

ANNEXURE A

State Environmental Planning Policy (Housing) 2021 – Compliance Table



SEPP (Housing) 2021 - Compliance Table

Clause / Control	Requirement	Proposal	Complies?
Part 2 Development for Affordable Housing Division 1 In-fill affordable housing			
15C Development to which this division applies	<p>(1) This division applies to development that includes residential development if—</p> <p>(a) the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and</p> <p>(b) the affordable housing component is at least 10%, and</p> <p>(c) all or part of the development is carried out—</p> <p>(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or</p> <p>(ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</p> <p>(2) Affordable housing provided as part of development because of a requirement under another environmental planning instrument or a planning agreement within the meaning of the Act, Division 7.1 is not counted towards the affordable housing component under this division.</p> <p>(3) In this section— relevant zone means the following—</p> <p>(a) Zone E1 Local Centre,</p> <p>(b) Zone MU1 Mixed Use,</p> <p>(c) Zone B1 Neighbourhood Centre,</p> <p>(d) Zone B2 Local Centre,</p> <p>(e) Zone B4 Mixed Use.</p>	<p>The proposed residential flat building is permitted with consent in the R3 Medium Density Residential zone.</p> <p>The proposal will provide 15% of the development as affordable housing, allocated under the Housing SEPP.</p> <p>The development is within the Six Cities Region and is within 770m walking distance to the entry of Concord West Railway Station to the north and is therefore accessible.</p> <p>Noted.</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>-</p> <p>-</p>
16 Affordable housing	(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum	The subject site is permitted a FSR of 1.6:1 and GFA of 11,976m ² . The proposed development seeks to provide for a total FSR of 2.08:1	Yes

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<p>requirements for additional floor space ratio</p>	<p>permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</p> <p>(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</p> $\text{affordable housing component} = \frac{\text{additional floor space ratio}}{(\text{as a percentage})} \div 2$ <p>(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</p> <p>Example— Development that is eligible for 20% additional floor space ratio because the development includes a 10% affordable housing component, as calculated under subsection (2), is also eligible for 20% additional building height if the development involves residential flat buildings or shop top housing.</p> <p>(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.</p>	<p>and GFA of 15,567m². This equates to an additional GFA of 3,591m², FSR 0.48:1 and bonus of 30%, when compared to the permitted GFA and FSR. In accordance with (2), 15% of the total GFA (or 2,335.05m²) must therefore be provided as affordable housing.</p> <p>Per the above, the proposal will allocate a total GFA of 2,335.85m² or 15% as affordable housing and therefore satisfies the Housing SEPP. This includes 24 apartments equating to 2,126m² and 209.85m² of circulation space serving the affordable apartments. It is noted that a total circulation space of 1,399m² is provided, and 15% of this space equates to 209.85m² which will be allocated to affordable housing.</p> <p>In addition to the above, the building height bonus is as follows:</p> <ul style="list-style-type: none"> - 30% of 16m equates to 20.8m - 30% of 22m equates to 28.6m. <p>In terms of building height, the following is provided:</p> <ul style="list-style-type: none"> - Building A: Maximum height of 23.12m to the northern parade edge where the 20.8m limit applies. - Building B: Maximum height of 26.64m to the parapet edge where the 28.6m limit applies. - Building C: Maximum height of 25.45m to the lift overrun, where the 28.6m limit applies. <p>As indicated above, the proposal complies with the maximum height as allowed by the Housing SEPP, excluding a variation to Building A. It is considered that the incremental approach to floor space should not be applied to building height. That is, it is not practicable or possible to accommodate the intended increase in floor space within an additional level that is of a lesser height. Specifically the 30% bonus height, as applied to the 16m limit, does not deliver a maximum height which will</p>	
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SEPP (Housing) 2021 - Compliance Table

		comfortably accommodate the floor space to Building A. Specifically, the 4.8m increase permitted is not capable of accommodating 3 storeys. As such, a Clause 4.6 is submitted with this application in Annexure D.	
17 Additional floor space ratio for relevant authorities and registered community housing providers	(1) This section applies to residential development to which this division applies that is carried out— (a) by or on behalf of a relevant authority or registered community housing provider, and (b) on land with a maximum permissible floor space ratio of 2:1 or less.	Not applicable. Proposal is not for a registered community housing provided.	N/A
18 Affordable housing requirements for additional building height	(1) This section applies to development that includes residential development to which this division applies if the development— (a) includes residential flat buildings or shop top housing, and (b) does not use the additional floor space ratio permitted under section 16. (2) The maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height of up to 30%, based on a minimum affordable housing component calculated in accordance with subsection (3). (3) The minimum affordable housing component, which must be at least 10%, is calculated as follows— affordable housing component = additional building height ÷ 2 (as a percentage)	Not applicable as the proposed development also seeks to benefit from the additional floor space under Clause 16.	N/A
19 Non-discretionary	(1) The object of this section is to identify development standards for particular matters relating to residential development under this division	Noted.	-

SEPP (Housing) 2021 - Compliance Table

development standards—the Act, s 4.15	that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.		
	(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—	Noted.	-
	(a) a minimum site area of 450m ² ,	The site area is 7,485m ² .	Yes
	(b) a minimum landscaped area that is the lesser of— (i) 35m ² per dwelling, or (ii) 30% of the site area,	35m ² per dwelling equates to 5,880m ² . 30% of the site area equates to 2,246m ² and is therefore the minimum landscaped area requirement. As originally approved, the proposal provides a total deep soil landscaped area of 2,726m ² or 36.4% and therefore complies. It is noted that landscaped area in the Housing SEPP is defined as follows: <i>landscaped area means the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area.</i> It is noted that the above calculation is predicated on deep soil area.	Yes
	(c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,	This is not applicable as subclause (3) states that subclause (2)(c) and (d) do not apply to development to which Chapter 4 applies. As the proposal is for a residential flat building, Chapter 4 applies and as such, (c) is not applicable.	N/A
	(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,	This is not applicable as subclause (3) states that subclause (2)(c) and (d) do not apply to development to which Chapter 4 applies. As the	N/A

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		proposal is for a residential flat building, Chapter 4 applies and as such, (d) is not applicable.	
	(e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms—at least 1 parking space,	The proposal will provide 24 apartments as affordable housing including the following: 14 x 2 bedroom affordable apartments = 7 parking spaces 10 x 3 bedroom affordable apartments = 10 parking spaces This requires a total of 17 parking spaces for affordable apartments. In total, 169 parking spaces are required. The proposal provides 176 spaces and complies.	Yes
	(f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,	The proposal will provide 144 apartments not used affordable housing, including the following: 38 x 1 bedroom apartments = 19 parking spaces 65 x 2 bedroom apartments = 65 parking spaces 45 x 3/4 bedroom apartments = 98 parking spaces This requires 152 parking spaces for standard (not affordable) apartments. In total, 169 parking spaces are required. The proposal provides 176 spaces and complies.	Yes
	(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	Proposed apartments satisfy the minimum internal area requirements prescribed by the ADG.	Yes
	(h) for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide,	Not applicable.	N/A
	(i) if paragraphs (g) and (h) do not apply, the following minimum floor areas— (i) for each dwelling containing 1 bedroom—65m ² ,	Not applicable as ADG applies.	N/A

SEPP (Housing) 2021 - Compliance Table			
	(ii) for each dwelling containing 2 bedrooms—90m ² , (iii) for each dwelling containing at least 3 bedrooms—115m ² plus 12m ² for each bedroom in addition to 3 bedrooms.		
	(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	The proposal is for a residential flat building and as such Chapter 4 applies. Accordingly, subclauses (2)(c) and (d) do not apply.	Yes
20 Design requirements	(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.	Not applicable.	N/A
	(2) Subsection (1) does not apply to development to which Chapter 4 applies.	Noted.	-
	(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with— (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.	Refer to Section 6.2.6 of this Statement which addresses local character.	Yes
21 Must be used for affordable housing for at least 15 years	(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development— (a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and (b) the affordable housing component will be managed by a registered community housing provider. (2) This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.	It is anticipated that a condition in relation to affordable housing will be imposed by the consent authority.	Yes



SEPP (Housing) 2021 - Compliance Table			
22 Subdivision permitted with consent	Land on which development has been carried out under this Division may be subdivided with development consent.	Strata subdivision will form part of a separate application.	N/A



ANNEXURE B

Apartment Design Guide – Compliance Table



Apartment Design Guide

Part	Design Criteria	Proposal	Complies?												
3D Communal and public open space and	Communal open space has a minimum area of 25% of the site.	The proposed alterations and additions to the approved development do not involve any changes to the approved area of communal open space. It is noted that DA2020/0143 included a communal open space of 2,409m ² or 32.2%.	Yes												
	Developments achieve a minimum of 50% direct sunlight to the principal useable part of the communal open space for a minimum of 2 hours.	The proposed alterations and additions to the approved development will maintain appropriate solar access per the shadow diagrams.	Yes												
3E Deep soil zones	Deep soil zones are to meet the following minimum requirements: <div><table><tr><th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr><tr><td>less than 650m²</td><td>-</td><td rowspan="4">7%</td></tr><tr><td>650m² - 1,500m²</td><td>3m</td></tr><tr><td>greater than 1,500m²</td><td>6m</td></tr><tr><td>greater than 1,500m² with significant existing tree cover</td><td>6m</td></tr></table></div>	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m ²	-	7%	650m ² - 1,500m ²	3m	greater than 1,500m ²	6m	greater than 1,500m ² with significant existing tree cover	6m	Deep soil areas approved under DA2020/0143 will not be changed by the proposed development. It is noted that 2,181m ² or 29% of the site area, with a minimum 6m dimension, is maintained.	Yes
Site area	Minimum dimensions	Deep soil zone (% of site area)													
less than 650m ²	-	7%													
650m ² - 1,500m ²	3m														
greater than 1,500m ²	6m														
greater than 1,500m ² with significant existing tree cover	6m														
3F Visual privacy	Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:	The proposed additional floor levels will provide for the following separation distance: <ul style="list-style-type: none">Building A:<ul style="list-style-type: none">Level 4 and 5 (5-6 storey), North: 8.8m which does not comply.Level 4 and 5 (5-6 storey), South: 6m which does not comply.	On merit On merit												

Apartment Design Guide

Building height	Habitable rooms and balconies	Non-habitable rooms
up to 12m (4 storeys)	6m	3m
up to 25m (5-8 storeys)	9m	4.5m
over 25m (9+ storeys)	12m	6m

- Level 6 (7 storey), North: 10.8m to external façade which complies, 8.8m to balcony which does not comply.
- Level 6 (7 storey), South: 25.5m which complies.
- **Building B:**
 - Level 6 (7 storey), North: 39m which complies.
 - Level 6 (7 storey), South: 6m which does not comply.
- **Building C:**
 - Level 6 (7 storey), North: 9m which complies.
 - Level 6 (7 storey), South: 9m which complies.

The proposed additions generally meet the minimum separation distances as set out by the ADG. However, part of the built form does not meet the requirements as it has been designed to follow the envelope of the floor levels of the approved development below. Whilst non-compliant, the proposal will maintain appropriate visual privacy as required by Objective 3F-1. This is discussed in Section 6.2.6 of this Statement.

Internally within the site, the proposed development provides for a minimum separation distance between Buildings A, B and C of 12m. Whilst technically non-compliant on the additional upper levels (5th to 7th storey), orientation of views and relationship of uses limits impact. This is also discussed in Section 6.2.6 of this Statement.

