AUBURN COUNCIL

INFORMATION FOR JRPP DA-219/2011

11 John Street, LIDCOMBE

DA-219/2011

SUMMARY

Applicant	See Win Holdings Pty Limited
Owner	See Win Holdings Pty Limited
Application No.	DA-219/2011
Description of Land	Lot 300 DP 1142325, 11 John Street, LIDCOMBE
Proposed Development	Demolition of Lidcombe Childrens Court building and ancillary structures, alterations and additions to the Police Station Building and the construction of a eight storey mixed use building containing seven commercial tenancies and seventy residential units over three levels of basement carparking with associated subdivision
Site Area	2834.60m ²
Zoning	Zone B4 - Mixed Use
Disclosure of political donations and gifts	Nil disclosure
Issues	Minor non-compliance with State Environmental Planning Policy 65 – Design Quality of Resdiential Flat Buildings.

Recommendation

1. That development application DA-219/2011 for the demolition of Lidcombe Childrens Court building and ancillary structures, alterations and additions to the Police Station Building and the construction of a eight storey mixed use building containing seven commercial tenancies and seventy residential units over three levels of basement carparking with associated subdivision at 11 John Street, LIDCOMBE be approved subject to conditions attached within this report.

Site and Locality Description

The subject site is legally described as Lot 300 in DP 1142325 and is known as 11 John Street, Lidcombe. The site is located on the north western corner of John and Mary Street. The lot is rectangular in shape with dimensions of 30.055 metres in width by 94.34 metres in length, creating a total land area of 2834.60 square metres.

The site is currently occupied by two detached single storey buildings comprising of the Lidcombe Police Station on the western end; addressing John Street and the Lidcombe Children's Court positioned on the eastern end along Mary Street. The Lidcombe Police Station is identified as a heritage item of local significance.

The land has a gentle slope from the south eastern corner to the north western corner, with a level change of approximately 2.19 metres over the site. Existing trees located along John Street frontage and adjacent to the western boundary of the site are proposed to be retained. Existing trees extending along the Mary Street frontage located in front of the heritage building are also to be retained.

The site is situated within the part of Lidcombe Town Centre on the northern side of the Lidcombe Railway Station. Surrounding developments located in the immediate vicinity consists of a large open car parking area to the north of the site, accessed via two battleaxe driveways with entry from John Street and exit from Mary Street. Three smaller lots comprising single storey retail uses are located along the John Street frontage to complete the parcel of land to the north.

To the east of the property is the access driveway of the car park, separating the subject site from a two storey townhouse development.

To the south of Mary Street, the adjacent developments comprise of a mix of land uses including retail, commercial, residential, a church, nursing home and residential allotments along Mary Street and Church Street frontages.

To the west of John Street, the adjacent developments comprise of retail, commercial, residential, a catholic club and residential allotments along John and Church Street frontages.

The site is identified on the map below:



Description of Proposed Development

Council has received a development application seeking approval for the following works:

- Demolition of the existing Lidcombe Children's Court fronting Mary Street;
- Alterations and additions including conversion of Lidcombe Police Station into a cafe/restaurant;
- Construction of an eight storey mixed use building containing seven commercial/retail suites at ground floor level and seven storey residential building comprising 70 units with:
 - Nine (9) x 3 bedroom units;
 - Fifty four (54) x 2 bedroom units;
 - Seven (7) x 1 bedroom units;
- Construction of a 3 level basement car park comprising a total of 121 vehicular spaces consisting of:
 - 72 resident car spaces located within basement levels 2 and 3;

- 14 visitor spaces within basement 1;
- 27 retail spaces within basement 1 and ground level;
- 7 adaptable spaces located within basement level 2 and 3;
- 1 disabled car space at ground level;
- Landscaping and associated site infrastructure works
- Subdivision

Referrals

Internal Referrals:-

Development Engineer

The development application was referred to Council's Development Engineer for comment who has raised no general objections to the proposed development subject to conditions of consent.

Building Surveyor

The development application was referred to Council's Building Surveyor for comment who has raised no objections to the proposed development subject to conditions of consent.

Environmental Health

The development application was referred to Council's Environmental Health Officer for comment who has raised no objections to the proposal subject to conditions of consent.

Landscape/Tree Officer

The development application was referred to Council's Landscape Architect for comment who has raised no objections to the proposed development subject to conditions of consent.

External Referrals:-

Heritage consultant

The subject site contains a heritage item of local significance known as the former Lidcombe Police Station. As the application involves the refurbishment of the existing heritage item for use as a café/restaurant, a Heritage Impact Statement prepared by Colin Israel dated 8 June 2011 has also been submitted to accompany the development application.

The application was referred to an external heritage consultant (Rapaport) for comment. A site inspection meeting and assessment of the heritage item was carried out on the 10 October 2011. Comments received from Rapaport Heritage Consultants on the 14 October 2011 raised no objections to the proposed alterations and adaptive re-use of the heritage building subject to minor amendments including the retention of the cell walls as sculptural element and the 'police station' signage.

The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))

State Environmental Planning Policies

State Environmental Planning Policy No. 55 – Remediation of Land

The requirement at clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	Yes No
In the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	Yes No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum reconditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	Yes No
Is the site listed on Council's Contaminated Land database?	Yes No
Is the site subject to EPA clean-up order or other EPA restrictions?	Yes No
Has the site been the subject of known pollution incidents or illegal dumping?	Yes No
Does the site adjoin any contaminated land/previously contaminated land?	Yes No
Details of contamination investigations carried out at the site: Council has received two previous environmental investigations conducted on the site by A and October 2011 (phase 1 & 2). Based on the findings of the phase 2 report, a Reme required to be provided. The RAP prepared by Aargus Australia, ref no. ES4541/3, dated Oc submitted to Council on the 27 October 2011. The RAP outlines the strategy and requirer one UST and two hotpots and the removal of fill and natural material. The proposed reme excavation of the soil and off-site disposal. Validation sampling will also be undertaken to confirm that the residual contaminant concentrations on the site are applicable for a medium density residential and open space land use. The plan concludes that the completion of the remediation of the site in accordance with the site is suitable for the proposed development and open space landuse. Appropriate conditions are proposed in this regard.	ediaton Action Plan was ctober 2011 was formally ments for the removal of edial strategy will involve onfirm the efficacy of the e below guideline values RAP will ensure that the itions will be imposed to
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	Yes No

