

COMPLIANCE TABLE – SEPP 65 DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT



| | REQUIREMENT | TPG COMMENT | COMPLIES |
|--|--|--|----------|
| Clause 1 Name of Policy | <i>This policy is State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development.</i> | | |
| Clause 2 Aims, objectives, etc. | <p>(1) <i>This Policy aims to improve the design quality of residential flat development in New South Wales.</i></p> <p>(2) <i>This Policy recognises that the design quality of residential flat development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.</i></p> <p>(3) <i>Improving the design quality of residential flat development aims:</i></p> <p>(a) <i>to ensure that it contributes to the sustainable development of New South Wales:</i></p> <p>(i) <i>by providing sustainable housing in social and environmental terms, and</i></p> <p>(ii) <i>by being a long-term asset to its neighbourhood, and</i></p> <p>(iii) <i>by achieving the urban planning policies for its regional and local contexts, and</i></p> <p>(b) <i>to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define, and</i></p> <p>(c) <i>to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities, and</i></p> <p>(d) <i>to maximise amenity, safety and security for the benefit of its occupants and the wider community, and</i></p> <p>(e) <i>to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions.</i></p> <p>(4) <i>This Policy aims to provide:</i></p> <p>(a) <i>consistency of policy and mechanisms across the State, and</i></p> | <p>The amended design in Mod 1 remains consistent with the assessed outcome of the original application in consideration of the aims and objectives fo SEPP 65.</p> <p>Mod 1 design has come about due to the proposed conversion of redundant plant room spaces which already form part of the approved built form.</p> <p>The proposal is located in the Burwood Town Centre (BTC) and is in close proximity to the Railway Station, services and Westfield mall.</p> <p>The development when complete will accommodate bike racks, motorcycle parking and public parking and overall encourages walking, cycling as well as the use of public transport through its proximity as well as its activation of the street level for pedestrians. This will also reduce the use of energy through the reduction of car use as well as benefits of construction in an existing town centre which has existing services in the area.</p> <p>The proposal provides a mix of apartment sizes to ensure sustainable housing is provided and combined with the existing commercial podium and public car park will create a long term asset to the BTC.</p> <p>The draft “Inner-west” Sub-regional strategy targets to accommodate 7,700 new dwellings in Burwood by 2031, with 3,800 to be provided within the Town Centre. The sub-regional strategy states that <i>Housing will also be strategically placed within close proximity of future employment centres such as Burwood Major Centre.</i> This is in line with the NSW State Plan priority E5 – ‘Jobs Closer to Home’ which aims to provide housing near centres and transport routes to allow people to live within 30 minutes of their place of work. The proposed development directly addresses these three key goals – it will provide some 209 dwellings in Burwood Major Centre, within close proximity to the train station, as well as providing employment opportunities in the commercial component existing on site.</p> | ✓ |

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| | <i>(b) a framework for local and regional planning to achieve identified outcomes for specific places.</i> | |
| Clause 6 Relationship with other environmental planning instruments | <i>In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency.</i> | ✓ |
| Clause 7 Design quality principles | <i>The design quality principles for residential flat development are the principles set out in this Part.</i> | ✓ |
| Clause 8 Introduction to the principles | <p><i>Good design is a creative process which, when applied to towns and cities, results in the development of great urban places, buildings, streets, squares and parks.</i></p> <p><i>Good design is inextricably linked to its site and locality, responding to the landscape, existing built form, culture and attitudes. It provides sustainable living environments, both in private and public areas.</i></p> <p><i>Good design serves the public interest and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.</i></p> <p><i>The design quality principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merit of proposed solutions.</i></p> | ✓ |

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| | | <p>Further, all three buildings have been shifted away from the western boundary towards the Elsie Street frontage, with building B now setback 18.3m from the western common boundary.</p> <p>The inclusion of elements such as the privacy screens ensure that the residents of the proposed buildings and adjoining properties are provided a high level of amenity and privacy even though they are situated in a dense urban environment.</p> <p>The Mod 1 changes do not alter these outcomes and continue to implement the mitigation measures including privacy screening to protect the amenity of the adjoining properties to the west.</p> | |
| <p>Clause 9 Principle 1: Context</p> | <p><i>Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.</i></p> <p><i>Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.</i></p> | <p>The location's current character is going through a transitional phase. The introduction of the new LEP effectively creates controls to enable the desired future character to be achieved. The original design and the proposed changes in Mod 1 have been designed in consideration of the desired future character of the policies. The buildings have contributed to the quality and identity of the area.</p> <p>Burwood Council has recognised that the Burwood Town Centre and immediate surrounds is an appropriate location for high density multi-unit housing. Council's vision for this type of development is that it will occur in a setting here mixed use developments with ground floor retailing, podium level commercial floor space and upper level residential apartments will be the norm.</p> <p>The approved design of the site has been developed following analysis of the site and its surroundings and design modifications undertaken as a result of the Panel's comments. The regular shape of the site results in a development which utilises the northerly aspect optimised from the upper levels. The generous setbacks from the western boundary has maximised separation distance between future and existing residents to ameliorate adverse impacts on neighbouring properties.</p> <p>The approved development is consistent with the strategic direction for the Burwood Area as set out in the Master Plan Vision Document for Burwood Town Centre adopted by Council in February 2004 and the Draft Burwood LEP 2007 and relevant policies for multi-unit housing and the social environment. In addition, the proposal is consistent with the State</p> | <p>✓</p> |

