

Appendix B**1A and 1B Queen Street, Auburn****Auburn Local Environmental Plan 2010**

Clause	Yes	No	N/A	Comments
Part 1 Preliminary				
1.1 Name of Plan This Plan is <i>Auburn Local Environmental Plan 2010</i> .				
1.2 Aims of Plan (1) This Plan aims to make local environmental planning provisions for land in Auburn in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows: (a) to establish planning standards that are clear, specific and flexible in their application, (b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being, (c) to protect areas from inappropriate development, (d) to minimise risk to the community by restricting development in sensitive areas, (e) to integrate principles of ecologically sustainable development into land use controls, (f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land, (g) to facilitate economic growth and employment opportunities within Auburn, (h) to identify and conserve the natural, built and cultural heritage, (i) to provide recreational land, community facilities and land for public purposes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal substantially complies with the stipulated development standards of the ALEP 2010.</p> <p>The development is not considered to be inappropriate for the area. The development substantially complies and will establish the future desired character for its immediate area.</p> <p>The proposal has incorporated ESD principles with features such as passive design and BASIX. The development is acceptable in this regard.</p> <p>The site is in broad vicinity to a known heritage item however the development will not result in any adverse impact to the item.</p>
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. (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"/>	The plan will apply to this development.
1.6 Consent authority The consent authority for the purposes of this Plan is (subject to the Act) the Council.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Council is the consent authority for this application.
1.8 Repeal of other local planning instruments applying to land (1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. Note. The following local environmental plans are repealed under this provision: <i>Auburn Local Environmental Plan 2000</i> (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other and cease to apply to the land to which this Plan applies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted.
1.8A Savings provision relating to development				

Clause	Yes	No	N/A	Comments
applications 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. Note. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This will not apply to the application because the application was lodged after the plan had been made.
1.9 Application of SEPPs and REPs (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. (2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies: <ul style="list-style-type: none"> • <i>State Environmental Planning Policy No 1—Development Standards</i> • <i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This will not apply to this application.
1.9A Suspension of covenants, agreements and instruments (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. (2) This clause does not apply: <ul 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 1989</i>, or (c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or (d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or (e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or (f) to any bio-banking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument. (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"/>	There are no known covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None of these apply to the development site.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not on behalf of a public authority.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 2 Permitted or prohibited development				
2.1 Land use zones The land use zones under this Plan are as follows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The land is zone R4 High Density Residential which permits the type

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Residential Zones R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential				of development that is proposed being a high density residential development with an associated basement car park. The proposed development is permissible with consent in the zone.
2.2 Zoning of land to which Plan applies For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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 (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. (3) In the Table at the end of this Part: (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. Notes. 1. Schedule 1 set out additional permitted uses for particular land. 2. Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 3. Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4. Clause 2.6 requires consent for subdivision of land. 5. Part 5 contains other provisions which require consent for particular development. 6. Part 6 contains local provisions which require consent for particular development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development satisfies the objectives of the zone.
2.4 Unzoned land (1) Development may be carried out on unzoned land only with consent. (2) Before granting consent, the consent authority: (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The land is contained within a zone.
2.5 Additional permitted uses for particular land (1) Development on particular land that is described or referred to in Schedule 1 may be carried out: (a) with consent, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not proposing additional permitted land use on site.

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(b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.				
(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.6 Subdivision—consent requirements				
(1) Land to which this Plan applies may be subdivided, but only with consent.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A subdivision of the land is proposed.
(2) However, consent is not required for a subdivision for the purpose only of any one or more of the following: (a) widening a public road, (b) a minor realignment of boundaries that does not create: (i) additional lots or the opportunity for additional dwellings, or (ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned, (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings, (d) rectifying an encroachment on a lot, (e) creating a public reserve, (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets. Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.7 Demolition requires consent The demolition of a building or work may be carried out only with consent. 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The existing buildings on the site will be demolished as part of the redevelopment of the whole site. The works will facilitate the redevelopment of the site for a residential development with basement car park. The demolition forms part of the development application.
2.8 Temporary use of land				
(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This section is not applicable to the application.
(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary purpose for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted unless the consent authority is satisfied that:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
(b) with this Plan and any other applicable environmental planning instrument, and the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) at the end of the temporary use period the site will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2), the temporary use of a dwelling as a sales office				
(a) for a new release area or housing estate may exceed 28 days (whether or not consecutive days) in any period of 12 months.				
(5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause				
Zone R4 High Density Residential				
1 Objectives of zone				
a) To provide for the housing needs of the community within a high density residential environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is for 12 residential flat buildings containing a total of 595 apartments. The provision of this type of high density housing is considered to be consistent with this objective.
b) To provide a variety of housing types within a high density residential environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site enjoys close proximity to the core Auburn Town Centre and associated public transport links.
c) To enable other land uses that provides facilities or services to meet the day to day needs of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d) To encourage high density residential development in close proximity to bus service nodes and railway stations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2 Permitted without consent	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Nil				
3 Permitted with consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be Residential Flat Buildings in accordance with the dictionary part of the ALEP 2010.
Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings ; Respite day care centres; Roads; Semi-detached dwellings; Shop top housing; Any other development not specified in item 2 or 4				No prohibited development is proposed.
4 Prohibited	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies				
Part 4 Principal development standards				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A land subdivision of the site 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A minimum allotment size of 1500sqm is designated for the site under the ALEP 2010. The application proposes the stratum subdivision of the development site to incorporate 3 stratum subdivisions to accommodate all three blocks. It is noted that all strata associated with the development are in excess of 1500sqm. It is noted that the minimum subdivision size does not apply to strata plan or strata plan of subdivision.
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 45m ² .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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(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) 35m ² , or (ii) if a garage will be accessed from the rear of the property – 290m ² , or (iii) if the dwelling house will be on a zero lot line – 270m ² , (b) semi-detached dwellings – 270m ² , (c) multi dwelling housing – 170m ² for each dwelling, (d) attached dwellings – 170m ² .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.3 Height of buildings				
(1) The objectives of this clause are as follows: (a) to establish a maximum building height to enable appropriate development density to be achieved, and (b) to ensure that the height of buildings is compatible with the character of the locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal incorporates minor height variations across the site to accommodate lift overruns and associated rooftop communal open space. These non-compliances are noted below;
(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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Maximum 12m: A portion of building A3 exceeds this height by approximately 0.6m.
(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is: (a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map – 27m, (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 – 14m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Maximum 17m: A portion of building A4 exceeds this height by approximately 0.95m. Maximum 20m: Buildings A2, B2, B4, C2 and C4 exceed this height through variances of 0.75m to 4.2m. Maximum 27m: Buildings A1 and B1 exceed this height through variances of 0.2m to 0.46m. The applicant has provided a request to vary the development standard in accordance with clause 4.6 as detailed below.
4.4 Floor space ratio				
(1) The objectives of this clause are as follows: (c) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and (d) To ensure that development intensity reflects its locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The permitted floor space ratio is 2:1. The development nominates a gross floor area of 53,218.4sqm which generates a FSR of 1.98:1.
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is noted that the above calculation excludes the ground floor garbage rooms and storage areas which, in accordance with the ALEP2010 Dictionary, are not excluded from calculation.
(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on 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 1,300m ² – 0.75:1, (b) for sites that are 1,300m ² or greater but less than 1,800m ² – 0.80:1, (c) for sites that are 1,800m ² or greater – 0.85:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	It is noted that the all basement storage, parking spaces, manoeuvring area and loading/unloading area are

Clause	Yes	No	N/A	Comments
(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"/>	excluded from the calculation in accordance with the ALEP 2010 definition.
(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 floor space ratio , (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 of a site area to maximise floor space area in another building, and (iii) require community land and public places to be dealt with separately.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Noted.
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No exclusions in accordance with this clause are being applied.