Yes & On merit
Yes

Yes
On merit
Yes
Yes

On merit

Apartment Design Guide

3J Bicycle and Car Parking	<p>For development in the following locations:</p> <ul style="list-style-type: none"> on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on any land zoned, and sites within 400m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent, in a nominated regional centre. <p>the minimum car parking requirement for residents and visitors is set out in the <i>Guide to Traffic Generating Developments (2002)</i>, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.</p>	The parking rates under the Housing SEPP apply, in which the proposal is compliant.	Yes
4A Solar and daylight access	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas	Overall, 119 of 172 (69.2%) of apartments receive 2 hours of solar access during mid-winter which represents a minor non-compliance and is considered acceptable given the high quality design of residential apartments.	Yes
	In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter	Not applicable.	N/A
	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter	Overall, 23 of 172 (13.2%) of apartments receive no direct solar access during mid-winter.	Yes
4B Natural ventilation	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed	Overall, 121 of 172 (70.4%) of apartments receive cross ventilation.	Yes

Apartment Design Guide

	Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	Not applicable	N/A												
4C Ceiling heights	<div>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</div> <table><tr><th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table> <div>These minimums do not preclude higher ceilings if desired</div>	Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use	The proposal does not alter the floor levels of the approved development. The additional levels will comply with the minimum ceiling height of 2.7m.	Yes
Minimum ceiling height for apartment and mixed use buildings															
Habitable rooms	2.7m														
Non-habitable	2.4m														
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area														
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope														
If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use														
4D Apartment size and layout	<div>Apartments are required to have the following minimum internal areas:</div> <table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table> <td>The proposed residential apartments will comply with the minimum internal areas as shown in the architectural plans and is considered acceptable.</td> <td>Yes</td>	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	The proposed residential apartments will comply with the minimum internal areas as shown in the architectural plans and is considered acceptable.	Yes		
Apartment type	Minimum internal area														
Studio	35m ²														
1 bedroom	50m ²														
2 bedroom	70m ²														
3 bedroom	90m ²														

Apartment Design Guide

	<p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.</p> <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p>		
	Habitable room depths are limited to a maximum of 2.5 x the ceiling height	<p>As indicated on the architectural plans provided with the application, the additional apartment layouts are compliant with this requirement.</p> <p>As detailed, there will be no changes to the approved apartment layout and design.</p>	Yes
	In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	<p>As indicated on the architectural plans provided with the application, the additional apartment layouts are fully compliant with this requirement.</p> <p>As detailed, there will be no changes to the approved apartment layout and design.</p>	Yes
	Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space)	<p>As indicated on the architectural plans provided with the application, the additional apartment layouts are fully compliant with this requirement.</p> <p>As detailed, there will be no changes to the approved apartment layout and design.</p>	Yes
	Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	As indicated on the architectural plans provided with the application, the additional apartment layouts are fully compliant with this requirement.	Yes

Apartment Design Guide

		As detailed, there will be no changes to the approved apartment layout and design.																
	Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none">• 3.6m for studio and 1 bedroom apartments• 4m for 2 and 3 bedroom apartments	As indicated on the architectural plans provided with the application, the additional apartment layouts are fully compliant with this requirement. As detailed, there will be no changes to the approved apartment layout and design.	Yes															
	The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	As indicated on the architectural plans provided with the application, the additional apartment layouts are fully compliant with this requirement. As detailed, there will be no changes to the approved apartment layout and design.	Yes															
4E Private open space and balconies	<p>All apartments are required to have primary balconies as follows:</p> <table><thead><tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr></thead><tbody><tr><td>Studio apartments</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartments</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartments</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartments</td><td>12m²</td><td>2.4m</td></tr></tbody></table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m ²	-	1 bedroom apartments	8m ²	2m	2 bedroom apartments	10m ²	2m	3+ bedroom apartments	12m ²	2.4m	As indicated on the architectural plans provided with the application, the additional apartment private open spaces are fully compliant with this requirement. As detailed, there will be no changes to the approved private open space layout and design.	Yes
Dwelling type	Minimum area	Minimum depth																
Studio apartments	4m ²	-																
1 bedroom apartments	8m ²	2m																
2 bedroom apartments	10m ²	2m																
3+ bedroom apartments	12m ²	2.4m																

Apartment Design Guide

	For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m	There will be no changes to the approved ground level, private open space layout and design.	N/A										
4F Common circulation and spaces	The maximum number of apartments off a circulation core on a single level is eight.	The additional levels proposed as part of this application comply with this requirement.	Yes										
	For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	Not applicable	N/A										
4G Storage	<p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m³</td></tr><tr><td>1 bedroom apartments</td><td>6m³</td></tr><tr><td>2 bedroom apartments</td><td>8m³</td></tr><tr><td>3+ bedroom apartments</td><td>10m³</td></tr></table> <p>At least 50% of the required storage is to be located within the apartment.</p>	Dwelling type	Storage size volume	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3+ bedroom apartments	10m ³	As indicated on the architectural plans provided with the application, the additional apartment include storage which are fully compliant with this requirement.	Yes
Dwelling type	Storage size volume												
Studio apartments	4m ³												
1 bedroom apartments	6m ³												
2 bedroom apartments	8m ³												
3+ bedroom apartments	10m ³												

ANNEXURE C

Canada Bay Local Environmental Plan 2013 – Compliance Table



Canada Bay Local Environmental Plan 2013

Criteria	Requirement	Proposal	Complies?
2.3 Zone objectives and land use table	<p>The subject site is zoned R3 Medium Density.</p> <p>The following objectives apply to the zone:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	<p>The proposed development is permissible with consent in the R3 Medium Density Residential zone.</p> <p>The proposed alterations and additions are consistent with the zone objectives as it will provide for the housing needs of the community within a medium density environment and includes a mix of housing types. The proposal will also deliver much needed affordable housing in the North Strathfield locality.</p>	<p>Yes</p> <p>Yes</p>
4.1A Minimum lot sizes for certain dwellings	A Minimum Lot Size of 800m ² applies and a minimum width of 20m.	The area of the subject site being 7,485m ² exceeds 800m ² and has a frontage to George Street (67m) exceeding 20m.	Yes
4.3 Height of Buildings	A maximum building height of 16m applies to the western part of the site and 22m applies to the eastern part of the site.	<p>In accordance with the bonuses afforded by the Housing SEPP, as set out in Annexure A, the following maximum building heights are permitted:</p> <ul style="list-style-type: none"> - Based on a bonus of 30%, a maximum height of 20.8m where the 16m limit applies - Based on a bonus of 30%, a maximum height of 28.6m where the 22m limit applies <p>In terms of building height, the following is proposed:</p> <ul style="list-style-type: none"> - Building A: Maximum height of 23.12m to the northern parade edge where the 20.8m limit applies. - Building B: Maximum height of 26.64m to the parapet edge where the 28.6m limit applies. 	<p>No – Clause 4.6.</p> <p>Yes</p>

Canada Bay Local Environmental Plan 2013

		<p>- Building C: Maximum height of 25.45m to the lift overrun, where the 28.6m limit applies.</p> <p>As indicated above, the proposal complies with the maximum height as allowed by the Housing SEPP, excluding a variation to Building A. As such, a Clause 4.6 is submitted with this application in Annexure D.</p>	Yes
4.4 Floor Space Ratio	A maximum FSR of 1.6:1 applies to the site.	The subject site is permitted a FSR of 1.6:1 and GFA of 11,976m ² . The proposed development seeks to provide for a total FSR of 2.08:1 and GFA of 15,567m ² in accordance with the Housing SEPP. The required amount of affordable housing is to be provided as outlined in Annexure A .	Yes
5.10 Heritage Conservation	<p>(4) Effect of proposed development on heritage significance.</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p> <p>(5) Heritage assessment.</p> <p>The consent authority may, before granting consent to any development—</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	The subject site is not a heritage item, however, it is located in the vicinity of a heritage item located on the eastern side of the Main Northern Railway (52 Queen Street, Concord West). The assessment of DA2020/0143 did not identify any unreasonable adverse impacts from the development on the significance of the heritage item due to the separation of the rail corridor and vegetation at the rear of the site of the heritage item. The proposed alterations and additions will not introduce any additional impacts that will result in the heritage significance of the item being diminished.	Yes

Canada Bay Local Environmental Plan 2013

6.1 Acid sulfate soils	<p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <p>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 watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	The proposed development will not seek to alter the extent of excavation beyond that originally approved. The alterations to the basement layout and provision of parking is located within the approved footprint and no further consideration is required.	Yes
6.2 Earthworks	<p>(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	The proposed development does not result in any changes to the basement footprint, design or depth of excavation. Accordingly, the proposed development is considered to be acceptable with regards to Clause 6.2 as originally approved under DA2020/0143.	Yes
6.10 Public utility infrastructure	<p>(1) Development consent must not be granted for development on land in an intensive urban development area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed</p>	As approved under DA2020/0143, public utility infrastructure, including the supply of water, electricity and sewage is available to the site. The proposed alterations and additions will continue to access these essential services as originally approved.	Yes

Canada Bay Local Environmental Plan 2013

	<p>development is available or that adequate arrangements have been made to make that infrastructure available when required.</p> <p>(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.</p> <p>(3) In this clause—</p> <p>intensive urban development area means the land identified as “Intensive Urban Development Area” on the Intensive Urban Development Area Map.</p> <p>public utility infrastructure, in relation to an intensive urban development area, includes infrastructure for any of the following—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p>		
6.11 Mix of dwelling sizes in residential flat buildings and mixed use development	<p>(2) This clause applies to development for the following purposes that results in at least 10 dwellings—</p> <p>(a) residential flat buildings,</p> <p>(b) mixed use development that includes shop top housing.</p> <p>(3) Development consent must not be granted to development to which this clause applies unless—</p> <p>(a) at least 20% of the dwellings, to the nearest whole number of dwellings, in the development will be studio or 1 bedroom dwellings, and</p> <p>(b) at least 20% of the dwellings, to the nearest whole number of dwellings, in the development will have at least 3 bedrooms.</p>	<p>The proposed alterations and additions result in the following dwelling mix within the development:</p> <p>1-bedroom – 38 apartments (22%).</p> <p>3 and 4 bedroom - 54 apartments (31.3%).</p>	<p>Yes</p> <p>Yes</p>

ANNEXURE E

City of Canada Bay Development Control Plan – Compliance Table



Canada Bay DCP 2017 Compliance Table

Clause / Control	Requirement	Proposal	Complies?											
Part B General Controls														
B1 Accessibility														
B1.1 Adaptable Housing	C1 Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes.	The proposed alterations and additions will deliver a total of 172 apartments which requires 25.8 (26) apartments as affordable housing. In total, the proposal provides 26 (15%) apartments as adaptable and complies overall.	Yes											
	C2 Adaptable housing units are to be located close to the main entrance of a building and access to adaptable housing units must comply with Australian Standards.	The location of each new adaptable apartment is shown on the architectural plans prepared by Fuse Architects.	Yes											
	C3 Adaptable housing units, and internal and external common areas, are to be designed to Australian Standard AS 4299-1995, to accommodate varying degrees of physical ability over time.	The proposed development has been designed to follow the approved footprint and layout which meets the relevant access requirements.	Yes											
	C4 Provide adaptable housing as specified in Table B-A. Table B-A Adaptable housing ratios <table><tr><th>Total number of dwellings</th><th>Minimum number of adaptable dwellings to be provided</th></tr><tr><td>Between 0 and 7 inclusive</td><td>Nil</td></tr><tr><td>Between 8 and 14</td><td>1 dwelling</td></tr><tr><td>Between 15 and 21</td><td>2 dwellings</td></tr><tr><td>Between 21 and 29</td><td>3 dwellings</td></tr><tr><td>30 or more</td><td>15% of total dwellings</td></tr></table>	Total number of dwellings	Minimum number of adaptable dwellings to be provided	Between 0 and 7 inclusive	Nil	Between 8 and 14	1 dwelling	Between 15 and 21	2 dwellings	Between 21 and 29	3 dwellings	30 or more	15% of total dwellings	As above, the proposal will provide 26 (15%) of apartments as adaptable.
Total number of dwellings	Minimum number of adaptable dwellings to be provided													
Between 0 and 7 inclusive	Nil													
Between 8 and 14	1 dwelling													
Between 15 and 21	2 dwellings													
Between 21 and 29	3 dwellings													
30 or more	15% of total dwellings													

Canada Bay DCP 2017 Compliance Table

		C5 Where a car parking space is to be provided in connection with an adaptable unit, that parking space is to be accessible.	All car spaces associated with adaptable housing apartments will be accessible.	Yes
B1.2 Accessible Design		C1 All development must comply with the following: a) All Australian Standards relevant to accessibility; b) Building Code of Australia access requirements and c) Disability Discrimination Act 1992, including the Disability (Access to Premises – Buildings) Standards 2010. <i>Note: Refer to Council's accessible guidelines / check list.</i>	The proposed alterations will comply with the relevant Australian Standards as the layout is consistent with that originally approved.	Yes
		C2 Developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.	Not applicable	N/A
		C3 Shade and shelter in the form of a verandah, porch, portico or the like is to be provided for weather protection in external areas leading to principal pedestrian entrances.	The proposal will not alter the at-grade design.	No change
		C4 Publicly accessible buildings that allow gathering of people are to provide accessible seating spaces for a wheelchair and person using an assistance animal.	Not applicable	N/A
		C5 Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available	Not applicable	N/A
		C6 Encroachment onto public land to achieve access requirements is generally not permitted except when: a) access by other means will result in a substantial loss of original fabric of a heritage-listed property impacting on the heritage significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available; or	Not applicable	N/A