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

A BASIX certificate has been submitted to accompany the development application. The plans and details submitted with the development application satisfy the relevant BASIX commitments required to be endorsed on the development application plans. Conditions will be imposed on the development consent to ensure that the construction of the new building is in accordance with all specified BASIX commitments. The proposed development is considered acceptable in respect of the relevant requirements of SEPP (BASIX) 2004.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings

The provisions and design quality principles of SEPP 65 have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment
Clause 2 Aims objectives etc. (3) Improving the design quality of residential flat development aims: (a) to ensure that it contributes to the				The development is considered to be in accordance with the aims and objectives of the State Environmental Planning
sustainable development of NSW:				Policy no. 65
(i) by providing sustainable housing in social and environmental terms				
(ii) by being a long-term asset to its neighbourhood				
(ii) by achieving the urban planning policies for its regional and local	\boxtimes			
contexts				
(b) to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define				
(c) 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				
(d) to maximise amenity, safety and security for the benefit of its occupants and the wider				
community (e) to minimise the consumption of energy from non-renewable resources to conserve the environment and to reduce greenhouse gas				
emissions Clause 30 Determination of DAs				
(1) After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development				No formalised Design Review Panel exists in respect of the Auburn LGA
(2) In determining a DA, the following is to be				
considered: (a) the advice of the design review panel (if any)				
(b) the design quality of the residential flat development when evaluated in				Refer discussion of design quality
accordance with the design quality principles (c) the publication "Residential Flat	\bowtie			principles below. Refer discussion of Residential Flat
Design Code" – DoP Sept. 2002				Design Code below.
Principle 1: Context				T .
Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. 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.				The subject site is zoned B4 – Mixed use development and is in a precinct undergoing transformation. The result of the rezoning allows for increased density and the associated planning controls and intentions of the Auburn DCP 2010 encourage redevelopment for the purpose of high-density residential with elements of commercial and retail consistent with an urban centre expansion.
Principle 2: Scale Good design provides an appropriate scale in terms of the bulk and height that suits the scale if the street and the surrounding buildings. 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.				The scale of the development is compliant, being well within the height and floor space ratio controls of the ALEP 2010. The proposal with the new height and floor space ratio is considered to respond appropriately with the desired future character of the area.

Requirement	Yes	No	N/A	Comment
Principle 3: Built form 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. 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.				The proposal will result in a high quality development which will establish an appropriate level of development in accordance with the desired future character of the zone and locality. The facade is divided into three distinct elements providing articulation of the built form and a sense of reduction in bulk and scale of the development by establishing a strong base, middle and top to the building. Various architectural elements, materials and finishes are incorporated into the building design to achieve this.
Principle 4: Density Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents). 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.				The new B4 – Mixed use zone is in an area designated for high density mixed use development and the location of the site also means that the site can benefit from public transport availability such as trains and buses. The proposed density of the development is compliant with the maximum height and floor space ratio provisions permitted in the zone. A total of 70 new dwelling units will contribute to the redevelopment of the area.
Principle 5: Resource, energy and water efficiency Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. 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.				A satisfactory BASIX Certificate has been submitted with the development application together with an ABSA building sustainability assessment report. The development incorporates appropriate energy efficient fixtures and fittings and various water saving devices, such as a system of rainwater collection and storage utilised in the irrigation system proposed for the planter boxes and deep soil areas. The development proposal is considered acceptable in this regard.
Principle 6: Landscape 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. Landscape design buildings 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 vales. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character. Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management				Landscaping has been proposed to be integrated into the public domain area of John and Mary Street elevation of the building to enhance the commercial/public domain interface. Additional landscaping is also proposed around the curtilage of the heritage item and pedestrian thoroughfare to enhance setting of the building and streetscape character.

Requirement	Yes	No	N/A	Comment
Principle 7: Amenity Good design provides amenity through the physical, spatial and environmental quality of a development. 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.				Council is satisfied that the proposal will deliver an acceptable level of amenity to residents of the building. The building design incorporates access and circulation, apartment layouts, floor area, ceiling height, private open space, common open space, energy efficiency rating, adaptability and diversity, safety, security and site facilities. The proposal substantially complies with the Residential Flat Design Code and Residential Flat Building DCP which contains numerous amenity controls. The development is acceptable in this regard.
Principal 8: Safety and security Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining				Passive surveillance is maximised through orientation of units towards the street. Street level activity will be encouraged via provision of two separate residential building entries and direct public season.
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.				building entries and direct public access from pedestrian footpath to commercial tenancies. A shared entrance pathway and entrance porch area to each lift will provide a secure pedestrian access pathway and path of travel to each dwelling. Lighting is being provided to all common areas including carparking.
Principal 9: Social dimensions Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities. 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.				The building will introduce an appropriate mix of 1, 2 and 3 bedroom residential apartments and commercial tenancies in accordance with the zoning of the site and future desired character of a locality undergoing transition.
Principle 10: Aesthetics Quality aesthetics reflect 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	\boxtimes			The proposal integrates a number of recesses and projections into the elevations of the building to articulate the overall mass and form.
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.				The elevations of the building incorporate various architectural features balancing strong horizontal and vertical framing elements to establish a well defined base, middle and top.
Clause 20 Determination of DA				Changes in building setback, party wall dimensions, articulated building entries with awnings, colonnades and recesses provide human scale to the design of the building at street level.
Clause 30 Determination of DAs After receipt of a DA, the advice of the relevant designed reviewed panel (if any) is to be obtained concerning the design quality of the residential flat development. In determining a DA, the following is to be appaid and the second of the considered.				Auburn City Council does not employ a formal design review panel.
considered: The advice of the design review panel (if any); The design quality of the residential flat development when evaluated in accordance with the design quality principles;				The design quality principles have been considered above and the Residential Flat Design Code is considered in the assessment table immediately below.
The publication "Residential Flat Design Code" – Department of Planning, September 2002.				

