corners for a minimum 6m from where a building is sited on a street corner.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4 Vertical canvas drop blinds may be used along the outer edge of awnings along north-south streets. These blinds must not carry advertising or signage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Under awning lighting shall be provided to facilitate night use and to improve public safety recessed into the soffit of the awning or wall mounted onto the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6 Soft down lighting is preferred over up lighting to minimise light pollution.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7 Any under awning sign is to maintain a minimum clearance of 2.8m from the level of the pavement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8 All residential buildings are to be provided with awnings or other weather protection at their main entrance area.				
4.4 Arcades				
Performance criteria				
P1 Provide safe and convenient connections to enhance the pedestrian network and to provide linkages between shopping areas, public spaces and car parking.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
				The proposal does not incorporate a traditional enclosed arcade element. The lot orientation and size is not sufficient to include an arcade.

P2 Encourage the use of parking at the rear of a development site by providing good access to the front of the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modified proposal results in no impact on these criteria.
P3 Encourage activity within arcades.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls D1 Arcades shall:				
■ Accommodate active uses such as shops, commercial uses, public uses, residential lobbies, cafes or restaurants;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ Be obvious and direct thoroughfares for pedestrians;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ Provide for adequate clearance to ensure pedestrian movement is not obstructed;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ Have access to natural light for all or part of their length and at the openings at each end, where practicable;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ Have signage at the entry indicating public accessibility and to where the arcade leads; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ Have clear sight lines and no opportunities for concealment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Where arcades or internalised shopping malls are proposed, those shops at the entrance must have direct pedestrian access to the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.5 Amenity Performance criteria P1 The amenity provided for residents of a mixed use development is similar to that expected in residential zones in terms of visual and acoustic privacy, solar amenity and views. Development controls The internal environment of dwellings within mixed use developments in the vicinity of major arterial roads or railway lines shall provide an appropriate level of amenity for privacy, solar access and views.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.6 Residential flat building component of mixed use developments Applicants shall consult the Residential Flat Buildings Part of this DCP for the design requirements for the residential flat building component of a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to the Auburn DCP – Residential Flat Buildings compliance table below.
5.0 Privacy and Security				
Objectives				
a. To provide personal and property security for residents and visitors and enhance perceptions of community safety.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
b. To ensure that new development achieves adequate visual and acoustic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

privacy levels for neighbours and residents.				
c. To create a balance of uses that are safe and easily accessible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To ensure there is adequate lighting and signage to provide a safe environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To enhance the architectural character of buildings at night, improve safety and enliven the town centre at night.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Performance criteria				
P1 Private open spaces and living areas of adjacent dwellings are protected from overlooking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P2 Site layout and design of buildings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Views onto adjoining private open space shall be obscured by:				
• Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• Incorporating planter boxes into walls or balustrades to increase visual separation between areas. Existing dense vegetation or new planting may be used as a secondary measure to further improve privacy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Pedestrian walkways and car parking shall be direct, clearly defined, visible and provided with adequate lighting, particularly those used at night.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6 Landscaping and site features shall not				

block sight lines and are to be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7 Seating provided in commercial areas of a development shall generally only be located in areas of active use where it will be regularly used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8 Adequate lighting shall be provided to minimise shadows and concealment spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D9 All entrances and exits shall be made clearly visible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D10 Buildings shall be arranged to overlook public areas and streets to maximise surveillance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D11 Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.1 Lighting				
Performance criteria				
P1 Lighting is provided to highlight the architectural features of a building and enhance the identity and safety of the public domain but does not floodlight the facade.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
P2 The use of integrated lighting systems in retail shops is both functional and decorative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3 Lighting is sufficient for its purpose and used to make bold design statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4 Lighting does not interfere with amenity of residents or safety of motorists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Lighting design shall be integrated with the interior design of a retail/commercial premise. The use of low voltage track lighting, recesses spotlighting and designer light fittings is encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Lighting systems shall incorporate specific display lighting to reinforce merchandise and provide a contrast against the street lighting generally.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Surface mounted fluorescent fixtures shall not be considered in any part of the retail areas of the premises.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4 The light source shall be selected to provide the desired light effect; however, fitting and methods shall be chosen produce the highest energy efficiency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Lighting shall not interfere with the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

amenity of residents or affect the safety of motorists.				
D6 Excessive lighting shall not be permitted. Light spill onto the street into the public domain shall be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.2 Shutters and grilles				
Performance criteria				The modified proposal results in no impact on these criteria.
P1 Security shutters, grilles and screens allow the viewing of shopfront windows and light to spill out onto the footpath.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P2 Shutters, grilles and screens are to be made from durable, graffiti-resistant materials and compatible with the building style.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Windows and doors of existing shopfronts shall not be filled in with solid materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Security shutters, grilles and screens shall:				
• be at least 70% visually permeable (transparent);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• not encroach or project over Council's footpaths; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• be made from durable, graffiti-resistant materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Solid, external roller shutters shall not be permitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.3 Noise				
Performance criteria				The modified proposal results in no impact on these criteria.
P1 New developments within major arterial roads or railway lines are designed to mitigate noise and vibration impacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P2 All uses in the local centres must minimise noise impacts on adjoining residential areas caused by loading/unloading, late night operations, use of plant and equipment and entertainment activities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 New development shall comply with the provisions of the relevant acts, regulations, environmental planning instruments, Australian Standards and guidelines produced by the NSW Department of Environment, Climate Change and Water, the NSW Roads and Traffic Authority and the NSW Department of Planning as applicable for noise, vibration and quality assurance. This				

includes:				
<ul style="list-style-type: none"> • Development Near Rail Corridors and Busy Roads, NSW Department of Planning, December 2008 – Interim Guidelines. • NSW Industrial Noise Policy; • Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects; and • Environmental Criteria for Road and Traffic Noise. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2 Restaurant and cafe design shall minimise the impact of noise associated with late night operation on nearby residents. Operation includes loading/unloading of goods/materials and the use of plant and equipment at a proposed commercial premise.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 An acoustic report shall be submitted with a development application for a proposed commercial use in the local centre that operates during the hours between 10pm and 6am.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
				The use of the retail/commercial tenancies has not been nominated as part of the subject application. Separate development applications will be required for the use of these tenancies.
5.4 Wind Mitigation				
Performance Criteria				
P1 New developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development Controls				
D1 Site design for tall buildings (towers) shall:				
<ul style="list-style-type: none"> ■ set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower; ■ ensure that tower buildings are well spaced from each other to allow breezes to penetrate local centres; ■ consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level; and ■ ensure useability of open terraces and balconies. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2 A Wind Effects Report is to be submitted with the DA for all buildings greater than 35m in height.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 For buildings over 48m in height, results of a wind tunnel test are to be included in the report.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
				N/A
6.0 Access and Car Parking				
In addition to this section, applicants shall consult the Parking and Loading Part of this DCP for other access, parking and loading requirements for all development within local centres.				
6.1 Access, loading and car parking requirements				
Development controls				
D1 Car parking rates shall be provided in accordance with the Parking and Loading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to the Auburn DCP 2010 – Parking and Loading compliance table.