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| | | <p>Government's planning objectives of urban consolidation and integrating transport and land use through providing housing choice for residents in specified locations close to public transport and town centres as set out in the SMS City of Cities. Consistency with these documents were previously discussed in the EA.</p> <p>The Mod 1 changes do not alter these matters which were assessed as acceptable with the original application.</p> <p>Further discussion in relation to the LEP (which includes several changes since the proposal was submitted originally) is included in Appendix B.</p> | |
| <p>Clause 10 Principle 2: Scale</p> | <p><i>Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.</i></p> <p><i>Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</i></p> | <p>The proposed Mod 1 changes do not change the assessed and approved outcomes of the original application.</p> <p>The approved development is on a large site area of some 5,633 square metres, no other site of such size exists in the immediate area. The size of the site also reflects the scale of development. As no other site of similar size is in the immediate area to the subject site, so too no other development of similar scale of even the existing podium is located in the immediate area. As such, the existing site is not the same scale as that of existing development and nor will the future site development.</p> <p>The strategic planning undertaken for the Burwood Town Centre over the last 6 years has shifted as to what the final desired future character envisage for the site will eventually take form. For example, heights have shifted from 18 storeys to 17 storeys to 60 metres. FSR has shifted from 6:1, then 5:1 and now 4.5:1.</p> <p>The proposed Mod 1 changes increase the residential floor space by some 186.8 square metres.</p> <p>As the buildings are nearing completion, the real floor space of the residential component of the development has been able to be calculated by the architects and surveyors.</p> <p>The original application was approved as having 18,707.2 square metres of residential floor space, 210 apartments being an FSR of 3.32:1.</p> <p>The Mod 1 requested changes involve increasing the overall built floor space to 18,809.2 square metres, 213 apartment being an FSR of 3.34:1.</p> | <p>✓</p> |

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| | <p>The proposed has already had approved and implemented a number of public benefits beyond the boundaries of the subject site.</p> <p>The nature of the changes in Mod 1 will not alter the overall height of any approved structure or building from that which was assessed as compliant in the original application.</p> | |
| <p>Clause 11 Principle 3: Built Form</p> <p><i>Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p> | <p>The proposed conversion in Mod 1 will not alter this principle which was assessed as acceptable with the original application.</p> <p>TAA undertook a revision of the proposal which resulted in an improved design for the built form. Design solutions undertaken as part of the original design process improved results in terms of amenity and outlook for the residential properties to the west. This was achieved by the buildings being moved towards the eastern boundary of the site to maximise separation distance between them and the neighbouring (and lower rise) residential buildings to the west.</p> <p>The separation distances between the buildings comply, and will not be altered in the proposed conversion of the plant room spaces and do not require alteration.</p> <p>The original design was amended (particularly Buildings B and C) so as to allow for improved passive solar access on the northern faces of Buildings A and B).</p> | ✓ |
| <p>Clause 12 Principle 4: Density</p> <p><i>Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).</i></p> <p><i>Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</i></p> | <p>The proposed conversion of the plant room spaces into residential apartments increases the density of the development on site from the approved 210 apartments to 213 apartments.</p> <p>The draft "Inner-west" Sub-regional strategy targets to accommodate 7,700 new dwellings in Burwood by 2031, with 3,800 to be provided within the Town Centre. The sub-regional strategy states that <i>Housing will also be strategically placed within close proximity of future employment centres such as Burwood Major Centre.</i> This is in line with the NSW State Plan priority E5 – 'Jobs Closer to Home' which aims to provide housing near centres and transport routes to allow people to live within 30 minutes of their place of work. The proposed development directly addresses these three key goals – it will provide some 209 dwellings in BTC, within close proximity to the train station, as well as providing</p> | ✓ |

