

Assessment against planning controls

1 Environmental Planning and Assessment Act 1979

a. Section 79C 'Heads of consideration'

In determining a DA, a consent authority is to take into consideration the relevant matters listed under Section 79C of the EP&A Act. The development satisfies the matters for consideration under Section 79C of the Act as detailed below.

Heads of Consideration 79C	Comment	Complies
a. The provisions of : (i) Any environmental planning instrument (EPI) (ii) Any development control plan (DCP) (i) The regulations	<p>The provisions of the relevant environmental planning instruments (EPI) relating to the proposed development are listed within this attachment. The proposal is considered to be consistent with the relevant EPIs, including SEPP (Infrastructure) 2007, SEPP No. 65 – Design Quality of Residential Apartment Development and BLEP 2015.</p> <p>The proposed development is a permissible land use within the R4 High Density Residential zone and satisfies the zone objectives outlined under BLEP 2015. The applicant has submitted a request to vary the 20 m height standard pursuant to Clause 4.6 of BLEP 2015. The height control is varied by up to 3.17 m. The proposed variation is discussed in detail in Section 8 of the report, and at Attachment 8, and is considered satisfactory.</p> <p>BDCP 2015 applies to the site. The proposed development is compliant with the numerical controls established under the DCP, with the exception of common open space and parking. The variations are discussed in detail under Section 8 of the report and are considered acceptable. Given that the open space and parking provisions comply with the requirements of the ADG, it is recommended that the development be supported in its current form.</p> <p>There are no regulations to be considered.</p>	<p>Yes</p> <p>A Clause 4.6 request has been lodged by the applicant and is considered satisfactory</p> <p>Yes</p> <p>N/A</p>
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	<p>An assessment of the key issues relating to the proposed development is provided under Section 8 of the report.</p> <p>It is considered that the likely impacts of the development, including traffic, noise, parking, bulk and scale, overshadowing, privacy, waste management and the like, have been satisfactorily addressed.</p> <p>A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties.</p> <p>In view of the above it is believed that the proposed development will not have any unfavourable social, economic or environmental impacts.</p>	Yes
c. The suitability of the site	The subject site is zoned R4 High Density Residential	Yes

Heads of Consideration 79C	Comment	Complies
for the development	<p>with a 20 m building height limit under BLEP 2015. Residential flat buildings are permissible on the site with development consent.</p> <p>The site has an area and configuration that is suited to this form of development. The design solution is based on sound site analysis and responds positively to the land uses surrounding the site. The site is located within close proximity to the Seven Hills train station and Seven Hills shopping centre. The site is also located near services, facilities and a major arterial road network making it suitable for higher residential densities.</p>	
d. Any submissions made in accordance with this Act, or the regulations	<p>2 submissions were received in objection to the development. It is considered that the issues raised do not warrant refusal of the application. A summary of the objections and a town planning response is provided at Attachment 9 of the report. While the issues raised do not warrant refusal of the application, it is appropriate to impose conditions of consent.</p> <p>Suitable conditions will be imposed on any consent to address the objector's concerns regarding potential noise and dust during construction, and to ensure that all demolition works are undertaken in a safe manner. Further conditions will be imposed to limit the use of the rooftop open space area, ensure appropriate acoustic treatments are applied to all plant and equipment, and ensure appropriate CCTV and lighting is provided. Appropriate landscaping and building materials and finishes will also be required to ensure that a high quality development is provided.</p>	Yes
e. The public interest	<p>It is considered that no adverse matters relating to the public interest arise from the proposal. The proposal provides high quality housing stock and provides for a wider range of housing diversity within the Blacktown City area.</p>	Yes

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

a. *Development for which regional panels may be authorised to exercise consent authority functions of councils*

The Sydney Planning Panel (SPP) is the consent authority for all development with a capital investment value (CIV) of over \$20 million. As the development application (DA) has a CIV of \$21,625,742 (+ GST), Council is responsible for the assessment of the DA and determination of the application is to be made by the SPP.

3 State Environmental Planning Policy (Infrastructure) 2007

a. *Roads and Maritime Services (RMS)*

Clause 104 ensures that the Roads & Maritime Services (RMS) is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP.

The proposed development is located approximately 100 m from a classified road (i.e. Prospect Highway) and proposes more than 75 dwellings and 50 car spaces. The development is therefore classified as 'traffic generating development' requiring referral to RMS. RMS has reviewed the DA and has raised no objection to the proposal. No recommended conditions or comments were provided by the RMS.

b. Impact of road and rail noise on development

Clauses 87 and 102 of State Environmental Planning Policy (Infrastructure) 2007 require that an acoustic assessment be undertaken for development that may potentially be impacted by noise from road and/or rail. As the development will be used for residential purposes, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

“(a) in any bedroom in the building: 35 dB(A) at any time between 10 pm and 7 am,

(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40 dB(A) at any time”.

All external walls and the roof are proposed to be constructed of masonry or concrete elements and will therefore not require any acoustic upgrading. Traffic noise, however, has the potential to transfer through the windows and doors. To address potential noise concerns, it is recommended that an acoustic assessment be undertaken prior to release of any Construction Certificate and that, where necessary, appropriate acoustic treatment in the form of external glazing and acoustic seals be provided to ensure that a reasonable level of amenity is achieved for future residents.

Provided any recommended treatments required by the acoustic assessment are implemented, it is considered that the internal noise levels will comply with the requirements of the SEPP and the NSW Department of Planning's 'Development Near Rail Corridors and Busy Roads (Interim Guideline)'. Suitable conditions will be imposed on any consent requiring that an acoustic assessment be undertaken prior to release of a Construction Certificate and to ensure compliance with the recommendations of the acoustic assessment.