Part of this DCP.				
6.2 Creation of new streets and laneways				
Performance criteria				
P1 All new proposed roads are designed to convey the primary function of the street, including: <ul style="list-style-type: none">• Safe and efficient movement of vehicles and pedestrians;• Provision for parked vehicles and landscaping, where appropriate;• Location, construction and maintenance of public utilities; and• Movement of service and delivery vehicles.				The proposal does not include any new streets or laneways.
Development controls				
D1 On some sites, new streets may be able to be introduced. Where a new street shall be created, the street shall be built to Council's standards, Road Design Specification D1 and relevant Quality Assurance requirements while having regards to the circumstances of each proposal. Consideration will be given to maintaining consistency and compatibility with the design of existing roads in the locality.				
D2 On site car parking shall be provided below ground or located within the building and well screened.				
D3 Development adjoining a new laneway shall contribute to an attractive streetscape and presents a well designed and proportioned facade and incorporates windows, balconies, doorways and landscaping, where possible.				
D4 New public laneways created within large blocks shall maximise pedestrian and vehicle connections within local centres.				
D5 A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side.				
D6 New streets shall be dedicated to Council. The area of any land dedicated to Council shall be included in the site area for the purpose of calculating the floor space ratio.				
7.0 Landscaping				
Objectives				
a. To create attractive buildings, public spaces and walkways.				
b. To improve visual quality and contribute to a more positive local centre experience.				
c. To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the local centre.				
d. To improve the amenity of business and commercial precincts through preserving and retaining existing mature trees where practical.				
e. To support landscape design that incorporates the planting of endemic landscape species wherever possible.				
f. To ensure that new street furniture is				

coordinated with existing street furniture and does not create clutter and obstacles in public spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
g. To ensure that public areas respond to the needs of people with sensory and other disabilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Performance criteria				
P1 Landscaping forms an integral part of the overall design concept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P2 Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3 Landscaped areas are used to soften the impact of buildings and car parking areas as well as for screening purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P4 Landscaped areas are provided for passive and recreational use of workers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P5 Enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P6 Encourage the planting of low water consumption plants and trees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 At grade car parking areas, particularly large areas, shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large car parks.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4 Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Paving and other hard surfaces shall be consistent with architectural elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.1 Street trees				
D1 Street trees shall be planted at a rate of one (1) tree per lineal metre of street frontage, even in cases where a site has more than one street frontage, excluding frontage to laneways.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
D2 Street tree planning shall be consistent with Council's Street Tree Masterplan or relevant Public Domain Plan or Infrastructure Manual.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Significant existing street trees shall be conserved and, where possible, additional street trees shall be planted to ensure that	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

the existing streetscape is maintained and enhanced.				
D4 Where street trees and the provision of awnings are required, cut-outs shall be included in the awning design to accommodate existing and future street trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D5 Driveways and services shall be located to preserve significant trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6 At the time of planting, street trees shall have a minimum container size of 200 litres and a minimum height of 3.5m, subject to species availability.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D7 Planter boxes (or similar) surrounding trees in the footpath shall be 1.2m x 1.2m, filled with approved gravel and located 200mm from the back of the kerb line.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8.0 Energy Efficiency and Water Conservation				
Objectives				
a. To achieve energy efficient commercial and retail developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A BASIX Certificate has been submitted to address the energy efficiency and water conservation measures required for the residential component of the building and the common areas (such as foyers and basement car park). Conditions of consent could be imposed with respect to the provision of energy efficient lighting, heating/cooling systems, and water saving devices in the retail/commercial tenancies.</p> <p>With regard to overshadowing of the public domain, there are no areas of public open space in the vicinity of the site. Overshadowing of the public domain is, therefore, confined to footpaths. The shadow diagrams submitted with the application shows shadows moving across the following streets:</p> <ul style="list-style-type: none">Board Street from 9am to 11am;Board Street and John Street from 11am
b. To encourage site planning and building design which optimises site conditions to achieve energy efficiency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To minimise overshadowing of the public domain including streets and open space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To give greater protection to the natural environment by reducing greenhouse gas emissions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To encourage the installation of energy efficient and water conserving appliances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To reduce the consumption of non-renewable energy sources for the purposes of heating, water, lighting and temperature control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To minimise potable water mains demand of non-residential development by implementing water efficiency measures.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.1 Energy efficiency				
Performance criteria				
PI Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building internal layout of the buildings is generally considered acceptable. The building will be made out of appropriate masonry materials with suitable thermal massing properties.</p>
Development controls				

<p>D1 Any hot water heaters to be installed, as far as practicable, shall be solar and, to the extent that this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is as per the BASIX certificate requirements.
<p>D2 The practicability of all external lighting and common areas (e.g. undercover car parking) being lit utilising renewable energy resources generated on site shall be investigated. Larger developments (buildings exceeding 400m² in area) shall investigate the viability of utilising renewable energy resources for all lighting on site. A statement shall be included with the development application addressing these requirements.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The BASIX Certificate requires energy efficient lighting be installed in common areas and this is considered an acceptable energy efficient measure.
<p>8.2 Water conservation</p> <p>Performance criteria</p> <p>P1 Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.</p> <p>Development controls</p> <p>D1 New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p> <p>D2 Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p> <p>D3 Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The submitted BASIX Certificate addresses water conservation.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A rainwater tank is proposed.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The installation of water efficient fixtures is a BASIX requirement.
<p>8.3 Stormwater drainage</p> <p>Applicants shall consult the Stormwater Drainage Part of this DCP for requirements for stormwater management.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
<p>8.4 Rainwater tanks</p> <p>Performance criteria</p> <p>P1 Adequate measures are incorporated into new development to encourage the collection and reuse of stormwater and reduce stormwater runoff.</p> <p>Development controls</p> <p>D1 Rainwater tanks shall be installed as</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.

<p>part of all new development in accordance with the following:</p> <ul style="list-style-type: none"> • The rainwater tank shall comply with the relevant Australian Standards; • The rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development; • Rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards; • The suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks shall not be located within the front setback; and • The overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8.5 Ventilation</p> <p>Performance criteria PI Natural ventilation is incorporated into the building design.</p> <p>Development controls DI The siting, orientation, use of openings and built form of the development shall maximise opportunities for natural cross ventilation for the purposes of cooling and fresh air during summer and to avoid unfavourable winter winds.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development exceeds the minimum requirements for natural ventilation under SEPP 65.</p> <p>63%</p>
<p>8.6 Solar amenity</p> <p>Performance criteria PI New buildings are designed to protect solar amenity for the public domain and residents.</p> <p>Development controls DI Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 3.00 pm on 21 June for:</p> <ul style="list-style-type: none"> • public places or open space; • 50% of private open space areas; • 40% of school playground areas; or • windows of adjoining residences. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modified proposal will not reduce sunlight to the private open space areas or windows to residential properties over which shadows are cast, to less than 3 hours between 9am and 3pm in mid-winter.</p> <p>The submitted shadow diagrams indicate that the overshadowing of development on surrounding areas is acceptable.</p> <p>There are no public places or open</p>

				spaces within the vicinity of the site. The proposed development complies with the DCP requirements pertaining to solar access. The proposed external finishes and colour scheme of the western elevation are appropriate.
D2 Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.0 Ancillary Site Facilities				
9.1 Provision for goods and mail deliveries Performance criteria				
PI New development incorporates adequate provision in its design for the delivery of goods and mail to both business and residential occupants.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
DI Provision shall be made on-site for courier car parking spaces in a convenient and appropriately signposted location, preferably with access off the principal street frontage, for developments incorporating greater than 3,000m ² of gross leasable floor area devoted to commercial premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modified proposal results in no impact on these criteria.
D2 Provision of mailboxes for residential units shall be incorporated within the foyer area of the entrance to the residential component of the mixed use developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10.0 Other Relevant Controls				
10.1 Waste				
DI Applicants shall consult the Waste Part of this DCP for requirements for disposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
10.2 Access and amenity				
DI Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development provides suitable access in accordance with the Access and Mobility part of this ADCP 2010.
11.0 Public Domain				
Objectives				
a. To ensure private development				The modified proposal results in no impact on these criteria.

