

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

### 1 Environmental Planning and Assessment Act 1979

The development satisfies the matters for consideration under section 4.15 of the Act as detailed below.

| Heads of Consideration s4.15                                                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Complies                                                                                                                                 |
|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| a. The provisions of:                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                          |
| (i) Any environmental planning instrument (EPI)                                                    | <p>The proposal is considered to be 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.</p> <p>The proposed development is defined as a residential flat building development and is a permissible land use within the R3 Medium Density Residential zone and satisfies the zone objectives outlined under the Growth Centres SEPP.</p> <p>The proposed development is compliant with the controls of the Growth Centres SEPP with the exception of a variation to the height of the buildings. The maximum permitted building height is 14 m. The proposal is for a building height of up to 15.9 m. The maximum breach to this development standard due to the rooftop maintenance access stairs is 1.9 m or 14%. The applicant has submitted a request to vary this development standard under Clause 4.6 of the Growth Centres SEPP. Justifiable reasons have been provided for this non-compliance.</p> | <p>Satisfactory</p> <p>Satisfactory</p> <p>No, but a variation is supported in this instance.</p>                                        |
| (ii) any proposed instrument that is or has been the subject of public consultation under this Act | <p>A Discussion Paper on the proposed draft SEPP to protect designated future transport and freight corridors, including the Outer Sydney Orbital Corridor, was placed on public exhibition early in 2018 and comments were sought. The exhibition period has closed and submissions are now being considered by the NSW Government. The subject site is situated outside the study area of the Outer Sydney Orbital Corridor.</p> <p>The parent subdivision of this DA was, however, referred to Transport for NSW, which raised no objection to the DA.</p> <p>After lodgement of this application, a draft amendment to the Growth Centres SEPP 2006 was exhibited by the Department of Planning and Environment in May 2017, referred to as the 'North West Draft Exhibition 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 developments do 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>Yes</p> <p>No, but the draft SEPP amendment is neither imminent nor certain and minimal weight was given to this in consideration</p> |

| Heads of Consideration s4.15                                                                                                                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Complies             |
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|                                                                                                                                                                       | <p>A key outcome sought by the Department of Planning, Industry and Environment 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.</p> <p>The density band for land zoned R3 Medium Density Residential in the Blacktown Growth Centre Marsden Park Precinct is proposed to be between a minimum of 15 dwellings per hectare and a maximum of 25 dwellings per hectare.</p> <p>This site is currently only required to meet a minimum density of 25 dwellings per hectare. This proposal is for 202 apartments over 1.364 hectares, which equates to 148 dwellings per hectare. This results in over 3 times more apartments being provided than anticipated by the exhibited maximum density band of 25 dwellings per hectare. However, as this draft instrument is not imminent or certain, it was not a consideration for this DA.</p> | of this application. |
| (iii) Any development control plan (DCP)                                                                                                                              | The Blacktown City Council Growth Centres Precincts Development Control Plan 2010 applies to the site. The proposed development is compliant with the numerical controls established under the DCP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                  |
| (iia) Any planning agreement that has been entered into                                                                                                               | A Voluntary Planning Agreement has been entered into between the owners of the land and Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Yes                  |
| (iv) The regulations                                                                                                                                                  | The DA is compliant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Yes                  |
| b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality | <p>It is considered that the likely impacts of the development, including traffic, parking and access, design, bulk and scale, overshadowing, noise, privacy, waste management, flora and fauna, salinity, contamination 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 developments.</p> <p>In view of the above, it is believed that the proposed development will not have any unfavourable social, economic or environmental impacts.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                  |
| c. The suitability of the site for the development                                                                                                                    | <p>The subject site is zoned R3 Medium Density Residential with a 14 m building height limit under the Growth Centres SEPP. The proposed residential flat buildings are permissible with consent.</p> <p>The development is in line with the desired future character of the area and would not result in any significant adverse impacts on the amenity of the locality. Accordingly, the site is considered to be suitable for the development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Yes                  |
| d. Any submissions made in accordance with                                                                                                                            | <p>The application was exhibited for comment for a period of 28 days. We received 2 submissions during the notification period.</p> <p>It is considered that the matters raised in the submissions do not warrant refusal of the application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Satisfactory         |

| <b>Heads of Consideration s4.15</b> | <b>Comment</b>                                                                                                                                                                                                                                                                                  | <b>Complies</b> |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| this Act, or the regulations        |                                                                                                                                                                                                                                                                                                 |                 |
| e. The public interest              | The proposal will assist to deliver medium density housing options to the area by introducing a range of apartment dwellings. Due to the minimal environmental impact of the development and its socio-economic benefits, the proposal is considered to be compatible with the public interest. | Yes             |