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

a. Contamination and remediation to be considered in determining development application

Clause 7 states that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated.

The likelihood of encountering contaminated soils on the subject site is considered to be extremely low given:

- i. The site has been continuously used for residential purposes
- ii. The adjoining and nearby properties are currently used for residential purposes
- iii. The site and surrounding land has not been previously zoned for industrial or agricultural uses.

As part of any consent, however, standard **conditions** will be imposed to prevent illegal dumping of material and to address any unforeseen contaminated material unearthed during construction.

If any asbestos material is found during the proposed demolition works, asbestos disposal dockets must be lodged with Council at the completion of the demolition and prior to

commencement of the construction of the development to verify that all asbestos materials have been disposed of in accordance with Environment Protection Authority (EPA) and WorkCover requirements.

Prior to the issue of a Construction Certificate, a final validation report from a suitably qualified environmental consultant must also be lodged with Council stating that the land is suitable for residential use in accordance with the residential thresholds required by the National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended 2013 (NEPM). This will be addressed as a condition of consent.

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

a. *The design quality principles*

SEPP 65 applies to the assessment of DAs for residential flat buildings 3 or more storeys in height and containing at least 4 dwellings.

Blacktown City Council does not have a design review panel. However, a design verification statement has been prepared by the project's registered architect. The statement addresses each of the 9 'design quality principles' listed under Schedule 1 of the SEPP.

In determining an application, Clause 28 of the SEPP states that a consent authority must take into consideration the design quality of the residential apartment development when evaluated in accordance with these 9 design principles. The 9 principles are listed in the table below, together with Council's assessing officer's comments. The proposal is considered to be consistent with the objectives of SEPP 65 and satisfactorily achieves the 9 'design quality principles'.

Principle 1: Context and neighbourhood character	
Control	Town Planning Comment
<p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p>	<p>The site is located within the Seven Hills town centre. The site and surrounding sites are zoned R4 High Density Residential under BLEP 2015. The site has a 20 m height limit. This area was rezoned in 2015.</p> <p>The layout and design of the proposal generally responds to the site conditions and the character of the immediate locality.</p> <p>It is considered that the development will contribute to the quality and identity of the area. The sites close proximity to public transport, services, a shopping centre and a main road network also makes this a highly desirable site for high density residential development.</p> <p>The development is consistent with the future desired character of this transitioning locality.</p>
Principle 2: Built form and scale	
Control	Town Planning Comment
<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>The 6-7 storey height is consistent with the desired future character of this locality. A 3.17 m departure is proposed to the 20 m height limit to accommodate the lift overruns, fire stairs and roof parapet. The lift overruns and fire stairs are located within the 6 storey portion of the building. The additional height does</p>

<p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>not impact on the bulk and scale of the development, and does not cause any amenity impacts. A full assessment is included in section 8 of the report and at Attachment 8.</p> <p>The articulation and building elements are considered satisfactory. The scale, bulk and height are appropriate for a high density residential development in the Seven Hills town centre and represent a suitable response to the development controls applicable to the site.</p> <p>The development is generally in keeping with the requirements of the Apartment Design Guide (ADG) and Council's DCP requirements in relation to building alignment, setbacks and building type. Some of the balconies, however, do not comply with the recommended 6 m and 9 m building setback requirements under the ADG. The variations being proposed, however, are considered minor and are recommended for approval for the reasons given in section 8 of the report.</p>
Principle 3: Density	
Control	Town Planning Comment
<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>There is no FSR control under BLEP 2015 for this site.</p> <p>The proposed residential development comprises 97 units which is an acceptable density for the redevelopment of this site.</p> <p>The site is in close proximity to public transport and is well serviced by infrastructure and community facilities.</p>
Principle 4: Sustainability	
Control	Town Planning Comment
<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The amended development proposal has been designed so that at least 70% of the units receive satisfactory levels of natural light and at least 60% of units achieve satisfactory ventilation in accordance with the requirements of the ADG.</p> <p>The proposal is supported by a BASIX Certificate. The commitments are incorporated into the design of the building.</p> <p>The proposal demonstrates appropriate waste management during the construction and ongoing use phases.</p>

Principle 5: Landscape	
Control	Town Planning Comment
<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>	<p>The 3 Grey Box Eucalyptus trees located adjacent to the rear boundary will not be impacted by the development footprint and have been recommended for retention. B Additional new planting will also be provided around the site and at the roof top level.</p> <p>The landscaping complements the presentation of the built form as viewed from the public domain.</p> <p>The development provides 1,000 sqm of common open space at the ground level and 1,097 sqm at the roof level. The open space areas will be embellished with suitable trees and shrubs, pergolas, bbq facilities, communal gardens and decking. Deep soil planting will also be provided at the ground level.</p> <p>The proposal demonstrates appropriate landscaping for a town centre location, which complements the building design. Overall, the landscaping offers a suitable level of amenity for the future occupants.</p> <p>Conditions will also be imposed on any consent to ensure that suitable additional street tree species are planted that complement the height and scale of the development.</p>
Principle 6: Amenity	
Control	Town Planning Comment
<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>	<p>The proposal is considered to be satisfactory in terms of room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook and service areas.</p> <p>The units comply with the minimum unit areas recommended by the ADG, and all units provide an adequate outdoor private open space area in the form of a balcony or terrace which is directly accessible from the internal living area.</p> <p>The units have direct access to the basement via centrally located lifts and stairs, are provided with adequate storage areas and can access conveniently located waste rooms.</p> <p>The development has been designed to provide ease of access for all future residents and visitors to the site.</p>
Principle 7: Safety	
Control	Town Planning Comment
<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</p>	<p>The proposal is considered to be satisfactory in terms of future residential occupants overlooking communal spaces while maintaining internal privacy. Public and private spaces are clearly defined and suitable safety measures are integrated into the development.</p>

