ATTACHMENT A

STATEMENT OF ENVIRONMENTAL EFFECTS

Control Burwood DCP 2012	Compliance	Comment pertaining to current DA 193/2015	Comments pertaining to this S(6(1A) application for VPA Modifications
 2.2 General Site Analysis All Development Applications should prepare and submit a site analysis, except Development Applications for the purposes of: Change of use Minor alterations and additions, and Swimming pools. 	N/A	A site analysis was undertaken by Kann Finch as part of the DA approval process.	NO CHANGE
 2.3 Views and Vistas P1 Development applications must identify existing views and vistas significant to the proposal, assess the impacts of the development and demonstrate how significant views and vistas are to be protected and enhanced P2 Development applications must demonstrate how building design, location and landscaping will encourage view sharing between properties. P3 Assessment of views and vistas must take account of other planning policies and development standards in this DCP and BLEP 2012, e.g. building height, setbacks. P4 Developments must have particular regard to high quality and priority views and vistas identified in other parts of this DCP, e.g. in relation to heritage items and heritage conservation areas. 	Complies	At the ground plane the building base has been set back from the street boundary incompliance with Councils controls to increase the street vistas. In addition, the introduction of a new laneway with the extension of Hornsey Street to Wynne Ave creates a new vista. The podium of the proposed building on Belmore Street has been set back and modelled to provide vistas of the heritage listed Masonic Building in response to council's requirements. The tower buildings above podium has been sited and orientated north south to maximise vistas north south across the site. The modification to Building C will not impact on views and vistas.	NO CHANGE
 2.4 Streetscapes P1 Development applications must identify streetscape characteristics, assess the impacts of the development and demonstrate how significant streetscape qualities are to be protected and enhanced. P2 Development applications must demonstrate how building design, location and landscaping will encourage the protection and enhancements of streetscapes. P3 Developments must have particular regard to high quality streetscape identified in other parts of this DCP, e.g. in relation to heritage items and conservation areas. 	N/A	The modification to Building C will not impact on the approved streetscape design of the approved building.	NO CHANGE
3.2 General Building Design Controls in Centres and Corridors 3.2.1 Design Excellence 1	Complies	The modification to Building C will not impact on	NO CHANGE

		the decign excellence characteristics of the	I
 P1 Building design must represent architectural design excellence in the following ways: The form and external appearance of any development should significantly improve the quality and amenity of the public domain. An appropriate composition of building elements, textures, materials and colours should reflect the use, internal design and structure of the development. The development should respond positively to the environment and context. Appropriate consideration must be given to the existing or likely potential development of adjoining sites. 		the design excellence characteristics of the approved building. The floorplans and elevations have been modified to address the previous comments from Council's Planning and Urban Design consultants and incorporated the following modifications; -additional articulation/colour highlights to all facades -additional recesses/notches in the balconies to the east and west facades -additional expressed piers to the lower level balconies -additional balconies to the southern façade The combination of the above modifications will reduce the visual bulk/scale, enhance visual appeal, increase visual distinction between upper and lower tower facades and improve amenity/utility of the balconies. Refer to Architectural Drawings and Design Report.	
3.2.2 Materials and Finishes		See above. Refer to Architectural Design Report in	NO CHANGE
 P1 Building exteriors must be designed with regard to the following criteria: Use of high quality finishes. Avoidance of extensive expanses of blank glass or solid walls. Encouragement of visually interesting building treatments. Integration of building elements to conceal from public view, areas and equipment such as aerials, antennae, clothes drying, instantaneous water heaters, washing machines, air conditioners, plant equipment or the like. Incorporation of external lighting where appropriate. Avoidance of excessive light spillage. Use of translucent or opaque materials for balustrades is encouraged. No clear glass balustrades will be permitted. P2 Building entrances must be visible from the street. P3 Painted finishes to materials are not desirable. Pre-coated factory applied finishes such as powder coating are encouraged. P4 Walls of development must be articulated and designed to provide visual interest when viewed from the street. Material selection, treatment, proportion and pattern of wall surfaces must be considered. P5 Low maintenance and graffiti resistant materials must be used wherever possible on surfaces susceptible to graffiti. 	Complies	Appendix E.	
3.2.3 Roofs and Roof Tops		The modification to Building C will not impact on	ROOF OF BUILDING A
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 P1 Roof designs must have regard for, and be integrated into the overall design of the development and its role in the skyline of the centre or corridor. P2 Roofs must respond to the orientation of the site. For example, the use of eaves and skillion roofs to facilitate to solar access. P3 The visual impact of service elements must be minimised by integrating them into the roof design. These elements include lift over-runs, service plant rooms, vent stacks, telecommunication infrastructures, gutters and downpipes. P4 Development must be designed with regard to how it is observed from the street, from adjacent 	Complies	the roof and roof top characteristics of the approved building Refer to Architectural Design Report in Appendix E.	COMMERCIAL PLANT MODIFIED
development and as part of a larger skyline. Opportunities for sculptural expression to create a varied skyline must be considered.			
 3.2.4 Street-Front Activities and Building Access P1 Where, as a result of the nature of the development, there are specific security requirements, security measures must form an integral part of the building design. Roller shutters are not permitted but retractable open security grilles may be considered. 	Complies	The proposed podium of the building has been designed to reinforce the streetscape and provide activation to the streets and new laneway. Retail uses are provided along three of the four site boundaries of Wynne Ave, Belmore Street and the new laneway. Conder street is activated by a combination of retail, lobby and serviced apartment uses.	NO CHANGE
 P2 Ground floor level development must: Promote quality non-residential activities in accordance with the zone. Minimise the number of service doors. Encourage visual interest on service doors with displays etc. Provide access points to and from the public domain at not more than 20 metre intervals. Provide at grade access at entry points. 		The retail shops on the street are accessible on grade, with clear glazed windows and displays. There is no change as a result of the proposed modifications to Building C.	
 Incorporate visually interesting streetscape frontages at ground level with attractive entries, clear glazed windows and window displays, artworks, articulated architecture and facade modulation. 		The vehicle and lobby entries are clearly identified from the street.	
P3 Separate and clearly identifiable entrances must be provided from the street for pedestrians and cars, and different uses (residential and non-residential).		See above.	
P4 Building entrances must have a direct physical and visual connection with the street.		Ability to comply due to widening of footpaths.	
P5 Residential component of any development must have a clear street address and a separate entry.		Building A has a serviced apartment lobby accessed directly from the street.	
P6 Outdoor dining is generally encouraged on the footpath of		A mail room is provided for Residential Buildings B and C adjacent to the street entry.	