contributes to a safe, attractive and useable urban environment within the local centres of the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To ensure the public domain forms an integrated part of the urban fabric of commercial centres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To encourage both night and day pedestrian activity in the commercial centres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To ensure private development contributes to a positive pedestrian environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To ensure that outdoor dining areas do not interfere with pedestrian amenity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To encourage public art in new development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Any works within the public domain or which present to the public domain shall be consistent with Council's Public Domain Manual and/or the Town Centre Infrastructure Manual and Council's Policy on Crime Prevention Through Environmental Design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 New buildings shall contribute to the public domain through the provision of awnings, sheltered building entries, verandahs and canopies, safe pedestrian linkages to car parks, landscaping, and open space, where appropriate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Outdoor dining on footpaths shall be limited. Refer to Council's relevant Public Domain Plan, Outdoor Dining Policy and Public Art Policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.0 Subdivision				
Objectives				The modified proposal results in no impact on these criteria.
a. To ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate car parking, loading facilities, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. To provide lots which are of sufficient size to satisfy user requirements and to facilitate development of the land while having regard to site opportunities and constraints.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12.1 Size and dimensions				
Performance criteria				
PI The size and dimension of proposed lots contribute to the orderly development of the commercial centres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls				
D1 Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the appropriate siting of buildings and the provision of required	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

car parking, loading facilities, access and landscaping.				
12.2 Utility services Performance criteria PI All essential public utility services are provided to the development to the satisfaction of relevant authorities. Development controls DI The applicant shall demonstrate that each proposed allotment can be connected to appropriate utility services including water, sewerage, power and telecommunications and (where available) gas. This may include advice from the relevant service authority or a suitably qualified consultant as to the availability and capacity of services. D2 Common trenching for gas, electricity and telecommunications shall be provided in accordance with agreements between the relevant servicing authorities in NSW.	<input checked="" type="checkbox"/> 			

D4	External lighting shall be positioned to avoid light spillage to adjoining residential zones.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Where noise generating development is proposed adjacent to residential or other noise sensitive uses, such as places of worship and child care centres, an acoustic report shall be submitted with a development application, outlining methods to minimise adverse noise impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15.0 Lidcombe Town Centre					
15.1 Development to which this section applies		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject development site is located within the Lidcombe Town Centre.
This section applies to the Lidcombe Town Centre which is zoned B4 Mixed Use, RE1 Public Recreation and RE2 Private Recreation under the <i>Auburn LEP 2010</i> . Refer to Figure 6. Where there are inconsistencies between the controls contained within this Section and other controls within this DCP, these controls prevail to the extent of the inconsistency.					
15.2 Setbacks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16 P1 The built edge of development fronting the street contributes to a sense of enclosure, scale and appropriate transition within the town centre.					
Development controls					
DI	Setbacks within the town centre shall be consistent with Figure 7.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This matter has been discussed previously.
15.3 Active frontages		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
Development controls					
DI	As a minimum, buildings shall provide active street frontages consistent with Figure 8.				
15.4 Laneways		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No laneways are proposed.
Development controls					
DI	Redevelopment within the Lidcombe Town Centre shall make provision for the creation of new laneways as shown in Figure 9.				

<p>15.5 Site 1 – Dooleys</p> <p>Several sites within the Lidcombe Town Centre have been identified as having the greatest potential for intensification with commercial, residential and mixed use development, as shown in Figure 10. Each site has an inherent capacity to contribute to the transformation of the urban form into one which will generate more activity and lead the development of the town centre. The development controls for these sites apply in addition to the development controls presented in previous sections of this Part.</p> <p>Objectives</p> <p>a. To ensure architectural design recognises:</p> <ul style="list-style-type: none"> the strategic significance of the site within the Lidcombe Town Centre; and the visual prominence of the site from public areas including the train station and the approach towards the site from the northern end of John Street. <p>b. To reinforce John Street as the main street of the northern area of the Lidcombe Town Centre.</p> <p>c. To ensure development is sensitive in scale and character to the heritage item within the site.</p> <p>d. To provide an appropriate transition to the residential area to the north of the site.</p> <p>e. To improve pedestrian access and circulation within the town centre.</p> <p>Development controls</p> <p>D1 Development shall be design in accordance to Figure 11.</p> <p>D2 Development shall be designed to address Olympic Drive.</p> <p>D3 Development shall provide a new pedestrian through-site link, shared way or street between Church Street to Board Street, with a minimum width of 12m.</p> <p>D4 Through-site linkages shall be provided for pedestrians and vehicles within the site to improve circulation and access to the town centre. The linkages shall</p>				<p>Not applicable to subject site.</p>
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	enable connection between Church Street and Board Street and John Street and Board Street.				
D5	The preferred access to the site shall be via Church Street with secondary access via Board Street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6	Outdoor dining shall be encouraged along John Street and Church Street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D7	For residential uses, the maximum building dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 60m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D8	Levels above the podium are to be setback for a minimum of 4-6m from the boundary of adjoining commercial or residential uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15.6 Site 2 – Mary Street North					N/A
15.7 Site 3 – Mary Street South					N/A
15.8 Site 4 – Tooheys Lane					N/A
15.9 Site 5 – Bridge Street					N/A
15.10 Site 6 – Railway Street					N/A

ADCP 2010 Residential Flat Buildings

The relevant objectives and requirements of the DCP 2010 Residential Flat Buildings have been considered in the following assessment table:

[illegible]

demographics and tenancies; ■ foster ecologically sustainable development; ■ maintain a high level of amenity; ■ contribute to the overall street locality; ■ minimise the impact on the environment; and ■ optimise use of the land.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
2.0 Built Form				
Objectives a. To ensure that all development contributes to the improvement of the character of the locality and streetscape in which it is located. b. To ensure that development is sensitive to the landscape setting and environmental conditions of the locality. c. To ensure that the appearance of development is of high visual quality and enhances and addresses the street. d. To ensure that the proposed development protects the amenity of adjoining and adjacent properties. e. To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and the local character. f. To ensure that development relates well to surrounding developments including heritage items, open space and other land uses. g. To ensure that development maximises sustainable living. h. To maximise views, solar and daylight access, i. To provide an acceptable interface between different character areas. j. To minimise the impacts of buildings overshadowing open spaces and improve solar access to the street. k. To contribute to the streetscape and form a clear delineation between the public and private domain.	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The proposed development is consistent with the built form objectives.
2.1 Site area				
Performance criteria				
P1 The site area of a proposed development is of sufficient size to accommodate residential flat development and provide adequate open space and car parking consistent with the relevant requirements of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
Development controls				
D1 A residential flat building development shall have a minimum site area of 1000m ² and a street frontage of 20 metres in the B4 Zone or 26 metres in the R4 Zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