Residential Flat Design Code

The development controls and site and building design requirements within the Residential Flat Design Code have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment			
Part 01 Local Context							
Building Type							
 Residential Flat Building Terrace Townhouse 			\boxtimes	The proposed development consists of a mixed residential flat building tower complex with ground floor commercial			
Mixed-use development		H		tenancies. Car parking is located within the three levels of basement with some			
Hybrid (refer p8-17 of Design Code)	Ш	Ш		parking also provided at ground level.			
Subdivision and Amalgamation							
Objectives							
 Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future 				Stratum subdivision of the proposed building is proposed. This will not result in any isolated allotments.			
desired context.			\boxtimes				
 Isolated or disadvantaged sites avoided. 							
Building Height				,			
Objectives							
 To ensure future development responds to the desired scale and character of the street and local area. 				The development is compliant with the height controls stipulated for the B4 – Mixed Used zone and is in accordance			
To allow reasonable daylight access to all developments and the public domain.				with the desired future scale and character of the area.			
				The units within the development and the /public domain area will receive an acceptable level of solar access.			
Building Depth							
Objectives							
 To ensure that the bulk of the development is in scale with the existing or desired future context. 				The bulk and scale of the development is in accordance with the desired future character of the zone and future context.			
To provide adequate amenity for building occupants in terms of sun access and				The building is considered to provide adequate amenity for the building			
natural ventilation. To provide for dual aspect apartments.	\boxtimes			occupants with regard to solar access and natural ventilation as a slim tower			
				type structure is proposed. The proposal provides for numerous dual aspect and cross through apartments amounting to 60% of the overall units proposed.			
Controls				The building execute the 40 mater			
 The maximum internal plan depth of a building should be 18 metres from glass line to glass line. 				The building exceeds the 18 metre plan depth glass line to glass line, having an overall depth of up to 21.4m			
 Freestanding buildings (the big house or tower building types) may have greater depth than 18 metres only if they still achieve satisfactory daylight and natural 				in some instances. However, the building being a slim tower type structure achieves satisfactory daylight and natural ventilation for the			
ventilation. • Slim buildings facilitate dual aspect apartments, daylight access and natural				units within the development. This is considered to be acceptable in this instance.			
ventilation. In general an apartment building depth of 10-18m is appropriate. Developments that propose wider than 18m must demonstrate for satisfactory day lighting and natural ventilation are to be achieved.				The design proposal achieves 70% compliance with minimum 3 hours solar access to the units' living rooms and balconies on June 21 and 60% of units have at least two aspects being either at the corner or cross through for optimum solar amenity and ventilation.			
Building Separation							

Requirement	Yes	No	N/A	Comment
Objectives To ensure that new development is scaled to support the desired area character with	\boxtimes			The building is appropriate and responds to the desired future character of the
appropriate massing and spaces between buildings.To provide visual and acoustic privacy for	\boxtimes			area. Appropriate building separation distance is being provided to minimise bulk and scale of the building, visual and
existing and new residents. To control overshadowing of adjacent properties and private or shared open				acoustic privacy and to allow for adequate solar amenity.
 space. To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants. 				
To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.				

Requirement	Yes	No	N/A	Comment
Controls				
For buildings over three storeys, building apparation about increase in proportion.				Height of building = 30.9 metres including lift overrun. The proposal is eight storeys
separation should increase in proportion to building height:	1			minus lift overrun.
 Up to 4 storeys/12 metres: 				
■ 12m between habitable	e 🔲			The subject site adjoins an open car park
rooms/balconies ■ 9m between habitable				to the north and to the west is an access driveway of the car park which separates
rooms/balconies and no	1 1 1			the two storey townhouse development
habitable rooms				from the subject property.
 6m between non habitable 	e 🗀			
rooms				As there is no existing development to the north of the site other than an at
 5-8 storeys/up to 25 metres: 18m between habitable 				grade car park, there is no building
rooms/balconies				separation established. A minimum of 6
 13m between habitable 				metres is proposed from the boundary
rooms/balconies and no	ו ר			(facade of building to boundary) and 9.55
habitable rooms ■ 9m between non habitable				metres to indented living areas at level 1 to 2, up to 12 metres at level 3 to 7. This
rooms				is considered to be satisfactory in that,
 9 storeys and above/over 25 metres 	:			any potential future development to the
 24m between habitable 	e			immediate north of the site is able to be
rooms/balconies ■ 18m between habitabl				controlled to provide similar setbacks which will achieve the required building
rooms/balconies and no	1 1 1			separation. Furthermore, windows to
habitable rooms				habitable rooms are positioned to avoid
 12m between non habitable 	e 🗀			any direct conflict with the rear northern
rooms • Allow zero separation in appropriate				boundary and the use of blank walls or screens is integrated into the
contexts, such as in urban areas between				development to ensure visual and
street wall building types (party walls)				acoustic privacy is achieved to all
Where a building step back creates a				habitable rooms.
terrace, the building separation distance	e 🗂			From the eastern side boundary, a
for the floor below applies.Coordinate building separation control			_	minimum setback of 1.53 metres is
with side and rear setback controls – in				proposed from the building facade. A
suburban area where a strong rhythm ha				building separation distance of 14 metres
been established between buildings				is being provided between the two storey townhouse development and the new
smaller building separations may be appropriate.	=			development thus complying with this
Coordinate building separation control	s 🛛			planning control.
with controls for daylight access, visua				From the western side a setheral of 7
privacy and acoustic privacy.				From the western side, a setback of 7 metres is proposed between the facade
 Protect the privacy of neighbours who share a building entry and whose 				of the heritage building and the
apartments face each other by designing				development.
internal courtyards with greater building				At the courteers boundary, a zero sethack
separation				At the southern boundary, a zero setback is proposed which is consistent with
 Developments that propose less than the recommended distances apart must 				Council's DCP requirements by
demonstrate that daylight access, urbal				generating active street frontages as a
form and visual and acoustic privacy ha				concentration of retail outlets, restaurant
been satisfactorily achieved.				and multiple entries at street level are being provided. This in conjunction with
				building articulation increases passive
				surveillance and safety with good
				sightlines between dwelling units and the
				public domain. The residential component above street level at level 3-7
				are stepped in to allow for articulation of
				the facade and an increase in the
				separation distance to the adjacent
				buildings along the southern side of Mary Street.
Street Setbacks		I	1	1 0000