commercially active street frontages, subject to compliance with Council's Outdoor Eating Area Policy.		There is no change as a result of the proposed modifications to Building C.	
P7 All commercial components must have a clear street address.			
P8 All mail box and postal facilities shall be incorporated into the building in accordance with the requirements of Australia Post. Mail boxes shall be sited and designed for attractive visual appearance and function, as well as to complement the architecture and environs. Where located externally in the case of a residential building, the mail boxes shall be located at right angles to the street boundary on either or both sides of the main access walkway. It is not permitted to locate mail boxes that are accessible only from the footpath outside a development.			
3.2.5 Subdivision and Car Parking Spaces	Noted		COMMERCIAL AND RETAIL PARKING AND AILES ON LOWER
P1 An application for Strata Title or Community Title subdivision of land may include a car parking space only where the parking space is part of another lot.			GROUND FLOOR REARRANGED
P2 Consent must not be granted to Strata Title or Community Title subdivision which results in the subdivision of car parking alone.			
3.2.6 Site Isolation	Complies	The proposed development consolidates 17	NO CHANGE
P1 The creation of isolated sites is discouraged.	Complies	separate lots in to a single site.	
P2 Where a development may result in the creation of an isolated site or sites, the applicant is required to demonstrate that negotiations between the owners of the properties commenced at an early stage that was prior to the lodgement of the Development Application. Where no satisfactory result is achieved, the Development Application must include evidence of negotiations with the owners of the properties. These details must include offers to such owners. Such offers are to be reasonable and are to be based on at least one recent independent valuation and include other reasonable expenses likely to be incurred in the sale of the process.			
P3 Where a development may result in the creation of an isolated site the applicant must demonstrate that orderly and economic use and development of the separate sites can be achieved that is consistent with the planning controls. Such demonstration is achieved by the applicant providing an envelope for that site, indicating height, setbacks, resultant site coverage (building and basement), sufficient to understand the relationship between the development and that site, the likely impacts the development will have on each other, such as solar access, visual and acoustic			

Complies	The approved development provided the following mix of apartments; 12% 1 bedroom 86% 2 bedroom 2% 3 bedroom The apartment sizes range from 1 bedroom 50-55m ² 2 bedroom 75-80m ² 3 bedroom 100-110m ² As a result of the proposed modification to the apartment layout in Building C the mix of apartments is as follows: 15% 1 bedroom (+3%) 83% 2 bedroom (-3%) 2% 3 bedroom (no change)	NO CHANGE
Generally Complies	There is a minor change to the approved building depth of Building C as a result of the proposed modifications. The extent of the change is minor as indicated in the Architectural Drawings in Appendix A.	NO CHANGE
		NO CHANGE
Complies	The ground level of the podium achieves a minimum 3.3 metres to the ceiling. The apartments achieve a minimum 2.7 metres to all habitable rooms. The approved floor to ceiling heights remain unchanged as a result of this modification.	
Complies	The SEPP 65 Compliance Schedule prepared by Kann Finch in relation to the proposed modifications to Building C indicates that 60% of the apartments will be naturally ventilated (RFDC rule of thumb 60%).	NO CHANGE
	Generally Complies	mix of apartments; 12% 1 bedroom 12% 1 bedroom 2% 3 bedroom 2% 3 bedroom 2% 3 bedroom 2% 3 bedroom 50-55m² 2 bedroom 75-80m² 3 bedroom 100-110m² As a result of the proposed modification to the apartment layout in Building C the mix of apartments is as follows: 15% 1 bedroom (+3%) 83% 2 bedroom (-3%) 2% 3 bedroom (no change) 2% 3 bedroom (no change) Generally There is a minor change to the approved building depth of Building C as a result of the proposed modifications. The extent of the change is minor as indicated in the Architectural Drawings in Appendix A. Complies The ground level of the podium achieves a minimum 3.3 metres to the ceiling. The apartments achieve a minimum 2.7 metres to all habitable rooms. The approved floor to ceiling heights remain unchanged as a result of this modification. Complies The SEPP 65 Compliance Schedule prepared by Kann Finch in relation to the proposed modifications to Building C indicates that 60% of the apartments will be naturally ventilated (RFDC

building which su	Daylight Access For development including velling housing refer to the amenity provisions of the RFDC upplements SEPP 65 - Design of Residential Flat Development.	Complies	The SEPP 65 Compliance Schedule prepared by Kann Finch in relation to the proposed modifications to Building C indicates that 75% of the apartments will receive over three hours direct sunlight between 8.00am and 3.00pm in mid- winter. With 64% of apartments receiving between 2.5 and 3 hours sunlight between 9.00am and 3.00pm. The RFDC rule of thumb requires 70% of apartments should receive over three hours direct sunlight between 9.00am and 3.00p. However, the RFDC notes that a minimum of two hours may be acceptable in dense urban areas.	NO CHANGE
3.2.14	Visual and Acoustic Privacy			NO CHANGE
Privacy and adja • • P2 design e increase	Development must be located intated to maximise visual between development on the site iccent development by: Providing adequate rear and side setbacks. Utilising the site layout to increase building separation. For example, orientation of buildings on narrow sites to the front and rear of the lot, thereby utilising the street width and rear garden depth to increase the apparent building separation distance. Detailed site and building elements may be incorporated to privacy without compromising o light and air. Design detailing ude: Solid or semi-solid balustrades to balconies. Offset windows of dwellings. Recessed balconies and/or vertical fins. Louvres or screen panels to windows and/or balconies. Fencing. Vegetation as a screen between spaces. Pergolas or shading devices to limit overlooking.	Complies	The SEPP 65 Compliance Schedule and Design Report prepared by Kann Finch in relation to the proposed modifications to Building C indicates that the proposed building separation distances and setbacks comply with or exceed the requirements of the RFDC.	
the main P2 be dime indoor/or two chai bedroom i.e. 2 or the prim minimum	Private Open Space All dwellings must have direct o one primary open space from a living area. The primary open space must utdoor living. A dining table and irs (small apartment, i.e. 1 n) or four chairs (large apartment, r more bedrooms) should fit on hary open space. The following n dimensions, clear of balustrades, achieved: Minimum depth - 2 metres (up to 1 bedroom). Minimum depth - 2.5 metres (2	Generally Complies	Each dwelling has access to a secure private open space, such as a balcony, terrace or court, with a minimum area of 6m ² for 1 bedroom, 8m ² for 2 bedrooms and 12 m ² for 3 bedrooms, and with a minimum depth of 2 metres. Many apartments have considerably more private open space than the minimum. All apartments have private balconies or garden terraces.	NO CHANGE