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| | | <p>employment opportunities in the commercial component existing on site.</p> <p>The placement of the residential apartment buildings in the Burwood Town Centre also provides increase housing alternatives for the locality as well as enhancing sustainability through the efficient use of existing infrastructure and facilities. The proposal includes the provision of open space for residents of the development. The majority of this open space is provided on the podium level and comprises of 25-30% of the total site area.</p> <p>A full range of services and facilities exist in the Burwood area including community and cultural facilities, retail, entertainment and public transport. This infrastructure will be utilised by the future residents of this development.</p> | |
| <p>Clause 13 Principle 5: Resource, water and energy efficiency</p> | <p><i>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.</i></p> <p><i>Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</i></p> | <p>Energy, water and resource efficiency have been incorporated into the design and layout of the new apartments and as a result new energy and BASIX reports have been prepared which can be found at Appendix C.</p> <p>No other matters associated with this principle will change or are proposed from those which were assessed as acceptable with the original application.</p> | ✓ |
| <p>Clause 14 Principle 6: Landscape</p> | <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</i></p> <p><i>Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.</i></p> <p><i>Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.</i></p> | <p>No changes are proposed or required as a result of Mod 1. The original application was assessed as satisfactory and advised the following:</p> <p>As a result of the proposed design changes to the buildings the podium landscaping plan has also been amended. This includes items such as outdoor seated areas, BBQ facilities, pergola, water feature and opportunities for herb and vegetable gardens. The revised plan is included as Appendix E of the Addendum Report.</p> <p>Changes are also proposed to the landscaped area along the western boundary. These modifications include the removal of the previously proposed fence to allow the adjoining neighbours to enjoy the area of landscaping on this boundary adjoining their properties. This area is to be retained in the existing ownership however will provide benefit of improved amenity to the neighbouring properties. The intention for this</p> | ✓ |

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| | | space is to provide for a “break-out area” for commercial tenants. This area has been designed to include fixed seating, pergola, BBQ and a mix of paved and garden beds. The area is to be secured from its Victoria Street and George Street points with security gating 1.8m high and includes the use of palisade fencing. It is also suggested that potential exists for a new palisade fence along the western common boundary. | |
| Clause 15 Principle 7: Amenity | <p><i>Good design provides amenity through the physical, spatial and environmental quality of a development.</i></p> <p><i>Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</i></p> | <p>The proposed Mod 1 changes will still achieve a high level of amenity for the future residents through the inclusion of BBQ and landscaped common open space with good solar access.</p> <p>Apartment sizes vary between 50 square metres to 138.7 square metres, providing a wide housing choice for residents. Storage space is also provided for each apartment as well as a balcony/outdoor area for each apartment.</p> <p>Natural cross ventilation is available to 67% of the apartments as illustrated in TAA table which complies with the RFDC guide of 60%.</p> <p>Greater than 80% of living rooms and private open spaces of the apartments receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid winter. In dense urban environments a minimum of 2 hours may be acceptable.</p> <p>Access is available to each level of the proposed buildings via lift services. Disabled parking is available within the basement parking levels. Adaptable housing has been provided within the amended design. 16 apartments (7.6%) have been designed to be adaptable in accordance with the AS1428.1</p> | ✓ |
| Clause 16 Principle 8: Safety and security | <p><i>Good design optimises safety and security, both internal to the development and for the public domain.</i></p> <p><i>This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</i></p> | <p>No changes are proposed or required as a result of Mod 1. The original application was assessed as satisfactory and advised the following:</p> <p>The public and private domains are clearly delineated using a variety of built and landscape elements such as fencing, planting and paving. Clear sight lines are maintained between private and public spaces, with the use of strategically placed lighting to ensure a safe night time environment, without compromising the amenity of residents.</p> <p>Common open spaces will be overlooked by a large proportion of the apartments to optimise surveillance opportunities. The pedestrian</p> | ✓ |

