

Assessment against planning controls: section 4.15, summary assessment and variations to standards

1 Environmental Planning and Assessment Act 1979

1.1 Section 4.15 'Heads of Consideration'

Heads of Consideration	Comment	Complies
a. The provisions of: (i) Any environmental planning instrument (EPI)	The proposal is considered to be generally consistent with the relevant EPIs, including SREP No. 20 – Hawkesbury-Nepean River, SEPP (State and Regional Development) 2011, SEPP (Infrastructure) 2007, SEPP BASIX 2004, SEPP No. 55 – Remediation of Land, SEPP No. 65 – Design Quality of Residential Apartment Development and the 9 'design quality principles' of SEPP 65, the Growth Centres SEPP 2006 and the Central City District Plan 2018.	Satisfactory
	The proposed development provides deep soil areas in the centre of the site, including along the street setback areas, which is consistent with the Concept Plan approval and satisfies the ADG objectives for deep soil zones.	Satisfactory
	The proposed development relies on providing skylights to 12 apartments to achieve natural cross ventilation to at least 60% of the apartments as required by Part 4B Natural Ventilation of the ADG and which is satisfactory according to the ADG guidelines.	Satisfactory
	The proposed development is a permissible land use within the R3 Medium Density Residential zone and satisfies the zone objectives outlined under the Growth Centres SEPP.	Satisfactory
	The proposal is consistent with the Area 20 Precinct Plan, with the exception of the height of buildings development standard. The maximum permitted building height is 12 m. However, the site benefits from a Concept Plan approval (JRPP-15-02701) which permits a maximum building height of 15.4 m for this part of the site. The maximum breach to this development standard is 3.4 m or 28.3%. The applicant has submitted a request to vary this development standard under Clause 4.6 of the Growth Centres SEPP.	No, but acceptable in the circumstances as the maximum height of buildings was already approved in the Concept Plan approval as explained in the report.
	The proposal has been assessed against the Concept Plan (JRPP-15-02701 as modified) approved under section 4.22 of the Act and is consistent with this approval. Refer to section 7 of the Assessment report for further details.	Satisfactory
(ii) Any proposed instrument that is or has been the subject of public	Prior to the lodgement of this application, a draft amendment to the Growth Centres SEPP 2006 was exhibited by the Department of Planning, Industry and Environment (DPIE) in May 2017, referred to as the 'North West Draft Exhibition	Not a matter of consideration for this application as this is a draft

Heads of Consideration	Comment	Complies
consultation under this Act	<p>Package.’ This exhibition was undertaken to coincide with the release of the Land Use and Infrastructure Implementation Plan (the purpose of which is to guide new infrastructure investment, make sure new development does not impact on the operation of the new Western Sydney Airport, identify locations for new homes and jobs close to transport, and coordinate services in the area).</p> <p>A key outcome sought by the DPIE is the establishment of minimum and maximum densities for all residential areas that have been rezoned under the SEPP (i.e. density bands). Currently the planning controls nominate only a minimum density. This proposal will have a significant influence on the ultimate development capacity (i.e. yield) of the precincts. The density bands for land zoned R3 Medium Density Residential in the Area 20 Precinct are proposed to be a:</p> <ul style="list-style-type: none"> • minimum of 25 dwellings per hectare, which equates to 24 dwellings • maximum of 35 dwellings per hectare, which equates to 34 dwellings (currently no maximum applies). <p>This proposal is for 163 apartments, which equates to 169 dwellings per hectare. This results in 129 (383%) more apartments being provided than anticipated by the exhibited maximum density band.</p> <p>As the proposed amendments have not proceeded to be finalised by the NSW Government, there is no certainty that they will have legislative effect. They are therefore not a key consideration in this DA.</p>	amendment which is not certain or imminent.
(iii) Any development control plan (DCP)	<p>The Blacktown Growth Centre DCP 2010 applies to the site. The proposed development is compliant with the numerical controls established under the DCP, with the exception of a minor variation to building setbacks for portions of the development.</p> <p>Building setbacks of 5 m are provided to new local streets to the east and north of the development. These setbacks relate to the overall building line including the setback to the habitable rooms and balconies. There are no balcony and/or architectural features which further encroach into the 5 m building setback. To achieve articulation and visual interest in the façade of the buildings, the design of the proposal comprises breaks in the building line, inset balconies at regular intervals and varied facades (in the form of a ‘roof façade,’ ‘verandah façade,’ screen façade’ and ‘solid façade’). Refer to the Façade Articulation and Elevation Plans at attachment 6.</p> <p>Refer to further discussion in section 7 of the Assessment report.</p>	No, but acceptable in this instance.
(iii a) Any Planning Agreement	This application is not accompanied by a voluntary planning agreement.	N/A