 or more bedrooms). Minimum area - 8 sq metres (1 and 2 bedrooms). Minimum area - 10 sq metres (3 bedrooms or larger. 			
P3 Private open space must respond to site conditions including sun, noise, wind and privacy. Sun screens, pergolas, shutters and openable walls are to be used to increase amenity where appropriate.			
P4 Private open space must form an integral part of the development's design.			
3.2.16 Lobbies and Internal Circulation – All Development			NO CHANGE
P1 Entry lobbies must be designed to provide facilities for seating, mail delivery and collection, and supervising personnel wherever possible.	Generally Complies	The residential lobbies provide seating and natural daylight and ventilation. The mail delivery is located adjacent to Belmore Street to comply with Australia Post access requirements.	
P2 Lift lobbies must be naturally ventilated. Daylight is to enter all residential lift lobbies.		The common area corridors are generally 2 metres	
P3 Common area corridors must be designed to facilitate easy movement of people and furniture. Corridors must incorporate varied surfaces, textured and materials, and clearly identified apartment numbers.		in depth however in end corridor locations this depth reduces to 1.5 metres to facilitate the provision of services. The proposed modifications to Building C do not impact on this aspect of the approved design.	
P4 Common area corridors must be a minimum of 2 metres in width.			
P5 The name and number of a development must be clearly displayed at the entry outside the development. Suitable illumination for after-hours recognition must be provided.			
3.2.17 Storage for Apartments			NO CHANGE
P1 For development including multi dwelling housing refer to the building configuration provisions of the RFDC which supplements SEPP 65 - Design Quality of Residential Flat Development.	Complies	80% of the required storage is provided within the apartments the remaining 20% is to be provided in the basement car park. The proposed modifications to Building C do not impact on this aspect of the approved design.	
P2 At least 50% of the storage area must be provided within the dwelling and 25% accessible from active areas.			
P3 Where the remaining 50% of the storage is located in the basement of the development it must be linked to its associated dwelling through its relevant strata title.			
3.2.18 Safety and Security			
P1 The routes between a development's entrance and its dwellings must be designed to maximise occupant safety. The routes from car parking areas to the lift lobby are particularly important in this regard. Clear sight lines and well-lit routes must be provided.	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	ON LOWER GROUND LEVEL PROVIDED WITH SECURITY FENCE SURROUND AND AUTOMATED GATE WITH CARD READER ACCESS
P2 Development must comply with Council's Burwood Community Crime			

Prevention and Safety Plan.			
P3 Development must be provided			
with clearly defined site boundaries to			
strengthen the distinction between public and private space.			
P4 Facades at ground level must			
be activated by locating after hours uses			
so they are visible from the publicly accessible areas.			
P5 Development access must be			
 controlled by: Restricting access from 			
balconies, roofs and windows of			
neighbouring development.Providing separate access from			
public and common areas.Providing separate access for			
residents in mixed-use			
developments.Providing an audio or video			
intercom system at the pedestrian or vehicular entrance			
or in the lobby for visitors to communicate with residents.			
 Providing secure keyed or 			
electronic access for residents			
P6 Concealment opportunities must be minimised from development by:			
 Eliminating blind or dark alcoves 			
near lifts and stairwells.Providing clear sight lines and			
well lit routes throughout the development.			
Providing appropriate levels of			
illumination for all common areas.			
P7 Residential development must			
be oriented so that primary windows and private open space address the street and			
publicly accessible areas.			
P8 Where, as a result of the			
nature of the development, there are specific security requirements, security			
measures must form an integral part of the building design. Roller shutters are not			
permitted but retractable open security			
grilles may be considered. 3.2.19 Access and Mobility			NO CHANGE
All Development			
P1 The main entry of development	Complies	The proposed modifications to Building C do not	
must be designed and identified for use by persons with a mobility impairment.		impact on this aspect of the approved design.	
P2 The main entry must be			
accessible from the street footpath in			
accordance with Australian Standard (AS) 1428: Design for Access and Mobility.			
P3 Safe and convenient access			
must be provided in all development, car parks and communal facilities.			
P4 Compliance with AS 1428.1 is required with respect to access			
requirements on new building work.			
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P5 Tactile indicators must be provided on the ground immediately adjacent to the approach and departure sides of any changes in floor levels in the public domain which incorporate a step, ramp, stepped ramp or the like in accordance with AS1428.4. <i>Residential Component of Development</i> P6 At least 10% of dwellings in a			
development must be provided as adaptable housing to Adaptable House Class A or B standard to cater for ageing in place and mobility impaired residents, in accordance with AS 4299: Adaptable Housing.			
P7 At least one car parking space must be provided and allocated to each dwelling required to be provided as accessible or adaptable housing under this Section and the car parking space must be accessible in accordance with the provisions of AS1428.2 to facilitate automatic vehicular wheelchair loading and unloading.			
P8 For development providing between 20 to 79 dwellings, one accessible visitor car parking space must be provided on site must be accessible in accordance with the provisions of AS 1428.2 to facilitate automatic vehicular wheelchair loading and unloading.			
P9 For development providing 80 or more dwellings, additional accessible visitor car parking spaces must be provided on-site which are accessible, as per P8 above, at the rate of one per each 60 dwellings or part thereof.			
 3.2.20 Awnings P1 Awnings must be provided above the public domain where development is built to the street boundary. 	See Comment	The proposed modifications to Building C do not impact on this aspect of the approved design.	NO CHANGE
P2 Awnings must be provided in residential development to contribute to the legibility of the developments entry.			
P3 No part of any awning may be constructed less than 3.2 metres or more than 5.5 metres from the finished ground level of the public domain.			
P4 Artificial lighting must be installed at no greater than 6 metres centres and enable face recognition.			
P5 Awnings must be set back a minimum 600mm from the kerb line.			
P6 Awnings must be cut out to facilitate the growth of street trees and placement of light poles.			
P7 Awnings must be regularly maintained to ensure ongoing structural adequacy and weather protection.			
P8 Awnings must have sufficient width to provide weather protection.			