D2	Where lots are deep and have narrow street frontages the capacity for maximising residential development is limited. Two or more sites may need to be amalgamated to provide a combined site with sufficient width for good building design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2	Site coverage				
	Performance criteria				
P1	Ensure that new development and alterations and additions to existing development result in site coverage which allows adequate provision to be made on site for infiltration of stormwater, deep soil tree planting, landscaping, footpaths, driveway areas and areas for outdoor recreation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
P2	Minimise impacts in relation to overshadowing, privacy and view loss.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3	Ensure through-site links for pedestrians are incorporated where applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Development controls				
D1	The built upon area shall not exceed 50% of the total site area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D2	The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3	Building envelope				
	Performance criteria				
P1	The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As discussed previously, the height, bulk, and scale of the development is considered compatible with the future character of Lidcombe.
	• addresses both streets on corner sites;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	• align with the existing street frontages and/or proposed new streets;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	• form an L shape or a T shape where there is a wing at the rear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Note: The development control diagrams in section 10.0 illustrate building envelope controls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Development controls				
D1	Council may consider a site specific building envelope for certain sites, including: double frontage sites;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The building has a floor plate of 1321 sqm for level 2 to level 8. This is an increase of approximately 470sqm the maximum specified under this control.
	■ sites facing parks;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ sites adjoining higher density zones; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ isolated sites.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	The maximum building footprint dimensions, inclusive of balconies and building	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The deferred commencement approval conditioned that one of these be removed and replaced by

<p>articulation but excluding architectural features, is 24m x 45m for sites up to 3,000m²</p> <p>D3 The tower component of any building above the podium or street wall height is to have a maximum floor plate of 850m².</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>the smaller floor plates previously proposed above.</p> <p>The reduced floor plate should be retained as it is more in line with the DCP control.</p>
<p>2.4 Setbacks</p> <p>Performance criteria</p> <p>P1 Impact on the streetscape is minimised by creating a sense of openness, providing opportunities for landscaping and semi-private areas, and providing visual continuity and building pattern.</p> <p>P2 Integrate new development with the established setback character of the street.</p> <p>P3 Ensure adequate separation between buildings, consistent with the established character and rhythm of built elements in the street.</p> <p>P4 Ensure adequate separation between buildings for visual and acoustic privacy.</p> <p>P5 Maintain a reasonable level of amenity for neighbours with adequate access to sunlight.</p> <p>Development controls</p> <p>2.4.1 Front setback</p> <p>D1 The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1 and B2 zones) to provide a buffer zone from the street where residential use occupies the ground level.</p> <p>D2 Where a site has frontage to a lane, the minimum setback shall be 2m, however, this will vary depending on the width of the lane.</p> <p>D3 Where a new building is located on a corner, the main frontage shall be determined on the existing streetscape patterns. Where the elevation is determined as the 'secondary' frontage, the setback may be reduced to 3m except where it relates to a primary frontage on that street.</p> <p>D4 Front setbacks shall ensure that the distance between the front of a new building to the front of the building on the opposite side of the street is a minimum of 10m for buildings up to 3 storeys high. For example, a 2m front setback is required where a 6m wide laneway is a shareway between the front of 2 buildings. Where a footpath is to be incorporated a greater setback shall be</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development is consistent with established street setbacks and building forms of new developments along John Street.</p> <p>The area is undergoing transition.</p> <p>The modified proposal results in no impact on these criteria.</p>

	required.				The building elevations are considered to be well articulated with the incorporation of recesses, horizontal and vertical planes, contrasting materials, and fenestration treatments to create a varied facade.
D5	All building facades shall be articulated by bay windows, verandahs, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 1m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	In all residential zones, levels above 4 storeys are to be setback for mid-block sites.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.2 Side setback					
D1	In all residential zones, buildings shall have a side setback of at least 3 metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is not in a residential zone.
D2	Eaves may extend a distance of 700mm from the wall.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.3 Rear setback					
D1	Rear setbacks shall be a minimum of 10m from the rear property boundary.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	The development is built to rear boundary fronting adjacent residential development. Open space on level 1 of building creates a 6m setback between building and neighboring development. However, as the building has frontages to Ann Street and Board Street this control is not applicable.
D2	Where there is a frontage to a street and a rear laneway the setback to the rear laneway shall be a minimum of 2m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	Where a building is an L or T shape with the windows facing side courtyards the rear setback shall be a minimum of 2m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.4 Haslam’s creek setback					
D1	A minimum 10m setback from the top of the creek bank of Haslam’s Creek and its tributaries shall be required. Refer to the Stormwater Drainage Part of this DCP for additional controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site does not adjoin Haslam’s Creek
2.4.5 Setbacks at Olympic Drive, Lidcombe					
Performance criteria					
P1	Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is not located on Olympic Drive, Lidcombe
P2	East-west streets maintain view corridors to Wyatt Park.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls					
D1	For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 6m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	The setback area and verge shall be landscaped and planted with a double row of street trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	The setback to east-west streets shall be	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.					
2.5 Building depth					
Performance criteria					
P1	A high level of amenity is provided for residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building exceeds 24m in depth across the Ann Street and Board Street frontages. The reduced floor plate is still a maximum of 27 metres deep and is therefore considered more appropriate to maintain.
Development controls					
D1	The maximum depth of a residential flat building shall be 24m (inclusive of balconies and building articulation but excluding architectural features).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2.6 Floor to ceiling heights					
Performance criteria					
P1	Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All residential units have a floor to ceiling height of 2.7m. The modified proposal results in no impact on these criteria.
Development controls					
D1	The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Where there is a mezzanine configuration, the floor to ceiling height may be varied.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	When located near business areas, a floor to ceiling height of 3 to 3.3m for the ground and first floor shall be provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4	When located within business areas, a floor to ceiling height of 3.3m for the ground and first floor shall be provided.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2.7 Head height of windows					
Performance criteria					
P1	Window heights allow for light penetration into rooms and well proportioned elevations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
Development controls					
D1	The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.8 Heritage					
Performance criteria					
					The modified proposal results in no

P1	Development does not adversely affect the heritage significance of heritage items and heritage groups and archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	impact on these criteria.
Development controls					
D1	All development adjacent to and/or adjoining a heritage item shall be:				
	<ul style="list-style-type: none">responsive in terms of the curtilage and design;accompanied by a Heritage Impact Statement; andrespectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
2.9	Building design				
Performance criteria					
P1	Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria. All elevations of the building have varied projections and recesses which create a sense of articulation and depth.
P2	The use of sympathetic materials, colour schemes and details of new residential development and associated structures ensures that the character of Auburn's residential areas is not diminished.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
2.9.1	Materials				
D1	All developments shall be constructed from durable, high quality materials. As a guide, preference shall be given to bricks that are smooth faced and in mid to dark tones.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
2.9.2	Building articulation				
D1	Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Dwelling entrances shall create a sense of individuality and act as a transitional space between private and communal spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Elevations shall provide for variation and depth rather than relying on front façade treatment only. Varied massing projections and recesses shall be used to create a sense of articulation and depth.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.9.3	Roof form				
D1	Roof forms shall be designed in a way that the total form does not add to height and bulk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof forms are typical of a multi-storey building, comprising a number of flat planes that do not