<p>intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>Appropriate lighting will be provided to all common areas to increase the safety of those areas, especially at night. The parking areas will be secure and separation will be provided between the resident and visitor parking compounds.</p> <p>The proposal provides suitable casual surveillance of the public domain.</p>
Principle 8: Housing diversity and social interaction	
Control	Town Planning Comment
<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>	<p>The proposal consists of a mix of dwellings which are responsive to anticipated market and demographic demands. However, it is weighted towards 2 bedroom units.</p> <p>The proposal will also provides a minimum of 10 adaptable units, thus providing a choice of attractive living locations and facilities to persons with disabilities and their families. The design promotes easily accessible common facilities and outdoor recreation spaces, and caters towards ease of use for everyone from children right through to the elderly.</p> <p>It is considered that the proposal satisfies these requirements by providing alternate housing opportunities in the locality. The development will provide additional housing choice within the area in close proximity to public transport and services.</p>
Principle 9: Aesthetics	
Control	Town Planning Comment
<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the resultant building.</p> <p>The proposal comprises an interesting and visually appealing built form which is in line with the desired future character of the transitioning locality.</p> <p>The building has been architecturally designed by a registered architect and is supported by a Design Verification Statement in accordance with the requirements of SEPP 65.</p>

b. Apartment Design Guide (ADG)

In addition to the 9 'design quality principles', SEPP 65 also requires that, when assessing an application, the assessing authority must have consideration for the design guidelines provided in the Apartment Design Guide (ADG). The following table identifies the relevant design concepts and numerical guidelines from the ADG, and provides an assessment of the proposal against these guidelines.

The development complies with the numerical recommendations of the ADG, with the exception of building separation. The proposed encroachments, however, are generally minor and will not create any unfair burden on any adjoining future development.

ADG Requirement	Proposal	Compliance
Controls		
<u>2F Building Separation</u>		
<p><u>Up to four storeys/12m:</u></p> <p>12m between habitable rooms / balconies</p> <p>9m between tw habitable rooms / balconies & non-habitable rooms</p> <p>6m btw non-habitable rooms</p> <p><u>Five to eight storeys/up to 25m:</u></p> <p>18m between habitable rooms / balconies</p> <p>13m btw habitable rooms / balconies & non-habitable rooms</p> <p>9m btw non-habitable rooms</p>	<p>The first 4 storeys will achieve the 12 metre building separation requirements, with the exception of some very minor balcony encroachments. The encroachments are considered minor and should be supported. Further detail is provided in section 8 of the report.</p> <p>At the 5th storey, the unit located on the eastern corner of the building contains a large wrap-around balcony. Instead of providing the required 9 m side setback, the balcony is setback 6 m as per Council's DCP. Subject to suitable screen planting being provided within the proposed planter box, the encroaching balcony is unlikely to impact on the privacy of the existing or any future neighbours. Given the curved balcony and associated planting adds to the overall appearance of the front of the building, it is considered that the variation should be supported.</p> <p>Some minor encroachments are also proposed to 2 balconies on the western elevation. Any potential privacy impacts, however, can be addressed through the provision of privacy screening. Further details are at section 8 of the report.</p>	<p>No</p> <p>No</p> <p>Conditions will be imposed requiring sliding metal privacy louvres where there is potential for overlooking of the neighbours to the west.</p> <p>The requirement for suitable screen planting within the proposed planter box will be addressed as a condition of any consent.</p>
Siting the Development		
<u>3A Site Analysis</u>		
Satisfy the site analysis guidelines.	A site analysis has been provided and is considered satisfactory.	Yes
<u>3B Orientation</u>		
Where an adjoining property does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by more than 20%.	The adjoining properties currently receive adequate solar access. The proposal will not unreasonably overshadow any adjoining property. The majority of the shadows will fall to George Street.	Yes
<u>3C Public Domain Interface</u>		
Balconies and windows are to overlook the public domain	Balconies and windows provide casual surveillance of the public domain. The ground floor units, facing George Street, are elevated above the footpath level. This enhances privacy while allowing better surveillance of the public domain.	Yes
Entries to be legible.	A single, large access foyer has been provided from the George Street frontage.	Yes

ADG Requirement	Proposal	Compliance
<p>Raised terraces to be softened by landscaping.</p> <p>Mail boxes to be located in lobbies, perpendicular to the street or within the front fence.</p> <p>Basement car park vents not to be visually prominent.</p> <p>Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement car parks or out of view</p> <p>Ramping for accessibility to be minimised.</p> <p>Durable, graffiti resistant & easily cleanable materials should be used.</p> <p>On sloping sites, protrusion of car parking should be minimised.</p>	<p>Access to the other 2 lift lobbies is provided via this centralised access point. The entry is clear and legible.</p> <p>Raised areas will be suitably landscaped. Appropriate landscaping will also be provided to soften the building edge, where the ground floor units have been elevated above the footpath level. The photomontage indicates that the exposed section of basement will be constructed from face brick and that the front setback will also be extensively landscaped.</p> <p>Mailboxes will be provided within the large, centralised access foyer.</p> <p>No details provided. Suitable landscaping will be required to screen any vents.</p> <p>Garbage storage rooms and plant rooms are located within the basement and are considered satisfactory. Any required substation at ground level will be required to be suitably screened.</p> <p>Ramping is suitable.</p> <p>Suitable and durable materials are proposed.</p> <p>A condition will be imposed requiring that appropriate landscaping and building materials be provided to soften the building edge. The schedule of finishes and photomontage indicates that the exposed section of basement will be constructed from face brick. The front setback will also be extensively landscaped.</p>	<p>Yes – condition accordingly</p> <p>Yes</p> <p>Yes – condition accordingly</p> <p>Yes – condition accordingly</p> <p>Yes</p> <p>Yes</p> <p>Yes – condition accordingly</p>
<p><u>3D Communal & Public Open Space</u></p> <p>COS must be 25% of the site.</p>	<p>Site area: 4,126.5 sqm</p> <p>Required 25% = 1,032 sqm</p> <p>The proposed development provides 2,097 sqm of common open space at ground and rooftop levels, and therefore provides double the amount of space required by the ADG.</p>	<p>Yes</p>
<p>Direct sunlight to 50% of COS for 2 hours between 9am and 3pm.</p> <p>Minimum dimension of 3m direct & equitable access.</p> <p>If COS cannot be located on the ground level, provide on the podium or roof.</p>	<p>The roof top area and main area at ground level are both orientated north. Solar access is therefore satisfactory.</p> <p>Minimum dimension > 3m.</p> <p>Direct and accessible access is achieved.</p> <p>A large component of the COS is provided on the roof (i.e. 1,097 sqm).</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