3.3.2 Burwood Town Centre			
3.3.2.1 Building Height Plane			NO CHANGE
P1 The height of buildings on land within the BTC is not to project above the BHP as identified in Clause 4.3A and on the map marked "Building Height Plane Map in the BLEP 2012.	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
Advisory Note: The BTC is not orientated true north which explains the difference of solar angles along different parts of the Town Centre boundary as illustrated in Figure 2.			
P2 For ease of reference the BHP particulars from the BLEP 2012 are set out in the map and table in Figure 2.			
P3 For the purposes of providing additional guidance, Figures 2 (a), (b), (c), (d) and (e) indicate the operation of the BHP in Conder Street and Wynne Avenue, Belmore Street, Clarence Street and Shaftesbury Road.			
P5 Neither the Building Height Plane nor the Maximum Building Height established under the Height of Building Map in the BLEP 2012 can be exceeded. All development proposals must comply with both standards which should be read in conjunction.			
3.3.2.2 Burwood Town Centre Areas			NO CHANGE
	Noted		
Overview The BTC is divided into Areas known as the Commercial Core, Middle Ring, Perimeter and Transition Areas. These are shown in Figure 3 - Burwood Town Centre Areas map.			
For each of the four Areas, this section provides more detailed controls that aim to achieve the desired urban form in each area consistent with the development standards in the BLEP 2012.			
Burwood Road is the main street in the BTC. It has a distinct role and current and future built form, and is subject to specific building controls.			
3.3.2.3 Commercial Core and Middle Ring Areas			NO CHANGE
Podium Height			
P1 Development in the Commercial	Complies	The maximum podium height is 10 metres on Belmore Street and Wynne Ave.	
Core and Middle Ring Areas built to the street front must not have a podium height greater than 15 metres.		The proposed modifications to Building C do not impact on this aspect of the approved design.	
Burwood Road	N/A		
P2 Development along Burwood Road built to the street front must not be greater than 12 metres in height.	NI/A		
P3 Street front development along Burwood Road must enhance	N/A		
along barrood Road must emilance			

the existing streetscape and be of a similar scale, form, bulk, placement and character to adjoining and nearby street front development.	Complies		
Street Front Setback	Compiles		
P1 Development must be built to the street front boundary except where a minimum of 3 metre, 6 metre or 8 metre setback is required as indicated in Figure 4. These measurements are taken from the street boundary after any land acquisition required by BLEP 2012 has been completed.		Figure 4 of the Design Report indicates a requirement for a 3 metre setback along the eastern portion of Belmore Street and a 0 metre setback on Wynne Ave. The proposed design complies with these setback requirements. The setbacks are free of any projects and encroachments.	
P2 Setback areas must be free of any projections or encroachments.		The ground level setbacks are to be at grade accessible to match Council's public domain requirements (refer to Arabitactural drawings in	
P3 All ground level setbacks are to be finished at grade with Council's footpath and finished with materials to match Council's current public domain requirements.	Complies	requirements (refer to Architectural drawings in Appendix 01 and Landscape Plans in Appendix 02).	
Secondary Setbacks		The tower elements of the proposed building are set back an average of 10 metres from the street	
P1 Where development in the Commercial Core and Middle Ring Areas exceed 15 metres in height, the part of the development above 15 metres must be set back a minimum of 6 metres from the street front boundary, unless otherwise specified in P3 and Figure 6. Refer to Figures 5(a) and 5(b).		boundary in compliance with this requirement.	
P2 Setback areas must be free of any projections or encroachments.			
Burwood Road			
P3 Where development along Burwood Road exceeds 12 metres in height, the part of the development above 12 metres must be set back a minimum of 8 metres from the street front boundary. Refer to Figure 5(a).	Complies	The design complies with the requirements of the RFDC. Refer to the RFDC Compliance table prepared by Kann Finch Section 4.2 of the Architectural Design Report.	
Side and Rear Setbacks		<u> </u>	
 P1 For residential development refer to the building separation setback provisions of the RFDC which supplements SEPP 65 - Design Quality of Residential Flat Development. P2 Other street front development up to 15 metres in height must be built to the side boundary and may be built to the rear boundary. Refer to Figure 7. 	Complies	The design complies with the requirements of the RFDC. Refer to the RFDC Compliance table prepared by Kann Finch in the Architectural Design Report.	
Building Separation/Frontage			
P1 For all development refer to the building separation provisions of the RFDC which supplements SEPP 65 - Design Quality of Residential Flat Development.	Complies	The site has existing streets on three boundaries and part of the fourth (north west) boundary. Buildings B and C face an adjoining boundary to the north. Under the RFDC a building separation of	
Advisory Note: The same rules apply to residential and non-residential development in terms of building separation.		24 metres would be required (12.5 metres shared on each site). Buildings B and C are set back 15 metres in compliance with this requirement.	