of the building.					add to the bulk and scale of the development.
2.9.4 Balustrades and balconies					The modified proposal results in no impact on these criteria.
D1	Balustrades and balconies shall allow for views from the interior. Accordingly, balustrades shall be partly transparent and partly solid.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall avoid having exposed pipes and utilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.10 Dwelling size					<p>All units within the modified development meet the minimum dwelling size requirements of the SEPP 65 – Design Quality of Residential Apartment Development via the Apartment Design Guide.</p> <p>Unit layouts are capable of accommodating a range of household types and rooms are of adequate dimensions for their intended use.</p> <p>The unit sizes largely comply with the minimum sizes in the SEPP 65 – ADG and this overrides Councils DC</p> <p>All units have a spacious living area which directly adjoins private open space.</p> <p>The modified proposal offers a variety of unit types of differing sizes and bedrooms numbers.</p> <p>The modified proposal development has the following acceptable unit mix:-</p>
Performance criteria					
P1	Internal dwelling sizes and shapes are suitable for a range of household types.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P2	All rooms are adequate in dimension and accommodate their intended use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	The size of the dwelling shall determine the maximum number of bedrooms permitted.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Number of bedrooms	Dwelling size				
Studio	50m ²				
1 bedroom (cross through)	50m ²				
1 bedroom (mansionette)	62m ²				
1 bedroom (single aspect)	63m ²				
2 bedrooms (corner)	80m²				
2 bedrooms (cross through or over)	90m ²				
3 bedrooms	115m ²				
4 bedrooms	130m ²				
D2	At least one living area shall be spacious and connect to private outdoor areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.11 Apartment mix and flexibility					
Performance criteria					
P1	A diversity of apartment types are provided, which cater for different household requirements now and in the future.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P2	Housing designs meet the broadest range of the occupants' needs possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	large apartment buildings.				1 bedroom – 17 units (12%%) 2 bedroom – 101 units (71%) 3 bedroom – 19 units (13.5%) 4 bedroom – 4 units (2%)
	Variety may not be possible in smaller buildings, for example, up to six units.				
D2	The appropriate apartment mix for a location shall be refined by: <ul style="list-style-type: none"> ■ considering population trends in the future as well as present market demands; and ■ noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	A mix of one (1) and three (3) bedroom apartments shall be located on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
D4	The possibility of flexible apartment configurations, which support future change to optimise the building layout and to provide northern sunlight access for all apartments, shall be considered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6	Apartment layouts which accommodate the changing use of rooms shall be provided. <p>Design solutions may include:</p> <ul style="list-style-type: none"> ■ windows in all habitable rooms and to the maximum number of non-habitable rooms; ■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and ■ dual master bedroom apartments, which can support two independent adults living together or a live/work situation. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include: <ul style="list-style-type: none"> ■ a structural grid, which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; ■ the alignment of structural walls, columns and services cores between floor levels; ■ the minimisation of internal structural walls; ■ higher floor to ceiling dimensions on the 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>ground floor and possibly the first floor; and</p> <ul style="list-style-type: none"> ■ knock-out panels between apartments to allow two adjacent apartments to be amalgamated. 				
3.0 Open space and landscaping				
<p>Objectives</p> <p>a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.</p> <p>b. To provide private open areas that relate well to the living areas of dwellings.</p> <p>c. To provide sufficient areas for deep soil planting.</p> <p>d. To provide a mix of hard and soft landscape treatments.</p> <p>e. To help provide a visual and acoustic buffer from the street without preventing passive surveillance.</p> <p>f. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.</p> <p>g. To provide for the preservation of existing trees and other natural features on the site, where appropriate.</p> <p>h. To provide low maintenance communal open space areas.</p> <p>i. To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.</p> <p>j. To conserve and enhance street tree planting.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modified proposal results in no impact on these criteria.</p>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>3.1 Development application requirements</p> <p>A landscape plan shall be submitted with all development applications for residential flat buildings.</p> <p>The landscape plan should specify landscape themes, vegetation (location and species), paving and lighting that provide a safe, attractive and functional environment for residents, integrates the development with the neighbourhood and contributes to energy efficiency and water management.</p> <p>A landscape plan prepared by a professionally qualified landscape architect or designer shall be submitted with the development application which shows:</p> <ul style="list-style-type: none"> ■ proposed site contours and reduced levels at embankments, retaining walls and other critical locations; ■ existing vegetation and the proposed planting and landscaping (including proposed species); ■ general arrangement of hard landscaping elements on and 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modified proposal results in no impact on these criteria.</p>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

- adjoining the site;
- location of communal facilities;
- proposed lighting arrangements;
- proposed maintenance and irrigation systems; and
- proposed street tree planting.

3.2 Landscaping

Performance criteria

P1 Paving may be used to:

- ensure access for people with limited mobility;
- add visual interest and variety;
- differentiate the access driveway from the public street; and
- encourage shared use of access driveways between pedestrians, cyclists and vehicles.

Development controls

- D1** If an area is to be paved, consideration shall be given to selecting materials that will reduce glare and minimise surface run-off.

- D2** All landscaped podium areas shall maintain a minimum soil planting depth of 600mm for tree provision and 300mm for turf provision.

The modified proposal results in no impact on these criteria.

3.3 Deep soil zone

Performance criteria

- P1** A deep soil zone allows adequate opportunities for tall trees to grow and spread.

Note: Refer to the development control diagrams in section 10.0.

Development controls

- D1** A minimum of 30% of the site area shall be a deep soil zone.

- D2** The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building.

- D3** Deep soil zones shall have minimum dimensions of 5m.

- D4** Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.

The modified proposal results in no impact on these criteria.

3.4 Landscape setting

Performance criteria

P1	Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
P2	Residential flat buildings are adequately designed to reduce the bulk and scale of the development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The bulk and scale of the development has been discussed previously and is considered to be unacceptable.
P3	Landscaping assists with the integration of the site into the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
P4	Enhance the quality and amenity of the built form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P5	Provide privacy and shade in communal and private open space areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	Development on steeply sloping sites shall be stepped to minimise cut and fill.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no trees on the site.
D2	Existing significant trees shall be retained within the development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	The minimum soil depth for terraces where tree planting is proposed is 800mm.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site does not adjoin public open space or bushland.
D4	Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D5	Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modified proposal results in no impact on these criteria.
D6	All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.5 Private open space					
Performance criteria					
P1	Private open space is clearly defined and screened for private use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All units have been provided with private open space in the form of terraces and balconies which take advantage of views, do not compromise the privacy of adjoining sites, and provide surveillance of public spaces. All private open space areas are directly accessible from living areas and largely comply with the minimum development standards for dimensions and area.
P2	Private open space:				
	■ takes advantage of available outlooks or views and natural features of the site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ reduces adverse impacts of adjacent buildings on privacy and overshadowing; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ resolves surveillance, privacy and security issues when private open space abuts public open space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3	Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					

D1	Private open space shall be provided for each dwelling in the form of a balcony, roof terrace or, for dwellings on the ground floor, a courtyard.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>All units have balconies with a minimum area of 8sqm and an area with minimum dimension of 2m.</p> <p>The modified proposal results in no impact on these criteria.</p>
D2	Dwellings on the ground floor shall be provided with private open space that has a minimum area of 9m ² and a minimum dimension of 2.5m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	Dwellings located above ground level shall be provided with a balcony or roof terrace that has a minimum area of 8m ² and a minimum dimension of 2m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Balconies may be semi enclosed with louvres and screens.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Private open space shall have convenient access from the main living area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Part of the private open space shall be capable of serving as an extension of the dwelling for relaxation, dining, recreation, entertainment and children's play.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D7	Additional small, screened service balconies may be provided for external clothes drying areas and storage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.6	Communal open space				
	Performance criteria				
P1	<p>The site layout provides communal open spaces which:</p> <ul style="list-style-type: none"> contribute to the character of the development; provide for a range of uses and activities; allows cost-effective maintenance; and contributes to stormwater management. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
	Development controls				
D1	Communal open space shall be useable, and where possible have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved recreation area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