ADG Requirement	Proposal	Compliance
<p>Range of activities (e.g. seating, BBQ, play area, gym or common room).</p> <p>Visual impacts minimised from ventilation, substations and detention tanks.</p> <p>Maximise safety.</p> <p>Public open space, where provided, is to be well connected and adjacent to street.</p>	<p>The open space areas will be suitably embellished with seating and BBQ facilities.</p> <p>The site will be suitably landscaped.</p> <p>The common open space demonstrates a safe design.</p> <p>The open space on site is for the exclusive use of the residents.</p>	<p>Yes – condition accordingly</p> <p>Yes – condition accordingly</p> <p>Yes</p> <p>N/A</p>
<p><u>3E Deep Soil Zone</u></p> <p>Minimum area = 7% of site area.</p> <p>Preferred area = 15%.</p> <p>Sites over 1500 sqm should provide deep soil zones with a minimum dimension of 6m.</p>	<p>7% = 289 sq m</p> <p>15% = 619 sq m</p> <p>Provides 920 sqm which is equivalent to 22%.</p> <p>The common open space at the rear of the site includes areas greater than 6 m in dimension.</p>	<p>Yes</p>
<p><u>3F Visual Privacy</u></p> <p>For the building separation requirements refer to 2F above.</p> <p>Direct lines of sight should be avoided for windows and balconies across corners. Appropriate design solutions should be in place to separate POS and habitable windows to common areas.</p>	<p>See above.</p> <p>Internal visual privacy is generally acceptable because there is only one building. Screening, however, is proposed to some balconies to further enhance the resident's privacy.</p>	<p>No – see above</p> <p>Yes – However, fixed screens are proposed in some locations. Condition accordingly.</p>
<p><u>3G Pedestrian Access & Entries</u></p> <p>Connect to & activate the public domain.</p> <p>Easy to identify access.</p> <p>Internal pedestrian links to be direct.</p>	<p>Pedestrian access is direct to the street frontage and easily identifiable. Internal links are also direct.</p>	<p>Yes</p>
<p><u>3H Vehicle Access</u></p> <p>Access points are safe and create quality streetscapes.</p>	<p>A single access driveway is proposed. The driveway location is suitable.</p>	<p>Yes</p>
<p><u>3J Bicycle & Car Parking</u></p> <p>Sites within 800m of a railway station are to comply with the RMS Guide to Traffic Generating Developments.</p> <p>0.4 spaces for each 1 bedroom unit</p> <p>0.7 spaces for each 2 bedroom unit</p> <p>1 visitor space for every 7 units</p>	<p>This site is within 800m of Seven Hills Railway Station.</p> <p>Based on the RMS parking rates, the development requires 110 spaces.</p> <p>However, 127 car parking spaces are proposed across 2 basement levels. The development therefore provides a surplus of 17 spaces.</p>	<p>Yes</p>

ADG Requirement	Proposal	Compliance
At least 1 loading dock.	A combined garbage collection bay/loading dock is provided in the basement.	Yes
Conveniently located and sufficient numbers of bicycle & motorbike spaces.	Ample bicycle parking is provided. Space is available for motorcycles.	Yes
Designing the Building		
<u>4A Solar & Daylight Access</u> Living rooms & POS are to receive a minimum 2 hours direct sunlight between 9am - 3pm in mid-winter to at least 70% of units. Suitable design features for operable shading to allow adjustment & choice.	72% of units achieve 2 hours solar access Louvres are provided which allow for management of solar access.	Yes Yes
<u>4B Naturally Ventilation</u> All habitable rooms are to be naturally ventilated. The number of naturally cross ventilated units is to be > 60%. Depth of cross over apartments < 18m. The area of unobstructed window openings should be equal to at least 5% of the floor area served.	Habitable rooms are ventilated 63% of the units are naturally cross ventilated. Satisfactory The window areas are satisfactory.	Yes Yes Satisfactory Yes
<u>4C Ceiling Heights</u> 2.7m for habitable 2.4m for non-habitable Service bulkheads are not to intrude into habitable spaces.	A minimum 2.7 m ceiling height has been provided for habitable rooms.	Yes
<u>4D Apartment Size & Layout</u> Studio > 35 sqm 1 bed > 50 sqm 2 bed > 70 sqm 3 bed > 90sqm Additional 5 sqm for each unit with more than 1 bathroom. Habitable room depths: limited to 2.5m x ceiling height (6.75m with 2.7m ceiling heights) Open plan layouts that include a living, dining room and kitchen – max 8m to a window. Bedroom sizes (excl wardrobe space):	All units comply with the minimum apartment size. The room depths are satisfactory. Open plan layouts are provided. Kitchens are generally less than 8m to a window because they are located in the middle of the unit. The bedroom sizes are satisfactory.	Yes Satisfactory Satisfactory Satisfactory