Clause	Yes	No	N/A	Comments
(b) community land or a public place (except as provided by subclause (7)).				
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Only the lots affected by the development are included in the floor space ratio calculation.
(7) Certain public land to be separately considered For the purpose of applying a floor 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No public land incorporated into the proposal.
(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"/>	All above ground floors of the proposal are factored into the floor space ratio calculation
(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"/>	
(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"/>	No consolidation covenant is being applied in this instance.
(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 circumstances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A sufficient 4.6 variation has been submitted justifying the slight non-compliance with height control. Elements of the building that are over height include roof top elements that increase amenity to the communal open space areas and lift overruns that are internal to the floor plate and will not be

Clause	Yes	No	N/A	Comments
				visible from the street.
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable evidence has been provided to demonstrate that Council may vary the development standard as detailed below.
(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: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant has provided a written request to seek the variation, justifying that compliance with the standard is unreasonable in the circumstances of the case and that there are sufficient planning grounds to justify the variation as summarised below.
(4) Consent must not be granted for development that contravenes a development standard unless: (a) the consent authority is satisfied that: (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and (b) the concurrence of the Secretary has been obtained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant's written request is seen to be satisfactory to support the variation. The objectives of the relevant development standard and zone have been addressed and the development is considered to be consistent with these objectives as detailed above. As per Planning Circular PS 18-003, an independent hearing and assessment panel (IHAP) can assume concurrence from the Secretary.
(5) In deciding whether to grant concurrence, the Secretary must consider: (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and (b) the public benefit of maintaining the development standard, and (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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: (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 (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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is located with a R4- High Density Residential.

Clause	Yes	No	N/A	Comments
(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).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The variation will form part of Councils 4.6 register.
(8) This clause does not allow consent to be granted for development that would contravene any of the following: (a) a development standard for complying development, (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 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated, (c) clause 5.4. (ca) clause 6.8.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed variation does not contravene this clause.
Part 5 Miscellaneous provisions				
5.4 Controls relating to 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 checked="" type="checkbox"/>	The proposal does not seek Council's approval to any of the miscellaneous permissible use on to this R4- High Density Residential site.
(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: (a) 43% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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"/>	

Clause	Yes	No	N/A	Comments
(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 the following is the greater: (a) 60 square metres, (b) 25% of the total floor area of the principal dwelling.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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. (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. (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"/> 			

Clause	Yes	No	N/A	Comments
<ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. <ul style="list-style-type: none"> (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, 				<p>suitable documentation to demonstrate that the proposal will have minimal impact upon the heritage significance of these items. This has been referred to Councils Heritage officer who has raised no objection to the proposal.</p> <p>Council officers can therefore be satisfied in accordance with cl5.10(5) that sufficient assessment has been made regarding the assessment of impact the development will have on heritage items within the vicinity of the subject site.</p>
<p>(3) When consent not required However, consent under this clause is not required if:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 (ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development: <ul style="list-style-type: none"> (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 (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 (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 (d) the development is exempt development. 	<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</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	As identified in the architectural plans, all building and excavation works are contained within the subject site. Therefore, the proposal will not have any impact

Clause	Yes	No	N/A	Comments
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).				to this heritage item/ site.
(5) Heritage impact assessment The consent authority may, before granting consent to any development on land: (a) on which a heritage item is situated, or (b) within a heritage conservation area, or (c) within the vicinity of land referred to in paragraph (a) or (b), 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 significance of the heritage item or heritage conservation area concerned.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to above regarding development within the vicinity of heritage items.
(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 (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"/>	The proposed development is not located within a heritage item or site.
(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 (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 (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 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"/>	

Clause	Yes	No	N/A	Comments												
(b) the proposed development is in accordance with a heritage conservation management document that has been approved by the consent authority, and (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 (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 (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.																
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 site lies over Class 5 Acid Sulfate Soils and does not lie within 500m of an adjacent altered classification soil. Class 5 soils are generally acceptable to undertake significant excavation without the need for further studies or management plans to manage Acid Sulfate issues during construction. The development is acceptable in this regard.												
(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"/>													
<table border="1"> <thead> <tr> <th>Class</th> <th>Works</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Any works.</td> </tr> <tr> <td>2</td> <td>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td> </tr> <tr> <td>3</td> <td>Works more than 1m below the natural ground surface. Works by which the watertable is likely to be lowered more than 1m below the natural ground surface.</td> </tr> <tr> <td>4</td> <td>Works more than 2m below the natural ground surface. Works by which the watertable is likely to be lowered more than 2m below the natural ground surface.</td> </tr> <tr> <td>5</td> <td>Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td> </tr> </tbody> </table>	Class	Works	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works more than 1m below the natural ground surface. Works by which the watertable is likely to be lowered more than 1m below the natural ground surface.	4	Works more than 2m below the natural ground surface. Works by which the watertable is likely to be lowered more than 2m below the natural ground surface.	5	Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.				
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(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
(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																

Clause	Yes	No	N/A	Comments
<p>carry out the works.</p> <p>(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):</p> <p>(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,</p> <p>(b) routine maintenance 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),</p> <p>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:</p> <p>(a) the works involve the disturbance of less 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 not likely to lower the watertable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<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) the work does not alter the ground level (existing) by more than 600mm, or</p> <p>(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>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Development consent is required for the proposed basement level excavations. This forms part of the development.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Clause	Yes	No	N/A	Comments
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 as follows: (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 identified as a flood planning area. Suitable conditions have been imposed on the development consent to accommodate overland flow.
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) 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 (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(4) 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"/>	
(5) In this clause: flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5m freeboard. Flood Planning Map means the Auburn Local Environmental Plan 2010 Flood Planning Map.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 located in the foreshore area.
(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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, (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, (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
<p>swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoor).</p> <p>(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:</p> <p>(a) the development will contribute to achieving the objectives for the zone in which the land is located, and</p> <p>(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and</p> <p>(c) the development is not likely to cause environmental harm such as:</p> <p>(h) pollution or siltation of the waterway, or</p> <p>(i) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or</p> <p>(ii) an adverse effect on drainage patterns, and</p> <p>(d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and</p> <p>(e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and</p> <p>(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</p> <p>(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</p> <p>(h) sea level rise or change of flooding patterns as a result of climate change have been considered.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>6.5 Essential services</p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p> <p>(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Services are provided to the site or capable of being provided.
<p>6.11 Development of certain land at 1A and 1B Queen Street, Auburn</p> <p>(1) This clause applies to Lots 1 and 2, DP 1160950, 1A and 1B Queen Street, Auburn.</p> <p>(2) The consent authority must, before granting consent to development on land to which this clause applies, take into consideration whether or not:</p> <p>(a) the height of any proposed building is</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is located within Lots 1 and 2, DP 1160950, 1A and 1B Queen Street, Auburn.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed height is generally consistent with the maximum height and FSR provisions of the LEP which establish the future scale of development in the area.