D2 The communal open space area shall have minimum dimensions of 10m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.7 Protection of existing trees Performance criteria P1 Major existing trees are retained where practicable through appropriate siting of buildings, access driveways and parking areas and appropriate landscaping. Development controls D1 Building structures or disturbance to existing ground levels shall not be within the drip line of existing significant trees to be retained. D2 Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees are to be provided if existing trees cannot be retained. Note: For additional requirements, applicants shall refer to the Tree Preservation Part of this DCP.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no existing trees on the site.
3.8 Biodiversity Performance criteria P1 Existing and native flora at canopy and understorey levels is preserved and protected. P2 Plantings are a mix of native and exotic water-wise plant species. Development controls D1 The planting of indigenous species shall be encouraged.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no vegetation on the site.
3.9 Street trees Performance criteria P1 Existing street landscaping is maintained and where possible enhanced. Development controls D1 Driveways and services shall be located to preserve existing significant trees. D2 Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage. Note: Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no existing street trees along the frontages of the development site.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.

4.0 Access and car parking				
Objectives				
4.1 Access and car parking requirements				
Note: Applicants shall consult the Parking and Loading Part of this DCP.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2 Basements				
Performance criteria				
P1	Basements allow for areas of deep soil planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development controls				
D1	Where possible, basement walls shall be located directly under building walls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D2	A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D3	Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D4	Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.0 Privacy and security				
Objectives				
a.	To ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	To provide personal and property security for residents and visitors and enhance perceptions of community safety.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1 Privacy				
Performance criteria				
P1	Private open spaces and living areas of adjacent dwellings are protected from overlooking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development controls				
D1	Buildings shall be designed to form large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D2	Windows to living rooms and main bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape. Where it is impracticable to locate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.</p> <p>D3 Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.</p> <p>D4 Views onto adjoining private open space shall be obscured by:</p> <ul style="list-style-type: none"> ■ Screening that has a maximum area of 25% openings, shall be permanently fixed and made of durable materials; or ■ Existing dense vegetation or new planting. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>5.2 Noise</p> <p>Performance criteria</p> <p>P1 The transmission of noise between adjoining properties is minimised.</p> <p>P2 New dwellings are protected from existing and likely future noise sources from adjoining residential properties and other high noise sources (such as busy roads, railway corridors and industries) and the transmission of intrusive noise to adjoining residential properties is minimised.</p> <p>Development controls</p> <p>D1 For acoustic privacy, buildings shall:</p> <ul style="list-style-type: none"> ■ be designed to locate noise sensitive rooms and private open space away from the noise source or by use of solid barriers where dwellings are close to high noise sources; ■ minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion; and ■ all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of the BCA. <p>Note: For development within or adjacent to a rail corridor, or major road corridor with an annual average daily traffic volume of more than 40,000 vehicles, applicants must consult <i>State Environmental Planning Policy (Infrastructure) 2007</i> and the NSW Department of Planning's Development Near Rail Corridors and Busy Roads – Interim Guidelines, 2008.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
<p>5.3 Security</p> <p>Performance criteria</p> <p>P1 Provide personal and property security for residents and visitors.</p> <p>P2 Site layout and design of the dwellings,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.

	including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
P3	Ensure a development is integrated with the public domain and contributes to an active pedestrian-orientated environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4	Ensure effective use of fencing or other means to delineate private and public areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Note: Consideration shall also be given to Council's Policy on Crime Prevention Through Environmental Design (CPTED).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Ensure lighting is provided to all pedestrian paths, shared areas, parking areas and building entries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	High walls which obstruct surveillance are not permitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	The front door of a residential flat building shall be visible from the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	A council approved street number should be conspicuously displayed at the front of new development or the front fence of such development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Fences higher than 900mm shall be of an open semitransparent design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	Balconies and windows shall be positioned to allow observation of entrances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D9	Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D10	Blank walls facing a rear laneway should be avoided to discourage graffiti.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D11	Pedestrian and vehicular entrances must be designed so as to not be obstructed by existing or proposed plantings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D12	If seating is provided in communal areas of a development it should generally only be located in areas of active use where it will be regularly used.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D13	Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D14	Ground floor apartments may have individual entries from the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

D15	Residential flat buildings adjoining a park or public open space shall be treated like a front entrance/garden for the length of the park. Refer to Figure 4 - Park frontage in section 10.0.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5.4	Fences				
	Performance controls				
P1	Front fences and walls maintain the streetscape character and are consistent with the scale of development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modified proposal results in no impact on these criteria.
P2	Ensure that views from streets are maintained and not obstructed by excessively high fences.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3	Reduce the impact of front fencing on the streetscape and encourage fencing which is sympathetic to the existing streetscape, general topography and the architectural style of the existing dwelling or new development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P4	Ensure that materials used in front fencing are of high quality and are sympathetic to the exiting streetscape character.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Development controls				
D1	The front and side dividing fences, where located within the front yard area, shall not exceed 1.2m as measured above existing ground level and shall be a minimum of 50% transparent.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Materials of construction will be considered on their merit, with regard being given to materials that are similar to other contributory fences in the vicinity, with a general prohibition on the following materials: <ul style="list-style-type: none"> ■ Cement block; ■ Metal sheeting, profiled, treated or pre-coated. ■ Fibro, flat or profile; ■ Brushwood; and ■ Barbed wire or other dangerous material. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	All fences forward of the building alignment shall be treated in a similar way.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building line.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D5	Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6	Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D7	Fencing and associated walls must be positioned so as not to interfere with any existing trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D8	Gates and doors are to be of a type which does not encroach over the street alignment during operation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.0 Solar amenity and stormwater reuse				
Objectives				
a.	To minimise overshadowing of adjoining residences and to achieve energy efficient housing in a passive solar design that provides residents with year round comfort and reduces energy consumption.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	To create comfortable living environments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	To encourage installation of energy efficient appliances that minimise greenhouse gas generation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1 Solar amenity				
Performance criteria				
P1	Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P2	Buildings and private open space allow for the penetration of winter sun to ensure reasonable access to sunlight or daylight for living spaces within buildings and open space around buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development controls				
D1	Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Where adjoining properties do not have any solar collectors, a minimum of 3m ² of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Note: Where the proposed development is located on an adjacent northern boundary this may not be possible.			
				<p>Solar collectors are now proposed to be installed on the development and will receive solar access in line with this standard.</p> <p>There are no solar collectors on adjoining buildings.</p> <p>The applicant has submitted a solar study which compares the approved development, a compliant building and proposed scheme. All schemes represent a solution that is considered acceptable from a shadow impact perspective.</p> <p>The modified proposal results in no impact on these criteria.</p>