Canada Bay DCP 2017 Compliance Table

	b) the proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available.		
	C7 Access for pedestrians and vehicles are to be separated.	The proposed alterations and additions will not alter pedestrian and vehicular access to the site.	No change
	C8 Access arrangements are to be: a) integral with the overall building and landscape design and not appear as 'add-on' elements or as of secondary importance; b) as direct as possible; and c) designed so that a person does not need to summon help.	As above, there will be no change to the access arrangement at-grade. Proposed additions will meet the relevant Australian Standards.	Yes
	C9 Required egress routes in residential development are to allow for safe escape for persons with a disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments	There will be no change as originally approved.	No change
	C10 In achieving accessible design, buildings and public spaces are to be accessible and the proposed path of travel must meet Australian standards and remove barriers to access.	The additional levels will comply with all relevant Australian Standards as outlined.	Yes
B3 Vehicle and bicycle parking and access			
B3.1 Vehicle Parking	C1 Parking should not detract from the streetscape qualities, while meeting the needs of residents, visitors and employees in all areas.	The proposed development does not involve any change to the basement parking and the appearance of the street will be unchanged from approved.	Yes
	C2 Stack parking is not permitted for residential development except where two spaces are provided for one apartment.	The proposed development will not provide for any stacked parking.	Yes

Canada Bay DCP 2017 Compliance Table

C3 To maximise the area for soft landscaping consolidated parking areas should be concentrated under building footprints wherever possible.	The proposed works do not alter the quantum or design of soft landscaping beyond that approved.	No change
C4 To accommodate a relatively safe environment in accordance with CPTED 'Safer by Design' principles	The proposed works do not involve any wholesale changes to the car parking areas and as such, the relevant CPTED Principles are satisfied.	Yes
C5 Parking structures should be designed to minimise reliance on artificial ventilation of car exhaust.	The proposed works do not involve any changes to the car parking areas including ventilation.	No change
C10 The design of the driveway and basement are to achieve a quality landscape setting for the development and mitigate potential visual impacts of excavation.	The proposal will not alter the driveway and basement design beyond that approved.	No change
C11 The design of the driveway and basement does not detract from the presentation of the dwelling to the street and retains any natural features on the site.	As outlined above, the driveway and basement design is not changed from that originally approved.	No change
C12 Excavation for basements should not extend beyond the building footprint.	No change is proposed to the basement footprint.	No change
C13 Ramps accessing basement car parking are not permitted forward of the building line unless the following is achieved: a) Compatibility with the streetscape. b) Safe pedestrian crossings. c) Adequate line of sight for cars entering or leaving. d) The first 6 metres must be at a maximum grade of 1:10 for domestic driveways and 1:20 for all other driveways. e) The ramp does not have a finished level that is greater than 1m below natural ground level within the setback to the street.	The proposed development does not involve any changes to the basement parking ramps.	No change

Canada Bay DCP 2017 Compliance Table

	C14 Entries to underground car parking are to be set back behind the building line.	The proposal will not alter the approved parking entry.	No change
	C15 All basement parking areas must be designed so that vehicles can enter and leave the property in a forward direction	As approved, the basement parking entry and exit will be in a forward direction.	Yes
	C16 A strip of landscaping at least 1m wide is provided to the adjoining property boundary.	The proposal will not alter the provision of landscaping adjoining site boundaries.	No change
	C17 A 1m wide deep soil landscaped setback to neighbouring properties is to be provided along the driveways.	As above, no change is proposed along driveways.	No change
	C18 The maximum dimension of any domestic driveway basement car park entry is to be 2.7m high by 3.5m wide.	The proposed development will not alter the driveway dimensions.	No change
	C24. The number of vehicle crossings is limited to one (1) per site.	One crossing is maintained as approved.	No change
	C26. Vehicular entrances to parking areas should be visually inconspicuous, appropriately screened and ideally not be located along the front façade, but rather to the side or rear.	As above, no change to approved vehicular entries.	No change
	C28. Development shall have a maximum driveway crossover and driveway width of: c) 6m for any other development.	No change is proposed to the driveway crossover.	No change
Accessible Parking	C30 Parking provision should be in accordance with Table B-D.	The proposed development provides for 26 adaptable apartments, of which will provide for relevant accessible parking.	Yes
Adaptable Housing	C31 Car parking for adaptable dwellings shall be designed in accordance with AS/ NZS2890.6.	The proposed development provides for 26 adaptable apartments, of which will provide for relevant accessible parking.	Yes
Motorcycle Parking	C35 Where there are more than 30 off-street parking spaces, a minimum of 1 motorcycle parking space shall be provided. Plus 1 per 30 thereafter.	The proposed development includes 191 parking spaces, and therefore elicits 6.3 (6) motorcycle spaces. This is to be provided within the basement.	Yes

Canada Bay DCP 2017 Compliance Table

Residential	C36 Car Parking is to be provided in accordance with Table B-B and Table B-C.	The proposed alterations and additions allows for a maximum of 170.9 resident and 34.4 visitor spaces. The proposal provides for 176 resident and 15 visitor spaces. Whilst this does exceed the permitted maximum, it is complies with the minimum Housing SEPP parking requirements.	Yes
	C37 All visitor parking should be provided off-street and behind the front setback	Visitor parking is provided within the basement parking levels.	Yes
	C38 Visitor parking spaces should be conveniently located, identified as such, and accessible to the general public. They should not be located behind any security grill or gate.	Visitor parking is conveniently located within the basement and will be easily identifiable through signage.	Yes
	C39 Dedicated disabled parking spaces should be line-marked and signposted in accordance with AS/NZS2890.6.	All accessible parking spaces will be clearly marked. This can be imposed as a condition of consent.	Yes
	C40 Dedicated disabled parking spaces should be located close to wheelchair accessible entrance lifts.	All accessible parking spaces will be located in close proximity to lifts.	Yes
B3.3 Multi-dwelling housing, multi dwelling housing (terraces), manor houses and residential flat buildings.	C1 For existing and new development the location of a garage or carport, in order of high to low priority, is to be: a) Located in a basement with access from a rear lane; b) Located at the rear of the site with access from a rear lane; c) Located in a basement with access from the street frontage; d) Located at the rear of the site with access from the street frontage; and e) Located at the side of the development, behind the front building alignment.	The proposal does not alter the location and access of the basement as originally approved.	No change
	C2 All multi unit development and residential flat buildings should ensure that all vehicle parking is behind the building line and arranged so that all vehicles may be driven in a forward direction during both ingress and egress from the site.	The basement parking is not changed from the original approval and is considered acceptable.	No change

Canada Bay DCP 2017 Compliance Table

	C3 Car Share schemes, carpark decoupling and the like should be utilised wherever possible to reduce the amount of on-site carparking.	No car share schemes are proposed.	N/A																				
B3.4 Car Parking Rates	<p>The following maximum parking rates apply to any residential flat buildings, manor houses, multi dwelling housing, multi dwelling housing (terraces) or shop top housing on any land parcel wholly or partly located within Category B on the Residential Car Parking Rates Map.</p> <table><tr><th colspan="2">Resident Parking</th></tr><tr><th>Number of bedrooms per dwelling</th><th>Maximum number of car parking spaces</th></tr><tr><td>0 - 1</td><td>0.6</td></tr><tr><td>2</td><td>0.9</td></tr><tr><td>3</td><td>1.4</td></tr><tr><th colspan="2">Visitor Parking</th></tr><tr><th>Number of dwellings</th><th>Maximum number of car parking spaces</th></tr><tr><td>0 - 4</td><td>0</td></tr><tr><td>5-9</td><td>1</td></tr><tr><td>10+</td><td>1 per 5 dwellings</td></tr></table>	Resident Parking		Number of bedrooms per dwelling	Maximum number of car parking spaces	0 - 1	0.6	2	0.9	3	1.4	Visitor Parking		Number of dwellings	Maximum number of car parking spaces	0 - 4	0	5-9	1	10+	1 per 5 dwellings	The DCP requires that a maximum of 170.9 resident car spaces and 34.4 visitor spaces be provided for the proposed development. The proposed development provides for 126 resident and 15 visitor spaces parking spaces within basement levels 1 and 2 and does not exceed the maximum and is therefore acceptable.	Yes
Resident Parking																							
Number of bedrooms per dwelling	Maximum number of car parking spaces																						
0 - 1	0.6																						
2	0.9																						
3	1.4																						
Visitor Parking																							
Number of dwellings	Maximum number of car parking spaces																						
0 - 4	0																						
5-9	1																						
10+	1 per 5 dwellings																						
B3.6 Bicycle parking and storage facilities	<p>C1 Bicycle parking and storage facilities should be provided to allow parking or storage of a minimum number of bicycles, in accordance with Table B-I.</p> <p>Table B-I Minimum bicycle parking and storage provisions</p> <table><tr><th>Land Use</th><th>Resident/Staff Bicycle storage facility</th><th>Visitor Bicycle parking facility</th></tr><tr><td>Residential</td><td>2 per dwelling</td><td>2 per 10 dwellings</td></tr><tr><td>Commercial</td><td>2 per 150m² GFA</td><td>2 per 400m² GFA</td></tr><tr><td>Retail</td><td>2 per 250m² GFA</td><td>2 per unit + 2 per 100m² GFA</td></tr><tr><td>Industrial</td><td>2 per 10 employees</td><td>2 per unit +2 per 100m² GFA</td></tr></table>	Land Use	Resident/Staff Bicycle storage facility	Visitor Bicycle parking facility	Residential	2 per dwelling	2 per 10 dwellings	Commercial	2 per 150m² GFA	2 per 400m² GFA	Retail	2 per 250m² GFA	2 per unit + 2 per 100m² GFA	Industrial	2 per 10 employees	2 per unit +2 per 100m² GFA	The proposed development requires the provision of 344 bicycle spaces for residents and 34.4 (35) spaces for visitors. The proposal will make no changes to the bicycle parking. Refer to the submitted Traffic Report.	On merit					
Land Use	Resident/Staff Bicycle storage facility	Visitor Bicycle parking facility																					
Residential	2 per dwelling	2 per 10 dwellings																					
Commercial	2 per 150m² GFA	2 per 400m² GFA																					
Retail	2 per 250m² GFA	2 per unit + 2 per 100m² GFA																					
Industrial	2 per 10 employees	2 per unit +2 per 100m² GFA																					
	C2 Bicycle parking must be made available to customers and staff and conveniently located.	Not applicable.	N/A																				
	<p>C3 Bicycle storage facilities may be provided as fully enclosed individual lockers (referred to in AS 2890.3 as Class 1 facilities) or as locked compounds (referred to in AS 2890.3 as Class 2 facilities), depending on the type of development and practicality of access to the facility.</p> <p>A private garage is deemed to be the equivalent of an individual locker space.</p>	The proposed bicycle parking is appropriately secured within the basement as is consistent with the originally approved development.	Yes																				

Canada Bay DCP 2017 Compliance Table

	Compounds should be fitted with a sufficient number of devices to which stored bicycles can be secured (referred to in AS 2890.3 as Class 3 facilities).		
	C4 Bicycle storage facilities should be covered to provide weather protection.	The proposed bicycle storage is within the basement.	Yes
	C5 Showers and lockers (end of trip facilities) should be provided close to secure bicycle storage facilities within new commercial and industrial developments (refer to End of trip facilities for more information).	Not applicable.	N/A
	C6 Bicycle storage facilities should generally be designed in accordance with paragraph 2.2 of AS 2890.3.	Bicycle storage is designed in accordance with the Australian Standards. Refer to Traffic Report prepared by <i>Stantec</i> .	Yes
	C7 Bicycle parking facilities must be located so that the minimum clearance (for a pedestrian pass) between a parked bicycle and any other obstruction is 1200mm	The proposed basement arrangement is suitable and will allow for ease of access and movement.	Yes
	C8 Bicycle parking facilities should generally be designed in accordance with figure B3 in AS 2890.3. The provision of weather protection for bicycle parking is encouraged.	Bicycle parking is designed in accordance with the relevant Australian Standards.	Yes
	C9 Access paths to bicycle storage or parking facilities must be provided so that the envelope shown in figure 3.1 in AS 2890.3 will fit when projected along the access path.	Access to bicycle parking is in accordance with the relevant Australian Standards.	Yes
	C10 Where an access path to a bicycle storage or parking facility includes stairs, such stairs must include a bicycle wheeling ramp in accordance with figure 7.12 in the Austroads Guide to Traffic Engineering Practice (Part 14 Bicycles). The gradient of the ramp should not exceed 25%.	Lift access is provided to the basement levels.	Yes
	C11 Unacceptable bicycle parking and storage facilities are facilities where: a) Only a wheel can be secured but not the bicycle frame; b) The device does not provide stability for the bicycle and may result in damage to the bicycle; and	Noted.	-