ADG Requirement	Proposal	Compliance
Master - 10sqm Other – 9 sqm Minimum dimensions – 3 m Living rooms/dining areas have a minimum width of: 6m - Studio/1 br 4m - 2br/ 3br Cross-over/cross-through: 4m wide	Minimum living/dining room areas are achieved. Satisfactory	Satisfactory Satisfactory
<u>4E Private Open Space & Balconies</u> 1 bed > 8 sq m & 2m depth 2 bed > 10 sq m & 2m depth Ground level/ podium apartments > 15 sq m & 3m depth Extension of the living space. A/C units should be located on roofs, in basements, or fully integrated into the building design.	The balcony areas and dimensions all comply. The balconies and courtyards are an extension of the living space A/C units are not indicated on the plans	Yes Yes Yes – condition accordingly.
<u>4F Common Circulation & Spaces</u> Maximum number of apartments off a circulation core on a single level is 8-12. Buildings over 10 storeys - maximum of 40 units sharing a single lift. Daylight and natural ventilation to all common circulation areas above ground level. Corridors greater than 12 m from the lift core to be articulated by more foyers, or wider areas / higher ceiling heights at apartment entry doors. Maximise dual aspect apartments and cross over apartments. Primary living room & bedroom windows are not to open directly onto common circulation spaces. For larger development – community rooms for owner's meetings and resident use should be provided.	Yes – a maximum of 8 provided. N/A Satisfactory. Satisfactory The majority of units are dual aspect. Windows do not open onto common areas. The proposed development does not provide a community room.	Yes N/A Satisfactory Satisfactory Yes Satisfactory – include advisory condition Satisfactory for this size development.
<u>4G Storage</u> Studio > 4 m ³ 1 bed > 6 m ³	The required amount of storage has been provided within the units and within the basement.	Yes

ADG Requirement	Proposal	Compliance
2 bed > 8 m ³ 3 bed > 10 m ³ Min 50% within the apartment.		
4H Acoustic Privacy Window & door openings orientated away from noise sources. Noise sources from garage doors, driveways, services, COS and circulation areas to be 3 m from bedrooms. Separate noisy & quiet spaces.	Satisfactory Achieved Suitable acoustic measures are to be installed as per the submitted acoustic assessment.	Yes – suitable conditions will be imposed to ensure compliance with the recommendations of the required acoustic assessment. Yes Yes
Provide double / acoustic glazing, acoustic seals, materials with low noise penetration.	Given the location of the site it is difficult to avoid noise. Suitable acoustic measures must be installed, as per the submitted acoustic assessment.	Satisfactory
4J Noise & Pollution In noisy or hostile environments, the impacts of external noise and pollution are to be minimised through the careful siting and layout of buildings. To mitigate noise transmission: Limit the number and size of openings facing the noise sources. Use double or acoustic glazing, acoustic louvres or enclosed balconies (winter gardens). Use materials with mass and/or sound insulation (e.g. solid balcony balustrades, external screens or soffits).	The Seven Hills town centre is not considered to be a noisy or hostile environment. Any potential noise impacts (predominantly from traffic on Prospect Highway or the train line) can be attenuated with appropriate acoustic measures as recommended in the acoustic assessment. The layout of the development considers potential noise and pollution impacts, and is satisfactory in the circumstances.	Yes – condition accordingly. Satisfactory
Configuration		
4K Apartment Mix Provide a variety of apartment types. Flexible apartment mix.	10 x 1 bed, 77 x 2 bed and 10 x 3 bed. While the majority of units contain 2 bedrooms, it is considered that the apartment mix responds appropriately to the market demand.	Satisfactory
4L Ground Floor Apartments Maximise street frontage activity.	N/A	N/A

ADG Requirement	Proposal	Compliance
Direct street access to ground floor apartments.	The majority of the ground level apartments directly link with the street frontage.	Yes
Ground floor apartments to deliver amenity and safety for residents.	The ground level apartments achieve an overall adequate level of amenity and safety, and are satisfactory.	Yes
<u>4M Facades</u> Front building facades are to provide visual interest whilst respecting the character of the local area. Provide design solutions which consider scale and proportion to the streetscape and human scale.	The façade is architecturally treated to create visual interest and contributes to the desired future character of this area. Council's city architect also reviewed the DA plans and advised that the facade treatment is well composed.	Yes
<u>4N Roof Design</u> Roof treatments are to be integrated into the building design and positively respond to the street.	The roof is designed to be the principal recreation space, and includes garden areas. The roof design and roof top structures add visual interest to the building.	Yes
<u>4O Landscape Design</u> <u>Site Area</u> < 850 sqm - 1 medium tree per 50 sqm of deep soil zone (DSZ). 850 sqm to 1,500sqm - 1 large tree or 2 medium trees per 90 sqm of DSZ. >1,500 sqm - 1 large tree or 2 medium trees per 80 sqm of DSZ.	The site area is greater than 1,500 sqm A mixture of shrubs and medium and large trees are proposed which are considered to suitably complement the site and built form.	Yes
<u>4P Planting on Structures</u> Provide suitable plant selection. Provide suitable irrigation and drainage systems and maintenance. Enhance the quality and amenity of COS with green walls, green roof and planter boxes, etc.	Planting is provided within the setbacks, some of which is above the basement structures. In addition to deep soil planting, planter boxes are also proposed. The proposal comprises suitable plant selection which is considered to provide some amenity for the common open space.	Yes
<u>4Q Universal Design</u> 10% adaptable housing. Flexible design solutions to accommodate the changing needs of occupants.	A minimum of 10% of the units will be adaptable. The layout of the units comprises flexible design solutions.	Yes
<u>4R Adaptive Reuse</u> New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.	N/A	N/A