## **2 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River**

| <b>Summary comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Complies</b> |
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| <p>A consent authority must take into consideration the general planning considerations set out in Clause 5 of SREP 20 and the specific planning policies and recommended strategies in Clause 6 of SREP 20. The planning policies and recommended strategies under SREP 20 are considered to be met through the development controls of the Growth Centres SEPP.</p> <p>The development generally complies with the development standards and controls established within the Growth Centres SEPP, to enable the orderly development of the site. There are minor variations to the development standard for building height. However, the proposed development has demonstrated consistency with the relevant objectives and represents a site-responsive development. Therefore the proposal is considered to satisfy Clause 4 of SREP 20.</p> | Yes             |

## **3 State Environmental Planning Policy (State and Regional Development) 2011**

| <b>Summary comment</b>                                                                                                                                                                                                                                                                                                          | <b>Complies</b> |
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| <p>The Sydney Central City Planning Panel (SCCPP) is the consent authority for all development with a capital investment value (CIV) of over \$30 million.</p> <p>As the DA has a CIV of \$45,865,324, Council is responsible for the assessment of the DA and determination of the application is to be made by the Panel.</p> | Yes             |

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

| <b>Summary comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Complies</b> |
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| <p>The proposed development includes BASIX affected buildings and therefore requires assessment against the provisions of this SEPP, including BASIX certification.</p> <p>A BASIX Certificate was submitted with the Development Application in line with the provisions of this SEPP. The 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 |
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| <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>A Preliminary Stage 1 Contamination Assessment, Geotechnical Investigation and Salinity Assessment were all prepared for the site by Geotechnique Pty Ltd and submitted as part of the application.</p> <p>Subject to the recommendations of the assessments being adopted, the proposed development can be carried out without adversely impacting on human health or the local environment.</p> <p>The Geotechnical and Salinity Assessments identified no significant impacts that may result from the proposed subdivision and future development, and makes recommendations for subdivision works and construction.</p> <p>Council’s Environmental Health Unit assessed all of the above assessments and did not object to the DA. It provided appropriate conditions for the handling and disposal of asbestos, and recommended that a site audit statement be prepared upon completion of remediation and be reviewed by an EPA accredited site auditor. The site audit statement is to ensure that the land is validated to strict residential standards in the NEPM 2013 Guidelines.</p> <p>A condition was included in the consent for subdivision DA-19-00926 that will ensure the site is suitable and validated for residential use to National Environment Protection Measure (NEPM) 2013 Guidelines and validated by an EPA accredited site auditor prior to release of the Subdivision Certificate.</p> | Yes      |

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

| Summary comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Complies |
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| <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 28 of SEPP 65 requires a consent authority to take into consideration:</p> <ul style="list-style-type: none"> <li>• advice (if any) obtained from the design review panel</li> <li>• design quality of the residential flat development when evaluated in accordance with the design quality principles</li> <li>• the Apartment Design Guide.</li> </ul> <p>We do not have a design review panel. However, the tables below provide comments on our assessment of the 9 design principles and the numerical guidelines of the Apartment Design Guide.</p> | Yes      |

### 6.1 Design quality principles

The development satisfies the 9 design principles of SEPP 65.