Clause	Yes	No	N/A	Comments
<p>compatible with the existing and likely future scale of development in the immediate vicinity, and</p> <p>(b) the height of any proposed building adequately transitions to any adjoining residential accommodation, and</p> <p>(c) the development provides an appropriate level of solar access to common open spaces, and</p> <p>(d) the development results in a visually interesting and varied built form.</p>				<p>The proposed exceedances to the height limit are minor in nature and do not affect the overall density or bulk of development on the site.</p> <p>The built form transitions from a height of 27.46m to 12.6m. The development successfully transitions from the railway line to the east to the low residential area to the west by gradually stepping down in height. This objective is achieved.</p> <p>Suitable solar access diagrams/plans have been provided to demonstrate that the development will provide satisfactory solar access to the communal open spaces associated with the site. It is noted that the rooftop communal open spaces will receive solar access throughout the day, with other ground floor open spaces achieving suitable solar penetration.</p> <p>The buildings are considered to be visually interesting and reflective of the built form within the locality.</p>

Auburn Development Control Plan 2010

i) 1A and 1B Queen Street, Auburn

Requirements	Yes	No	N/A	Comments
2.0 Site vision and objectives				
2.1 Site vision <p>The vision for the Queen Street site is to create a high quality residential development that has a scale and form that is compatible with surrounding land uses and takes advantage of the site's proximity to existing facilities, services and public transport infrastructure.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to provide a high quality residential development that responds to the existing makeup of the locality whilst acknowledging its proximity to existing infrastructure (inclusive of the Auburn Town Centre and associated public transport network).
2.2 Site objectives <p>The objectives for the Queen Street site are as follows:</p> <p>a. To provide new housing opportunities within walking distance of the town centre, rail station and other public transport opportunities.</p> <p>b. To ensure development is of a scale and character that is consistent with that planned for the neighbouring locality.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The development will provide for 595 new apartments consisting of 1, 2 and 3 bedrooms.</p> <p>The development responds to the locality by transitioning the heights of the development. It is noted that the</p>

c. To ensure that a range of housing types are provided across the site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	higher elements of the developments are adjacent the railway line, whilst the lower height limits respond to the adjoining low residential areas.
2.3 Design objectives				
The future development is to:				
a. Provide an overall built form that is varied and visually interesting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development incorporates 12 individual buildings varying in height, broken into three distinctive blocks. The design of the development is considered to be suitable in context with the locality.
b. Be of a scale that provides logical transitions to the planned future scale of development in the area surrounding the site, particularly to the town centre, adjoining residential zones and the rail corridor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The scale of the development responds predominately to the statutory requirements of the ALEP 2010 as discussed above. Whilst it is noted that here is breaches within the height limitation, these breaches only relate to lift overruns and rooftop open spaces. They do not incorporate any additional habitable spaces.
c. Provide visual interest through building articulation, variation in building form, building material palettes/textures when viewed from all external locations including the rail line.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable architectural design has been provided to demonstrate visual interest in design. It is noted that the development encourages the use of landscaping in and around the development, being a key feature of the site.
d. Incorporate building envelopes which are compatible with the scale of existing and future neighbouring development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building envelopes are consistent with the block patterns as nominated within this DCP and are consistent with the design controls of the ADG as discussed earlier.
e. Provide sufficient communal open space to satisfy the needs of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal provides adequate communal open space that is accessible for residents.
3.0 Development principles				
3.1 Connections and Access				
Objective To improve the site's connections to Auburn railway station by extending and improving pedestrian and cycle connections within the site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development incorporates a suitably landscaped through site link which is accessible through the pocket parks provided. It is noted that this through site link runs parallel to Queen Street.
Development controls D1 Provision for access and through site links should be generally consistent with the strategy shown in Figure 2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development provides vehicle and pedestrian access generally consistent with Figure 2. Public open space and a north-south through-site link is provided as shown.
D2 The Queen Street frontage is to complement surrounding existing and proposed development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Queen Street frontage incorporates three pocket parks and retains a majority of trees along the frontage. The design of the apartment buildings, being limited to 3 storeys is considered to be consistent with the

D3 In providing vehicular access, preference is to be given to Queen Street and to ensuring sufficient space for truck movements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	low density residential properties on the opposing side of the street. The proposal incorporates two access points for vehicles. These are both from Queen Street. Suitable traffic and vehicular manoeuvring documentation has been provided to demonstrate that access to and from the site can be achieved, with limited impact upon the local road network.
D4 Provide through site connectivity including pedestrian and cycle access through the public open space of the development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two of the three pocket parks have continuous access to within the site. The site is considered to offer good through site connectivity.
3.2 Open space				
Objectives				
a. To provide high quality public spaces that make a positive contribution to the visual quality of the development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to be consistent with this part. The proposal provides three publicly accessible pocket parks.
b. To provide communal spaces that allow opportunities for amenity, outlook and visual separation for residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each block is suitably separated by communal open spaces accessible by residents of each building. Three rooftop terraces have also been set up to provide additional communal open space.
c. To maximise the size of public open space areas to enhance useability and flexibility of the space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal incorporates 3 pocket parks varying in size. It is noted that the development only requires 300sqm of public open space in total. It is noted that this is achieved.
Development controls				
D1 Open space provisions for the development should be generally consistent with the strategy shown in Figure 2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Open spaces have been provided in three areas in addition to the two areas as dictated by Figure 2.
D2 Public open space of at least 300 square metres in total, accessible to the public and legible from Queen Street, Louisa Street and/or Marion Street frontages is to be provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal incorporates three public spaces having a combined total of 1420sqm. This is broken down as follows: Pocket Park 1: 279sqm (passive area) Accessible from Queen Street and Marion Streets through the site link. Pocket Park 2: 613sqm (passive area) Accessible from Queen Street and Marion Streets through the site link. Pocket Park 3: 528sqm (play area) Accessible from Queen Street and Marion Streets through the site link. The public open spaces are legible from Queen Street, Louisa Street and Marion Street intersection.
D3 The public open space should be focussed in one or two large, useable open spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is noted that the open spaces are located over three areas. However, two of these spaces exceed the amount of