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| | | <p>entrances to the landscaped areas at the podium level will further enhance activity and surveillance of open space areas.</p> <p>All accessways will be clearly defined. Territorial reinforcement will be focused on the extensive open landscaped zone through the common ownership. It is proposed to include an onsite estate management system with the provision of a caretaker’s residence as part of the future strata agreement. The role would include management of security systems, waste management/removal, cleaning, gardening, general maintenance and regular upgrading of common property.</p> <p>Surveillance:</p> <p>The proposed development incorporates clear sight lines between the public and private open space domains.</p> <p>All public and communal areas will be well lit to further improve security.</p> <p>Residential entries ensure activation of the street frontage at all times of the day.</p> <p>Access Control:</p> <p>All accessways are proposed to be clear and well defined. Transitions between the public and private domains will be controlled by lockable doors and associated security systems.</p> <p>Intercom systems are to be placed at the entry lobby to the residential entries to ensure all visitors to the development are known by the occupants.</p> <p>Territorial Reinforcement:</p> <p>Different design treatments are to be used to distinguish what spaces are private, semi public and public and are to be defined within the landscape plan. This will also be reinforced through the incorporation of security control points.</p> <p>Space Management:</p> <p>The creation of well-kept and attractive spaces will help to attract more people, and thus reduce the likelihood of crime occurring through</p> | |

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| | | <p>increased passive surveillance. The use of quality design combined with the implementation of an appropriate management, upkeep and cleaning strategies will reinforce perceptions of safety.</p> <p>Additional information has been submitted with the Addendum Report in relation to CPTED. In particular this report focuses on the open space along the western boundary of the site and improvements to safety and security in this area. A CPTED Report was included with the original application.</p> <p>Letterboxes to be placed in a visible area to ensure the safety of residents. Lighting on both the street and podium levels will be designed to highlight areas of entry to buildings and ensure appropriate lighting for safety in all pedestrian areas.</p> <p>Security access is provided for all residential building access points. This is achieved by separating the public and private lift foyers so residents only can access the second security door to gain entry to their lift lobbies on the ground floor level.</p> <p>The doors to these lobbies will be glass to provide direct line of sight into the lift lobbies from the street. The lobbies also do not provide any opportunities for concealment.</p> | |
| <p>Clause 17 Principle 9: Social Dimensions</p> | <p><i>Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.</i></p> <p><i>New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</i></p> <p><i>New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.</i></p> | <p>No changes are proposed or required as a result of Mod 1. The original application was assessed as satisfactory and advised the following:</p> <p>New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</p> <p>Burwood Social Plan 2004-2009 states “the main strategic direction of this Plan will be the greater utilisation of the Town Centre to accommodate additional employment and housing”. The proposal is located within the identified BTC.</p> <p>The proposed development has regard to the needs of the local community by incorporating a mix of dwelling sizes and being located within easy walking distance to existing amenities such as the train station and town centre of Burwood, thereby increasing pedestrian permeability in the locality.</p> | ✓ |

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| | | <p>The proposal has been designed following detailed market analysis and an examination of regional demographics. Multi-unit housing also provides a sought after alternative to freestanding new home construction on “greenfield” sites on the urban fringe. As a result, the proposal provides a mix of studio, 1, 2 and 3 bedroom apartments, thereby allowing increased housing choice as envisaged under the Burwood Vision document, Draft LEP and Draft DCP for the Burwood Town Centre and the SMS.</p> <p>The carefully designed apartment configuration and inclusion of lift access also creates flexibility in live/work/ageing patterns. One-core lifts connecting all levels provide barrier-free access to all apartments.</p> <p>16 apartments (7.6%) have been designed to be adaptable in accordance with the AS1428.1.</p> | |
| <p>Clause 18 Principle 10: Aesthetics</p> | <p><i>Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</i></p> | <p>No changes are proposed or required as a result of Mod 1. The original application was assessed as satisfactory and advised the following:</p> <p>The building design incorporates a varied and modulated pattern of articulation with balconies carefully integrated into the overall architectural composition. The setback upper levels moderate the roofline.</p> <p>Vertical and horizontal façade elements work with plan setbacks and a varied palette of materials and finishes to create an interesting elevational treatment to the public domain. Large roof overhangs will be used to emphasise a “floating horizontality” on the upper levels of the building. West facing apartments will be provided with moveable sun control devices to alleviate the afternoon heat loads, whilst still allowing expansive regional views.</p> <p>External materials and finishes will include rough block, timber, face brick, painted render, pre-finished aluminium and glass. Colours and Finishes are detailed in the Design Statement and reflected in the artist’s perspective.</p> | <p>✓</p> |