| Principle                                     | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Town planning comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <b>1. Context and neighbourhood character</b> | <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 surrounding areas of the Marsden Park Precinct are undergoing a rapid physical transformation to include low and medium density residential, commercial and retail uses as part of town centre development, as well as changes to the landscape setting.</p> <p>The proposal is consistent with the intentions of the ILP and is appropriately located to accord with the intended character of the proposed future developments on the surrounding sites. The buildings are well designed and their connectivity with the public realm offer good amenity for the residents and visitors to the site.</p> <p>The design of the buildings utilises the natural and historical features of the site context, which connect the buildings to the locality and provide a strong neighbourhood character for future development in the area.</p>                                                                                                                                                                                                                                                                                              |
| <b>2. Built form and scale</b>                | <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and 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>Building mass and length has been moderated well by dividing mass segments through building recesses. This has resulted in a pleasant streetscape appearance that will ensure no single segment of the building façade exceeds 60 m in length or is overbearing. This is generally consistent with the concept masterplan approval.</p> <p>The proposed built form offers a diversity of housing typologies in the area. The buildings' alignments will define the street edges and create a clear definition to the public realm. Frontages along the main collector roads create well-defined thoroughfares.</p> <p>The proposed pedestrian through-site links create informal paths between buildings and encourage passive surveillance and security. The articulation along these links reflects the informal nature of these spaces.</p> <p>The buildings' mass and articulation facing the drainage corridor to the west responds to the context in this area since this will face onto low density dwellings.</p> <p>The architectural elements are well suited to the scale of the overall building and the context of the site.</p> |
| <b>3. Density</b>                             | Good design achieves a high level of amenity for residents and each                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The proposed development is appropriate in terms of the density                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| Principle                | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Town planning comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                          | <p>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>requirement for the future medium level of residential growth in the area. The surrounding area is undergoing a major transformation that will bring about increased population growth. The site will be served by new public transport infrastructure and community facilities that support a higher density of population and their movement. It is therefore considered to be a suitable density that can be easily sustained.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>4. Sustainability</b> | <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 design of the development ensures that the development exceeds the minimum design criteria for solar access and natural cross ventilation.</p> <p>The proposal provides for a mix of unit types and sizes, contributing to the housing diversity within the locality.</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, waste management and efficient use of energy and water resources. The buildings are orientated to allow for climate control by maximising solar access and cross ventilation.</p>                                                                                                                                                                                                                                                       |
| <b>5. Landscape</b>      | <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p> | <p>A landscape plan has been submitted with the proposal, which incorporates a variety of planting that contributes to the amenity of the development. Deep soil zones have been provided throughout the development that ensure sufficient planting can be achieved.</p> <p>The landscape design provides for suitable screening to adjoining properties, creates usable spaces for future residents and improves the overall quality of the development.</p> <p>Areas of outdoor landscaped recreation have been provided for residents. Open space areas throughout the development have been integrated with landscaping.</p> <p>A revised landscape plan has been included in the conditions of consent that will require particular species of street trees to be planted in 8 m intervals along the proposed new roads in line with the requirements of our Civil and Open Space Infrastructure team.</p> |

| Principle         | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Town planning comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>6. Amenity</b> | <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>                                               | <p>The design of the proposal is considered to provide an acceptable level of amenity through a carefully considered spatial arrangement and layout. Apartment layouts maximise the number of north facing units while providing street definition and surveillance.</p> <p>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. ADG guidelines of cross ventilation, solar access and depth of units are generally achieved or exceeded. There is a variety of unit layouts and sizes to suit a wide range of people.</p> <p>The landscaping provides numerous active and passive areas to contribute to amenity, with activities for all age groups, such as a variety of seating areas, natural grass areas, BBQs, children's play equipment and fitness equipment.</p>                  |
| <b>7. Safety</b>  | <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. The proposal provides suitable passive surveillance of the public domain both day and night. Safe access is achieved by clearly defined pedestrian entry points that are visible from the public domain.</p> <p>The proposed orientation of the buildings, outlooks and provision of balconies provide natural casual surveillance opportunities of the public domain and common open spaces.</p> <p>All pedestrian areas have been designed to provide clear sight lines. Obscured areas and alcoves have been avoided in the design of the public domain spaces and all lobbies are wide and brightly lit. All landscaped spaces and pedestrian paths within the site will be well lit and designed to maximise personal security.</p> |

| Principle                                          | Control                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Town planning comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The buildings will utilise a security system at all entry points and within lifts. A single vehicular access point is proposed and secured by a roller door. The NSW Police Force is satisfied with the contents of the Crime Prevention Through Environmental Design (CPTED) Report and NSW Police Checklist that were submitted as part of the application and have issued conditions that have been included in the consent.                                                                                                                                                                                                                                                                                                          |
| <b>8. Housing diversity and social interaction</b> | <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p> | <p>There is a variety of unit layouts and sizes to suit a wide cross-section of the community. It is a mix of 1-bed, 2-bed and 3-bed apartments, accessible by lifts from the lobbies and basement.</p> <p>The combination of units will encourage a healthy integration of different family units and encourage a sense of community amongst them. This mix and density will support the presence of the community spaces and facilities in the area by achieving the required residential population.</p>                                                                                                                                                                                                                              |
| <b>9. Aesthetics</b>                               | <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 as well as visually interesting in terms of the composition of building elements, textures, materials, finishes and colours.</p> <p>The application of different building façade and roofing typologies also create diversity in the streetscape presentation through changes in materiality and articulation. Changes in form, material choices and articulation have resulted in a good interface with and presentation to the streetscape. The design assists in setting a high standard for the transitioning character of this locality and creates a desirable streetscape. The landscaping will ensure the buildings are well integrated into their surroundings.</p> |