<p>D4 Development should allow for the creation of open space areas that provide sufficient separation between buildings to enable appropriate levels of visual and acoustic privacy to be achieved and act as shared landscaped areas for use by residents.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>area as specified under D2 above.</p> <p>The public open spaces are designed so as to assist in building separation and residential apartments have been orientated around these spaces so as to provide a balance of casual surveillance and acoustic privacy.</p>
<p>D5 Open spaces should be well designed areas that include:</p> <ul style="list-style-type: none"> – a space that is legible as public space, rather than a space only for the use of residents, – both soft and hard surfaces, (and therefore cannot all be considered deep soil), – seating (formal and informal) for individual and group use, – trees and other landscaping, – ideally provision for suitable recreation activities in a space designed for flexible use, – public art in the main space. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The landscape design:</p> <ul style="list-style-type: none"> - Ensures the public space is accessible and designed to read as public open space rather than part of the development's communal area. - Provides a mix of hard and soft surfaces, seating and vegetation. - Includes a diverse range of areas to accommodate different recreational activities such as reading, games and play areas.
<p>D6 Communal open space and deep soil zones are to comply with the relevant provisions of SEPP65 and the Apartment Design Guide.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development includes 27% communal open space and 12% deep soil. It is noted that areas of permeable paving have also been incorporated within the design which acts as additional deep soil to facilitate water infiltration.</p>
<p>D7 Deep soil planting areas should enhance site amenity and the streetscape along the rail corridor and all adjoining streets.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The deep soil planting areas have been situated along the railway line interface and southern boundary to enhance the amenity and screen adjacent uses. The deep soil also improves the proposed overland flow path. In addition, the areas of public open space and the Queen Street frontage also comprise deep soil planting to provide substantial planting to the predominant street frontage and to soften the built form.</p>
<p>D8 The provision of communal space on roof top levels is supported.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development incorporates three rooftop communal open spaces.</p>
<p>D9 The associated owners corporation will own and maintain public and communal open space and associated infrastructure servicing the proposed development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A condition of consent will be imposed on the development to ensure the appropriate maintenance of these areas are undertaken by the relevant strata.</p>
<p>3.3 Building form</p> <p>Objectives</p> <p>a. To encourage buildings with a scale and form that is compatible with those planned in neighbouring areas.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is of a scale that is considered to be consistent with the locality.</p>

<p>b. To provide a transition in height and density from the site to surrounding residential areas, the railway line and the town centre.</p> <p>c. To ensure that built form defines and activates the site's open spaces and complements the surrounding land use context.</p> <p>d. Building forms should address street frontages along Marion Street and Queen Street and corner buildings shall address both streets.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal incorporates a transition in height from the low density residential level to the rear railway line.</p>
<p>c. To ensure that built form defines and activates the site's open spaces and complements the surrounding land use context.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The built form is complimented by the provision of open space. It is noted the three pocket parks lessen the impact the development has on the Queen Street frontage.</p>
<p>d. Building forms should address street frontages along Marion Street and Queen Street and corner buildings shall address both streets.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Suitably designed buildings address all street frontages.</p>
<p>Development controls</p> <p>D1 Development within the site should be generally consistent with the built form strategy shown in Figure 3.</p> <p>D2 Buildings are to reinforce the edges of public spaces and connections on the site.</p> <p>D3 Development is to include a variety of residential dwelling types.</p> <p>D4 Ground floor dwellings are to have direct street address where fronting a public street edge.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The built form is generally consistent with Figure 3.</p> <p>The built form defines the edges of the surrounding public domain and clear connections through the site are provided.</p> <p>The development includes a mix of dwelling typologies</p> <p>Direct street access to ground floor apartments has been provided where required. It is noted that not all ground floor apartments have direct private entries at ground floor. Considering the street setbacks and building forms which address both Queen and Marion Streets, the access to ground floor apartments are considered acceptable.</p>
<p>Building envelopes</p> <p>D5 Lower scale housing forms such as townhouses / terraces are to be provided along Queen Street to provide an active address to this street and a scale that responds to neighbouring development.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The development incorporates three storey residential flat buildings (as defined by the ALEP 2010) along the Queen Street frontage. Whilst it is noted that the intention of this part was to encourage lower scale developments along this frontage, it is considered that, with the zoning, fsr and height maximums as prescribed by the LEP, this type of development is considered appropriate. The proposal seeks to maintain a townhouse/terrace form via the incorporation of a flat roof and architectural frames which break up the built form along this frontage into smaller, rectangular components giving the impression of a row of terrace dwellings.</p> <p>The buildings fronting Queen Street are considered to be reflective of lower scale housing and are consistent with developments along Queen Street, being a mixture of one and two storey dwellings (inclusive of town</p>

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				compliance section.
D8 Building heights are shown in metres in the Auburn Local Environmental Plan 2010 Height of Buildings Map and site specific clauses are included within Auburn Local Environmental Plan 2010.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It is noted that the applicant has requested variation to the heights as specified within the ALEP 2010. This is discussed within the 4.6 variation commentary above. It is noted that the variation relates to the provision of lift overruns and rooftop communal open space. This is considered acceptable.
D9 Appropriate building articulation, façade treatment and modulation is to be provided.				
a. Buildings are to achieve visual interest through variations in massing, articulation and composition of building elements including fenestration, material use, entrances, balconies, balustrades and planters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The buildings are considered to be designed to incorporate these items.
b. Development is to achieve a varied silhouette when viewed from the rail corridor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The east facing façade is visually interesting and varies in built form by introducing a step within the design and adding different architectural elements so as to not provide a uniform appearance.
c. Design elements and façade treatments should aim to minimise glare affecting passing pedestrians, vehicles and trains.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is considered to be acceptable in regard to this part.
D10 Vertical and horizontal articulation should be substantial, to enable the buildings to be read as separate buildings and should include:				
a. Vertical recesses	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All buildings are separate and read as different buildings.
b. Separate façade components with distinct architectural detailing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. DCP enforced building setbacks and height controls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.4 Acoustic Amenity				
Objectives				
a. Achieving occupant amenity by responding appropriately to noise emitters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development has been designed so as to minimise any rail noise on the development. This is achieved through the provision of winter gardens on the eastern elevation and specialised construction techniques as advised through the submitted acoustic report.
Development controls				
D1 An acoustic assessment prepared by a suitably qualified acoustic consultant is to be submitted with any development application for the site. The assessment should address, at minimum:				
a. Impacts on acoustic privacy of proposed residential uses from any surrounding noise sources, such as road and rail traffic and industrial uses; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An acoustic report was submitted and the development is considered to not be impacted upon by rail noise subject to compliance with this report.
b. The impact of the development on the surrounding area, through mechanical services, earthworks, excavation and construction phases of development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable conditions will be imposed to ensure the amenity of the locality is protected during construction and operational phases.
c. Design of buildings shall comply with the internal noise levels in the SEPP Infrastructure Clause 102 (3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As discussed, the development will be compliant with this part, subject to the recommendations of the submitted acoustic report.