 P2 The building separation requirements established under P1 must be shared equally with adjoining development across a boundary (refer to Figure 8. The applicant must demonstrate that daylight access; urban form, open space and visual and acoustic privacy can be satisfactorily achieved. P3 The maximum length in any direction of any part of a building parallel to the street above 15 metres in height is 45m (refer to Figure 9). This portion of the building must be suitably articulated to alleviate building mass and improve building appearance. 	Generally Complies	The buildings above podium along Belmore Street comply with this requirement with a width of 19 metres. The serviced apartment Building A fronting Conder Street complies with this control above 25 metres. Below 25 metres the building has a width of 50 metres, therefore 3 levels of the building do not comply. In this case it is noted that the building includes a significant (8-10 metre) street setback and a high level of articulation which minimise the visual impact of the building on the streetscape. The residential Building B fronting Wynne Ave complies with this control above 22 metres (from the Belmore Street intersection) with a width of 42 metres. Below 22 metres the building has a width of 49 metres; therefore 3 levels of the building do not comply. To mitigate the impact of the 3 non complying levels of the building a high level of building articulation has been introduced including a significant 'vertical slot' which minimise the visual impact of the building on the streetscape. The podium area is utilised as private communal open landscaped space (refer to Appendix 02). The area has a minimum of 50% of area with a minimum of 0.6metres of soil.	
Communal Open Space	N/A		
Podium Areas			
P1 Podium areas must be made accessible as communal open space.			
P2 Landscaping must be provided in communal open space. A minimum 0.6 metre soil depth must be provided over 50% of the area to support planting or soft landscaping.			
Roof Tops			
P3 Accessible communal open space may be provided on roof tops of development.			
P4 The design of roof top communal open space must also have regard to its visual and acoustic impact and effects of wind.			
P5 For residential development refer to the communal open space provisions of the RFDC which supplements S E P P 65 – Design Quality of Residential F I a t Development.			

3.7 Transport and Parking in Centres and Corridors			
 3.7.2 Burwood Town Centre and Strathfield Town Centre Advisory Note: All provisions apply to the Burwood Road North area zoned B4 Mixed Use as well as the BTC and STC. P1 Basic parking requirement: Development in the B4 Mixed Use zone in the Burwood and Strathfield Town centres must provide parking spaces on site for each proposed land use in accordance with the Table 2. 	Complies N/A	The proposed modifications to Building C result in the addition of 17 apartments (15 x 1 bed, 2 x 2 bed). This requires an increase in 20 car spaces including 3 visitor spaces. These spaces are to be provided as a result of layout changes to the existing approved car park. Refer to Traffic Report in Appendix C .	NO CHANGE
P2 Parking for visitors to the Burwood Town Centre: Notwithstanding P1, in the B4 Mixed Use zone in the Burwood Town Centre Council may consider and accept an offer from an applicant of a monetary contribution for Visitors Parking in lieu of the provision on- site of all or part of the parking requirement. Such an offer is voluntary and subject to Council's agreement at its discretion. If approved, it will be administered through a Voluntary Planning Agreement under the Environmental Planning and Assessment Act 1979.			
 For the purposes of this DCP sub-section Visitors Parking means: Parking demand generated by persons in vehicles making short-term visits to the residents of buildings comprising residential flat buildings or shop top housing in the B4 Mixed Use zones, as specified in Table 2; Parking demand generated by the short term needs of persons in vehicles making short-term visits to access commercial premises (comprising office, business and retail premises) and other defined land uses in the BTC, as specified in Table 2 below. 			
 The reasons for adoption of this strategy are: Locating some spaces in consolidated public car parks that have extended opening hours, higher turnover and safe and secure access will provide better, more useable parking facilities being available to the general public. Locating some spaces in consolidated public parking areas means better use of resources and value for money for developers and the community. Locating some spaces in consolidated public parking areas supports greener and cleaner outcomes for the community. Business centres 	N/A		

need adequate parking supply to meet the needs of users and to compete with other centres, balanced with encouragement of public transport use, walking and cycling that can help reduce on-street traffic congestion, and improve a centre's amenity and attractiveness to visitors.			
P3 Other parking not provided on site: In the B4 zone in the Burwood and Strathfield Town Centres, and along Burwood Road North, if an applicant for development is unable to provide the on- site parking spaces as determined under P1 from the Table (other than Visitors Parking spaces agreed in accordance with P2 above) because it is a difficult site, Council may consider an offer of a monetary contribution in lieu of the on-site provision of the parking spaces. Such an offer is voluntary and will be accepted solely at Council's discretion. If approved by Council, it will be administered through a Voluntary Planning Agreement under the Environmental Planning and Assessment Act 1979.			
 The characteristics that Council will take into account in determining if it is a difficult site include: The site is very small, i.e. less than the minimum subdivision lot size for the area in the BLEP 2012, and isolated with no opportunities for amalgamation; or The site is small, i.e. less than 600 sq m and there are limited options for on-site parking provision, e.g. the site is mostly occupied by existing buildings and involves only a change of use; or Vehicular access is severely constrained, e.g. the site only has frontage to Classified road. 	N/A		
It is the responsibility of the applicant to demonstrate that one or more of the above features applies and that redevelopment or the change of use is unlikely to be viable economically if parking requirements are applied strictly. This option does not apply to development of residential accommodation or serviced apartments	Complies	Parking for people with a disability is provided in compliance with the Australian Standard.	
in the B4 Mixed Use zone. The voluntary monetary contribution offered must be equal to the number of spaces not being provided on site, multiplied by the dollar amount of the cost of providing an on-site parking space (see above). There is no discount in these cases. The following formula applies, and the calculation is pro-rata, that is, the actual number to 1 decimal point, with no rounding up or down to a whole number: (<i>Number of spaces not being provided on</i>			