Heads of Consideration	Comment	Complies
(iv) The regulations	There are no regulations to be considered.	N/A
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	<p>It is considered that the likely impacts of the development, including traffic, parking and access, bulk and scale, overshadowing, design, noise, privacy, waste management, flora and fauna, salinity, contamination and remediation, bushfire risk and stormwater management, have been satisfactorily addressed.</p> <p>A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties.</p> <p>In view of the above, we believe that the proposed development will not have any unfavourable social, economic or environmental impacts.</p>	Yes
c. The suitability of the site for the development	<p>The part of the site the subject of this application is zoned R3 Medium Density Residential with a 12 m building height limit (approved under the Concept Plan to 16.3 m) under the Growth Centres SEPP. Residential flat buildings are permissible with development consent.</p> <p>The site has an area and configuration that is suited to this form of development. The design solution is based on sound site analysis and responds positively to the different types of land uses adjoining the site.</p> <p>The site is located in close proximity to the new Tallawong Metro and Rouse Hill Metro stations and local centres.</p> <p>The proposal is generally consistent with the Area 20 Precinct Plan, the approved subdivision of the site (DA-14-00493) and the approved Concept Plan approval (JRPP-15-02701).</p>	Yes
d. Any submissions made in accordance with this Act, or the regulations	No submissions were received following notification of the DA.	Yes
e. The public interest	It is considered that no adverse matters relating to the public interest arise from the proposal. The proposal provides high quality housing stock and provides for housing diversity within the Area 20 Precinct.	Yes

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

Summary comment	Complies
The Sydney Central City Planning Panel (SCCPP) is the consent authority for all development with a capital investment value (CIV) of over \$30 million. As this DA has a CIV of \$44.6 million, Council is responsible for the assessment of the DA and determination of the application is to be made by the Panel.	Yes

3 State Environmental Planning Policy (Infrastructure) 2007

Summary comment	Complies
The SEPP ensures that Roads and Maritime Services (RMS) is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP. The development was referred to RMS, which found the development acceptable.	Yes

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

Summary comment	Complies
<p>The proposed development includes BASIX affected buildings and therefore requires assessment against the provisions of this SEPP, including BASIX certification.</p> <p>A revised BASIX Certificate was submitted with the final plans for the DA in line with the provisions of this SEPP. This BASIX Certificate demonstrates that the proposal complies with the relevant sustainability targets and will implement those measures required by the certificate. This will be conditioned in any consent granted.</p>	Yes

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

Summary comment	Complies
<p>SEPP 55 aims to 'provide a State-wide planning approach to the remediation of contaminated land'. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.</p> <p>The application is accompanied by a Site Validation Report prepared by SLR Global Environmental Solutions, dated 11 August 2016. This report has been prepared in accordance with the strict requirements of the <i>National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999</i>, as amended 2013, for residential purposes without any limitations. The applicant has demonstrated that the site is suitable for residential use.</p> <p>The Site Validation Report does not require the applicant to submit a Site Audit Statement or any further contamination or remediation studies. Standard conditions of consent will be imposed for an unexpected finds protocol, requiring the applicant to adhere to Council's Contamination Lands Policy should any contaminated material be unearthed or fly-tipped rubbish be encountered during the demolition, excavation and construction works.</p>	Yes

6 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

Summary comment	Complies
The planning policies and recommended strategies under SREP 20 are considered to be met through the development controls of the Growth Centres SEPP.	Yes