Residential Flat Buildings

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
Objectives				The proposed development is consistent with the built form objectives as it results in an articulated, balanced development which improves the existing streetscape and is consistent with the form and scale of future developments anticipated for the vicinity and achieves the required energy efficiency ratings. The finished appearance of the building achieves the built form objectives stated here.
a. To ensure that all development contributes to the improvement of the character of the locality in which it is located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To ensure that development is sensitive to the landscape setting and environmental conditions of the locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To ensure that the appearance of development is of high visual quality and enhances and addresses the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To ensure that the proposed development protects the amenity of adjoining and adjacent properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and local character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To ensure that development relates well to surrounding developments including heritage items, open space and other land uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To ensure that development maximises sustainable living.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. To maximise views, solar and daylight access.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. To provide an acceptable interface between character areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. To minimize the impacts of buildings over shadowing open spaces and improve solar access to the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
k. To contribute to the streetscape and form a clear delineation between the public and private domain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.1 Site area				
Performance criteria				The proposed development is for a residential flat building..
P1 The site area of a proposed development is of sufficient size to accommodate residential flat buildings 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"/>	
Development controls				
D1 A residential flat building development shall have a minimum site area of 1,000 square metres 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is suitable in accommodating this type of development.

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"/>	As per the ADG and 1A and 1B Queen Street part of the ADCP 2010, the proposed development is considered satisfactory given its location.
P2	Minimise impacts in relation to overshadowing, privacy and view loss.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As previously noted, the subject site is within proximity to the Auburn Town Centre and the proposed design will accentuate the streetscape and place an emphasis on ensuring privacy within the adjoining residential uses.
P3	Ensure through-site links for pedestrians are incorporated where applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A through site link is proposed.
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"/>	The built upon area exceeds 50% of the total site area.. It is not feasible to achieve compliance with the stated provision due to the zoning, location of the site and the applicable planning controls that dictates a block pattern. It is considered appropriate to permit a variation to the stated provision in this instance.
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"/>	Any areas that are not built upon are suitably landscaped.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is consistent with the objectives of the zone and compatible with the desired future character of the area in accordance with the zone objectives.
	Residential flat buildings:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	• addresses both streets on corner sites;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development has a strong presentation to both Queen Street and Marion Street.
	• align with the street 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The development is consistent with the block pattern as specified within the 1A and 1B queen Street part of the DCP.
Note: The development control diagrams in section 10.0 illustrate building envelope controls.					
Development controls					
D1	Council may consider a site specific building envelope for certain sites, including:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is effected by a site specific DCP being 1A and 1B Queen St.
	• double frontage sites;				
	• sites facing parks;				
	• sites adjoining higher density zones; and				
	• isolated sites.				
D2	The maximum building footprint dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 45m for sites up to 3,000m2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	The tower component of any building above the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

podium or street wall height is to have a maximum floor plate of 850m2.					
2.4 Setbacks					
Performance criteria					The subject site is effected by a site specific DCP being 1A and 1B Queen St which dictates building setbacks.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P2	Integrate new development with the established setback character of the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3	Ensure adequate separation between buildings, consistent with the established character and rhythm of built elements in the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4	Ensure adequate separation between buildings for visual and acoustic privacy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P5	Maintain a reasonable level of amenity for neighbours with adequate access to sunlight.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
2.4.1 Front setback					
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed front boundary setbacks are consistent with that specified within the site specific DCP.
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No laneways form part of the development site.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is located on the Queen Street and Marion Street corner. Setbacks are consistent with that of the site specific DCP.
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 required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable setbacks are proposed in accordance with the ADG and site specific DCP as discussed above.
D5	All building facades shall be articulated by bay windows, verandas, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 1 metre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable articulation is provided within façade treatments.
					Development is not a midblock site and contains two street frontages.

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 3m.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed side boundary setbacks are consistent with that specified within the site specific DCP.
D2	Eaves may extend a distance of 700mm from the wall.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2.4.3 Rear setback					
D1	Rear setbacks shall be a minimum of 10m from the property boundary.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed rear boundary setbacks are consistent with that specified within the site specific DCP.
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	The development site is not in near vicinity of 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 development is not located on Olympic Drive. This section of the DCP is not applicable.
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 4m.	<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 generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 proposal is considered to deliver an appropriate level of amenity to the residents of the building.
Development controls					
D1	The maximum depth of a residential flat building	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The depth of each building is approximately

shall be 24m (inclusive of balconies and building articulation but excluding architectural features).				<p>21m</p> <p>The performance of the apartments in relation to solar access and natural ventilation is generally considered acceptable.</p> <p>The communal open space provided and the proposed built form allows for increased amenity to each unit.</p> <p>Therefore, a technical variation is supported in this regard as it is not considered to adversely affect the residential amenity of the affected units.</p>
<p>2.6 Floor to ceiling heights</p> <p>Performance criteria</p> <p>P1 Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form.</p> <p>Development controls</p> <p>D1 The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines.</p> <p>D2 Where there is a mezzanine configuration, the floor to ceiling height may be varied.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Habitable rooms all have a minimum 2.7m floor to ceiling heights and non-habitable rooms have a minimum 2.4m floor to ceiling height. A floor to ceiling height of 3.1m has been nominated, however this does not take into account servicing, slab thickness and the like. The floor to ceiling height is considered to be acceptable in this instance.</p> <p>This is considered acceptable for solar access and general residential amenity.</p>
<p>2.7 Head height of windows</p> <p>Performance criteria</p> <p>P1 Window heights allow for light penetration into rooms and well proportioned elevations.</p> <p>Development controls</p> <p>D1 The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.</p> <p>D2 For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.</p> <p>D3 For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Window head heights are a minimum of 2.4m from floor level. The development is acceptable in this regard.</p>
<p>2.8 Heritage</p> <p>Performance criteria</p> <p>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.</p> <p>Development controls</p> <p>D1 All development adjacent to and/or adjoining a</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development site is not an identified heritage item. However, the subject site is located within the vicinity of heritage listed items. The matters concerning heritage is addressed under the ALEP 2010. As such, the matter does not require further review.</p>

heritage item shall be: <ul style="list-style-type: none"> responsive in terms of the curtilage and design; accompanied by a Heritage Impact Statement; and respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks. 	<input checked="" 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. 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"/>	No objection is raised to the materials and colour scheme of the proposal which is considered to be of high quality and will make a positive contribution to the streetscape.
Development controls 2.9.1 Materials Performance criteria P1 The use of face brick (smooth faced) is encouraged. P2 The use of cement render on building facades is discouraged due to high ongoing maintenance issues. Development controls D1 All developments shall be constructed from durable, quality materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Good quality materials and finishing are proposed which contributed to the existing streetscape and add to the mixed use nature of the locality.
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. D3 Dwelling entrances shall create a sense of individuality and act as a transitional space between private and communal spaces. Entrances shall be clearly articulated and identifiable from the street through use of address signage, lighting, canopies and/or architectural statements. 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"/>	The proposal offers an articulated facade with distinct horizontal and vertical elements. The entrances to the buildings are considered to be acceptable in regard to this part. Recessed elements are proposed on every facade of the building.
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 of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flat roof and low horizontal parapet proposed. The roof form is in accordance with this clause.
2.9.4 Balustrades and balconies D1 Balustrades and balconies shall be designed to maximise views of the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All balconies consist of masonry construction. The design of the balconies