ADG Requirement	Proposal	Compliance
<u>4S Mixed Use</u> Provide active street frontages and encourage pedestrian movement. Residential entries separate and clearly defined. Landscaped COS to be at podium or roof level.	N/A	N/A
<u>4T Awnings & Signage</u> Awnings to be continuous and complement the existing street character. Provide protection from sun and rain, wrapped around the secondary frontage. Gutters & down pipes to be integrated and concealed. Lighting under awnings is to be provided. Signage is to be integrated and in scale with the building. Legible and discrete way finding is to be provided.	N/A	N/A
Performance		
<u>4U Energy Efficiency</u> The development is to incorporate passive solar design. Heating & cooling infrastructure are to be centrally located (e.g. basement).	The development incorporates passive solar devices. No details are provided	Satisfactory – condition accordingly
<u>4V Water Management & Conservation</u> Rainwater collection & reuse. Drought tolerant plants. WSUD measures. Detention tanks should be located under paved areas, driveways or in basement car parks.	Satisfies BASIX. Suitable plants are proposed. WSUD measures are proposed. Suitable drainage arrangements have been provided.	Yes
<u>4W Waste Management</u> Waste storage should be discreetly located away from the front of the development or in the basement. Waste cupboard within each dwelling. Waste and recycling rooms are to be in convenient and accessible locations related to each vertical	Council's waste services section has raised no objection to the development. The plans have been amended to address waste collection and servicing issues. All waste will be collected from the basement by a private contractor.	Yes

ADG Requirement	Proposal	Compliance
core.		
4X Building Maintenance The design is to provide protection from weathering. Enable ease of maintenance. The materials are to reduce ongoing maintenance costs.	From the information available it appears that the proposal will enable ease of maintenance.	Yes

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

A BASIX certificate has been lodged as part of the DA. The BASIX certificate indicates that the development has been designed to achieve the required water, thermal comfort and energy scores. A suitable condition will be imposed on any development consent requiring compliance with the submitted BASIX certificate.

7 Draft West Central District Plan

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

The development is consistent with the Productivity and Liveability overarching priorities as listed below.

Liveability (Operational phase)

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

8 Blacktown Local Environmental Plan (BLEP) 2015

a. Compliance with the development standards within Blacktown Local Environmental Plan 2015

The table below provides a summary assessment of the development standards within BLEP 2015 and the proposal's compliance with these standards. The development complies with the development standards contained within BLEP, with the exception of height. A Clause 4.6 variation request has been submitted and is discussed under Section 8 of the report.

Blacktown Local Environmental Plan 2015			
Development Standard	Requirement	Proposal	Compliant
Demolition requires development consent	The demolition of a building may only be carried out with development consent.	The proposal includes demolition.	Yes Suitable conditions will be included to address demolition.

Blacktown Local Environmental Plan 2015			
Development Standard	Requirement	Proposal	Compliant
Zoning R4 High Density Residential :	To provide for the housing needs of the community within a high density residential environment.	The proposal is for a part 6 storey and part 7 storey RFB.	Satisfactory
	To provide a variety of housing types within a high density residential environment.	The proposal is for 97 units. A variety of unit types are proposed, although the majority are 2 bedroom units.	Satisfactory
	To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposal is not inconsistent with this objective.	Satisfactory
	To enable certain activities to be carried out within the zone that do not adversely affect the amenity of the neighbourhood.	The proposed residential units are consistent with this objective.	Satisfactory
	To permit residential flat buildings in locations close to public transport hubs and centres.	The subject site is in the vicinity of public transport, including the train station and bus services. The development is compatible with encouraging the use of public transport.	Satisfactory
	Permissible uses: Residential flat buildings	The proposal is permissible in this zone with consent. The DA must be submitted to the SPP for determination.	Satisfactory
	Prohibited Uses: N/A	N/A	N/A
PRINCIPAL DEVELOPMENT STANDARDS			
Height of buildings	Maximum building height is 20 m.	The building exceeds the 20 m height limit by 3.17 m. The encroachments include the lift overruns, fire stairs and portions of the roof parapet.	No The applicant has lodged a request under Clause 4.6 for a variation to the height standard. See Attachment 8 of the report for details and justification for the variation.
Floor space ratio	N/A	N/A	N/A

Blacktown Local Environmental Plan 2015			
Development Standard	Requirement	Proposal	Compliant
Exceptions to development standards	The applicant must submit a written request to justify the contravention of the development standard.	The applicant has lodged a request under Clause 4.6 for a variation to the height standard.	Yes A copy of the applicant's written request is at Attachment 7 .
MISCELLANEOUS PROVISIONS			
Preservation of trees or vegetation	The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.	An arborist's report has been submitted with the DA. The development proposes the removal of 11 trees, including 1 from within the road reserve. Replacement trees will be required as a condition of any consent. The 3 grey Box Eucalyptus trees located adjacent to the rear boundary will not be impacted by the development footprint and have been recommended for retention.	Satisfactory
Heritage Conservation	The objective of this clause is to conserve the environmental heritage in Blacktown.	The site is not in the vicinity of a heritage item or area.	N/A
ADDITIONAL LOCAL PROVISIONS			
Flood planning	Minimise the flood risk to life and property.	The site is not identified as being flood affected.	N/A
Terrestrial biodiversity	Protect native fauna and flora.	The site is not identified as containing terrestrial biodiversity.	N/A
Riparian land & watercourses	Protect and maintain water quality within watercourses.	The site is over 40 m to a watercourse and therefore is not 'Integrated' development.	N/A
Active street frontages	N/A	N/A	N/A
Essential services	Adequate arrangements for the supply of water, supply of electricity, management and disposal of sewerage, stormwater drainage or conservation, and suitable road access.	The applicant has demonstrated these items are currently in place.	Yes Suitable conditions will be imposed on any consent to ensure that all necessary services are provided to the development.