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

Summary comment
<p>SEPP 65 applies to the assessment of Development Applications for residential flat buildings 3 or more storeys in height and containing at least 4 dwellings.</p> <p>Clause 30 of SEPP 65 requires a consent authority to take into consideration:</p> <ul style="list-style-type: none"> advice (if any) obtained from the design review panel design quality of the residential flat development when evaluated in accordance with the design quality principles the Apartment Design Guide (ADG). <p>We do not have a design review panel.</p> <p>The tables below provide comments on our assessment of the 9 design quality principles and details where the numerical guidelines of the Apartment Design Guide are not fully complied with.</p>

7.1 Design quality principles

Principle	Control	Comment
7.1.1 Design quality principles The development satisfies the 9 design quality principles.		
1. Context and neighbourhood character	<p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p>	<p>The site is located within a greenfield context, in the Area 20 Precinct of the North West Growth Area. The site is to the north of the Tallawong Metro and Rouse Hill Metro stations and local centre.</p> <p>The layout and design of the proposal is consistent with the 'Phase 3' portion of the Concept Plan approval and responds well to the context of the site and is satisfactory with regard to the development standards and controls.</p> <p>The buildings have been architecturally designed and are considered compatible with the social, economic and environmental identity of the Area 20 Precinct.</p>
2. Built form and scale	<p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an</p>	<p>The built form, height and scale of the proposed development have been resolved by a thorough evaluation of the site's surrounding context, topography and environmental characteristics, with</p>

Principle	Control	Comment
	<p>appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>an emphasis on amenity for future residents. The design approach in terms of height, scale, built form, building footprints, apartment numbers and density were resolved through the Concept Plan approval, with this application addressing the more detailed design, including apartment layouts, car parking, open space, landscape design and architectural appearance.</p> <p>The proposed development comprises residential blocks that define and activate the street frontages, with a central communal open space area and a suitable level of visual permeability. The detailed design reinforces the Concept Plan approval and is accompanied by a Clause 4.6 request to vary the height of buildings development standard. The overall scale is a positive contribution to the future character of this area.</p>
3. Density	<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The proposal is for 163 apartments, which is consistent with the yield for the Phase 3 portion of the Concept Plan and the density for the entirety of the Concept Plan approval (JRPP-15-02701), being 691 apartments.</p> <p>The site is in suitable proximity to public transport and will be serviced by nearby infrastructure, facilities and public open space.</p> <p>The Concept Plan (JRPP-15-02701) was approved with a total floor space ratio of 1.175:1.</p>
4. Sustainability	<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The proposal demonstrates appropriate waste management during the demolition, construction and ongoing use phases.</p> <p>The proposal is supported by a BASIX Certificate. The commitments are incorporated into the design of the building. The proposal demonstrates satisfactory levels of sustainability and the efficient use of energy and water resources.</p>
5. Landscape	<p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing</p>	<p>The proposal will provide appropriately sited landscaping elements which are of a high quality design and are capable of being sustained and maintained.</p> <p>The proposed landscaping will compliment the presentation of the built form as viewed from the public domain</p>

Principle	Control	Comment
	<p>to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<p>and will enhance the amenity of the private and common open space areas.</p>
6. Amenity	<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>The design of the proposal is considered to provide a suitable level of amenity through a carefully considered spatial arrangement and layout, and reinforces the previously approved Concept Plan for the site.</p> <p>In light of the future occupants within the site, as well as the surrounding properties, the proposal achieves a suitable level of internal amenity through providing appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas.</p> <p>The proposed development achieves suitable internal separation and indoor and outdoor spaces in accordance with the minimum ADG requirements.</p>
7. Safety	<p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposal is considered to be satisfactory in terms of future residential occupants overlooking communal spaces while maintaining internal privacy. Public and private spaces are clearly defined and suitable safety measures are integrated into the development.</p> <p>The proposal provides suitable casual surveillance of the public domain.</p>
8. Housing diversity and social interaction	<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments</p>	<p>The proposal consists of a mix of dwellings, although the majority (68%) are 2 bedroom apartments. This reflects the anticipated market and demographic demand in the area, and is consistent</p>