<p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>are incorporated within the overall design of the building.</p>																		
<p>D2 Opaque glazing and/or masonry for balustrading and balconies is encouraged.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Should the application be approved appropriate condition will be included in any consent to ensure compliance with this clause.</p>																		
<p>D2 Clear glazing for balconies and balustrades is prohibited.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																			
<p>2.10 Dwelling size</p> <p>Performance criteria</p> <p>P1 Internal dwelling sizes and shapes are suitable for a range of household types.</p> <p>P2 All rooms are adequate in dimension and accommodate their intended use.</p> <p>Development controls</p> <p>D1 The size of the dwelling shall determine the maximum number of bedrooms permitted.</p> <table><thead><tr><th>Number of bedrooms</th><th>Dwelling size</th></tr></thead><tbody><tr><td>Studio</td><td>50m²</td></tr><tr><td>1 bedroom (cross through)</td><td>50m²</td></tr><tr><td>1 bedroom (masionette)</td><td>62m²</td></tr><tr><td>1 bedroom (single aspect)</td><td>63m²</td></tr><tr><td>2 bedrooms (corner)</td><td>80m²</td></tr><tr><td>2 bedrooms (cross through or over)</td><td>90m²</td></tr><tr><td>3 bedrooms</td><td>115m²</td></tr><tr><td>4 bedrooms</td><td>130m²</td></tr></tbody></table> <p>D2 At least one living area shall be spacious and connect to private outdoor areas.</p>	Number of bedrooms	Dwelling size	Studio	50m ²	1 bedroom (cross through)	50m ²	1 bedroom (masionette)	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All units within the development meet the minimum dwelling size identified in the ADG and the objectives of the apartment layout requirements. The layout is suitable to accommodate a variety of furniture layouts. Therefore, the development is acceptable in this regard.</p> <p>All balconies are accessible from the living rooms of every unit.</p>
Number of bedrooms	Dwelling size																					
Studio	50m ²																					
1 bedroom (cross through)	50m ²																					
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3 bedrooms	115m ²																					
4 bedrooms	130m ²																					
<p>2.11 Apartment mix and flexibility</p> <p>Performance criteria</p> <p>P1 A diversity of apartment types are provided, which cater for different household requirements now and in the future.</p> <p>P2 Housing designs meet the broadest range of the occupants' needs possible.</p> <p>Development controls</p> <p>D1 A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings.</p> <p>Variety may not be possible in smaller buildings, for example, up to six units.</p> <p>D2 The appropriate apartment mix for a location shall be refined by:</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The residential component of the building will offer a variety of unit types of differing sizes and bedrooms.</p> <p>The development has the following bedroom mix:-</p> <ul style="list-style-type: none">- 107 x 1 bedroom apartments- 425 x 2 bedroom apartments- 63 x 3 bedroom apartments <p>60 adaptable units have been proposed and an appropriate condition will be imposed to ensure the required amount of adaptable units will be provided in the development.</p> <p>The building is considered to offer an appropriate unit mix.</p>																		

	<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"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<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.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Apartment layouts which accommodate the changing use of rooms shall be provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is determined as being satisfactory. The proposal incorporates open plan living and dining areas which are considered to be easily reconfigured.
Design solutions may include:					
	<ul style="list-style-type: none"> ■ windows in all habitable rooms and to the maximum number of non-habitable rooms; 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> ■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> ■ 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"/>	The building configurations allow for suitable access. It is noted that each building has multiple pedestrian access links.
D7	Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unit sizes are considered to be of sufficient size to provide flexible furniture layouts.
	<ul style="list-style-type: none"> ■ a structural grid, which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; 				The design of the development is considered to be satisfactory in regards to this part.
	<ul style="list-style-type: none"> ■ the alignment of structural walls, columns and services cores between floor levels; 				
	<ul style="list-style-type: none"> ■ the minimisation of internal structural walls; 				
	<ul style="list-style-type: none"> ■ higher floor to ceiling dimensions on the ground floor and possibly the first floor; and 				
	<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				
Objectives				
a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development proposal is considered to be generally consistent with the open space and landscaping objectives.
b. To provide private open areas that relate well to the living areas of dwellings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To provide sufficient areas for deep soil planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To provide a mix of hard and soft landscape treatments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To help provide a visual and acoustic buffer from the street without preventing passive surveillance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To provide for the preservation of existing trees and other natural features on the site, where appropriate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. To provide low maintenance communal open space areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. To conserve and enhance street tree planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.1 Development application requirements				
A landscape plan shall be submitted with all development applications for residential flat buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A suitable landscaping plan which details species, quantity required, height and spread, planting depth detail has been submitted and is considered satisfactory.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
A landscape plan prepared by a professionally qualified landscape architect or designer shall be submitted with the development application which shows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ proposed site contours and reduced levels at embankments, retaining walls and other critical locations;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ existing vegetation and the proposed planting and landscaping (including proposed species);				
■ general arrangement of hard landscaping elements on and 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:				Suitable landscaping has been provided within the development which achieves this criteria.
■ ensure access for people with limited mobility;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ add visual interest and variety;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
■ differentiate the access driveway from the public				

<p>street; and</p> <p>■ encourage shared use of access driveways between pedestrians, cyclists and vehicles.</p> <p>Development controls</p> <p>D1 If an area is to be paved, consideration shall be given to selecting materials that will reduce glare and minimise surface run-off.</p> <p>D2 All landscaped podium areas shall maintain a minimum soil planting depth of 600mm for tree provision and 300mm for turf provision.</p>	<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"/>	<p>Conditions will be provided to ensure compliance.</p> <p>Planters provided have minimum soil depth to cater for the need of planter species.</p>
<p>3.3 Deep soil zone</p> <p>Performance criteria</p> <p>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.</p> <p>Development controls</p> <p>D1 A minimum of 30% of the site area shall be a deep soil zone.</p> <p>D2 The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building.</p> <p>D3 Deep soil zones shall have minimum dimensions of 5m.</p> <p>D4 Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" 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 checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The development has proposes a deep soil area totalling 3398sqm or 12.6% being consistent with the requirements of the ADG</p> <p>It is noted that the development also incorporates areas of permeable paving to assist natural water infiltration and further enriching landscaping within these areas. These permeable paving's make up approximately an additional 802sqm, creating a total deep soil area of 4200sqm or 15.6%.</p> <p>In this regard, the development can be seen to achieve a satisfactory area of deep soil in accordance with the requirements of the ADG.</p>
<p>3.4 Landscape setting</p> <p>Performance criteria</p> <p>P1 Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain.</p> <p>P2 Residential flat buildings are adequately designed to reduce the bulk and scale of the development.</p> <p>P3 Landscaping assists with the integration of the site into the streetscape.</p> <p>P4 Enhance the quality and amenity of the built form.</p> <p>P5 Provide privacy and shade in communal and private open space areas.</p> <p>Development controls</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 proposal incorporates several areas of communal open space which is inclusive of the public pocket parks associated with the site. These areas include rooftop terraces, areas in-between developments and the three pocket parks provided along Queen Street. It is noted that these pocket parks far exceed the 300sqm required by the ADCP 2010 and as such have been utilised within the communal open space calculation given their ability to dual function as additional space for the residents of the development and that of the local residents in proximity to the property.</p>