Red	quirement	Yes	No	N/A	Comment
Obj	ectives To establish the desired spatial proportions of the street and define the street edge.				The proposal is built to the edge of the boundary to Mary Street, providing an active street frontage with passive
•	To create a clear threshold by providing a transition between public and private				surveillance. The residential component above street level is set back to allow for
•	space. To assist in achieving good visual privacy	\boxtimes			articulation of the façade and an increase in the separation distance of adjacent buildings.
•	to apartments from the street. To create good quality entry spaces to lobbies, foyers or individual dwelling				buildings.
•	entrances. To allow an outlook to and surveillance of the street. To allow for street landscape character.	\boxtimes			The two entry lobbies to the residential units above are semi recessed from the commercial facades and are still visible from the Mary Street frontages.
Coi	ntrols				, ,
•	Minimise overshadowing of the street and/or other buildings.	\boxtimes			Due to the orientation of the site and the development being on a corner allotment,
•	In general no part of a building or above ground structure may encroach into a setback zone – exceptions are underground parking structures no more than 1.2m above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.				some overshadowing is unavoidable in this instance. Increasing setbacks from the street is not considered to be an effective improvement to overshadowing without compromising the overall building design and amenity.
					The development does not result in any encroachments into the setback zone, inclusive of the first floor balcony and the basement does not protrude above 1.2m from finished ground level.
Obj •	ectives – Side Setbacks To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.				As discussed above under building separation controls, sufficient side and rear setbacks are being provided to allow for appropriate building separation
• Obi	To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form. ectives – Rear Setbacks				between buildings. Landscaped areas are being provided around the new structure and the refurbished heritage item in a manner
•	To maintain deep soil zones to maximise natural site drainage and protect the water				that is in keeping with the urban character of the Lidcombe Town Centre. The proposed deep soil zone of 312.2
•	table. To maximise the opportunity to retain and reinforce mature vegetation.				sqm (11%) for the site is considered to be compatible in the predominantly
•	To optimise the use of land at the rear and surveillance of the street at the front.				commercial context of the site having regard to the land uses and deep soil
•	To maximise building separation to provide visual and acoustic privacy				zones proposed to the west of the site and around building structures where possible.
Coi	ntrols				Cufficient building authorize
•	Where setbacks are limited by lot size and adjacent buildings, 'step in' the plan on deep building to provide internal courtyards and to limit the length of walls facing boundaries.				Sufficient building setbacks are proposed from the northern, eastern and southern boundaries which are compliant with the building separation controls. Residential components above street level are
• Flo	In general no part of a building or above ground structure may encroach into a setback zone — exceptions are underground parking structures no more than 1.2m above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.				appropriately setback to allow separation distance to adjacent developments and to minimise overall bulk and mass of the development.

Re	quirement	Yes	No	N/A	Comment
Ob	ectives				
•	To ensure that development is in keeping with the optimum capacity of the site and the local area.				The subject site lies within two floor space ratios of 3.4:1 (Mary Street) and 3.6:1 (John Street). (Refer to LEP table
•	To define allowable development density for generic building types.	\boxtimes			below for details)
•	To provide opportunities for modulation and depth of external walls within the				The floor space ratio proposed for the building is 2.65:1 which complies with the
•	allowable FSR. To promote thin cross section buildings,	\boxtimes			maximum FSR of permitted under the ALEP 2010.
•	which maximise daylight access and natural ventilation. To allow generous habitable balconies.	\boxtimes			The building will have satisfactory daylight access and natural ventilation.
					The proposed balconies are considered to be of suitable size to accommodate a table and chairs.
Pai	t 02 Site Design				<u> </u>
Site	e Analysis				
•	Site analysis should include plan and section drawings of the existing features of the site, at the same scale as the site and landscape plan, together with appropriate written material (refer page 39)				The development application has been accompanied by a Design Verification Statement prepared by Robert Del Pizzo of Architex (registration no. 3972) which
•	of Design Code for requirements) A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application				discusses the features of the design and their response to the site analysis.
De	ep Soil Zones		T	1	
Obj	ectives To assist with management of the water table	\boxtimes			A deep soil zone of 312.2 square metres (11%) is proposed for the site. The
•	To assist with management of water quality				proposed 11% of deep soil zone for the site is considered to be compatible in the
•	To improve the amenity of developments through the retention and/or planting of large and medium size trees				predominantly commercial context of the site and the urban character of the Lidcombe Town Centre rather than a residential area. The width of the deep soil zone complies with the minimum 5 metre dimension requirements which allows for the planting of medium to large trees. The amount of deep soil proposed on site is considered sufficient in this regard.