Principle	Control	Comment
	<p>respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>with the dwelling mix approved in the Concept Plan.</p> <p>The proposal provides additional housing choice close to public transport and services, including services provided by the Tallawong Metro and Rouse Hill Metro stations and local centre.</p>
9. Aesthetics	<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials, finishes and colours, and reflects the use, internal design and structure of the resultant buildings.</p> <p>The distinct and contemporary architecture assists in setting a high quality standard for the transitioning character of this locality and creates a desirable streetscape.</p>

7.2 Compliance with Apartment Design Guide (ADG)

ADG requirement	Proposal	Compliance
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We have assessed the application against the relevant provisions of the ADG and the table below only identifies where compliance is **not fully achieved**.

It is compliant with all other matters under the ADG.

Controls

3E Deep soil zones	<p>Minimum area = 7% of site area.</p> <p>Preferred area = 15%.</p> <p>If over 1,500 m² then minimum dimensions of 6 m.</p>	<p>Site area: 9,640 m².</p> <p>Minimum required 7% = 675 m².</p> <p>Provided:</p> <ul style="list-style-type: none"> 539 m² or 6% (with dimensions of at least 6 m). 1,343 m² or 14% (with dimensions of at least 5 m). <p>Some of the deep soil zones surrounding the street frontages have a dimension of only 5 m. Suitable landscaping is provided to meet the objectives for deep soil zones</p>	<p>No. However, acceptable in this instance as the proposal satisfies the objectives for deep soil zones and the minimum overall area is more than achieved. It is also consistent with the approved Concept Plan.</p>
4B Natural ventilation	<p>All habitable rooms naturally ventilated.</p> <p>Number of naturally cross ventilated units > 60%.</p>	<p>All habitable rooms are ventilated.</p> <p>64% of apartments are cross ventilated (104/163 units).</p> <p>To achieve natural cross ventilation to at least 60% of the 163 apartments, 12 apartments rely on rooftop ventilating skylights, being 7% of the apartments. An additional 6</p>	<p>Yes. However, this relies on skylights to achieve ventilation.</p> <p>Also refer to section 7 of the Assessment report.</p>

ADG requirement	Proposal	Compliance
	apartments are provided with rooftop ventilating skylights resulting in a total of 64% apartments being cross ventilated.	

8 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Summary comment

We have assessed the DA against the relevant provisions and the table below only identifies where compliance is **not fully achieved**.

It is compliant with all other matters under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

8.1 General development standards

Development standard	Complies
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Part 7 Development controls – cultural heritage landscape area