D2	Buildings shall be designed to ensure sunlight to at least 50% of the principal area of ground level private open space of adjoining properties for at least 3 hours between 9:00am and 3:00pm on June 21.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Overall 98 / 141 (69.5%) units receive 3 hours solar access.</p> <p>32 / 141 (22.6 %) receive nil solar access.</p> <p>The current unit breakdown is considered satisfactory for the market and apartment sizes likely to be required in this location.</p> <p>As the number of apartments with nil solar access increases with this modification it is not supported.</p>
D3	If the principal area of ground level private open space of adjoining properties does not currently receive at least this amount of sunlight, then the new building shall not further reduce solar access.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	New buildings and additions shall be designed to maximize direct sunlight to north-facing living areas and private open space areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	North-facing windows to living areas of neighbouring dwellings shall not have sunlight reduced to less than 3 hours between 9:00am and 3:00pm on June 21 over a portion of their surface.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Where the proposed residential flat building is on an adjacent northern boundary or located within an area undergoing transition, compliance with D1, D2, D3 and D4 development controls may not be achievable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	The western walls of the residential flat building shall be appropriately shaded.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	The western walls of the residential flat building shall be appropriately shaded.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.2	Ventilation				
	Performance criteria				
P1	The design of development is to utilise natural breezes for cooling and fresh air	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As discussed previously in the SEPP 65 - ADG the development achieves the minimum design

<p>during summer and to avoid unfavourable winter winds.</p> <p>Development controls</p> <p>D1 Rooms with high fixed ventilation openings such as bathrooms and laundries shall be situated on the southern side to act as buffers to insulate the building from winter winds.</p> <p>D2 Apartments shall be designed to consider ventilation and dual aspect. This can be achieved with cross over apartments, cross through apartments, corner apartments and two (2) storey apartments. Single aspect apartments shall be kept to a minimum except for those that are north facing. Single aspect apartments shall be limited in depth to 8m from a window.</p> <p>D3 Where possible residential flat buildings shall be designed with bathrooms, laundries, and kitchens positioned on an external wall with a window to allow for natural ventilation of the room.</p>				<p>criteria requirements for the number of units achieving natural ventilation via conventional and wing wall methods.</p> <p>Since the original approval was granted the ADG now assumes full ventilation to apartments at 10 storeys and above. 100% ventilation is then assumed for level 9 and 10 in this development.</p> <p>The modified proposal results in no impact on these criteria.</p>
<p>6.3 Rainwater tanks</p> <p>Performance criteria</p> <p>P1 The development design reduces stormwater runoff.</p> <p>Development controls</p> <p>D1 Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.</p> <p>D2 Rainwater tanks shall be constructed, treated or finished in a non-reflective material which blends in with the overall tones and colours of the building and the surrounding developments.</p> <p>D3 The suitability of rainwater tanks erected within the side setback areas of development will be assessed on an individual case by case basis.</p> <p>D4 Rainwater tanks shall not be located within the front setback.</p> <p>D5 The overflow from the domestic rain water tank shall discharge to the site stormwater disposal system. For additional details refer to the Stormwater Drainage Part of this DCP.</p>				<p>The modified proposal results in no impact on these criteria.</p>

<p>D6 The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.</p> <p>6.4 Stormwater drainage</p> <p>Applicants shall refer to the stormwater drainage requirements in the Stormwater Drainage Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.0 Ancillary site facilities				
<p>Objectives</p> <p>a. To ensure that site facilities are effectively integrated into the development and are unobtrusive.</p> <p>b. To maintain and enhance the character of the streetscapes.</p> <p>c. To ensure site facilities are adequate, accessible to all residents and easy to maintain.</p> <p>d. To cater for the efficient use of public utilities including water supply, sewerage, power, telecommunications and gas services and for the delivery of postal and other services.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>7.1 Clothes washing and drying</p> <p>Performance criteria</p> <p>P1 Adequate open-air clothes drying facilities which are easily accessible to all residents and screened, are provided.</p> <p>Development controls</p> <p>D1 Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.</p> <p>D2 Open air clothes drying facilities shall be provided in a sunny, ventilated and convenient location which is adequately screened from streets and other public places, where possible.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
<p>7.2 Storage</p> <p>Performance criteria</p> <p>P1 Dwellings are provided with adequate storage areas.</p> <p>Development controls</p> <p>D1 Storage space of 8m³ per dwelling shall be provided. This space may form part of a garage or be a lockable unit at the side of the garage.</p> <p>D2 Storage space shall not impinge on the</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This matter has been discussed previously in the SEPP 65 - ADG compliance table.

minimum area to be provided for parking spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3 Utility services				
Performance criteria				
P1 All proposed allotments are connected to appropriate public utility services including water, sewerage, power and telecommunications, in an orderly, efficient and economic manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
Development controls				
D1 Where possible, services shall be underground.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.4 Other site facilities				
Performance criteria				
P1 Dwellings are supported by necessary utilities and services.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 A single TV/antenna shall be provided for each building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
D2 A mailbox structure that meets the relevant Australia Postal Service requirements shall be provided, located centrally and close to the major street entry to the site. All letterboxes shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7.5 Waste disposal				
Applicants shall refer to the requirements held in the Waste Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
8.0 Subdivision				
Objectives				
a. To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modified proposal results in no impact on these criteria.
b. To provide allotments of sufficient size to satisfy user requirements and to facilitate development of the land at a density permissible within the zoning of the land having regard to site opportunities and constraints.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8.1 Lot amalgamation				
Performance criteria				
P1 Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				

D1	Development sites involving more than one lot shall be consolidated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified proposal results in no impact on these criteria.
D2	Plans of Consolidation shall be submitted to, and registered with, the office of the NSW Land and Property Management Authority. Proof of registration shall be produced prior to release of the Occupation Certificate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Adjoining parcels of land not included in the development site shall be capable of being economically developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8.2	Subdivision				
	Development controls				
D1	The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The modified proposal results in no impact on these criteria.
D2	Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this Part.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8.3	Creation of new streets				
	Performance criteria				
P1	On some sites, where appropriate, new streets are introduced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No new streets are proposed as part of this application.
P2	New proposed roads are designed to convey the primary residential functions of the street including: <ul style="list-style-type: none"> ■ safe and efficient movement of vehicles and pedestrians; ■ provision for parked vehicles; ■ provision of landscaping; ■ location, construction and maintenance of public utilities; and ■ movement of service and delivery vehicles. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Development controls				
D1	Where a new street is to be created, the street shall be built to Council's standards and quality assurance requirements having regard to the circumstances of each proposal. Consideration shall be given to maintaining consistency and compatibility with the design of existing roads in the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>additional width of 2.5m is required per vehicle per side. For specific information detailing Council's road design specifications, refer to Table 1 – Development Standards for Road Widths in section 10.2.</p> <p>D3 For larger self-contained new residential areas, specific road design requirements shall be considered for site specific development controls.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9.0 Adaptable housing				
<p>Objectives</p> <p>a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.</p> <p>b. To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The modified development satisfies the objectives pertaining to adaptable housing insofar as an adequate number of adaptable dwellings would be provided and all areas of the development are accessible.</p>
<p>9.1 Development application requirements</p> <p>Note: Evidence of compliance with the Adaptable Housing Class C requirements of Australian Standard (AS) 4299 shall be submitted when lodging a development application to Council and certified by an experienced and qualified building professional.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The accessibility report submitted with the original application states that the proposed development complies with the relevant Australian Standards pertaining to accessibility. The proposed amendments do not raise any further issues with respect to accessibility.</p>
<p>9.2 Design guidelines</p> <p>Performance criteria</p> <p>P1 Residential flat building developments allow for dwelling adaptation that meets the changing needs of people.</p> <p>Development controls</p> <p>D1 The required standard for Adaptable Housing is AS 4299. Wherever the site permits, developments shall include adaptive housing features into the design.</p> <p>External and internal considerations shall include:</p> <ul style="list-style-type: none"> ■ access from an adjoining road and footpath for people who use a wheel chair; ■ doorways wide enough to provide unhindered access to a wheelchair; ■ adequate circulation space in corridors and approaches to internal doorways; ■ wheelchair access to bathroom and toilet; ■ electrical circuits and lighting systems capable of producing adequate lighting for people with poor vision; ■ avoiding physical barriers and obstacles; ■ avoiding steps and steep end gradients; 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development includes the required number of adaptable dwellings designed in accordance with relevant Australian Standards.</p>