Canada Bay DCP 2017 Compliance Table

	c) The device has a slot in the ground which may get dirty and difficult to use over time.								
	C12 Directional signs advising the public of the location of bicycle parking and storage areas should be harmoniously designed and erected to assist both the facilitation and promotion of the use of these facilities.	Bicycle parking will be clearly identified for visitors. This will be accessible via intercom system.	Yes						
	C13 To ensure bicycle parking and storage facilities are located in a safe location that is well lit with minimal concealment spaces.	Bicycle parking is located within the basement and will be easily identifiable and well-lit.	Yes						
B3.8 Electric vehicles	C1 Level 1 electric vehicle charging facilities must be provided in accordance with Table B-L:	This can be imposed as a condition if required.	Yes						
	C2 Level 2 electric vehicle charging facilities must be provided in accordance with Table B-J: Table B-K Minimum Level 1 electric vehicle charging facility requirements <table><tr><th>Type of development</th><th>Type of charging facility</th><th>Minimum number of charging points/facilities/stations</th></tr><tr><td>Manor houses, Multi-dwelling housing, Multi-dwelling housing (terraces), Residential flat building, Shop top housing</td><td>Level 1<ul style="list-style-type: none">Regular 240V wall socket (10amps).2.4kW - 3.7kW.No specialist installation required.16 – 20 hours to fully charge average vehicle.</td><td>1 per parking space 1 per five bicycle parking spaces (a dedicated space and charging point for electric bicycles and mobility scooters to be charged must be provided for every five bicycle parking spaces)</td></tr></table> <i>Note: If Level 2 facilities are required they are to be provided in addition to any Level 1 requirements.</i>	Type of development	Type of charging facility	Minimum number of charging points/facilities/stations	Manor houses, Multi-dwelling housing, Multi-dwelling housing (terraces), Residential flat building, Shop top housing	Level 1 <ul style="list-style-type: none">Regular 240V wall socket (10amps).2.4kW - 3.7kW.No specialist installation required.16 – 20 hours to fully charge average vehicle.	1 per parking space 1 per five bicycle parking spaces (a dedicated space and charging point for electric bicycles and mobility scooters to be charged must be provided for every five bicycle parking spaces)	As above.	Yes
	Type of development	Type of charging facility	Minimum number of charging points/facilities/stations						
	Manor houses, Multi-dwelling housing, Multi-dwelling housing (terraces), Residential flat building, Shop top housing	Level 1 <ul style="list-style-type: none">Regular 240V wall socket (10amps).2.4kW - 3.7kW.No specialist installation required.16 – 20 hours to fully charge average vehicle.	1 per parking space 1 per five bicycle parking spaces (a dedicated space and charging point for electric bicycles and mobility scooters to be charged must be provided for every five bicycle parking spaces)						
	C3 Shared facilities must be accessible to anyone who has legal access to the building.	Noted.	-						
C4 All electric charging points in common property or visitor parking areas are to have clear signage identifying: a) Location; and b) Fees and charges, if any.	Noted.	-							
C5 Electric circuitry to accommodate 'Level 2' electric vehicle charging points must be integrated into all off-street car parking of new residential	Noted.	-							

Canada Bay DCP 2017 Compliance Table

	<p>and non-residential development to ensure that all car spaces can install electric vehicle charging points in the future. This must include:</p> <ul style="list-style-type: none"> a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space; and c) Slow, single phase 7kW electrical circuitry for private car spaces; and d) Fast, three-phase 11kW – 22kW electrical circuitry for publicly available spaces. <p><i>Note: Circuitry requirements for all off-street parking spaces are in addition to minimum charging point requirements in Table B-K and Table B-L.</i></p>		
	<p>C6 The installation of a Level 2 electric vehicle charging points is encouraged for new dwelling houses, dual occupancies and semi-detached dwellings.</p>	Not applicable.	N/A
B3.9 Common loading docks and service vehicle parking	<p>C1. Separate parking spaces for service vehicles are to be provided in new developments in accordance with the minimum requirements detailed in Table B-K.</p> <p>Residential - 1 space for the first 50 dwellings or serviced apartments; plus 0.5 spaces for every 50 dwellings/serviced apartments or part thereafter</p>	Loading bay is provided within the basement level 1 as originally approved.	Yes
B4 Waste Management			
B4.1 General controls	<p>C1 A Waste Management Plan is required as part of the development application documents for all developments.</p>	A Waste Management Plan prepared by <i>Elephants Foot</i> is submitted with this application.	Yes

Canada Bay DCP 2017 Compliance Table

	C2 On site storage for waste and recycling facilities must be provided in designated areas for all new developments. The area should be located so as not to cause offence to adjoining property owners or occupiers with regard to smell, visual appearance, noise disturbance and traffic	The waste storage area is located within Basement Level 1 and will accommodate the waste generated by the proposed alterations and additions.	Yes
	C3 Source separation facilities and containers shall be provided in kitchens for waste to be divided into separate waste streams to encourage the composting and recycling of materials. Space must be allocated and receptacles supplied with the capacity to store at least 2 days' worth of residual waste, recyclables and food waste.	The additional apartments include internal waste storage areas, consistent with the approved apartments.	Yes
	C4 Common composting facilities should be provided at accessible locations away from dwellings to every residential development for garden waste and organic kitchen waste.	Appropriate waste storage is provided within the basement levels and proposed residential apartments.	Yes
	C5 Consideration should be given to bin storage space for garden organics that are not able to be composted on site e.g. thick branches as garden organics cannot be disposed of in Council serviced waste bins.	Appropriate waste storage is provided within the basement level for organic waste.	Yes
	C6 Source separation facilities shall be provided on building sites so that different waste streams may be easily separated during construction and demolition to encourage the re-use and recycling of materials. The source separation facilities are to be clearly indicated on the drawings. Tipping dockets for disposal and recovery of all wastes are required to be held on site during this phase and are subject to auditing and/or inspection by Council.	Waste will be appropriately managed during construction in accordance with the approved development.	Yes
	C7 In the design of buildings waste should be minimised by: <ul style="list-style-type: none"> • Matching building dimensions to standard sizes of building materials; • Using recycled materials; • Selecting materials that can be re-used or recycled in the future; and • Utilising component parts that may be easily replaced. 	As originally approved, the alterations and additions are proposed to ensure minimal waste of materials.	Yes

Canada Bay DCP 2017 Compliance Table

	C8 Plans and drawings of the proposed development that highlight the location of and space allocated to the waste management facilities and the nominated waste collection point must be included in the Waste Management Plan. The path of access for both users and collection vehicles must also be highlighted.	Waste storage is provided within Basement Level 1 and is addressed in the submitted Waste Management Plan.	Yes
B4.3 Multi-unit dwelling Residential Development	<p>C1 Multi-unit accommodation refers to all buildings with three or more dwellings on one lot (whether self-contained or not) and includes the following:</p> <ul style="list-style-type: none"> • Attached dwellings • Boarding houses • Group homes • Multi dwelling housing • Residential flat buildings • Seniors housing • Serviced apartments • Shop top housing 	Noted. The proposed alterations and additions to the approved residential flat building is submitted with a Waste Management Plan.	Yes
	<p>C2 Multi-unit dwellings may be permitted to have allocated one set of bins per dwelling, on approval by council, in accordance with the following: Allocated 1x 120L Waste Bin (1 per dwelling, collected weekly), 1 x 240L Recycling Bin (1 per dwelling, collected fortnightly) and 1 x 240L Garden Organics Bin (1 per dwelling collected fortnightly). Approval for allocation of one set of bins per dwelling will only be permitted where:</p> <ul style="list-style-type: none"> • Each dwelling has direct access at ground level • Bin storage is provided at each dwelling, and the bin storage location is specified on the application. • A kerbside presentation point is nominated on the application • The space required for presentation at kerb does not exceed one-third of the width of the property frontage 	The proposal provides for a revised waste storage area in Basement Level 1 which will accommodate the required number of bins for the additional and approved apartments. Refer to submitted Waste Management Plan and Architectural Plans.	Yes

Canada Bay DCP 2017 Compliance Table

	<ul style="list-style-type: none"> • Kerbside collection activity does not create an obstruction of the pathway or roadway or cause an illegal hazard • Kerbside presentation point is to be located so as to minimise the impacts from noise and odour during collection • The path for wheeling bins between each and every dwelling bin storage location and the kerbside presentation point is a maximum of 30m and does not exceed a grade of 1:14 at any point. 		
	C3 In all other cases, multi-unit dwellings with less than 20 dwellings are to provide storage space for waste, recyclables and garden organics in accordance with the following: Either: Allocated 1x 240L Waste Bin (per 2 residential units), 1 x 240L Recycling Bin (per 2 residential units) and 1 x 240L Garden Organics (per 10 residential units up to a maximum of 20 residential units). Or: Allocated 660L or 1100L bins, in accordance with waste generation requirements.	Not applicable.	N/A
	C4 In multi-unit dwelling residential development containing 20 or more dwellings, a bulk waste and recycling collection service is required. Council supplies 660L and 1100L bulk recycling and waste bins.	The proposal provides a bulky waste room in Basement Level 1. Recycling waste is also accommodated within the waste rooms.	Yes
	C5. Presentation to kerb Presentation to kerb is only permitted where council approval has been provided for one set of bins per dwelling, as per the Bin Allocation section above.	The proposal will provide waste collection as originally approved.	No change
	C7. On-Site Collection All multi-unit dwellings that are not approved for 'presentation to kerb' or 'collect and return' collection must provide on-site collection for Council vehicles, where the collection vehicle enters the property and services the development within the property boundary from a designated loading area.	The proposal will provide waste collection as originally approved.	No change
	<p>C9. All developments that meet the following criteria are required to incorporate a waste and recycling chute system:</p> <ul style="list-style-type: none"> • comprise four or more storeys; and 	The additional levels proposed as part of this application include chute systems which are extended from the approved residential levels below and is therefore acceptable.	Yes

Canada Bay DCP 2017 Compliance Table

	<ul style="list-style-type: none"> • include a lift within the development <p>For buildings with 9 or less storeys the chute system must consist of separate chutes for waste and recycling. Dual function chutes will have a mechanism for selecting the waste stream to be disposed of and a diverter at the bottom of the chute to direct the waste into the appropriate bin.</p> <p>For buildings with 10 or more storeys the chute system must consist of separate chutes for waste and recycling.</p>		
	C11. All waste and recycling bins are to be located in a dedicated bin storage area.	As described, waste storage is provided within the basement levels consistent with the original approval.	Yes
	<p>C13. A bulky household waste storage room must be located within the boundary of the development and must be located no more than 30 m walking distance from any dwelling, excluding travel via lift</p> <p>Bulky Household Goods Area (m2) = [Number of units x 8] ÷ 52</p>	The proposal provides a bulky waste area.	Yes
	<p>C14. Noise Residential dwellings must be adequately insulated from noise and smell if they are adjacent to or above:</p> <ul style="list-style-type: none"> • chutes or waste storage facilities, or • chute discharge, or • waste compaction equipment, or • waste collection vehicle access points. 	Proposed residential apartments will be designed so that waste chutes and the like will have no adverse impact to the amenity of future residents.	Yes
	C15. Chute Acoustic Requirements For all buildings with waste and recycling chutes, where possible chutes should not be situated adjacent to habitable rooms due to the noise from hopper use and waste falling down the shaft.	Chutes on the additional levels are appropriately separated from residential apartments, consistent with the original approval.	Yes
	C17. Visual All waste management facilities and storage areas should be adequately screened, not readily visible from any public place and should blend in with the development.	Waste storage is located within the basement and will not have any adverse visual impact.	Yes

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	C18. For all multi-unit dwellings, the developer must provide an Operational Waste Management Plan that establishes responsibility for the tasks involved in ongoing waste management.	Refer to Waste Management Plan submitted with this application.	Yes
B5 Water Conservation			
	C1 Water saving devices such as dual flush toilets, tap aerators, low water use dishwashers and washing machines must be provided to all new developments	The proposed development is submitted with a BASIX Certificate which ensures environmental sustainability for the alterations and additions.	Yes
	C2 Spring return taps must be used for all public amenities.	Not applicable.	N/A
	C3 Appliances and plumbing hardware should have a "AAA" Australian Standards Conservation Rating.	Refer to submitted BASIX Certificate.	Yes
	C4 Implement fit for purpose substitution by matching water quality with its intended use. Roofwater should be retained on site for use externally, such as garden watering, cleaning and irrigation. The collection and storage of rainwater for toilet flushing should be considered. The recycling of grey water for toilet flushing or external use should also be considered.	Refer to submitted BASIX Certificate.	Yes
	C5 The installation of insinkerators is not permitted.	Not applicable.	N/A
	C6 Water conserving landscape practices, such as use of mulch, irrigation zoning, limited turf areas and flow regulators on hoses should be incorporated into design and management arrangements.	The proposed development will not alter the landscaped design.	No change
	C7 Minimum water requirements, include: • Drip irrigation to all planters/ on slab landscaping, except turf areas • Water efficient taps	As above, refer to BASIX Certificate.	Yes