Blacktown Local Environmental Plan 2015			
Development Standard	Requirement	Proposal	Compliant
Design Excellence	The development is to demonstrate a high level of architectural and urban design.		Yes
	<u>Comments:</u> The building has been architecturally designed by a registered architect and is supported by a design verification statement in accordance with the requirements of SEPP 65. The external building materials include a mix of brick, alucobond and timber-like panelling, rendered and painted finishes, and glass balustrades. The varied finishes will break up the built form and provide visual interest and variety to the façade of the building. The photomontage showing the patterns, colours and finishes is at Attachment 5 . Council's city architect also reviewed the DA plans and advised that the facade treatment is well composed.		
7.10 Minimum site requirements for development on certain land	Key Sites	The site is not identified as a 'key site.'	N/A

Some specific clauses within BLEP are discussed further below.

b. Clause 2.3 Zone objectives and land use table

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

The subject site is zoned R4 High Density Residential under the BLEP 2015. A residential flat building, defined as a building containing 3 or more dwellings, but does not include an attached dwelling, a manor home or multi dwelling housing, is permissible within the zone with consent. The proposal is defined as a residential flat building and the development meets the objectives of the zone.

c. Clause 4.6 Exceptions to development standards

Development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that the applicant has made a written request that has adequately addressed the matters required to be demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The consent authority must also be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard the objective of the zone.

The development complies with the development standards contained within BLEP 2015 with the exception of building height. The applicant is seeking an exemption under Clause 4.6 to the building height development standard. A copy of the applicant's Clause 4.6 variation request is provided at **Attachment 7**, while an assessment against the development standard is discussed in detail in section 8 of the report. The applicant's written request has adequately justified that compliance with the height standard is unreasonable and unnecessary in this instance. The requested variation under Clause 4.6 is considered reasonable, well founded and is recommended for support.

d. Clause 4.6 (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. This clause is satisfied through the preparation of this planning report.

9 Blacktown Development Control Plan (BDCP) 2015

a. Compliance with the controls within the Blacktown Development Control Plan 2015

The provisions of the Blacktown Development Control Plan 2015 (BDCP) Part A – General Guidelines and Part C – Development in the Residential zones apply. The table below demonstrates that the proposal is compliant with the BDCP with the exception of parking and common open space. The variations are discussed in detail in Section 8 of the report. The parking and common open space provisions are considered acceptable given they exceed the ADG requirements.

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

Development standard	Requirement	Proposal	Compliant
Car parking	<u>Resident parking</u> 1 space per 1 or 2 bedroom unit, and 2 spaces per 3 or more bedroom unit <u>Visitor parking</u> 1 space per 2.5 units	<u>Required</u> 107 resident spaces 39 visitor spaces <u>Total required</u> 146 spaces <u>Total provided</u> 127 spaces	No The proposal, however, does comply with the requirements of SEPP 65 and exceeds the parking rates specified in the RMS guide. Parking is therefore satisfactory.

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

Development standard	Requirement	Proposal	Compliant
Site density	Minimum frontage 30m Minimum depth 30m	Frontage 77.8 m Depth 48.9 m – 55.8 m	Yes
Height	20 m pursuant to BLEP	23.17 m	No A Clause 4.6 variation request has been submitted. See Attachment 8 of the assessment report for details.
Setbacks	Front setback – 9m Side – 6m Rear - 6m Balconies can project into	9m 6m 6m Balconies project up to 1	Yes Yes Yes Yes

	the setback by 1 m	m within the setback.	
	Roof eaves and sunhoods may project 600m.	Roof over balcony projects within the setback.	Yes
	For corner lots, the main frontage setback is 9 m	N/A	N/A
Common open space	<p>30sqm for each 1 bedroom unit</p> <p>40sqm for each 2 bedroom unit</p> <p>55sqm for each 3 or more bedroom unit</p> <p>Note: In the calculation, a max. 30% may occur may occur on balconies or terraces, a max. 30% may occur on the roof and a min. 40% must be located at the ground level (Note: This must be increased to 70% at ground level if no rooftop common open space is provided).</p>	<p><u>Required:</u> 3,930 sqm with a minimum of 1,572sqm at the ground level</p> <p><u>Provided:</u></p> <p>30% allowance for balconies = 1,179sqm</p> <p>30% allowed on the roof = 1,179sqm, but only 1,097 sqm provided</p> <p>At the ground level, only 1,000 sqm is provided (i.e. 63.6% of the DCP requirement).</p> <p>Overall, however, the development provides a total of 3,276 sqm of common open space which is 83% of the DCP requirement.</p>	<p>No</p> <p>See Section 8 of the planning assessment report for justification for the variation. The proposal exceeds the open space requirements of the ADG.</p>
Separation between buildings	12 metres	The development generally complies with the 12 m building separation requirements of the DCP.	<p>Yes – satisfactory</p> <p>The ADG, however, require a greater building separation at the upper 2 levels. See ADG and Section 8 of the assessment report for further details.</p>
SITE DESIGN			
Site planning & landscaping	<p>Landscaping is to complement the development.</p> <p>The setback along the front boundary is to be densely landscaped. Parking areas are not permitted in this area.</p>	A concept landscape plan has been submitted with the application. The landscaping will complement the development. All parking spaces are provided at the basement levels.	<p>Yes</p> <p>Suitable conditions will be imposed on any consent to address landscaping and replacement tree planting.</p>
Protection of views	Minimise the obstruction of views.	The proposal will not result in significant adverse impacts in relation to views.	Yes
Visual and acoustic privacy	Visual privacy and freedom from overlooking is important. There is to be protection from mechanical	<p>Visual and acoustic privacy is considered satisfactory.</p> <p>Privacy screens and</p>	<p>Yes</p> <p>Suitable conditions will be imposed on any consent to ensure that privacy</p>