Re	quirement	Yes	No	N/A	Comment
De:	optimise the provision of consolidated deep soil zones within a site by the design of basement and sub basement car parking so as not to fully cover the site; and the use of front and side setbacks.				Due to the existing heritage item, the proposed basement occupies 60% of the site. Deep soil is provided predominantly around the curtilage of the heritage item within the front area of the heritage
•	Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent				building. The remaining areas are provided with an intervening landscaped arcade to the tower building.
•	properties. Promote landscape health by supporting for a rich variety of vegetation type and size.				The proposed deep soil zone will be capable of supporting significant trees.
•	Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials.				Any paving over the deep soil zone is comprised of unit stepping stones and decorative pebbles of porous surface
•	A minimum of 25% of the open space area of a site should be a deep soil zone.		\boxtimes		maintaining the permeability of the soil. As discussed above, the proposed
					11% of deep soil zone for the site is considered to be compatible in the predominantly commercial context of the site and the urban character of the Lidcombe Town Centre rather than a residential area. This is considered to be satisfactory in this instance.
	nces and Walls				
• Obj	ectives To define the edges between public and				The separation between the private and
	private land.				public domains is established by a strong
•	To define the boundaries between areas within the development having different	\boxtimes			commercial building facade at street level, landscaping and paving material.
	functions or owners.	\boxtimes			The proposal will contribute positively to
•	To provide privacy and security. To contribute positively to the public domain.				the public domain with the provision of an intervening landscaped arcade generating pedestrian activity and an active street frontage.
Des	sign Practice Respond to the identified architectural	\square			The subject development application will
	character for the street and/or the area (refer page 45 of the Design Code for design considerations)				establish the high density character for the site and immediate locality that is consistent with the desired future
•	Clearly delineate the private and public domain without compromising safety and	\boxtimes			character of the area.
	security by designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air; and limiting the length and height of				As per the objectives sections the private and public domains are delineated via a strong commercial building facade at street level, landscaping and paving metrical. The residential labby entries are
•	retaining walls along street frontages. Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating benches and seats; planter boxes; pergolas and				material. The residential lobby entries are separated and recessed from the commercial facades.
•	trellises; BBQs; water features; composting boxes and worm farms. Retain and enhance the amenity of the public domain by avoiding the use of continuous blank walls at street level; and using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking and reduce				The proposed public domain is enhanced with the provision of landscaping, paving material and multiple entries with no rigid defined edges.
•	their apparent scale. Select durable materials which are easily cleaned and graffiti resistant				

Re	quirement	Yes	No	N/A	Comment
Ob	ectives				
•	To add value to residents' quality of life	\boxtimes			All open spaces are proposed to be
	within the development in the forms of				intensively landscaped to integrate the
	privacy, outlook and views.				overall appearance of the development to
•	To provide habitat for native indigenous				enhance the setting of the building.
	plants and animals.		ш		
•	To improve stormwater quality and reduce				Low maintenance native indigenous trees
	quantity.	\boxtimes			and shrubs are being provided for the
•	To improve the microclimate and solar	\boxtimes			development.
	performance within the development.			H	
•	To improve urban air quality.				
	To contribute to biodiversity.	\boxtimes			
De	sign Practice				
•	Improve the amenity of open space with				The primary landscaping space is located
•	landscape design which: provides		ш	Ш	on the western front setback of the
	appropriate shade from trees or				heritage building. The space allows for
	structures; provides accessible routes				the planting of large trees that is
	through the space and between buildings;				appropriate to the scale and context of
	screens cars, communal drying areas,				the heritage item.
	swimming pools and the courtyards of				and memory
	ground floor units; allows for locating art				
	works where they can be viewed by users				
	of open space and/or from within				
	apartments.				
•	Contribute to streetscape character and				Landscaping is provided within public
-	the amenity of the public domain by:	\boxtimes	Ш	Ш	domain areas of the pedestrian access
	relating landscape design to the desired				areas to enhance streetscape character
	proportions and character of the				and provide human scale to the design of
	streetscape; using planting and landscape				the building at street level.
	elements appropriate to the scale of the				
	development; mediating between and				
	visually softening the bulk of large				
	development for the person on the street.		_		
	Improve the energy efficiency and solar	\boxtimes			
•	efficiency of dwellings and the				
	microclimate of private open spaces.				
	(Refer planting design solutions at p46-47				
	of Design Code)				
	Design landscape which contributes to the	\boxtimes			
-	site's particular and positive				
	characteristics.				
	Contribute to water and stormwater				The landscaping proposed around the
-	efficiency by integrating landscape design		Ш	Ш	structures is designed to promote the
	with water and stormwater management.				natural permeability of the site and
•	Provide a sufficient depth of soil above				enhance streetscape character and
•	paving slabs to enable growth of mature	\boxtimes			setting of the buildings.
	trees.				
	Minimise maintenance by using robust	\boxtimes			Street landscaping planters and planter
-	landscape elements.				boxes on roof top terrace have sufficient
					depth to support the proposed level of
					growth.
	en Space		T		T
Ob	ectives				
•	To provide residents with passive and	\boxtimes			The communal open space area located
	active recreational opportunities.				on the roof terrace is of sufficient size to
•	To provide an area on site that enables	\boxtimes			allow residents the opportunity for
	soft landscaping and deep soil planting.		ш		recreation. Further, landscaping in the
•	To ensure that communal open space is				form of planter boxes contributes to a
	consolidated, configured and designed to	\boxtimes			pleasant outlook from the site.
	be useable and attractive.				
•	To provide a pleasant outlook.	\boxtimes			In addition to the communal space, all
					units within the development are provided
					with a private balcony capable of
					supporting a table and chairs.
					0 (1)
					Outdoor dining areas proposed adjacent
					to pedestrian access areas provide
					entertainment and increased pedestrian
					circulation.