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	<ul style="list-style-type: none">• Non-potable (recycle) water reticulation to all apartment WC's and laundries (washing machine supply), the irrigation of gardens and the supply of carwash bays• Recycling of water from the fire pump testing system												
B6 Urban Forest													
B6.1 Tree Maintenance	C1 A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any protected or heritage tree, or other vegetation to which this development control plan applies without a permit granted by the Council. See also Figure B6.1.	The proposed development will not involve any changes to vegetation beyond that approved.	No change										
	C2 A permit is required for the pruning and/or removal of a Protected Tree. <i>Note: Refer to controls below for circumstances where development consent is required for the pruning and/or removal of a tree</i>	As above.	No change										
	C3 Replacement planting must be provided in accordance with this DCP.	The approved landscaped design is unchanged as part of the proposed alterations and additions.	No change										
B6.10 Urban tree canopy	C1 The following minimum number of canopy trees are to be accommodated on site for all development and development types, whether new or involving alterations and additions: <table><tr><th>Lot/ dwelling</th><th>Minimum number of canopy trees</th></tr><tr><td>Less than 400sqm</td><td>2</td></tr><tr><td>Greater than 400 but less than 600</td><td>3</td></tr><tr><td>Greater than 600 but less than 800</td><td>4</td></tr><tr><td>Every additional 200sqm</td><td>1 additional tree</td></tr></table>	Lot/ dwelling	Minimum number of canopy trees	Less than 400sqm	2	Greater than 400 but less than 600	3	Greater than 600 but less than 800	4	Every additional 200sqm	1 additional tree	As above, the proposal will not alter the approved landscaped design.	No change
Lot/ dwelling	Minimum number of canopy trees												
Less than 400sqm	2												
Greater than 400 but less than 600	3												
Greater than 600 but less than 800	4												
Every additional 200sqm	1 additional tree												

Canada Bay DCP 2017 Compliance Table

C2 If replacement planting is required in accordance with Part B6.7, the minimum number of canopy trees required on site in accordance with the above control shall be increased to accommodate the replacement planting in accordance with Part B6.7.

All proposed developments are to be designed to enable planting to these additional requirements unless, regardless of the design, it can be demonstrated that there is insufficient available area for additional tree planting.

As above, the proposal will not alter the approved landscaped design.

No change

C3 Trees are to be evenly distributed between the front and rear yard wherever possible.

As above, the proposal will not alter the approved landscaped design.

No change

C4 Trees that are to be accommodated within the front setback are to be provided in accordance with the table below:

Lot/ dwelling	Minimum number of canopy trees	Minimum height at maturity (m)	Minimum canopy spread at maturity (m)	Minimum permeable area (sqm)
Front setback <4.5m	1	6-8	5	10sqm 4.5m wide
Front setback ≥4.5m	1	8-15	7	4.5 x 4.5

As above, the proposal will not alter the approved landscaped design.

No change

Canada Bay DCP 2017 Compliance Table

	<p>C5 Trees that are to be accommodated within the rear yard/private open space/ common open space are to be provided in accordance with the table below:</p> <table><tr><th>Lot/ dwelling</th><th>Minimum number of canopy trees</th><th>Minimum height at maturity (m)</th><th>Minimum canopy spread at maturity (m)</th><th>Minimum permeable area (sqm)</th></tr><tr><td>All</td><td>1</td><td>6-8</td><td>5</td><td>4.5 x 4.5</td></tr></table>	Lot/ dwelling	Minimum number of canopy trees	Minimum height at maturity (m)	Minimum canopy spread at maturity (m)	Minimum permeable area (sqm)	All	1	6-8	5	4.5 x 4.5	As above, the proposal will not alter the approved landscaped design.	No change
Lot/ dwelling	Minimum number of canopy trees	Minimum height at maturity (m)	Minimum canopy spread at maturity (m)	Minimum permeable area (sqm)									
All	1	6-8	5	4.5 x 4.5									
B7 Engineering Requirements for Development													
B7.1 Engineering works	Council requires that all future public infrastructure, development and building works within the Canada Bay Local Government Area comply with the Engineering Technical Specification to ensure that developments and construction of public domain areas are undertaken to acceptable standards.	Not applicable.	N/A										
B8 Flooding Control	Not applicable	Not applicable	N/A										
B9 Contaminated Land	C1 All development must take precautionary steps to prevent the release of substances that cause contamination of soil, surface water, air or groundwater.	The proposed alterations and additions to the approved development do not affect the approved land remediation requirements as indicated in the development consent.	No change										
	C2 Proposals for the development of contaminated land or potentially contaminated land will need to determine: a) The extent to which land is contaminated (including both soil and groundwater contamination) and; b) Whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out, and; c) Whether the land requires remediation to make the land suitable for the intended use prior to that development being carried out, and; d) If the land has been previously investigated or remediated, development cannot be carried out until	The proposal does not affect the approved land remediation requirements per the original development consent.	No change										

Canada Bay DCP 2017 Compliance Table

	Council has considered the nature, distribution and levels of residues remaining on the land and Council has determined that the land is suitable for the intended use.		
	<p>C3 In accordance with Clause 9(f) of SEPP 55, Council specifies the following additional works as Category 1 remediation works:</p> <p>a) Remediation work within 40m of an open drainage channel, creek or water body.</p> <p>b) Remediation work involving treatment of groundwater.</p> <p>c) Remediation work involving on-site treatment of contaminated soil e.g., soil stabilisation, land-farming, soil washing or thermal desorption.</p> <p>d) Remediation work involving on-site capping or containment of contaminated soils.</p> <p>e) Remediation work on a site where off site migration of contaminants has occurred.</p> <p>f) Remediation work involving the removal of Petroleum and other Underground Storage Tanks.</p>	As outlined above.	No change
B10 Crime prevention through environmental design	C1 Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space.	The proposed additional storeys are orientated to the streetscape and communal open spaces on-site to maximise casual surveillance. Approved lower levels are unchanged by the application.	Yes
	C2 In commercial, retail or public buildings, facilities such as toilets and parents rooms are to be conveniently located and designed to maximise casual surveillance to facility entries.	Not applicable.	N/A
	C3 Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment	The proposal does not alter the ground floor arrangement beyond that originally approved and as such, is deemed acceptable with regards to potential areas for concealment. The common areas of the proposed upper levels all contain clear sightlines.	Yes
	C4 Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development.	As above, the proposal does not seek to alter the building entries beyond that approved and is acceptable in this regard.	No change

Canada Bay DCP 2017 Compliance Table

	Where practicable lift lobbies, stairwells, hallways and corridors should be visible from the public domain.		
	C5 Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night.	The proposal will not alter the residential building lobbies located at ground level from that approved.	No change
	C6 Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.	The basement parking arrangement allows for clear sightlines and limits potential areas for conflict.	Yes
	C7 Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.	The ground floor arrangement is unchanged in this application from that originally approved.	No change
	C8 Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.	The proposal does not affect the approved crime prevention requirements. The additional levels proposed will not create any additional areas for access or concealment.	Yes
B11 Energy Efficiency	C1 Roof forms shall be designed to allow for current or future installation of solar panels without adverse impacts on the amenity of neighbours or the streetscape.	Refer to the submitted BASIX Certificate.	Yes
	C2 Space should be provided within the building for the current or future installation of battery storage.	Noted.	Yes
Part F Multi-Dwelling Housing, Multi Dwelling Housing (Terraces), Manor Houses and Residential Flat Buildings			
F2 Design Quality			
F2.1 Design Quality of Residential Apartment Development	This DCP adopts design quality principles contained within the SEPP65 and the Apartment Design Guide, NSW Department of Planning and Environment, July 2015.	The proposed alterations and additions will comply with the ADG as set out in Annexure B .	Yes

Canada Bay DCP 2017 Compliance Table

F2.2 Materials, colour schemes and details

Walls/ Masonry	C1 Use darker face brick in streetscapes which predominantly exhibit this external finish.	The proposed alterations and additions are designed to maintain the character of development as originally approved. This includes a mixture of appropriate materials such as face brick, cladding and glazing per the architectural plans.	Yes
	C2 Retain or incorporate existing sandstone fences, walls or wall bases into the design of the building.	Not applicable.	N/A
Roof Finish	C3 Terracotta coloured (orange/red) roof tiles should be utilised in streets where this is the predominant roof colour	The proposal will provide for a parapet roof as is consistent with the original approval.	N/A
Balconies	C4 First floor balcony balustrades facing the street should use a different material to the main wall finish.	All balustrades for the proposed alterations and additions will be consistent with the character of that originally approved.	Yes
Colour schemes	C5 Subject to the Streetscape Character Analysis, no large expansive surface of predominantly white, light or primary colours which would dominate the streetscape or other vista should be used	The additional levels to Buildings A, B and C have been designed to complement the approved built form on the lower levels. The uppermost level of Building A is recessive and lightweight in design.	Yes
	C6 New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.	As outlined above, the proposed additions are consistent with that approved and will complement the transitioning character of the locality.	Yes
	C7 Matching buildings in a row should be finished in the same colour, or have a tonal relationship.	Not applicable.	Yes
General	C8 All materials and finishes utilised should have low reflectivity.	The additional levels do not use materials which have a high reflectivity. Refer to materials schedule.	Yes
F3 Environmental criteria and residential amenity			
F3.1 Topography	C1 Natural ground level should be maintained within 900mm of a side and rear boundary	The proposal will not alter the built form as it responds to the natural ground, at ground level.	No change

Canada Bay DCP 2017 Compliance Table

	C2 Cut and fill should not alter natural or existing ground levels by more than 600mm.	As above, the proposal will not alter the topography.	No change
	C3 Habitable rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.	All proposed works are located above natural ground. As detailed, the proposal will not alter the approved ground floor.	Yes
	C4 Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.	The proposal will not alter the natural ground beyond that originally approved.	No change
	C5 Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.	As above, the proposal will not impact the approved provision of deep soil and landscaped areas.	No change
F3.3 Solar access to neighbours	C1 Direct sunlight to all north facing windows of habitable rooms of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June (mid-winter).	Refer to Section 6.3.3 of this Statement which addresses solar impact to neighbouring properties.	Yes
	C2 Where windows currently receive less than 3 hours, direct sunlight cannot be reduced.	Refer to Section 6.3.3 of this Statement which addresses solar impact to neighbouring properties.	Yes
	C3 Direct sunlight to 50% of the principal private open space should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June (mid-winter).	Refer to Section 6.3.3 of this Statement which addresses solar impact to neighbouring properties.	Yes
	C4 Where 50% of the principal private open space currently receive less than 3 hours, direct sunlight cannot be reduced.	Refer to Section 6.3.3 of this Statement which addresses solar impact to neighbouring properties.	Yes
F3.4 Solar access to dwellings within the development	C1 The proposed development shall receive a minimum of 3 hours of direct sunlight to all living room windows between 9.00am and 3.00pm on 21 June (mid-winter).	The Housing SEPP and ADG override this control. Refer to Annexures A and B .	N/A
	C2 Direct sunlight to 50% of the principal private open space should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June (mid-winter)	The Housing SEPP and ADG override this control. Refer to Annexures A and B .	N/A

Canada Bay DCP 2017 Compliance Table

F3.5 Solar access for solar panels	C1 New development should be sited and designed to avoid overshadowing of existing and potential roof top solar panels on adjacent and nearby properties.	Neighbouring properties do not contain any solar panels.	N/A
F3.7 Shade guidelines	C1 Communal areas and areas that are accessible by the public must take into consideration Cancer Council NSW Guidelines to Shade.	The communal open space at ground level is unchanged.	No change
	C2 Ensure the shade structure is an adequate size. Larger shade structures have more area that is not affected by indirect UV radiation reflecting in from the sides.	As above, at-grade communal open space is unchanged.	No change
	C3 Consider using barriers for side as well as overhead protection. Vertical screening with plants and trellises or opaque louvres can help to block indirect UV radiation, while still allowing breezes to flow through.	As above.	No change
	C4 Extend overhead barriers past use areas. Make sure there is at least one metre of overhang past the actual area of use.	As above.	No change
	C5 Avoid highly reflective surfaces. Choose surfaces that reflect minimal UV radiation	As above, the finish of at-grade surfaces is unchanged in this application.	No change
	C6 Consider the arrangement of existing structures. A large number of small shade structures can be grouped together to form a single larger canopy for greater protection.	Not applicable.	N/A
	C7 Use a combination of built shade and natural shade to adequately shade an area.	As above, the at-grade communal open space is unchanged.	No change
F3.8 Visual and acoustic privacy	C1 Openable first floor windows should be located so as to face the front or rear of the building. Where it is impractical to locate windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.	The additional levels have been designed to orientate to the public domain or internally within the site. Openings fronting side boundaries include appropriate separation distances.	Yes