CI. 25-26 Cultural heritage landscape area	<p>The site is identified in Figure 2-2 'Aboriginal cultural heritage sites' Schedule 4 – Cudgegong Road (Area 20) of the Development Control Plan as containing areas of some Aboriginal cultural heritage significance.</p> <p>The DA is accompanied by an Aboriginal Cultural Heritage Assessment Report prepared by AECOM Australia, dated 1 April 2015.</p> <p>The Aboriginal Cultural Heritage Assessment report recommends:</p> <ol style="list-style-type: none"> The developer should apply to the Director General of NSW Environment, Energy and Science for an 'all of area' Aboriginal Heritage Impact Permit (AHIP), allowing impacts to all Aboriginal sites within the project area. All newly and previously identified Aboriginal sites within the project area have been assessed as being of low scientific significance. Artefacts were collected from the project area as part of the test excavation program and are temporarily housed at the AECOM office. It is recommended these be provided to a keeping place, with an appropriate Aboriginal party to be custodian. The custodial Aboriginal party is to be negotiated and agreed upon with the Remediation Action Plans for this project. In the event that construction activity reveals potential human skeletal material (remains) within the project area, the Management of Potential Human Remains procedure in the report should be followed. <p>The recommendations of this report are to be conditioned.</p>	No, but can be addressed by conditions
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Development standard	Complies
Part 4 Principal development standards	
Cl. 4.3 Height of buildings Maximum 12 m	<p>The proposed development will have a maximum height of 15.4 m, measured to the highest point of the rooftop lift overrun. The maximum breach to this development standard is 3.4 m, or 28.3%.</p> <p>The proposal is consistent with the height approved in the Concept Plan approval (JRPP-15-02701 as amended).</p> <p>While the Growth Centres SEPP establishes a maximum building height of 12 m, increased heights were agreed as part of the Concept Plan approval which results in a much better planning outcome.</p> <p>No, but satisfactory as the variation sought is in accordance with the already approved Concept Plan. Refer to section 7 of the Assessment report.</p>
Cl.4.6 Exceptions to development standards	<p>The applicant has submitted a Clause 4.6 request in support of a variation to height which is provided at attachment 8. Council's consideration of the Clause 4.6 request is provided at section 7 of the Assessment report and at attachment 9.</p> <p>The Clause 4.6 request is consistent with the already granted Concept Plan approval (JRPP-15-02701) which allowed a maximum building height of 16.3 m.</p> <p>The Clause 4.6 request is satisfactory in this instance.</p>
Cl. 5.9 Preservation of trees or vegetation	<p>The Concept Plan approval included the removal of all trees within the site, except for 27 trees on the residue Lot 23 created under SPP-17-00027 for a future park.</p> <p>This Phase 3 proposal satisfies the objective of this clause to preserve the amenity of the area through the planting of 49 new trees and landscaping around the perimeter of the development and the internal courtyard area and a further 50 new street trees. It is recommended to impose a condition requiring 50% of the trees and vegetation to be native species. It is also recommended that the 27 trees on the land associated with the future park are appropriately maintained and protected until such time the park is acquired by Council.</p> <p>No, but acceptable subject to conditions</p>

9 Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (Growth Centre DCP)

Summary comment

We have assessed the DA against the relevant provisions and the table below only identifies where compliance is **not fully achieved**.

It is compliant with all other matters under the Blacktown City Council Growth Centres Precincts Development Control Plan 2010 (Growth Centre DCP).

9.1 Part 2.0 Precinct planning outcomes (from main body of DCP)

DCP requirement		Proposal	Complies
2.2 Indicative layout plan	DA is to be generally in accordance with Indicative Layout Plan.	The proposal includes a variation to the ILP which was approved in the Concept Plan (as detailed in section 7 of the Assessment report). No objection is raised by Council's Access and Transport Management, Engineering and Waste Sections.	No, but acceptable as it is consistent with the Concept Plan approval.
2.3.2 Salinity and soil management	<p>Land within areas of potential salinity and soil aggressivity risk figure, must be accompanied by a salinity report. A qualified person is to certify the project upon completion of the works.</p> <p>The Salinity Management Plan is to be in accordance with Appendix C of the DCP. All works are to comply with the plan.</p>	<p>The site is identified as containing moderate, high and very high salinity potential.</p> <p>The proposal is accompanied by a Salinity Assessment prepared by Asset Geotechnical dated October 2014 which concludes: 'The laboratory test results indicate that the tested soils are classified as non-saline. However, given that the site is within an area mapped as having a moderate salinity potential, it is recommended that design and construction of structures be carried out in accordance with 'Building in a Saline Environment.'</p>	Yes and will be subject to a pre-Construction Certificate planning condition of consent to include recommendations of the Geotechnical report for construction, to ensure the structure of the buildings can withstand any saline attack.
2.3.3 Aboriginal and European heritage	Are there any areas of Aboriginal heritage value within or adjoining the site, and is the site identified on the European cultural heritage sites figure? If so, a report is required from a qualified consultant.	<p>The site is identified in Figure 2-2 'Aboriginal cultural heritage sites' Schedule 4 – Cudgegong Road (Area 20) of the DCP as containing areas of some Aboriginal cultural heritage significance.</p> <p>The application is accompanied by an Aboriginal Cultural Heritage Assessment Report prepared by AECOM Australia and dated April 2015.</p> <p>This report recommends that: (1) The developer should apply to</p>	Yes, but subject to detailed conditions of consent