site X the cost of an on-site parking space) = Parking contribution in lieu offer.			
Example: (4.3 X \$45,000) = \$225,000			
P4 Parking space cost figures for formulas: Calculations of the offer for a contribution in lieu of on-site parking provision through the formulas in P2 and P3 above are to use the cost figure per space applicable in the year the Development Application is made, as published in the Schedule of Fees and Charges on Council's website (Please note that the figure of \$45,000 used above is only an example.) The cost figure per parking space is updated annually in			
accordance with construction cost movements.			
P5 Parking for people with a disability: Notwithstanding any voluntary monetary contribution made under P2 or P3 above, parking for people with a disability required under legislation or applicable Australian Standards must be provided on the site of the development where it is practicable to do so. This is the case even where it amounts to an increased total provision of parking for a development.			
P6 Change of use: Where Table 2 indicates that additional parking is required for a land use that is a change of use of existing floor area the above opportunities for voluntary contributions in lieu of on-site provision of parking spaces may apply at Council's discretion where the applicable criteria are met.			
P7 Use of funds received under Voluntary Planning Agreements (VPAs): Refer to Council's adopted policy for expenditure of funds received under P3, which is an addendum to Council's VPA policy.			
3.8 Heritage in Centres and Corridors			NO CHANGE
3.8.1 General Provisions			NO CHANGE
P1 Development Applications that propose works to, or demolition of, a heritage property are required to submit a heritage report, known as a Heritage Impact Statement (HIS), prepared by a qualified and recognised heritage professional as part of the application to Council. This report shall detail the impacts of the proposed development on the heritage significance of the property. Council may, at its discretion, require a Conservation Management Plan (CMP), instead of a HIS.	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
P2 Where substantial demolition is proposed, the HIS is required to provide justification on heritage grounds and demonstrate that options for retention have been investigated. An assessment of significance must include a comparative analysis of the building in relation to others of its kind in the local area. Claims concerning physical condition are required to be supported by a Structural Engineer's			

 report. Conclusions should be based upon the heritage significance of the property, not on the development potential of the land it is situated upon. P3 Council will require the submission of a heritage statement, prepared in accordance with the NSW Heritage Branch guideline Statements of Heritage Impact, where development is proposed adjacent to a heritage property. 			
P4 Major re-development of a heritage property shall have regard to the NSW Heritage Branch's <i>Design in</i> <i>Context: Guidelines for Infill Development</i> <i>in the Historic Environment.</i>			
3.8.2 Building Design			NO CHANGE
Considerations P4 Development of a heritage property must: Provide a use that is compatible with its heritage significance. Be sympathetic in terms of its design, bulk, scale and character. Adopt materials/finishes, form, proportions and detailing that responds to the traditional style of the heritage property. Provide adequate setbacks around the heritage property to ensure the maintenance of its historic setting and facilitate interpretation.	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
 P5 Development in the vicinity of a heritage property must be designed to have regard to the heritage property's: Scale and character. Form and proportions. Materials, colours and finishes. Street alignment and established setbacks in the surrounding area. 			
P6 Development or adaptive re- use of a heritage property should seek to retain significant external and internal fabric. In particular, those public and community buildings (e.g. churches, schools, hospitals, community halls), pubs and hotels, or other buildings with high public visitation.			
For example, significant external design details may include wall tiles, historic advertising, pressed metal awning soffits, balconies, doors and joinery. Significant internal design details may include staircases, plasterwork, joinery or fittings. The spatial qualities of a building will sometimes also be important.			
P7 Development should retain sufficient evidence of the significant internal layout to enable interpretation. Retaining evidence of former room layouts can be achieved by retaining evidence of the cellular pattern through joinery, ceilings, nibs and bulkheads.			
3.8.3 Incorporating Heritage Items			NO CHANGE
into New Development	Complies	The proposed modifications to Building C do not	
P8 Where a larger development		impact on this aspect of the approved design.	

 proposes to incorporate a heritage item or significant place, the design must include appropriate measures to: Retain an appropriate setting to allow for the continued appreciation and integrity of the heritage item. Ensure the heritage item is not visually obscured or adversely altered, particularly regarding sight lines from the public domain. P9 Where a development involves subdivision, Council will generally require that repair or restorative work to the heritage property is undertaken prior to the subdivision. This approach seeks to ensure that the conservation of the heritage property is integral to the redevelopment. 			
 3.8.4 Sight Lines P10 Development adjacent to a heritage property must incorporate front and/or side setbacks to achieve sight lines to the significant building in accordance with Figure 22. 	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	NO CHANGE
3.8.5 Views and Vistas			NO CHANGE
 P11 Development of a heritage property, or development in its vicinity, must: Provide an adequate area of land around the development to allow interpretation of the significant building or place. Not detract from the setting of the heritage property. Retain and respect significant views/vistas from the public domain to a heritage property, as well as the views/vistas originating from the heritage property itself. 	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
3.8.7 Adaptive Re-Use			NO CHANGE
 P13 The adaptive re-use of heritage properties is generally supported where Council is satisfied that such a use would contribute to the ongoing maintenance and viability of that item or place. P14 Adaptive re-use shall require that particular attention be given to original interior features of a building and the original layout of rooms, particularly 	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
 where that building is proposed to be used for a business purpose and there would be some degree of public visitation. P15 Where a development relies on the conservation incentive provisions under clause 5.10 (10) of the BLEP 2012, consideration will be given to the extent of alteration proposed and operation matters in respect to that use, such as the location of parking. A CMP is required in proposals which rely on the incentive provisions. 			

3.8.8 Signage, Visual Presentation and Colour Schemes		The proposed modifications to Building C do not impact on this aspect of the approved design.	LOCATION OF PROPOSED SIGNAGE
P16 Signage proposed upon historic facades or exteriors shall not obscure significant architectural elements, nor detract from the character of the heritage property.	N/A		ZONES TO COMMERCIAL FAÇADE HAVE BEEN ALLOCATED
P17 Signage shall be restricted upon historic facades. Where applicable, the signs should occupy the areas upon a building traditionally reserved for signage, such as the top hamper or awning fascia. Signage should be addressed as an overall scheme to avoid the accumulation of signs over time.			
P18 Projecting signs are not permitted upon heritage properties.			
P19 Roller shutters, security bars or similar devices shall not obscure significant architectural elements upon a heritage property, nor detract from the character of buildings. In general, sympathetic alternatives can be found to address the security of business/office/retail premises, such as anti-theft glass and internal locks.			
P20 Redevelopment shall be taken as an opportunity to remove unsympathetic work upon a heritage property, such as air conditioning units above shop awnings, or earlier signage. Redevelopment should also be used to reinstate lost building elements.			
P21 Exterior stonework and face brickwork of a heritage property shall not be painted or otherwise obscured. The cement rendering of masonry exteriors is generally not supported on heritage grounds.			
P22 Original and early landscaping that includes plantings with direct links or association to the heritage property must be retained.			
P23 New colour schemes should reflect the most significant design period of the heritage property. Corporate colours will not be permitted to dominate the architectural elements of a building or obscure building features.			
P34 New colour schemes for a building in the vicinity of a heritage property must not detract from the setting of the heritage property.			
3.9 Public Domain and Amenity	Comelias	the proposed modifications to Definition Order at	
3.9.2 Public Squares and Forecourts P1 The ground levels of developments that are adjacent to/have frontage to designated public squares and forecourts must provide active uses which address and define the edges of the squares and forecourts, and upper levels must enable casual surveillance.	Complies	the proposed modifications to Building C do not impact on this aspect of the approved design.	NO CHANGE
P2 Developments must provide			