## 6.2 Compliance with the Apartment Design Guide

We have assessed the application against the relevant provisions of the Apartment Design Guide and the table below only identifies where compliance **is not fully achieved**.

It is compliant with all other matters under the Apartment Design Guide.

| ADG requirement                  | Proposal                                                                                                                                         | Compliance                                                                                                                                                                                                                                                                                                                 |                                                |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Designing the building           |                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                            |                                                |
| 4F Common circulation and spaces | Corridors greater than 12 m from the lift core to be articulated by more foyers, or wider areas/higher ceiling heights at apartment entry doors. | Some corridors are greater than 12 m in length. These particular corridors have been provided with additional articulation measures to address this non-compliance, such as recesses at each apartment's entry doorway and increased ceiling height directly in front of windows that provide daylight to these corridors. | No, but considered acceptable in this instance |

## 7 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.

### 7.1 General controls within main body of the SEPP

| SEPP requirement                                                                                                                                              | Complies                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Part 4 Principal development standards                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                |
| <b>4.3 Height of buildings</b><br>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. | <p>The 14 m maximum height limit is proposed to be exceeded by the rooftop maintenance access stairs and the lift overruns in very limited locations. The applicant has submitted a Clause 4.6 variation request to address the encroachment into the designated height plane.</p> <p>The extent of encroachment into the designated height plane will be no more than 1.9 m to the top of the rooftop maintenance access stairs or a 14% variation when measured from the finished ground level. The maximum overall height of the buildings is therefore 15.9 m.</p> <p>No part of a residential apartment will exceed the 14 m maximum building height limit. The point encroachments of the rooftop plant and equipment into the height plane are all centrally located in very limited locations, which will minimise the visual impact from the public realm.</p> <p>The maximum expected breach of the designated height plane is therefore considered to be minor and the Clause 4.6 variation should therefore be supported.</p> | No, but considered acceptable in this instance |
| <b>4.6 Exceptions to development standards</b>                                                                                                                | See 4.3 above                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | No, but considered acceptable in this instance |

## 8 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 Precinct Development Control Plan 2010 (Growth Centre DCP).

### Site Responsive Design (Section 4.1)

|                               |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                        |                                                |
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| <b>4.1.2<br/>Cut and fill</b> | Maximum 500 mm cut/fill.<br>Validation Report for imported fill.<br>Where cut on the boundary, retaining walls must be integrated with its construction, otherwise minimum 450 mm from boundary.<br>Maximum 600 mm high walls.<br>Maximum 1,200 mm combined wall height.<br>Minimum 0.5 metres between each step. | An excess of 500 mm of cut is required for basement construction. The proposed basement depth is 5.28 m.<br><br>This is considered acceptable as the basement is required to provide plant rooms, storage space, on-site car parking and to achieve in-basement waste collection using Council's medium rigid waste collection trucks. | No, but considered acceptable in this instance |
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## 9 Central City District Plan 2018

### Summary comment

Whilst the Environmental Planning and Assessment Act 1979 does not require consideration of District Plans in the assessment of Development Applications, an assessment of the Central City District Plan has been undertaken.

Outlined below is where the Development Application is consistent with the overarching planning priorities of the Central City District Plan 2018:

- Liveability
- Improving housing choice
- Improving housing diversity and affordability

## 10 Blacktown Local Strategic Planning Statement 2020

| Summary comment                                                                                                                                                                                                                                                                                                                                                                                                            | Complies |
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| The Blacktown Local Strategic Planning Statement (LSPS) outlines a planning vision for the City over the next 20 years to 2041. The LSPS contains 18 Local Planning Priorities based on themes of Infrastructure and collaboration, Liveability, Productivity, Sustainability and Implementation.<br><br>The DA is consistent with the following priority: <ul style="list-style-type: none"> <li>• Liveability</li> </ul> | Yes      |