Canada Bay DCP 2017 Compliance Table

C2 Balconies should be located so as to face the front or rear of the building. No balconies are permitted on side elevations.	As above, private open spaces are orientated to the public domain or internally. Where they are orientated to the side boundaries, appropriate separation distances are provided as discussed in this Statement.	Yes
C3 Provide a minimum sill height of 1.5 metres from finished floor level to windows on a side elevation which serves habitable rooms and has a direct outlook to windows or principal private open space (not being front yard) of adjacent dwellings or alternatively use fixed obscure glass.	Opening to side boundaries include appropriate separation to mitigate any potential overlooking. Appropriate privacy measures have been incorporated such a maximising blank facades where possible.	Yes
C4 Upper level balconies to the rear of a building should be set back a minimum of 2.0 metres from any side boundary and should have a maximum depth of 2.0 metres	Rear facing balconies are appropriately separated from the neighbouring properties by greater than 2m. This is in accordance with the ADG.	Yes
C5 Upper level balconies that face side or rear boundaries will not be permitted when the upper level setback is less than 6.0 metres.	The rear facing balconies are designed in accordance with the ADG and are consistent with the approved envelope.	Yes
C6 All balconies should be recessed unless special circumstances, as determined by Council, are considered to exist.	The proposed balconies are designed to reflect that approved on the lower levels. These form part of the overall architectural character and will not result in any adverse visual privacy impact.	Yes
C7 Provide suitable screen planting on a rear boundary that will achieve a minimum mature height of 6.0 metres where the rear upper floors are proposed to be less than 7.0 metres off a rear boundary	The proposal will not alter the landscaped design at-ground level.	No change
C8 Ground floor decks, patios and the like should not be greater than 500mm above natural ground level. If structures such as these are expansive and are sought on sloping ground, they should be designed to step down in relation to the topography of the site.	No change proposed to the at-grade private open spaces beyond that originally approved.	No change
C9 Where the visual privacy of adjacent properties is likely to be significantly affected from windows, doors and balconies, or where external driveways and/or parking spaces are located close to	The proposed alterations and additions have been designed in accordance with the ADG and are consistent with the envelope established by the approved development application. The proposal	Yes

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	<p>bedrooms of adjoining buildings, one or more of the following alternatives are to be applied:</p> <ul style="list-style-type: none"> a) Fixed screens of a reasonable density (minimum 85% block out) should be provided in a position suitable to alleviate loss of privacy; b) Where there is an alternative source of natural ventilation, windows are to be provided with translucent glazing and fixed permanently closed; c) Windows are off-set or splayed to reduce privacy effects; d) An alternative design solution is adopted which results in the reduction of privacy effects; and e) Suitable screen planting or planter boxes are to be provided in an appropriate position to reduce the loss of privacy of adjoining premises. <p><i>Note: This option will only be acceptable where it can be demonstrated that the longevity of the screen planting has been provided for eg. Automatic watering systems.</i></p>	will not result in any adverse privacy impact to the neighbouring properties. This is discussed in Section 6.3.5 of this Statement.	
	C10 The introduction of acoustic measures to reduce traffic/aircraft noise should not detract from the streetscape value of individual buildings.	Noted. Any acoustic attenuation measures will be integrated into the overall design as originally approved.	Yes
	C11 Habitable rooms for multi-dwelling development are to have a minimum separation of nine (9) metres.	Separation distances between the buildings on-site are consistent with that originally approved and deemed acceptable.	Yes
	<p>C12 No trafficable outdoor spaces are permitted on the uppermost rooftop of a building or on garage roofs, such as roof decks, patios, gardens and the like, however;</p> <p>Outdoor roof space may be considered for buildings on steeply sloping sites where this is the dominant characteristic in the immediate vicinity as demonstrated by the Streetscape Character Analysis and there are no noise, privacy or amenity issues.</p>	No roof top communal open space is proposed by this application.	N/A

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F3.9 Traffic and transport corridor amenity impacts	C1 Development must consider the provisions of SEPP (Infrastructure) 2007 and Development Near Rail Corridors and Busy Roads Interim Guidelines and the design approaches illustrated in Figure F3.5.	An Acoustic Report prepared by <i>PWNA</i> is submitted with this application and addresses the aural impact created by the adjoining railway.	Yes
	C2 For residential components of new development, noise sensitive areas (living rooms, bedrooms) are located away from road and rail corridors.	Whilst the proposal includes living areas orientated to the railway, this has been coordinated with the acoustic consultant. Furthermore, this arrangement is consistent with the approved development which was deemed acceptable by the consent authority.	Yes
	C3 Windows located towards road and rail-related corridors are to be double-glazed (or have laminated glazing) and have acoustic seals.	Refer to Acoustic Report.	Yes
	C4 Internal habitable rooms of dwellings to be designed to achieve internal noise levels of no greater than 50dBA.	Refer to Acoustic Report.	Yes
F3.10 Access to views	C1. Development should seek to protect water views, iconic views and whole views.	No iconic views are enjoyed across the subject site and as such, the proposal will not result in any further impacts beyond that approved.	Yes
F3.11 Safety and security	C1 Ensure lighting is provided to all pedestrian paths, shared areas, parking areas and building entries for multi unit development.	Lighting will be unchanged from the approved development.	No change
	C2 High walls which obstruct surveillance are not permitted.	The proposal will not alter the design of lower levels as originally approved.	No change
	C3 Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.	The proposed additions will include residential apartments orientated to the public domain which will improve casual surveillance.	Yes
	C4 A Council approved street number must be displayed at the front of new development or the front fence of such development	This is unchanged as part of this application.	No change

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	C5 Roller shutters, security bars and grilles are not permitted on window and door openings that have a frontage to the street or that are adjacent to public open space	Not proposed.	Yes
	C6 Fences higher than 900mm should be of an open semi-transparent design.	No change is proposed to the fencing.	No change
	C7 Balconies and windows should be positioned to allow observation of entrances.	As detailed, the additional levels include balconies and windows positioned to building entries to maximise casual surveillance.	Yes
	C8 Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.	The proposal will not alter the approved landscape design.	No change
	C9 Blank walls facing a rear laneway should be avoided as they attract graffiti.	Not applicable.	N/A
	C10 Pedestrian and vehicular entrances must be designed so as to not be obstructed by existing or proposed plantings.	The proposal will not alter the pedestrian and vehicular entry points beyond that approved.	No change
	C11 If seating is provided in communal areas of a development it should generally only be located in areas of active use where it will be regularly used.	No change to the communal areas beyond that originally approved.	Yes
	C12 Development on properties which adjoin a rear laneway must provide at least one habitable room window in the rear elevation capable of overlooking the laneway. If appropriate to the site context and neighbouring property privacy considerations, a balcony on the rear elevation would be an appropriate alternative.	No applicable.	N/A
F4 General Controls			
F4.1 Frontage	C1 The minimum frontage requirements specified in the Canada Bay Local Environmental Plan shall be achieved.	The proposed alterations and additions are to a residential flat building approved on-site.	Yes

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	C2 Any dwelling within a manor house, multi dwelling housing, or residential flat building development is to have a minimum width of 7m if the dwellings have parking accessed from the primary street and do not have consolidated basement parking with a single entry or parking accessed from a rear lane or secondary frontage. The minimum width may be reduced to 5m if the dwellings have consolidated basement parking with a single entry, or parking accessed from a rear lane or secondary frontage.	As outlined above, a residential flat building has been approved on-site which establishes that the site is suitable for development.	Yes
F4.2 Building setbacks			
Front setbacks – primary street	<p>C1 The front setback of all residential buildings is to be a minimum of 4.5 metres or no less than the Prevailing Street Setback, whichever is the greater.</p> <p>The “Prevailing Street Setback” is the setback calculated by averaging the setback of five (5) adjoining residential properties on both sides of the development. Where there are fewer than five residential properties or a non-residential use property between a street end or corner and the development site, the “Prevailing Street Setback” is the setback calculated by averaging the setback of the five next residential properties fronting the street (if any) on both sides of the property.</p> <p><i>Note: In many instances, the front setback of buildings in Canada Bay is 7.5 metres or greater and development in these areas will be required to comply with this prevailing setback.</i></p>	The proposed additions are designed to maintain the front setback of the approved development. It is noted that the uppermost level of Building A includes an increased setback of 7m to the external façade to deliver a recessive built form.	Yes
	C2 No balconies, entry porches or verandahs are permitted to encroach within the front setback. The only encroachments permitted within the front setback are restricted to eaves and awnings for weather protection but no supporting columns or posts.	No part of the additional levels to Building A will not encroach within the front setback.	Yes

Canada Bay DCP 2017 Compliance Table

	C3 Where a site has more than one street frontage (other than a lane) and a dwelling is proposed to the rear of the site, the development must acknowledge the prevailing setback of both streets.	Not applicable.	N/A										
Side setbacks	<div>C9 All developments are to comply with the following numerical requirements:</div> <table><tr><th>Development</th><th>Minimum distance from side boundary of parent lot</th></tr><tr><td>Multi-dwelling housing</td><td>• All walls are to be set back a minimum of 1500mm.</td></tr><tr><td>Multi dwelling housing (terraces)</td><td>• All walls are to be set back a minimum of 1500mm.</td></tr><tr><td>Manor houses</td><td>• All walls are to be set back a minimum of 1500mm.</td></tr><tr><td>Residential flat buildings</td><td>• All walls are to be set back a minimum of 5000mm.</td></tr></table>	Development	Minimum distance from side boundary of parent lot	Multi-dwelling housing	• All walls are to be set back a minimum of 1500mm.	Multi dwelling housing (terraces)	• All walls are to be set back a minimum of 1500mm.	Manor houses	• All walls are to be set back a minimum of 1500mm.	Residential flat buildings	• All walls are to be set back a minimum of 5000mm.	The additional storeys are setback from the side boundaries in accordance with the ADG. This is addressed in Annexure B of this Statement.	Refer to ADG – Annexure B
Development	Minimum distance from side boundary of parent lot												
Multi-dwelling housing	• All walls are to be set back a minimum of 1500mm.												
Multi dwelling housing (terraces)	• All walls are to be set back a minimum of 1500mm.												
Manor houses	• All walls are to be set back a minimum of 1500mm.												
Residential flat buildings	• All walls are to be set back a minimum of 5000mm.												
Rear setbacks – single street frontage	C10 All development (not including an outbuilding) is to have a minimum rear setback of 6.0 metres.	Level 6 of Building C includes an 8m rear setback and is consistent with the original approval.	Yes										
	C11 Any living room located on an upper floor is to have a minimum rear setback of 9.0m.	As outlined above, a rear setback of 8m is provided as is consistent with the approved building envelope.	Yes										
Basement setbacks	C14 Basement excavation for all development is limited to the area of the building at ground level. The excavation setback includes the driveway access to the basement.	The proposal will not alter the basement setbacks to the approved development.	No change										
	C15 Where it can be demonstrated the site is so constrained (for example by its width) that it is impossible to provide basements without extending beyond the permitted side and rear setbacks, excavation up to but no closer than 3.0 metres to a site boundary will be considered.	As above.	No change										

Canada Bay DCP 2017 Compliance Table

Internal setbacks	C16 If two or more rows of dwellings are proposed in Multi-Dwelling Housing or Residential Flat Buildings, an internal setback of 12.0 metres is required between rows.	Refer to Annexure B of this Statement which addresses internal separation distances. It is noted that a minimum 12m separation is provided between the additional levels of all Buildings.	Yes
F4.3 Street orientation and presentation	C1 Buildings shall be aligned and oriented to all street frontages	The proposed additions to Building A are orientated towards George Street.	Yes
	C2 Buildings must address all street frontages through the provision of habitable rooms, windows and doors and architectural features	The additional levels include habitable rooms and balcony spaces, in addition to architectural elements (consistent with the original approval) addressing George Street.	Yes
	C3 At a minimum, the front façade of a dwelling shall orientate the front door and a window of a habitable room on the ground floor to address the principal street frontage. If the site has more than one street frontage and more than one dwelling is proposed then this is to be applied to all frontages.	The proposed alterations and additions to the residential flat buildings include living areas and private open spaces addressing the public domain.	Yes
	C4 Buildings are to have a street address and provide a direct line of sight from a street to the principal dwelling entry, common building entry or entries. Where a development comprises a number of buildings with a variety of orientations, a major part of the overall development is to face the street	The proposal will not alter the approved ground floor arrangement as it addresses the street frontage. As detailed, the proposed upper levels will address the street frontage.	Yes
	C5 Provide individual entries directly from the street to any ground floor dwellings next to the street.	No changes are proposed to the ground floor apartments or building design.	No change
	C6 Buildings are to be designed to maximise the number of entries, visible internal uses at ground level, and include high quality finishes and public art to enhance the public domain.	No changes are proposed to the ground floor apartments or building design.	No change
	C7 Development that exposes the blank side of an adjoining building or has a party wall to the public domain is to be designed with a visually interesting treatment of high quality design applied to that wall.	Not applicable.	N/A