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| <p>Clause 29 – making or adoption of masterplans</p> <p><i>A person who, under the provisions of any other environmental planning instrument, is authorised to make or adopt a master plan, being a master plan that contains provisions that relate to the design quality of residential flat development, must not make or adopt the master plan unless the person:</i></p> <p>(a) <i>has referred the draft master plan to the design review panel (if any) constituted for the relevant area or region, and</i></p> <p>(b) <i>has taken into consideration any comments made by the design review panel.</i></p> | <p>The IHAP provided an assessment of the original application.</p> | ✓ |
| <p>Clause 30 – Determination of a Development Application</p> <p>(1) <i>After receipt of a development application for consent to carry out residential flat development and before it determines the application, the consent authority is to obtain the advice of the relevant design review panel (if any) concerning the design quality of the residential flat development.</i></p> <p>(2) <i>In determining a development application for consent to carry out residential flat development, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):</i></p> <p>(a) <i>the advice (if any) obtained in accordance with subclause (1), and</i></p> <p>(b) <i>the design quality of the residential flat development when evaluated in accordance with the design quality principles, and</i></p> <p>(c) <i>the publication Residential Flat Design Code (a publication of the Department of Planning, September 2002).</i></p> <p>(3) <i>However, if the relevant design review panel fails to inform the consent authority of its advice concerning the design quality of the residential flat development within 31 days after the request for its advice is made by the consent authority, the consent authority may determine the development application without considering any such advice and a development consent so granted is not voidable on that ground.</i></p> <p>(4) <i>The 31-day period referred to in subclause (3) does not increase or</i></p> | <p>The original application was not been considered by a formal “design review panel” rather the independent expert panel provided comments on the proposal on various occasions and these comments have been incorporated into and have led to improvements in the design quality of the overall proposal.</p> | ✓ |

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| | <i>otherwise affect the period within which a development application is required to be determined by a consent authority.</i> | |
| <p>Modification of Consents</p> <p>1A) <i>In addition, an application for the modification of a development consent under section 96 (2) of the Act, if it relates to residential flat development for which the development application was required to be accompanied by a design verification from a qualified designer under clause 50 (1A), must be accompanied by a design verification from a qualified designer, being a statement in which the qualified designer verifies that:</i></p> <p>(a) <i>he or she designed, or directed the design, of the modification of the residential flat development, and</i></p> <p>(b) <i>the residential flat development, as modified, achieves the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development, and</i></p> <p>(c) <i>the modifications do not diminish or detract from the design quality, or compromise the design intent, of the development for which the development consent was granted.</i></p> <p>(1B)<i>The consent authority may refer the proposed modification to the relevant design review panel.</i></p> | <p>This concept application does not relate to a modification of a development consent.</p> | ✓ |
| <p>Clause 30A – Standards that cannot be used as grounds to refuse development consent for residential flat buildings</p> <p>(1) <i>A consent authority must not refuse consent to a development application for the carrying out of residential flat development on any of the following grounds</i></p> <p>(a) ceiling height: <i>if the proposed ceiling heights for the building are equal to, or greater than, the minimum recommended ceiling heights set out in Part 3 of the Residential Flat Design Code,</i></p> <p>(b) apartment area: <i>if the proposed area for each apartment is equal to, or greater than, the recommended internal area for the relevant apartment type set out in Part 3 of the Residential Flat Design Code.</i></p> <p>(2) <i>Nothing in this clause permits the granting of consent to a development application if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard</i></p> | <p>(a) Ceiling height proposed: 2.7m required – we have 3m</p> <p>(b) Apartment area: Refer to the TAA table – complies with the rule of thumb = all exceeding the Affordable Housing Service suggestions for minimum apartment sizes. (some require external storage to comply with storage area required for each unit)</p> | ✓ |

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| <p><i>has been given to the design quality principles in Part 2 of this Policy.</i></p> <p>Note: <i>The provisions of this clause do not impose any limitations on the grounds on which the consent authority may grant development consent.</i></p> | | |
| <p>Clause 31 – Transitional provisions</p> <p>1) <i>The provisions of clause 28 extend to an environmental planning instrument, development control plan or master plan the preparation of which commenced before the commencement of this Policy.</i></p> <p>2) <i>The provisions of clause 29 extend to an environmental planning instrument, development control plan or master plan the preparation of which commenced before the constitution of a design review panel for the relevant area or region.</i></p> <p>3) <i>The provisions of clause 30 (2) extend (but the provisions of clause 30 (1) do not extend) to the determination of a development application for consent to carry out residential flat development that has been made, but not finally determined, before the date of commencement of this Policy.</i></p> <p>4) <i>Nothing in subclause (3) prevents a consent authority from obtaining the advice of the relevant design review panel (if any) concerning the design quality of residential flat development after receipt of a development application for consent to carry out the development and before it determines the application.</i></p> <p>5) <i>The provisions of clause 30A do not extend to the determination of a development application for consent to carry out development to which this Policy applies that has been made, but not determined, before the date of commencement of State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (Amendment No2)</i></p> | Noted | N/A |