D1	Development on steeply sloping sites shall be stepped to minimise cut and fill.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	Existing significant trees shall be retained within the development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Significant trees are retained where viable.
D3	The minimum soil depth for terraces where tree planting is proposed is 800 mm.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable conditions can be imposed to ensure compliance.
D4	Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All buildings are orientated around the relevant open spaces provided within the development (Inclusive of the communal open spaces and 3 pocket parks).
D5	Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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"/>	Suitable conditions can be imposed to ensure efficient irrigation system to be provided.
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"/>	
P2	Private open space: <ul style="list-style-type: none"> ■ takes advantage of available outlooks or views and natural features of the site; ■ reduces adverse impacts of adjacent buildings on privacy and overshadowing; and ■ 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms.
D2	Dwellings on the ground floor shall be provided with a courtyard that has a minimum area of 9m ² and a minimum dimension of 2.5m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All ground floor apartments incorporate private open spaces in excess of 9sqm.
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"/>	Balconies are provided in accordance with the ADG and are considered to be consistent with this part.
D4	Balconies may be semi enclosed with louvres and screens.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Balconies located adjacent the railway line are enclosed as winter gardens to ensure acoustic amenity within these areas.

D5	Private open space shall have convenient access from the main living area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All private open spaces are accessible from a living area.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Balconies are adequately sized to cater for clothes drying if required.
D7	Additional small, screened service balconies may be provided for external clothes drying areas and storage.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	Balconies are suitably orientated and appropriate screening has been used to reduce any likely privacy concerns.
3.6 Communal open space					
Performance criteria					
P1	The site layout provides communal open spaces which:				
	■ contribute to the character of the development;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal incorporates several areas of communal open space which is inclusive of the public pocket parks associated with the site. These areas include rooftop terraces, areas in-between developments and the three pocket parks provided along Queen Street. It is noted that these pocket parks far exceed the 300sqm required by the ADCP 2010 and as such have been utilised within the communal open space calculation given their ability to dual function as additional space for the residents of the development and that of the local residents in proximity to the property. The development incorporates 7254sqm or 27% of communal open space
	■ provide for a range of uses and activities;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ allows cost-effective maintenance; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ contributes to stormwater management.	<input checked="" 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"/>	The development has been supported by suitable solar diagrams which demonstrates that these areas receive on average (across all areas) 50% solar penetration for a minimum of 2 hours during the day.
D2	The communal open space area shall have minimum dimensions of 10m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable dimensions are proposed to facilitate useable spaces.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The submitted landscape plan is considered acceptable in this instance. A majority of the existing trees along Queen Street are to be maintained.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable coniditons will be imposed to ensure the trees to be retained are suitably protected.
D2	Existing trees are to be retained and integrated into a new landscaping scheme, wherever	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is achieved.

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.				
3.8 Biodiversity				
Performance criteria				
P1 Existing and native flora at canopy and understorey levels is preserved and protected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site does not incorporate any existing trees and/or vegetation.
P2 Plantings are a mix of native and exotic water-wise plant species.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The submitted landscape plan is considered satisfactory.
Development controls				
D1 The planting of indigenous species shall be encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.9 Street trees				
Performance criteria				
P1 Existing street landscaping is maintained and where possible enhanced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site does not incorporate any existing street trees and no street trees are proposed.
Development controls				
D1 Driveways and services shall be located to preserve existing significant trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2 Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Note: Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.				
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"/>	The building provides sufficient onsite parking in accordance with the Apartment Design Guide as detailed above.
4.2 Basements				
Performance criteria				
P1 Basements allow for areas of deep soil planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable areas of deep soil are provided given the basement positioning.
Development controls				
D1 Where possible, basement walls shall be located directly under building walls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is achieved where possible.
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"/>	The basement is designed in accordance with this part and a suitable condition can be imposed to ensure a dilapidation report is undertaken prior to any works to be undertaken.
D3 Basement walls not located on the side boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable setbacks from all boundaries in excess of 1.2m have been proposed.

shall have minimum setback of 1.2m from the side boundary to allow planting.				
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"/>	The proposal is considered to promote safety and security in the local area by increasing the opportunity for general pedestrian activity and passive surveillance in the locality.
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"/>	The development has provided numerous privacy features to ensure adjoining development is not adversely impacted upon including proposed privacy screens, blank walls and smart windows/balcony locations.
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"/>	Sufficient building separation provided to minimise visual overlooking and acoustic privacy onto adjoining private open spaces.
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 windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to perform satisfactorily in maintaining privacy for residents within the development and on surrounding uses. Privacy screens and in some cases solid walls are proposed to the edges of balconies to minimise overlooking impacts.
D4 Views onto adjoining private open space shall be obscured by: ■ 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"/>	
5.2 Noise				
Performance criteria				
P1 The transmission of noise between adjoining properties is minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An amended acoustic report has been prepared to support the application and the mitigation measures within this report are recommended to be imposed as conditions of consent.
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>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"/>	<p>The proposed development has provided an Acoustic Report which has been referred for the Environmental Health Office's comment. It is advised by Council's Environmental Health Officer that recommended measures suggested by the acoustic consultant as stated in the report as suitable and appropriate conditions will be imposed on any consent that may be issued to ensure all noise attenuation measures will be adopted to minimise potential noise impacts to the future residents.</p> <p>The proposal relates to the construction of 595 residential units on a site that is adjacent to a rail corridor. Accordingly, the proposal requires the assessment against the interim guidelines for 'Development near Rail Corridors and Busy Roads' within the acoustic assessment for Residential flat buildings (Figure 3.4a).</p> <p>It is considered that the development will perform adequately in regards to mitigation of rail noise subject to the recommendations of the submitted acoustic report. It is therefore recommended that if the development is to be determined favourably, the recommendations of the submitted acoustic report form part of any conditions of development consent.</p>
<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, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.</p> <p>P3 Ensure a development is integrated with the public domain and contributes to an active pedestrian-orientated environment.</p> <p>P4 Ensure effective use of fencing or other means to delineate private and public areas.</p> <p>Note: Consideration shall also be given to Council's Policy on Crime Prevention Through Environmental Design (CPTED).</p> <p>Development controls</p> <p>D1 Shared pedestrian entries to buildings shall be lockable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Consideration has been given to Council's Policy on Crime Prevention Through Environmental Design (CPTED). The proposal is deemed acceptable in terms of this.</p> <p>Suitable conditions can be imposed on the development to ensure this requirement.</p>