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Provide communal open space with is	\boxtimes			The development proposes a functional
	appropriate and relevant to the building's			_	communal outdoor area located at the
	setting (refer to guidelines on p48 of				roof top.
	Design Code)				
•	Where communal open space is provided,	\boxtimes			
	facilitate its use for the desired range of activities by locating it in relation to				
	buildings to optimise solar access to				
	apartments; consolidating open space on				
	the site into recognisable areas with				
	reasonable space, facilities and				
	landscape; designing its size and				
	dimensions to allow for the program of				
	uses it will contain; minimising overshadowing; carefully locating				
	ventilation duct outlets from basement car				
	parks.				
•	Provide open space for each apartment				
	capable of enhancing residential amenity	\boxtimes		Ш	Every unit within the development is
	in the form of balcony, deck, terrace,				serviced by a functional balcony capable
	garden, yard, courtyard and/or roof				of supporting a table and chairs.
_	terrace. Locate open space to increase the				The communal space is located at the
•	Locate open space to increase the potential for residential amenity by		Ш	ш	roof top optimising its solar access.
	designing apartment buildings which: are				All balconies are orientated either to the
	sited to allow for landscape design; are				north and/or south of the site to maximise
	sited to optimise daylight access in winter				their outlook and solar access.
	and shade in summer; have a pleasant				
	outlook; have increased visual privacy				
•	between apartments. Provide environmental benefits including				
	habitat for native fauna, native vegetation	\boxtimes	Ш	Ш	
	and mature trees, a pleasant				
	microclimate, rainwater percolation and				
	outdoor drying area.				The entire reef ten terrage consisting of
•	The area of communal open space	\boxtimes			The entire roof top terrace consisting of 944.56 sqm or 33% is dedicated to the
	required should generally be at least 25-				communal open space for residents. At
	30% of the site area. Larger sites and brownfield sites may have potential for				ground/street level, an open area is
	more than 30%.				provided between the new and existing
•	Where developments are unable to	\boxtimes			building providing pedestrian access and
	achieve the recommended communal				circulation around the two buildings.
	open space, they must demonstrate that				
	residential amenity is provided in the form				
	of increased private open space and/or a contribution to public open space.				
•	Minimum recommended area of private				
	open space for each apartment at ground	Ш			
	level or similar space on structure is 25m ²				
	and the minimum preferred dimension is				
Ori	4m. entation				
	ectives				
•	To optimise solar access to residential	\boxtimes			The building is appropriately located to
	apartments within the development and				maximise solar access to the proposed
	adjacent development.				building but also maintain solar access to
•	To contribute positively to desired	\boxtimes			adjoining buildings.
	streetscape character.				
•	To support landscape design of consolidated open space areas.				
•	To protect the amenity of existing	$\overline{\boxtimes}$			
	development.				
•	To improve the amenity of existing development	\boxtimes			

Requirement	Yes	No	N/A	Comment
Design Practice Plan the site to optimise solar access by: positioning and orienting buildings to				The building siting has been optimized to provide the best possible building
maximise north facing walls (within 30° east and 20° west of north) where possible; and providing adequate building separation within the development and to adjacent buildings.				separation to adjoining buildings, streetscape address and alignment.
Select building types or layouts which respond to the streetscape while optimising solar access. Where streets are to be edged and defined by buildings: align buildings to the street on east-west streets; and use courtyards, L-shaped configurations and increased setbacks to northern side boundaries on north-south				The single tower built form will result in the majority of the building enjoying good solar access depending on the unit orientation. Cross-through and dual aspect apartments have been proposed to increase solar amenity and single aspect apartments are minimised in depth of the required 8 metres.
 streets. Optimise solar access to living spaces and associated private open spaces by orienting them to the north. 				The building has been specifically designed to take advantage of the two street frontages or excellent solar access offered to the north elevation of the
Detail building elements to modify environmental conditions as required positions are access in winter and are				building.
maximising sun access in winter and sun shading in summer.				Sun shading devices such as louvres have been proposed on the western facade.
Planting on Structures	ı	ı	1	
To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.				Communal open space provided at roof top.
To encourage the establishment and healthy growth of trees in urban areas.				Street landscaping planters have sufficient depth to support the proposed level of growth.

Requirement	Yes	No	N/A	Comment
Design Practice • Design for optimum conditions for plant	\boxtimes			As per the landscape plan submitted, the
growth by: providing soil depth, soil volume and soil area appropriate to the size of the plants to be established; providing appropriate soil conditions and irrigation methods, providing appropriate drainage Design planters to support the appropriate soil depth and plant selection by: ensuring planter proportions accommodate the largest volume of soil possible; and providing square or rectangular planting areas rather than long narrow linear areas. Minimum soil depths will vary depending on the size of the plant however soli depths greater than 1.5m are				proposal will incorporate a variety of tree plantings including four separate planters at the street / building interface and a mix of other trees provided around the building structures. Landscape planter boxes are also proposed to be located on the edge of the roof top terrace. Street planters are proposed to support trees, being Lophostemon confertus with a maximum potential height of 20 metres and canopy spread of 15 metres. The proposed planters are 1.2 metres in depth and capable of supporting the proposed trees and landscaping.
unlikely to have any benefits for tree growth. Increase minimum soil depths in accordance with: the mix of plants in a planter; the level of landscape management; anchorage requirements of large and medium trees; soil type and quality.				
Minimum standards: Large trees such as figs (canopy diameter of up to 16m at maturity): Min. soil volume 150cum				
 Min. soil depth 1.3m Min. soil area 10m x 10m Medium trees (canopy diameter of up to 				
8m at maturity): Min. soil volume 35cum Min. soil depth 1m Approx. soil area				
6m x 6m o Small trees (canopy diameter of up to 4m at maturity):	\boxtimes			
Min. soil volume9cumMin. soil depth800mm	\boxtimes			
• Approx soil area 3.5m x 3.5m				
■ Min. soil depths 500-600mm ⊙ Ground cover:				
■ Min. soil depths 300-450mm o Turf:				
Min. soil depth 100- 300mm Any subsurface drainage requirements are in				
addition to the min. soil depths Stormwater Management				