	noise. Noise disturbance is to be minimised.	appropriate landscaping is recommended to address some minor balcony encroachments into the side boundary setback as specified by the ADG's. All balcony setbacks, however, comply with the minimum requirements of the DCP. Acoustic issues are addressed in section 8 of the assessment report.	screens are provided where there is a potential impact and that the recommendations of the applicant's acoustic report are implemented.
Orientation	Solar access is to be optimised for the majority of units.	72% of the units receive at least 2 hours of solar access and therefore complies with the minimum requirements of the ADG's.	Yes
Vehicle & pedestrian access	Access from the street is to be attractively landscaped, clear and provide casual surveillance. Clear access to the parking and services is to be provided.	Vehicular and pedestrian access is to be provided from George Street. All entries are appropriately treated and visible.	Yes
Public road access & construction	Public road access is required for new developments.	All vehicular access will be from George Street.	Yes
Accessways	6 m wide	The driveway is a minimum of 6 m.	Yes
Fencing & screen walls	Details of fencing are to be shown on the plans.	All fencing details will be required as part of any construction certificate. Boundary fencing is to be provided at full cost to the developer.	Yes A suitable condition will be imposed to address fencing.
Podium design	Podiums over basements more than 0.5m above natural ground level count as a storey.	Under BLEP the maximum height limit on this site is 20 m. The maximum height is not measured in storeys.	N/A
Accessibility	10%+ of units shall be designed for persons with a disability. Buildings with 4+ levels require a lift.	A minimum of 10 accessible units (10%) will be provided. Lifts are provided to all levels.	Yes A suitable condition will be imposed to address the requirement for accessible units.
Safety and security	Buildings are to feature casual surveillance and adequate lighting. External materials are to be robust to discourage vandalism and graffiti.	The Blacktown Local Area Command have undertaken a safer by design assessment and have raised no objections to the development subject to standard	Yes Standard conditions will be imposed to ensure compliance with the applicant's completed crime prevention through environmental design

		conditions.	(CPTED) checklist. A suitable condition will also be imposed to address graffiti, and the type of building materials and finishes.
BUILDING DESIGN			
General	Floor plans are to achieve an appropriate level of amenity for the future occupants.	The development has been designed to maximise resident's privacy and amenity.	Yes
Unit types	The unit mix is to respond to market expectation and contain a mix of 1, 2 and 3 bedroom units	The development provides 1 x studio, 10 x 1 bed, 77 x 2 bed and 10 x 3 bed. While the unit mix is principally 2 bedroom units, it does respond to the needs of the market.	Yes
Floor to ceiling height	Habitable rooms and corridors are to be 2.7 m	The development complies with the required floor to ceiling height of 2.7 m	Yes
Passenger lift access	Lift access is required for buildings with 4 levels with no basement, and for 3 levels with basement.	A passenger lift is provided to all levels of the development.	Yes
Balconies	Balconies must measure at least 2.5 m x 3 m. If balconies are enclosed, they are to comply with the BCA. Balcony balustrades are to contrast the building to add interest. Clothes hanging/drying is not permitted on the balconies.	The minimum dimensions are achieved. Balconies are not enclosed. A range of building materials and finishes are proposed to add visual interest.	Yes A suitable condition will be imposed to ensure that a restriction is included as part of any strata that clothes drying is not permitted on the balconies.
Internal & external shading & solar access	Internal & external spaces are to receive reasonable solar access throughout the year.	72% of the units receive at least 2 hours of solar access and therefore complies with the minimum requirements of the ADG's. The external common open space areas are orientated north.	Yes
Natural ventilation	60%	63% of the units achieve natural cross ventilation in compliance with the minimum requirements of the ADG's.	Yes

Energy performance and sustainability	A BASIX certificate is to be submitted.	A BASIX certificate has been submitted.	Yes Suitable conditions will be imposed to ensure compliance with the submitted BASIX certificate.
Provision of services	Any electricity substation is to be to Council and the electricity provider's requirements.	Provisions have been made an electricity substation wholly within the site.	Yes
Provision for other building services	External walls are to be free of plumbing and fixtures, wall mounted A/C and service conduits/wiring.	Details have not been provided as part of the DA plans.	Yes Suitable conditions will be imposed to ensure that the external walls of the building are free of building services.
Waste management	<p>Separate garbage & recycling collections.</p> <p>On-street collection is to be practical.</p> <p>Alternatively, provide on-site collections.</p> <p>Storage areas in the front setback are not encouraged. If provided they are to be screened and comprise building materials compatible with the building.</p> <p>A management plan is required.</p>	<p>The proposal allows waste collection in the basement.</p> <p>Council's waste management officer has raised no objections to the private waste collection arrangements, subject to suitable conditions of consent.</p>	Yes Suitable conditions will be imposed on any consent to address waste and recycling collection.
Laundry facilities	<p>A communal drying area of 60 sqm should be provided.</p> <p>Each dwelling is to have a mechanical drying appliance in the unit.</p>	Each dwelling will be provided with a mechanical drying appliance. An area is also available at the ground level for clothes drying.	Yes Suitable conditions will be imposed to ensure that balconies are not used for clothes drying.