access to designated public squares and			
forecourts that is suitable for people with mobility impairment.			
P3 The squares and forecourts must be unobstructed by buildings, open to the sky and have direct and physical linkages into and through the squares and forecourts.			
3.9.3 Pedestrian Links			NO CHANGE
P1 Existing pedestrian links must be retained or replaced.	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
P2 New pedestrian links are to be provided in the indicative locations illustrated in Figure 26. A pedestrian link can be in the form of an arcade or a pathway. The exact location and form of a pedestrian link in each case will be determined as part of detailed development planning.	Complies		
P3 Existing and new pedestrian links should complement and link with each other to improve the pedestrian network.			
 P4 Any pedestrian link must: Have interactive uses and provide casual visual surveillance. Be obvious and direct throughways for pedestrians. Minimise barriers to mobility through the link. In the case of an arcade, provide public access from at least 6am to 10pm daily. If it is a pathway, provide and maintain uncontrolled (no gates, doors or the like) public access at all times (24 hours a day, 7 days a week). Have a minimum width of 4.5 metres, clear of all obstructions and where possible a width of 6 metres (except for the pedestrian link between Hornsey Street and Clarendon Place). Have signage at the street entries indicating public accessibility and the name of the street to which the connection links. 			
3.9.4 Lanes			NO CHANGE
P1 Existing lanes in the BTC should be retained (refer Figure 28).	N/A		
P2 Where development has a frontage to a lane that is also a pedestrian route, the environment of the lane must be improved by providing design details that create visual interest and improve public safety and amenity.			
 3.9.5 Treatment of Street Front Setbacks P1 In the Commercial Core and Middle Ring Areas, where a street front 	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	NO CHANGE

setback of development is required in			
Figure 6, the setback area is to be treated			
and upgraded in a manner consistent with			
the requirements for the public domain			
immediately in front of the development. A			
right of pedestrian and vehicle movement			
by way of an easement in Council's favour			
in accordance with a Section 88B			
Instrument under the Conveyancing Act			
1919 over the setback area is to be placed			
on the title of the land.			
P2 In the Perimeter and			
Transition Areas, where a street front			
setback is required in Figure 10:			
 Where the development is 			
wholly for residential			
purposes, the setback area			
remains part of the common			
property of the residential			
development and is to be			
landscaped and maintained			
accordingly.			
Where the development is for			
mixed use or non-residential			
purposes at street level, and			
the setback is 3m or more, the			
setback area is to be treated			
and upgraded in a manner			
consistent with the requirements			
for the public domain			
immediately in front of the			
development. A right of			
pedestrian and vehicle			
movement by way of an			
easement in Council's favour in			
accordance with a Section 88B			
Instrument under the			
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3.9.7 Solar Access to Burwood Park			
P1 Development must not cast shadows over Burwood Park between 10am and 2pm on 21 June.	N/A		
3.9.8 Acquisition of Land for Traffic Management and Open Space	N/A		
 P1 The following parcels of land that are indicated by designation on Figure 29 are part of an acquisition strategy by Council for the purpose indicated: A, being part of Lot C in DP 411585 (47-47A Burwood Road) – road widening. C, being part of Lot 1 in DP 198 (118-120 Burwood Road) – road widening. F, being Lot 1 in DP 102952 (currently pedestrian walkway) – road widening. G, being Lot 1 in DP 330221 and Lot 1 in DP 71397 (49-51 Burwood Road) – road widening. H, being Lot 2 in DP 222750 (168 Burwood Road) – local public open space. P2 The land parcels will be acquired at an opportune time agreed by both the landowner and Council, such as purchase by Council when a property is placed on the market, or via an agreement for dedication of the land to Council as part of a redevelopment application. 			
3.9.9 Access and Mobility for the			NO CHANGE
Public Domain P1 The public domain surrounding and/or immediately adjacent to any development proposal must be upgraded to Council's current standards at the applicant's cost.	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	
P2 Wherever a pedestrian way meets a roadway which facilitates pedestrians traversing the roadway, laybacks in the kerb must be provided at suitable gradients to allow access for persons with mobility impairment.			
P3 Tactile indicators must be provided on the ground immediately adjacent to the approach and departure sides of any changes in floor levels in the public domain which incorporate a step, ramp, stepped ramp or the like in accordance with AS1428.4.			
6.2.5 Waste Management			
 6.2.5.4 Design of Waste Management Facilities in Mixed Use Development Application This section applies to: Development applications for new mixed use development (e.g. developments includes both residential space and commercial space). Development applications (that 	Complies	The proposed modifications to Building C do not impact on this aspect of the approved design.	COMMERCIAL AND RESIDENTIAL GARBAGE ROOMS WITHIN THE COMMERCIAL AREA ON LOWER GROUND FLOOR HAVE BEEN REPOSITIONED.