Canada Bay DCP 2017 Compliance Table

	C8 Ground floor tenancies and building entry lobbies are to: a) have entries at the same level as the adjacent footpath or public domain; b) have finished floor levels between 0-1.0m above or below the adjacent footpath or public domain entry; c) provide opportunities for direct surveillance of the adjacent street or public domain at maximum intervals of 6m; and d) be elevated up to 1.0m above ground level for privacy for ground floor residential uses.	No changes are proposed to the ground floor apartments or building design.	No change												
	C9 Lanes are to be fronted by entries to dwellings, retail and/or commercial uses where practicable.	Not applicable.	N/A												
	C10 Align breaks between buildings with nearby streets, lanes and pedestrian links to enable view connections.	Not applicable.	N/A												
F4.4 Height of buildings	<div>C1 The following maximum building heights should not be exceeded:</div> <table><tr><th>Dwelling type</th><th>Maximum storeys</th></tr><tr><td>Manor houses</td><td>Two (2) storey where LEP maximum height 8.5m > Two (2) storey where LEP maximum height >8.5m</td></tr><tr><td>Multi-dwelling housing</td><td>Two (2) storey</td></tr><tr><td>Multi-dwelling (terraces)</td><td>Two (2) storey where LEP maximum height 8.5m Three (3) storey where LEP maximum height 9.0m</td></tr><tr><td>Residential flat building</td><td>Two (2) storey where LEP maximum height 8.5m > Two (2) storey where LEP maximum height >8.5m</td></tr><tr><td>Outbuildings</td><td>One (1) storey</td></tr></table>	Dwelling type	Maximum storeys	Manor houses	Two (2) storey where LEP maximum height 8.5m > Two (2) storey where LEP maximum height >8.5m	Multi-dwelling housing	Two (2) storey	Multi-dwelling (terraces)	Two (2) storey where LEP maximum height 8.5m Three (3) storey where LEP maximum height 9.0m	Residential flat building	Two (2) storey where LEP maximum height 8.5m > Two (2) storey where LEP maximum height >8.5m	Outbuildings	One (1) storey	The proposed development will seek to increase the building height in accordance with the bonuses afforded by the Housing SEPP. This is discussed throughout this Statement.	Yes
Dwelling type	Maximum storeys														
Manor houses	Two (2) storey where LEP maximum height 8.5m > Two (2) storey where LEP maximum height >8.5m														
Multi-dwelling housing	Two (2) storey														
Multi-dwelling (terraces)	Two (2) storey where LEP maximum height 8.5m Three (3) storey where LEP maximum height 9.0m														
Residential flat building	Two (2) storey where LEP maximum height 8.5m > Two (2) storey where LEP maximum height >8.5m														
Outbuildings	One (1) storey														
	C2 Multi dwelling housing (terraces) must not exceed two storeys unless it complies with the requirements set out in Clause 4.3 of the Canada Bay Local Environmental Plan. Refer also to Figure F4.12.	Not applicable.	N/A												
F4.5 Bulk and scale	C1 Large void areas are considered to contribute to the overall mass of a building. Any void areas proposed must demonstrate its necessity for the specific functional outcomes of the building.	No large void areas are proposed within the additional levels.	Yes												

Canada Bay DCP 2017 Compliance Table

	C2 Notwithstanding compliance with any relevant standards, applicants must demonstrate that the bulk and relative mass of development is acceptable in terms of the following impacts upon the street and adjoining dwellings: a) Overshadowing and privacy considerations; b) Streetscape considerations (bulk and scale); c) Building setbacks; d) Parking and landscape requirements; e) Visual impact and impact upon existing views; f) The existence of significant trees on site; g) The size and shape of the allotment; and h) Site topography	The proposed alterations and additions are deemed acceptable with regards to the bulk, scale and character as discussed throughout this Statement. Furthermore, amenity impacts on neighbouring properties have also been considered in terms of the proposed changes.	Yes																				
F4.6 Landscaped area	C1 Landscape areas need to be consistent with the definition in Part K of the DCP. Note: Synthetic turf, permeable paving and gravel do not form part of landscaped area calculation.	Landscape areas are unchanged as part of this application.	No change																				
	C2 Landscaping that has an area of less than 1.5m x 1.5m must not be included in landscaped area calculations.	As above.	No change																				
	C3 Landscaped open space may comprise both communal and private open space and is to be provided in accordance with the following table, Table F-A: <table border="1"><thead><tr><th>Dwelling Type</th><th>Minimum landscape area as percentage of parent lot site area</th><th>Minimum percentage of front setback to be landscaped</th><th>Minimum percentage of the lot area behind the building line to be landscaped</th></tr></thead><tbody><tr><td>Manor houses</td><td>50% lot area minus 100sqm</td><td>35%</td><td>50%</td></tr><tr><td>Multi dwelling housing</td><td>50% lot area minus 100sqm</td><td>35%</td><td>50%</td></tr><tr><td>Multi dwelling housing (terraces)</td><td>50% lot area minus 100sqm</td><td>35%</td><td>50%</td></tr><tr><td>Residential flat buildings</td><td>50% lot area minus 100sqm</td><td>35%</td><td>50%</td></tr></tbody></table>	Dwelling Type	Minimum landscape area as percentage of parent lot site area	Minimum percentage of front setback to be landscaped	Minimum percentage of the lot area behind the building line to be landscaped	Manor houses	50% lot area minus 100sqm	35%	50%	Multi dwelling housing	50% lot area minus 100sqm	35%	50%	Multi dwelling housing (terraces)	50% lot area minus 100sqm	35%	50%	Residential flat buildings	50% lot area minus 100sqm	35%	50%	The proposal will not involve any changes to the provision of landscaped area beyond that originally approved. It is noted that the approved development provides for a total deep soil area of 36.4%.	No change
	Dwelling Type	Minimum landscape area as percentage of parent lot site area	Minimum percentage of front setback to be landscaped	Minimum percentage of the lot area behind the building line to be landscaped																			
	Manor houses	50% lot area minus 100sqm	35%	50%																			
Multi dwelling housing	50% lot area minus 100sqm	35%	50%																				
Multi dwelling housing (terraces)	50% lot area minus 100sqm	35%	50%																				
Residential flat buildings	50% lot area minus 100sqm	35%	50%																				
C4 Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees should be provided.	The proposal will have no impact to existing or approved trees.	No change																					
C5 Minimum soil depth for balcony gardens is 800mm.	No balcony gardens are proposed on the additional levels.	N/A																					
	C6 The majority of the front building setback and private courtyard areas of all development should comprise landscaping, where possible, in accordance with the definition in this DCP	The proposal will not alter the front building setback landscaped areas.	No change																				

Canada Bay DCP 2017 Compliance Table

	C7 If more than one dwelling is proposed then the minimum percentage of front setback to be landscaped will apply to each dwelling.	As above, no change is proposed to the front setback landscaped area.	No change
	C8 If more than one dwelling is proposed and the dwellings are oriented to different frontages then the minimum percentage of front setback to be landscaped is 50% (to be applied to each frontage).	As above.	No change
	C9 A significant landscaped setting is to be established for pathways and paved areas.	The proposal will not alter the landscaped setting.	No change
	C10 Pathways and driveways are to be located a minimum of 1.0 metres from common boundaries.	The proposal will not alter the location of pathways and driveways.	No change
	C11 Any development on the foreshore should: a) Enhance the existing flora of the allotment; b) Plant native trees with a mature height greater than 12.0 metres; c) Avoid introduced species known to seed freely or spread easily by rhizomes or vegetative means.	Not applicable.	N/A
Deep soil zones	C12 A deep soil zone must not contain any buildings, structures, services or impervious surfaces.	No change is proposed to deep soil areas.	No change
	C13 A minimum of 7% of the site area must be provided as a deep soil zone.	No change is proposed to deep soil areas. The approved development provides for 36.4% of the site as deep soil area.	No change
	C14 Deep soil zones must be provided within front and rear setbacks and may be provided within side setbacks if appropriate.	No change is proposed to deep soil areas.	No change
	C15 At least 10% of the deep soil zone must be communal landscaped open space.	No change is proposed to deep soil areas within the communal open space.	No change

Canada Bay DCP 2017 Compliance Table

	C16 In developments with more than one group of attached dwellings, the deep soil communal open space is to be provided between the buildings.	No change is proposed to the deep soil communal open space area.	No change						
	C17 A deep soil zone must have a minimum dimension of 2m (L) x 2m (W).	No change is proposed to deep soil areas.	No change						
F4.8 Private open space	<p>C1 The provision of private open space for residential development is to be in accordance with Table F-B.</p> <table><tr><th>Type of Development</th><th>Minimum private open space area (per dwelling)</th><th>Minimum private open space dimensions (per dwelling)</th></tr><tr><td>All (Manor houses, Multi dwelling housing, Multi dwelling housing (terraces, Residential flat buildings)</td><td><p>Ground floor dwellings and dwellings with living room on ground floor:</p><ul style="list-style-type: none">• 15m² for 1 bedroom dwellings• 25m² for 2 bedroom dwellings• 30m² for 3+ bedroom dwellings<p>Upper floor dwellings:</p><ul style="list-style-type: none">• 10m² for 1 bedroom dwellings• 14m² for 2 bedroom dwellings• 16m² for 3+ bedroom dwellings</td><td><p>Ground floor dwellings and dwellings with living room on ground floor:</p><ul style="list-style-type: none">• 3m x 3m<p>Upper floor dwellings:</p><ul style="list-style-type: none">• 2m x 2m</td></tr></table>	Type of Development	Minimum private open space area (per dwelling)	Minimum private open space dimensions (per dwelling)	All (Manor houses, Multi dwelling housing, Multi dwelling housing (terraces, Residential flat buildings)	<p>Ground floor dwellings and dwellings with living room on ground floor:</p> <ul style="list-style-type: none">• 15m² for 1 bedroom dwellings• 25m² for 2 bedroom dwellings• 30m² for 3+ bedroom dwellings <p>Upper floor dwellings:</p> <ul style="list-style-type: none">• 10m² for 1 bedroom dwellings• 14m² for 2 bedroom dwellings• 16m² for 3+ bedroom dwellings	<p>Ground floor dwellings and dwellings with living room on ground floor:</p> <ul style="list-style-type: none">• 3m x 3m <p>Upper floor dwellings:</p> <ul style="list-style-type: none">• 2m x 2m	The additional residential apartments proposed within Buildings A, B and C will provide for private open spaces which meet the ADG Design Criteria. Refer to Annexure B .	Yes
Type of Development	Minimum private open space area (per dwelling)	Minimum private open space dimensions (per dwelling)							
All (Manor houses, Multi dwelling housing, Multi dwelling housing (terraces, Residential flat buildings)	<p>Ground floor dwellings and dwellings with living room on ground floor:</p> <ul style="list-style-type: none">• 15m² for 1 bedroom dwellings• 25m² for 2 bedroom dwellings• 30m² for 3+ bedroom dwellings <p>Upper floor dwellings:</p> <ul style="list-style-type: none">• 10m² for 1 bedroom dwellings• 14m² for 2 bedroom dwellings• 16m² for 3+ bedroom dwellings	<p>Ground floor dwellings and dwellings with living room on ground floor:</p> <ul style="list-style-type: none">• 3m x 3m <p>Upper floor dwellings:</p> <ul style="list-style-type: none">• 2m x 2m							
	C2 A development should locate the private open space behind the front building line	Not applicable to proposed development.	N/A						
	C3 At least one portion of the private open space with a minimum area as specified in Table F-B should be adjacent to and visible from the main living and/or dining rooms and be accessible from those areas.	Not applicable.	N/A						
	C4 Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.	Private open spaces are orientated to maximise solar access where practicable.	Yes						
F4.9 Common Open Space	C1 A minimum area equal to 25% of the site, or 10m2 per dwelling (whichever is greater) is to be provided.	The proposal will not alter the approved communal open space area. It is not that the approved development contains a communal open space of 32.2%.	No change						
	C2 Common open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions.	As above, no change to the communal open space is proposed.	No change						