<ul style="list-style-type: none">■ visual and tactile warning techniques;■ level or ramped well lit uncluttered approaches from pavement and parking areas;■ providing scope for ramp to AS 1428.1 at later stage, if necessary;■ providing easy to reach controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors;■ internal staircase designs for adaptable housing units that ensure a staircase inclinator can be installed at any time in the future; and■ providing a disabled car space for each dwelling designated as adaptable. <p>Note: In the design of residential flat buildings, applicants shall consider the Access and Mobility Part of this DCP.</p>																		
<p>D2 All development proposals with five or more housing units shall be capable of being adapted (Class C) under AS 4299. The minimum number of adaptable housing units is set out below.</p> <p>Number of dwellings Number of adaptable units</p> <table><tr><th>Number of dwellings</th><th>Number of units</th></tr><tr><td>5-10</td><td>1</td></tr><tr><td>11-20</td><td>2</td></tr><tr><td>21 – 30</td><td>3</td></tr><tr><td>31- 40</td><td>4</td></tr><tr><td>41 - 50</td><td>5</td></tr><tr><td>Over 50</td><td>6</td></tr></table> <p>(Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number)</p> <p>Note: Adaptable Housing Class C incorporates all essential features listed in Appendix A – Schedule of Features for Adaptable Housing in AS 4299.</p>	Number of dwellings	Number of units	5-10	1	11-20	2	21 – 30	3	31- 40	4	41 - 50	5	Over 50	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is comprised of 141 units of which 14 have been designed as adaptable units. This almost meets the DCP requirement for 10% (9.9%) adaptable units.</p>
Number of dwellings	Number of units																	
5-10	1																	
11-20	2																	
21 – 30	3																	
31- 40	4																	
41 - 50	5																	
Over 50	6																	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>															
<p>9.3 Lifts</p> <p>Development controls</p> <p>D1 Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable housing units shall be required.</p> <p>D2 Where the development does not provide any lifts and includes adaptable housing units, the adaptable housing units shall be located within the ground floor of the development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building has been provided with a lifts which provides access to all floors of the building and to the adaptable units.</p>														
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>															
<p>9.4 Physical barriers</p> <p>Development controls</p> <p>D1 Physical barriers, obstacles, steps and steep</p>				<p>The modified proposal results in no impact on these criteria.</p>														

gradients within the development site shall be avoided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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CONDITIONS OF DEVELOPMENT CONSENT

DA No: DA-294/2014/C
 Property: 36 - 44 John Street, LIDCOMBE
 Description: Section 96(2) application to increase the number of apartments from 137 to 141, modify the car park layout, provide solar panels to the roof of the topmost apartments and modify various conditions

A. Amend condition no.s '1' and '71' to read as follows:

1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<i>Plan Number</i>	<i>Prepared By</i>	<i>Revision No.</i>	<i>Dated</i>
1001 Site Plan	Architecture Design Studio	L	16/12/16
1101 Basement Floor Plan 04	Architecture Design Studio	L	09/03/16
1102 Basement Floor Plan 03	Architecture Design Studio	L	09/03/16
1103 Basement Floor Plan 02	Architecture Design Studio	L	09/03/16
1104 Basement Floor Plan 01	Architecture Design Studio	L	09/03/16
1201 Ground Floor Plan	Architecture Design Studio	J	09/03/16
1301 First Floor Plan	Architecture Design Studio	Y	16/12/15
1302 Second Floor Plan	Architecture Design Studio	U	16/12/15
1303 Third Floor Plan	Architecture Design Studio	U	16/12/15
1304 Fourth Floor Plan	Architecture Design Studio	S	16/12/15
1305 Fifth Floor Plan	Architecture Design Studio	Q	16/12/15
1306 Sixth Floor Plan	Architecture Design Studio	Q	16/12/15
1307 Seventh Floor Plan	Architecture Design Studio	Q	16/12/15
1308 Eighth Floor Plan (as amended in red)	Architecture Design Studio	P	16/12/15
1309 Ninth Floor Plan	Architecture Design Studio	P	16/12/15
1310 Tenth Floor Plan	Architecture Design Studio	P	16/12/15
1401 Roof Plan	Architecture Design Studio	J	16/12/15
1501 North and South Elevation (as amended in red)	Architecture Design Studio	H	16/12/15

1502 East Elevation	Architecture Design Studio	H	16/12/15
1503 West Elevation (as amended in red)	Architecture Design Studio	H	16/12/15
1508 South-East Elevations (as amended in red)	Architecture Design Studio	C	16/12/15
1509 North-West Elevation (as amended in red)	Architecture Design Studio	C	16/12/15
1601 Section 01 (as amended in red)	Architecture Design Studio	K	16/12/15
1602 Section 02 (as amended in red)	Architecture Design Studio	J	09/03/16
1603 Driveway Profile	Architecture Design Studio	E	16/12/15
1604 Driveway Ramp Section	Architecture Design Studio	D	16/12/15
SW-01 Basement 4 Stormwater Concept Plan	MYD Consulting Engineers	P2047	25/6/15
SW-02 Basement 3 Stormwater Concept Plan	MYD Consulting Engineers	DA	25/6/15
SW-03 Basement 2 Stormwater Concept Plan	MYD Consulting Engineers	DA	25/6/15
SW-04 Basement 1 Stormwater Concept Plan	MYD Consulting Engineers	DA	25/6/15
SW-05 Ground Floor Stormwater Concept Plan	MYD Consulting Engineers	DA	25/6/15
SW-06 Level 1 Stormwater Concept Plan	MYD Consulting Engineers	DA	25/6/15
SW-07 Ground Floor Soil and Sedimentation Control Plan	MYD Consulting Engineers	DA	25/6/15
SW-10 OSD Tank Details	MYD Consulting Engineers	DA	25/6/15
SW-11 Typical Details	MYD Consulting Engineers	DA	25/6/15

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

[Condition '3' amended by S.96(2) modification application no. DA-294/2014/C]

71. Car parking to Comply with Approved Details

The area set aside for the parking of vehicles, and so delineated on the plan prepared by Architectural Design Studio and endorsed plan Drawing No 1101; 1102; 1103; 1104 (**Issue L**); & 1201 (**Issue I**) dated **09/03/16**, shall not be used for any other purpose.

Reason:- to ensure the car parking area is not used for purposes other than the parking of cars associated with the use

[Condition '71' amended by S.96(2) modification application no. DA-294/2014/C]

B. Insert additional condition no. '171' to read as follows:

171. Western setback – eighth floor

The western side setback of the eight floor of the building shall align with the ninth floor and the elevation treatment as detailed on the Drawing No. 1503 West Elevation_H Revision H prepared by Architecture Design Studio Pty Ltd and dated 16/12/15 shall be retained.

Details demonstrating compliance shall be submitted to the Manager – Development Assessment Cumberland Council prior to issue of the relevant Construction Certificate.

[Condition '117' inserted by S.96(2) modification application no. DA-294/2014/C]