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"/>	All entrances along Marion and Queen Streets are visible from respective streets.
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"/>	Casual surveillance to all streets will be possible from the upper residential floors of the development.
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"/>	Suitable conditions can be imposed on the development to ensure this requirement.
D7	Fences higher than 900mm shall be of an open semitransparent design.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No fencing proposed.
D8	Balconies and windows shall be positioned to allow observation of entrances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows/balconies are positioned to allow casual surveillance of communal areas.
D9	Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Landscaping is considered acceptable.
D10	Blank walls facing a rear laneway should be avoided to discourage graffiti.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No laneways present.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable furnishings can be provided in the communal open space.
D13	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"/>	Suitable surveillance is available over all communal and public spaces.
D14	Ground floor apartments may have individual entries from the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Direct street access to ground floor apartments has been provided where required. It is noted that not all ground floor apartments have direct private entries at ground floor. Considering the street setbacks and building forms which address both Queen and Marion Streets, the access to ground floor apartments are considered acceptable.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All residential buildings are orientated around the communal or public spaces as provided within the development.
5.4	Fences				
	Performance controls				
P1	Front fences and walls maintain the streetscape character and are consistent with the scale of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No fencing is proposed for the development.

development.					
P2	Ensure that views from streets are maintained and not obstructed by excessively high fences.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	All fences forward of the building alignment shall be treated in a similar way.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<p>The siting of the buildings are such that surrounding buildings and private open space will receive adequate solar access.</p> <p>The development incorporates a suite of energy efficiency and water conservation</p>

<p>b. To create comfortable living environments.</p> <p>c. To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.</p> <p>d. To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.</p> <p>e. To encourage installation of energy efficient appliances that minimise greenhouse gas generation.</p>	<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"/>	<p>measures and is detailed in the submitted plans and BASIX certificate.</p>
<p>6.1 Solar amenity</p> <p>Performance criteria</p> <p>P1 Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.</p> <p>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.</p> <p>Development controls</p> <p>D1 Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.</p> <p>Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.</p> <p>Where adjoining properties do not have any solar collectors, a minimum of 3m² of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.</p> <p>Note: Where the proposed development is located on an adjacent northern boundary this may not be possible.</p> <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.</p> <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.</p>	<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 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 type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The siting of the buildings are such that surrounding buildings and private open space will receive adequate solar access either in the morning or afternoon depending on its positioning relative to the building.</p> <p>Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible.</p> <p>There are no solar panels proposed</p> <p>The submitted shadow diagrams demonstrate minimum shadowing of the front setbacks of the adjoining low density residential dwellings to the west of the site. This is to occur in the morning only. Suitable solar access is provided for the remainder of the day.</p>

D4	New buildings and additions shall be designed to maximise direct sunlight to north-facing living areas and all private opens pace 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	
6.2 Ventilation					
Performance criteria					
P1	The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation.
Development controls					
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant demonstrated that 68% of units are designed with windows or openings or ventilation grills above doors on dual aspects and considered to be naturally ventilated.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The living rooms are adjacent to the balconies and generally promote natural ventilation.
6.3 Rainwater tanks					
Performance criteria					
P1	The development design reduces stormwater runoff.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal has been supported by a satisfactory stormwater management system. The supporting BASIX certificate did not require any rainwater tanks to be installed to meet water conservation
Development controls					

D1 Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	measures. OSD systems have been incorporated into the communal open space areas. In this regard, the proposal is considered acceptable.
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 The suitability of rainwater tanks erected within the side setback areas of development will be assessed on an individual case by case basis.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4 Rainwater tanks shall not be located within the front setback.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6 The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6.4 Stormwater drainage Applicants shall refer to the stormwater drainage requirements in the Stormwater Drainage Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Council's development engineer raised minor objections to the proposal subject to recommended conditions of consent.
7.0 Ancillary site facilities				
Objectives				
a. To ensure that site facilities are effectively integrated into the development and are unobtrusive.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building is provided or capable of being provided with an appropriate level of services. The provision of ancillary facilities are not considered to detract from the character of the streetscape in that all facilities are suitably incorporated within the design of the building.
b. To maintain and enhance the character of streetscapes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To ensure site facilities are adequate, accessible to all residents and easy to maintain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.1 Clothes washing and drying				
Performance criteria				
P1 Adequate open-air clothes drying facilities which are easily accessible to all residents and screened, are provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The balconies are of sufficient size and appropriate masonry and privacy screens are provided so that any balcony clothes drying will not be readily apparent when viewed from the public domain.
Development controls				
D1 Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every apartment is provided with a laundry facility.
D2 Open air clothes drying facilities shall be provided	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	in a sunny, ventilated and convenient location which is adequately screened from streets and other public places, where possible.				
7.2 Storage					
Performance criteria					
P1	Dwellings are provided with adequate storage areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residential units are designed to provide a minimum 8m ³ (where applicable) storage areas within the apartment in the form of dedicated separate storage cupboards.
Development controls					
D1	Storage space of 8m ³ per dwelling shall be provided. This space may form part of a garage or be a lockable unit at the side of the garage.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Store rooms are located within the basement level for additional storage. Areas for some units. This is considered compliant with the ADG.
D2	Storage space shall not impinge on the minimum area to be provided for parking spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It should be noted that the ADG requires the following storage requirements; 1 Bedroom Units: 6m ³ 2 Bedroom Units: 8m ³ 3 Bedroom Units: 10m ³
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is currently suitably serviced. Any augmentation required could be resolved by standard conditions should the proposal be recommended for approval.
Development controls					
D1	Where possible, services shall be underground.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.4 Other site facilities					
Performance criteria					A condition will be imposed on any development consent to address these requirements.
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"/>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	An acceptable waste management plan dealing with the demolition, construction and ongoing waste phase of the development has been submitted for the application. The development is acceptable

				in this regard.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A detailed Stratum Plan has been submitted.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal incorporates two allotments and does not require amalgamation. The subject site will be stratum subdivided.
Development controls				
D1 Development sites involving more than one lot shall be consolidated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A detailed Stratum Plan has been submitted.
D2 Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this Part.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 being proposed as part of the development. This clause is not applicable to the proposal.
P2 New proposed roads are designed to convey the primary residential functions of the street	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

including:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ safe and efficient movement of vehicles and pedestrians;				
■ provision for parked vehicles;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ provision of landscaping;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ location, construction and maintenance of public utilities; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ 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 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 For larger self-contained new residential areas, specific road design requirements shall be considered for site specific development controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9.0 Adaptable housing				
Objectives				
a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is fully accessible from the basement level via lift to residential levels above.
b. To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.1 Development application requirements				
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted.
9.2 Design guidelines				
Performance criteria				
P1 Residential flat building developments allow for dwelling adaptation that meets the changing needs of people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition shall be imposed to ensure compliance with the relevant BCA and Australian Standards regarding adaptable housing.
Development controls				
D1 The required standard for Adaptable Housing is AS 4299. Wherever the site permits, developments shall include adaptive housing features into the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adaptable units are proposed within the development with internal design and fixtures that can be refitted to

<div>design.</div> <div>External and internal considerations shall include:<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;■ 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.</div> <div>Note: In the design of residential flat buildings, applicants shall consider the Access and Mobility Part of this DCP.</div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" 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D1 Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable housing units shall be required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	with two lifts is proposed to service all 53 units which is acceptable in this regard.
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9.4 Physical barriers Development controls D1 Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is fully accessible from the pedestrian footpath to ground floor and residential units, with all other levels accessible via lifts.