Red	quirement	Yes	No	N/A	Comment
Obj	ectives To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways.				
•	To preserve existing topographic and natural features including waterways and wetlands.			\boxtimes	
•	To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.				
Des •	Reduce the volume impact of stormwater on infrastructure by retaining it on site (refer design solutions on p54 of Design Code)				On site detention is proposed.
•	Optimise deep soil zones. All development must address the potential for deep soil zones.				Significant consolidated deep soil area of 11% of the site area is provided within the site.
•	On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek				
•	alternative solutions. Protect stormwater quality by providing for stormwater filters, traps or basins for hard surfaces, treatment of stormwater collected in sediment traps on soils				The stormwater design incorporates a stormwater primary filtering device before discharge of stormwater from the site.
•	containing dispersive clays. Reduce the need for expensive sediment				
•	trapping techniques by controlling erosion. Consider using grey water for site irrigation.	\boxtimes			A water reuse tank is also incorporated into the stormwater design to be used for landscaping irrigation.
Sat	ety				- consecutive services and services are services are services and services are serv
Obj	ectives To ensure residential flat developments are safe and secure for residents and visitors.				The proposal provides secure separate residential entries.
•	To contribute to the safety of the public domain.				Safety of the public domain is enhanced via the opportunity for passive surveillance from the upper unit balconies.
Des •	sign Practice Reinforce the development boundary to	\boxtimes			The separation between the private and
	strengthen the distinction between public and private space. This can be actual or symbolic and include: employing a level change ay the site and/or building threshold; signage; entry awnings; fences; walls and gates; change of material in paving between the street and the				public domains is established by strong commercial building facade, recessed residential entries, landscaping and paving material.
•	development. Optimise the visibility, functionality and safety of building entrances by: orienting entrances towards the public street; providing clear lines of sight between entrance foyers and the street; providing direct entry to ground level apartments from the street rather than through a common foyer; direct and well lit access between car parks and lift lobbies and to all unit				Safety for residents is further enhanced via the provision of multiple lifts and two secured ground level residential entrances. The entrances are visible from the street however recessed from the commercial tenancies facades.
•	entrances. Improve the opportunities for casual surveillance by: orienting living areas with views over public or communal open spaces where possible; using bay windows and balconies which protrude beyond the main façade and enable a wider angle of vision to the street; using				The opportunity for casual surveillance of the public domain is available from the balconies of units located on the southern and western elevations.

Red	quirement	Yes	No	N/A	Comment
	corner windows which provide oblique views of the street; providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.				
•	Minimise opportunities for concealment by: avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parking, along corridors and walkways; providing well lit routes throughout the development; providing appropriate levels of illumination for all common areas; providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.				Due to the provision of multiple lift cores, all active corridors of the development are generally short. The proposal also incorporates a crime safety design principles in the Design Verification Statement which outlines general security measures proposed and general illumination of common areas.
•	Control access to the development by: making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings; separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas; providing direct access from car parks to apartment lobbies for residents; providing separate access for residents in mixed-use buildings; providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents, providing key card access for residents.				Balconies of apartment units are inaccessible from the ground floor. The residential lobbies of the development are separate from the commercial tenancies.
•	Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.				A crime risk assessment has been considered in accordance with the CPTED principles and is detailed in the Design Verification Statement submitted.
	ual Privacy				
Obj	ectives To provide reasonable levels of visual privacy externally and internally during the day and night.				The general privacy provided to the residents of the building is considered acceptable.
•	To maximise outlook and views from principal rooms and private open space without compromising visual privacy.				Outlook is considered to be maximised without compromising visual privacy to the residents.
Des •	Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by providing adequate building separation, employing appropriate rear and side setbacks, utilise the site layout to increase building separation. Design building layouts to minimise direct				The proposal is considered to have optimized building separation to all existing surrounding development. The proposal is not considered to raise
	overlooking of rooms and private open spaces adjacent to apartments by: balconies to screen other balconies and any ground level private open space; separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms; changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space.				any significant privacy issues from the adjoining existing development to the west. The development has been designed to consider future potential development north of the site by orientating the units to face the street and maximising setbacks where possible to achieve an appropriate building separation that meets the required amenity objectives.
•	Use detailed site and building design elements to increase privacy without compromising access to light and air (refer p58-59 of Design Code for detailing)				

Rec	quirement	Yes	No	N/A	Comment
	lding Entry				
Obj	ectives			_	
•	To create entrances which provide a	\boxtimes			The proposed development is considered
	desirable residential identity for the				to be consistent with the Building Entry
	development.				Objectives as multiple communal entries which are easily identifiable are
•	To orient the visitor.	\boxtimes			which are easily identifiable are proposed.
•	To contribute positively to the streetscape and building facade design.	\boxtimes			proposed.
Des	sign Practice				
•	Improve the presentation of the				Multiple communal entries are to be
•	development to the street by: locating		Ш	Ш	provided, which integrate with the public
	entries so that they relate to the existing				domain through the provision of
	street and subdivision pattern, street tree				pedestrian thoroughfare with feature
	planting and pedestrian access network;				paving and landscaping.
	designing the entry as a clearly identifiable				
	element of the building in the street;				Entry foyers are spacious, feature glazing
	utilising multiple entries where it is				for clear sight lines and will be secured with resident-access locked doors.
	desirable to activate the street edge or reinforce a rhythm of entries along a				Equitable access is provided via at grade
	street.				entries and lift cores. Ramped access
•	Provide as direct a physical and visual				paths and lifts from the basement car
	connection as possible between the street		Ш	Ш	parking levels will provide access to
	and the entry.				commercial ground floor level of the
•	Achieve clear lines of transition between				development and to all residential floors
	the public street, the shared private		Ш	Ш	above.
	circulation spaces and the apartment unit.				Pedestrian and vehicular entrances are
•	Ensure equal access for all.	\boxtimes			separated.
•	Provide safe and secure access (refer	\boxtimes			Separated.
	design solutions on p60 of the Design Code)				The ground floor will be dedicated to
•	Provide separate entries from the street				commercial uses however the residential
•	for pedestrians and cars; different uses	\boxtimes			lobbies are separated and recessed from
	and ground floor apartments.				the commercial tenancies.
•	Design entries and associated circulation				
	space of an adequate size to allow	\boxtimes			
	movement of furniture between public and				
	private spaces.				
•	Provide and design mailboxes to be	\boxtimes			Appropriate conditions can be imposed to
	convenient for residents and not to clutter the appearance of the development from				demonstrate compliance.
	the street (refer design solutions on p61 of				
	the Design Code).				
	king				
Obj	ectives				
•	To minimise car dependency for	\boxtimes			Sufficient parking has been proposed to
	commuting and recreational transport use	· 			service the residential, commercial and
	and to promote alternative means of				visitor requirements of the development.
	transport – public transport, bicycling and walking.				The location of the site also means the site can benefit from public transport
•	To provide adequate car parking for the				availability such as trains and buses.
•	building's users and visitors depending on	\boxtimes			aramability dubit do dulino dire becod.
	building type and proximity to public				The parking is designed to be
	transport.				unobtrusive and integrated with the
•	To integrate the location and design of car				design of the building.
	parking with the design of the site and the		Ш		
	building.				