Canada Bay DCP 2017 Compliance Table

	<p>C3 Common open space is to be:</p> <ul style="list-style-type: none"> • located where it is highly visible and directly accessible to the maximum number of dwellings. • designed with an integral role in the site and include uses such as circulation, BBQ or play areas or passive amenity. • landscaped to provide privacy screening between buildings within and around the site and between private and common areas on site. • integrated with the deep soil zone to provide a landscaped setting with opportunities for large and medium size tree planting. • located adjacent to surrounding public open spaces such as reserves and public through site links where appropriate. 	As above, no change to the communal open space is proposed.	No change
	C4 Some common open space may be provided on the roof top where it will not adversely impact on visual and acoustic privacy.	No roof top communal open space is proposed.	N/A
	C5 50% of the common open space must achieve direct sunlight for a minimum of 3 hours between 9 am and 3 pm on 21 June.	Refer to Annexure B of this Statement.	Yes
	<p>C6 Facilities are provided within common open spaces and common spaces for a range of age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> • seating for individuals or groups • barbecue areas • play equipment or play areas • swimming pools, gyms, tennis courts or common rooms 	The proposal will not alter the facilities provided within the communal open space as approved.	No change
	C7 Common open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy.	The proposed residential apartments will overlook the communal open space and public domain.	Yes
	C8 Common open space should be well lit.	This is unchanged by this application.	No change

Canada Bay DCP 2017 Compliance Table

	C9 Common open space should be well connected with public streets along at least one edge.	This is unchanged by this application.	No change
	C10 Common open space should be connected with nearby parks and other landscape elements.	This is unchanged by this application.	No change
	C11 Common open space should be linked through view lines, pedestrian desire paths, termination points and the wider street grid.	This is unchanged by this application.	No change
F4.10 Alterations and additions Building Height	C1. A proposal which externally creates the impression of an additional storey; such as a pergola or awning over a roof top deck or patio, above that which was originally approved, will not be permitted	The additional storeys are a result of the Housing SEPP and are considered acceptable as discussed in this Statement.	Yes
Roofs	C2. The pitch (slope) of any roof facing or visible from a street or public place is to match the approved development.	A parapet roof is provided which is consistent with the original approval.	Yes
Balconies	C4. The enclosure or addition of balconies or the addition of awnings after a building has been completed will not be acceptable unless the overall design is in keeping with the approved architectural theme	Not applicable. The proposed balconies are consistent with the character originally approved.	Yes
Privacy and overlooking	C5. Care is to be taken to avoid any changes creating opportunities of further overlooking of other dwellings including private open space and pedestrian access ways	The additional residential apartments are designed to protect the privacy of neighbouring properties as discussed in this Statement.	Yes
Materials and finishes	C7. The proposed alterations and additions should match as far as possible the existing building in its use of materials and finishes	The proposed additional storeys are designed to match the approved building in terms of materials and finishes. Refer to architectural plans and materials schedule.	Yes
Landscaping	C8. Existing landscaping is to remain in accordance with plans approved by Council and not be varied except with Council's consent.	The proposal will not alter the landscaping as originally approved.	Yes
Car parking spaces	C11. The reallocation or alteration of parking spaces may be permitted provided that it complies with Council's car parking requirements.	The proposed development will increase parking as discussed in this Statement.	Yes

Canada Bay DCP 2017 Compliance Table

F5 Ancillary Structures

F5.1 Fencing	C1 Front fencing and side fencing forward of the building line constructed of a solid material such as brick/masonry, lapped and capped, timber, brushwood and the like should not exceed 900mm (including piers) in height above the footpath level.	No change is proposed to the approved ground floor plane.	No change
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Part K – Special Precincts

K6 Concord West

K2.6 Public Domain and Movement

Pedestrian and Cycle connections	C1 Provide a new pedestrian connection between the western end of Station Avenue and the western end of Victoria Avenue within the area identified in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
	C2 Provide multiple mid-block pedestrian connections between George Street and the playing fields within the area identified in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
	C3 Provide a new mid-block pedestrian connection between Rothwell Avenue and Powells Creek Reserve within the area identified in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
	C4 All new pedestrian connections are to be a minimum 10 metres wide	Not applicable.	N/A
	C5 All pedestrian connections and footpaths are to be publicly accessible 24 hours a day through access easements.	Not applicable.	N/A
	C6 All new pedestrian connections are to be consistent with Safer-by-Design (or CPTED) principles (i.e. clear lines of sight).	Not applicable.	N/A

Canada Bay DCP 2017 Compliance Table

	C7 Implement kerb build outs at intersections and other key pedestrian crossings to narrow the width of the street.	Not applicable.	N/A
	C8 Provide an on-road or separated cycle path along George Street and King Street from Pomeroy Street to Liberty Grove as identified in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
	C9 Provide for new footpaths as indicated in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
New shareways	C10 Provide a new north-south share way connecting Concord Avenue to Station Avenue which: <ul style="list-style-type: none"> • has built form between the share way and the eastern boundary; and • is publicly accessible. 	Not applicable.	N/A
	C11 Extend Station Avenue to the west as a share way to provide vehicular access to adjacent buildings and pedestrian access to the pedestrian network as identified in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
	C12 The new extended Station Avenue is to provide unobstructed views from the pedestrian tunnel under the rail line to Homebush Bay Drive.	Not applicable.	N/A
	C13 Upgrade Concord Avenue and Station Avenue west of King Street to provide a seamless continuation of the share way as identified in Figure K6-3 Public Domain Plan.	Not applicable.	N/A
	C14 All share ways are to be publicly accessible 24 hours a day through access easements.	Not applicable.	N/A
Public Open Space	C15 Provide a public square at the end of Victoria Avenue in front of the railway station as identified in Figure K6-3 Public Domain Plan. The public square is to: <ul style="list-style-type: none"> • have a minimum area of 400m². 	Not applicable.	N/A

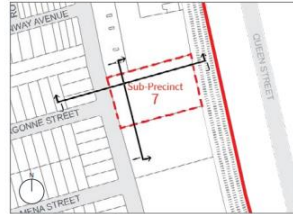
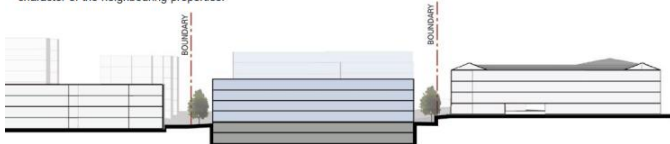
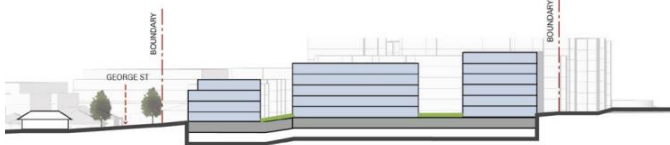
Canada Bay DCP 2017 Compliance Table

	<ul style="list-style-type: none"> • have minimum dimensions of 17m x 18m; and • feature characteristics for passive recreation such as hardstand paving, tree planting to provide shade, lighting and seating. 		
	C16 Tree planting on the verge of George Street and King Street from Pomeroy Street to Liberty Grove is to feature: <ul style="list-style-type: none"> • Regularly spaced planting of trees; and • Planting of consistent tree species. 	Not applicable.	N/A
	C17 Kerb build outs are to include rain gardens or low level landscaping where appropriate	Not applicable.	N/A
K6.3 Built Form			
Building setbacks	C18 Development setbacks are to be in accordance with Figure K6-4 Primary Setbacks Plan. Front Setback: 4m setback or consistent with 27 George Street Side Setbacks: 6m Rear setback: 8m	The proposed alterations and additions provide for the following: Front setback to George Street: Minimum 4m Side setbacks: Minimum 6m Rear setback: Minimum 8m	Yes
	C19 The upper most level of new development four storeys or higher is to provide a 2 metre setback in accordance with Figure K6-5 Secondary (Upper Level) Setbacks Plan. Upper level street setback of 2m.	The additional storeys 5 and 6 to Building A do not provide for an additional 2m upper level setback to George Street. However, the uppermost storey (7) to Building A provides for a setback of 7m from George Street to the external façade. This is considered acceptable given the proposal provides for a consistent street wall as is compatible with neighbouring properties.	On merit
	C20 The area within the primary setback of the street frontage is to be a deep soil zone and is to have no structures below.	The proposal will not alter the deep soil landscaping within the front setback.	No change
	C21 Access points to underground parking are encouraged to be located between existing and new development if that will provide for increased building separation.	No change proposed.	No change

Canada Bay DCP 2017 Compliance Table

Building Height	<p>C22 New buildings are to be consistent with Figure K6-6 Maximum Building Heights Plan. <i>Note: Maximum building heights are to be in accordance with the LEP. This control provides further, more detailed guidance, and is intended to articulate building height in storeys to better achieve the objective of this point, in particular minimising negative impacts on existing development.</i></p> <p>Interface Height: 2-4 Storeys (front)</p> <p>Transition Heights: 5-6 Storeys (rear)</p>	The proposed alterations and additions will result in a part six, part seven storey development across the subject site, which will not comply with the interface and transition heights. This is considered compatible with the local character as discussed under the Housing SEPP section of this Statement.	On merit
	C23 Development at Sub-Precinct 2 must provide a building height transition zone with a maximum of 4 storeys on land fronting George Street and adjacent to rear boundaries of adjoining properties facing Victoria Avenue. The maximum height of 6 storeys is to be provided towards the northwest corner of the site. Refer to Figure K6-8 Section C-C and Figure K6-9 Section D-D for more information.	Not applicable.	N/A
	C24 Development at Sub-Precinct 3 is not to exceed two storeys within 10 metres of its northern property boundary. Refer to Figure K6-11 Section E-E for more information.	Not applicable.	N/A
	C25 A maximum height of 6 storeys in Sub-Precinct 5 is to be limited to the portion of the site south of Lot 7 in DP 15973. A building height transition zone with a maximum height of 4 storeys is to be provided to the north of (and inclusive of) Lot 7 in DP 15973. Refer to Figure K6-13 Section F-F for more information.	Not applicable	N/A
	C26 The maximum 4 storey transition height as shown on Figure K6-18 Section J-J for Sub-Precinct 7 shall have a setback of 30m from the front boundary. The setback shall be consistent with the rear building line of the street facing building on adjoining allotments.	The proposed development seeks to vary the building height controls as a result of the additional floor space and height afforded by the Housing SEPP. This is discussed in Section 6.2.8 of this Statement.	On merit

Canada Bay DCP 2017 Compliance Table

	<p>Example Built Form Sections</p> <p>Sub-Precinct 7</p>  <p>George Street Interface</p> <p>Section I-I below illustrates a 4 storey building height to George Street maintaining the existing street wall character of the neighbouring properties.</p>  <p>George Street Interface</p> <p>Section J-J shows the transition in height from George Street to the rear of the site and in conjunction with neighbouring properties to the north and south.</p> 		
Building Articulation	<p>C27 Where a building is greater than 60 metres in length the facade is articulated through the use of:</p> <ul style="list-style-type: none"> • significant recesses or projections. • deep balconies. • elements of a finer scale than the main structural framing including the eaves and overhangs. • vertical elements such as blade walls or fins. 	The additional storeys provide for a similar architectural language and modulation of the approved residential levels below. This is considered to be acceptable in terms of articulation and design.	Yes

Canada Bay DCP 2017 Compliance Table

Ground Residential	Floor	C28 Dwellings on the ground floor facing the street are to have individual entries from the street.	No change proposed.	N/A
		C29 Ground floor private open space is to be designed as a private terrace. Note: The area and dimension of private open space is to be consistent with Part 6 (6.4.6) of the Canada Bay DCP.	No change proposed.	N/A
		C30 Where fronting a pedestrian connection, ground floor dwellings are to be designed to maximise passive surveillance.	No change proposed.	N/A
K6.4 General				
Flooding		C33 New development is to be consistent with the findings, conclusions and recommendations of the Concord West Precinct Master Plan Flood Study.	Not applicable.	N/A
Important views		<p>C34 New development at terminating vista sites shown in Figure K6-3 Public Domain Plan are to include features or articulation to provide visual interest which may include:</p> <ul style="list-style-type: none"> • Expressive roof features. • Emphasised vertical elements. • Façade elements which vary in colour or in material type from those used at other parts of the building. 	There are no significant terminating vistas in proximity to the site.	N/A
Passive surveillance		<p>C35 Where fronting Powell's Creek Reserve, the Canada Bay Primary School playing fields or Olympic Park, development is to engage and activate open space through layout and design measures which include:</p> <ul style="list-style-type: none"> • Orienting living areas and areas of principal open space toward open space, having large, transparent windows facing the open space. • Avoid dense screen vegetation within private open space. • Increasing opportunities for passive surveillance. • Avoiding large / expansive walls. 	Not applicable.	N/A

Canada Bay DCP 2017 Compliance Table

	<ul style="list-style-type: none">• Providing low or transparent fencing.• Avoiding significant grade change of built form.		
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