		<u>-</u>	
affect waste management) for			
alterations/additions to existing			
mixed use development.			
Submission Requirements			
 Development application must 			
include a completed copy of			
Part 1 of the Waste			
management plan.			
 Plans submitted with a 			
Development Application			
which includes residential development must include			
· · · · · · · · · · · · · · · · · · ·			
information as required for			
residential development.			
 Plans submitted with a 			
Development Application which			
includes non-residential			
development must include			
information as required for non-			
residential development.			
•			
Performance Criteria			
The controls listed in section			
3.2.3 apply to the residential			
element of mixed use			
development.			
•			
The controls listed in section			
3.3.3 apply to the non-			
residential element of mixed			
use development.			
 Mixed use development must 			
incorporate separate waste			
management systems for the			
residential and the non-			
residential component. There			
must be separate			
waste/recycling storage			
areas/rooms for the residential			
and non-residential elements.			
The residential waste			
management system and the			
non-residential waste			
management system must be			
designed to efficiently operate			
without conflict.			
The waste management system			
for the non-residential			
component must be designed			
to reduce the potential for			
adverse amenity impacts upon			
the residential element.			
 Commercial tenants must be 			
discouraged (through signage			
and other means) from using			
the residential waste/recycling			
bins.			
6.3 Acid Sulphate Soils			NO CHANGE
The BLEP 2012 includes Clause 6.1 that	N/A		
requires development consent to be			
granted by Council for the carrying out of			
works specified in the Table to the Clause,			
on a class of land also specified in the			
Table. Only two classes apply to land In			
the Burwood LGA being:			
are burwood Eon boilig.			
Class 4 Works more than 2 metres below			
	•		
the natural ground surface. Works by			
which the water table is likely to			
which the water table is likely to be lowered more than 2			
which the water table is likely to be lowered more than 2 metres below the natural ground			
which the water table is likely to be lowered more than 2			

Class 5 Works within 500 metres of			
adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height			
Datum and by which the water			
table is likely to be lowered below 1 metre			
Australian Height Datum on			
adjacent Class 1, 2, 3 or 4 land.			
Council cannot grant consent under			
Clause 6.1 unless an acid sulphate soils			
plan has been prepared for the proposed works in accordance with the Acid			
Sulphate Soils Manual and has been			
provided to the consent authority. Clause			
6.1 provides for certain exemptions from this requirement, and applicants should			
have full regard to the detailed provisions			
of the Clause.			
Where an acid sulphote acids along must			
Where an acid sulphate soils plan must be prepared for the proposed works in			
accordance with the Acid Sulphate Soils			
Manual, the manual may be accessed at:			
http://www.environment.nsw.gov.au/mao/a cidsulfatesoils.htm			
clusuratesons.num			
6.4 Flood Planning			NO CHANGE
Planning for the minimisation of flood risk	N/A		
to life and property, ensuring development			
is compatible with flood risk and avoiding significant adverse impacts on flood			
behaviour are addressed in the BLEP			
2012 by Clause 6.2. Council's approach			
to flooding has regard to and complies with the New South Wales Government's			
Floodplain Development Manual (FDM			
2005).			
Clause 6.2 establishes a flood planning			
Clause 6.2 establishes a flood planning level of 1:100 ARI (average recurrent			
interval) flood event plus 0.50m freeboard.			
Council is prevented from granting			
consent to development unless criteria in Clause 6.2 (3) are met.			
Council is not allowed to grant consent to			
development unless it is satisfied that various requirements elated to flood			
impacts are met.			
Council is about to undertake a floodplain management study for the Burwood LGA.			
When this is completed, the flood			
planning level is expected to be			
established with greater certainty.			
6.5 Stormwater Management			NO CHANGE
Council has adopted a separate	Complies	The proposed modifications to Building C do not	
Stormwater Management Code that aims		impact on this aspect of the approved design.	
to:			
To preserve and protect the amenity and property of			
existing residents, property			
owners and the community.			
To ensure the safety of residents and the community.			
To meet reasonable			
expectations and statutory			
requirements for the development of properties.			
To protect the physical			
environment and receiving			
waters of catchments.			

To meet these aims Council requires that all developments/building works within the Burwood LGA incorporate stormwater drainage facilities to collect and convey stormwater runoff to Council's system in accordance with the Code.The Stormwater Code does not form part of this DCP. It is available on Council's website. 6.6 Landscaping for DevelopmentCouncil has adopted a separate	Noted	The proposed modifications to Building C do not	NO CHANGE
 Landscaping Code that aims to provide guidelines for the preparation of Landscape Plans as an integral component of new development in Burwood. The Landscaping Code has been prepared to raise awareness of the aesthetic, functional and environmental benefits of landscaping. It aims to maintain and enhance existing themes and elements of the BTC and streetscapes of Burwood. The guidelines in the Code provide scope for creative design solutions for landscaping Code does not form part of this DCP. It is available on Council's website. 6.7 Energy Efficiency and 		impact on this aspect of the approved design.	NO CHANGE
Sustainability			NO CHANGE
 Aims This BDCP section aims to: Have regard for the principles of Ecologically Sustainable Development (ESD) by encouraging energy efficient buildings which use readily renewable resources or utilise sustainable materials. Reduce energy consumption through choices in the design of development and use of materials. Reduce energy consumption through choices in mechanical heating, cooling and artificial lighting. Reduce reliance on fossil fuels and minimise greenhouse gas emissions. Support and promote renewable energy initiatives. 	Complies	Refer to updated Basix Report in Appendix D .	
Provisions			
Residential Development			
P1 Where applicable, development is to demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX). All commitments listed on a BASIX certificate must be marked on all relevant plans and specifications.			

P2 The principles and properties of thermal mass, glazing, insulation and solar energy are to be recognised and incorporated into the design of residential development not subject to BASIX.		
Non-Residential Development		
P3 The non-residential component of any development must aim to achieve at least a minimum of a 4.5 star rating under the National Australian Built Environment Rating (NABERS) system.		
P4 Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating or cooling, not the whole building.		
 P5 Improve the efficiency of hot water systems by: Encouraging the use of solar powered hot water systems. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type. Gas systems must have a minimum 3.5 star energy efficiency rating. 		
 Insulating hot water systems. Installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators. 		
P6 Reduce reliance on artificial lighting and design lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building. Incorporate a timing system to automatically control the use of lighting throughout the building.		
P7 All non-residential development Class 5-9 will need to comply with the Building Code of Australia energy efficiency provisions.		
P8 An Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme or equivalent must be provided for all commercial and industrial development with a construction cost of over \$5 million.		
Advisory Note: Consideration must be given to the requirements of the Building Sustainability Index Certificate known as BASIX. This certificate confirms that the development has passed State Government's targets to reduce water and energy use. Information is readily available from the BASIX website at www.basix.nsw.gov.au and the NABERS website at		

www.nabers.com.au.		
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