DCP requirement		Proposal	Complies
		<p>the Director General of Office of Environment and Heritage for an 'all of area' Aboriginal Heritage Impact Permit (AHIP), allowing impacts to all Aboriginal sites within the project area.</p> <p>(2) All newly and previously identified Aboriginal sites within the project area have been assessed as being of low scientific significance.</p> <p>(3) Artefacts were collected from the project area as part of the test excavation program and are temporarily housed at the AECOM office. It is recommended these be provided to a keeping place, with an appropriate Aboriginal party to be custodian. The custodial Aboriginal party is to be negotiated and agreed upon with the Remediation Action Plan for this project.</p> <p>(4) In the event that construction activity reveals potential human skeletal material (remains) within the project area, the Management of Potential Human Remains procedure is to be followed.</p> <p>(5) The recommendations of this report are to be conditioned as pre-CC requirements.</p>	
2.3.4 Native vegetation and ecology	Native trees/vegetation to be retained where possible.	<p>As discussed above, no trees and vegetation are proposed to be retained on this Phase 3 site, which is consistent with the Concept Plan approval.</p> <p>The applicant has demonstrated that appropriate replacement planting is provided, and it is recommended that a condition is imposed requiring plant selection to include species which compliment remnant native vegetation.</p>	Yes, subject to conditions

9.2 Part 4.0 – Development in the Residential Zones (from main body of DCP)

9.2.1 Specific residential flat building controls

DCP requirement	Proposal	Complies	
Key controls for residential flat buildings (Table 4-10)			
Front setback	<p>Minimum 6 m.</p> <p>Balconies and other articulation may encroach into setback to a maximum of 4.5 m from the boundary for the first 3 storeys, and for a maximum of 50% of the façade length.</p>	<p>Required: 6 m building setback.</p> <p>Proposed: 5 m building setbacks are proposed to new local streets to the:</p> <ul style="list-style-type: none">• east (proposed 18 m wide Road No. 1)• west (proposed 15.5 m wide Road No. 3)• north (proposed 15.5 m wide Road No. 4) <p>of the development.</p> <p>These setbacks relate to the overall building line including the setback to the habitable rooms and balconies. There are no balcony and/or architectural features which further encroach into the 5 m building setback.</p> <p>This is consistent with the approach in approved Concept DA JRPP-15-02701 where support was given to a variation to increase local roads within the R3 zone from 16 m to 18 m.</p> <p>To achieve articulation and visual interest in the façade of the buildings, the design of the proposal comprises breaks in the building line, inset balconies at regular intervals and varied facades (in the form of a 'roof façade,' 'verandah façade,' screen façade' and 'solid façade'). Refer to the Façade Articulation and Elevation Plans at attachment 6.</p>	<p>No, but variation sought is considered reasonable in the circumstances. The setbacks are consistent with the approved Concept Plan.</p>
Bicycle parking	<p>1 space per 3 dwellings</p>	<p>Bicycle spaces</p> <p>Required = 54</p> <p>Provided = 44</p> <p>However, 10 motorcycle spaces are also provided in the basement parking level which is considered to be an acceptable addition to the proposed shortfall.</p>	<p>No, but acceptable in combination with motorcycle space provision.</p>

10 Central City District Plan 2018

Summary comment	Complies
<p>While the Act does not require consideration of District Plans in the assessment of Development Applications, the DA is consistent with the following overarching planning priorities of the Central City District Plan:</p> <p>Liveability</p> <ul style="list-style-type: none">• Improving housing choice• Improving housing diversity and affordability.	Yes

11 Blacktown Local Strategic Planning Statement (LSPS) 2020

Summary comment	Complies
<p>The LSPS applies to the site, with 18 priorities and 61 actions contained within the plan to support the vision for our City and to guide development, balancing the need for housing, jobs and services with the natural environment. The LSPS builds on the framework established under the Blacktown Community Strategic Plan <i>Our Blacktown 2036</i> and also gives effect to the NSW Government's Greater Sydney Regional Plan and Central City District Plan.</p> <p>The proposed development is consistent with the following priority:</p> <ul style="list-style-type: none">• LPP5: Providing housing supply, choice and affordability with access to jobs, services and public transport.	Yes