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Determine the appropriate car parking spaces in relation to the development's proximity to public transport, shopping and recreational facilities; the density of the development and the local area; the site's ability to accommodate car parking.				The appropriate level of parking has been provided to service the development. The specific parking calculations are discussed later in the report. The site also benefits by access to public transport.
•	Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant.				A total of 15 visitor spaces including a disabled space are proposed to service both the residential and the commercial
•	Give preference to underground parking wherever possible. Design considerations include: retaining and optimising the consolidated areas of deep soil zones; facilitating natural ventilation to basement and sub basement car parking areas; integrating ventilation grills or screening devices of car park openings into the façade design and landscape design; providing safe and secure access for building users, including direct access to residential apartments where possible; provide a logical and efficient structural grid.				components of the development. Majority of the parking proposed is located over three underground basement levels.
•	Where above ground enclosed parking cannot be avoided ensure the design of the development mitigates any negative impact on streetscape and street amenity by avoiding exposed parking on the street frontage; hiding car parking behind the building façade — where wall openings occur, ensure they are integrated into the overall façade scale, proportions and detail; wrapping the car parks with other uses.				There is no above ground enclosed parking. The at-grade parking is located at the rear of the site away from the street frontage.
•	Minimise the impact of on grade parking by: locating parking on the side or rear of the lot away from the primary street frontage; screening cars from view of streets and buildings; allowing for safe and direct access to building entry points; incorporating parking into the landscape design of the site.				
•	Provide bicycle parking which is easily accessible from ground level and from apartments.	\boxtimes			16 bicycle bays and 3 motorcycle bays are to be provided within the basement levels to service the development.
	destrian Access	_			
Obj	ectives				The prepared development is social and
•	To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.				The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to each
•	To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartments and use communal areas via minimum grade ramps, paths, access ways or lifts.				lift core of the building. The development is acceptable in this regard.

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Utilise the site and its planning to optimise accessibility to the development.				The site is considered to be appropriately barrier free with wheelchair access
•	Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entires, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.				possible from the street, rear car park, basement and to the upper residential floors of the development.
•	Promote equity by ensuring the main building entrance is accessible for all from the street and from car parking areas; integrating ramps into the overall building and landscape design.				
•	Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space.				There are no ground floor apartments.
•	Maximise the number of accessible, visitable and adaptable apartments in a building.				The development is fully accessible and visitable.
•	Separate and clearly distinguish between pedestrian accessways and vehicle accessways.				
•	Consider the provision of public through site pedestrian accessways in large development sites.	\boxtimes			Site general access is available from the
•	Identify the access requirements from the street or car parking area to the apartment entrance.				street through to the rear parking area.
•	Follow the accessibility standard set out in AS1428 as a minimum.	\boxtimes			
•	Provide barrier free access to at least 20% of dwellings in the development.	\boxtimes			
	nicle Access				
Obj	ectives To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian				The vehicular access points have been designed to minimise the streetscape impact and promote active street usage.
•	amenity and safety. To encourage the active use of street frontages.				Additionally, being a mixed use building, the proposed building will be able to promote street activity via the commercial tenancies in the arcade and the open pedestrian thoroughfare.

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts (refer design approaches on p65 of the Design Code)				
•	Ensure adequate separation distances between vehicular entries and street intersections.	\boxtimes			The driveway width is not excessive and is of sufficient distance from an intersection.
•	Optimise the opportunities for active street frontages and streetscape design by: making vehicle access points as narrow as possible; limit the number of vehicle accessways to a minimum; locating car park entry and access from secondary				
•	streets and lanes. Improve the appearance of car parking and service vehicle entries by: screening garbage collection, loading and servicing areas visually away from the street; setback or recess car park entries from the main façade line; avoid 'black holes' in the façade by providing security doors to car park entries; where doors are not provided, ensure that the visible interior of the car park is incorporated into the façade design and materials selection and that building services – pipes and ducts – are concealed; return the façade material into the car park entry recess for the extent visible from the street as a				Service areas such as garbage storage (within specific rooms) and loading spaces are contained at the ground level at the rear of the site and not visible from public areas.
	minimum.				The vehicular access convicing the
•	Generally limit the width of driveways to a maximum of 6m.				The vehicular access servicing the basement levels and the at-grade
•	Locate vehicle entries away from main pedestrian entries and on secondary frontages.				parking at the rear of the site is 10 metres at the property and widens to 11.8 metres at the splay. Given that this driveway essentially provides for two separate access points, it is considered to be acceptable as the combined width of the driveway does
Par	t 03 Building Design				not exceed 12 metres.
	artment Layout				
	ectives				
•	To ensure the spatial arrangement of apartments is functional and well organised.				The proposed development is considered to be consistent with the Apartment
•	To ensure that apartment layouts provide high standards of residential amenity.				Layout objectives as layouts are suitably sized to permit a satisfactory furniture
•	To maximise the environmental performance of apartments.	\boxtimes			layout to occur.
•	To accommodate a variety of household activities and occupants' needs.				
Des	sign Practice				
•	Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability.				The building offers a variety of unit types of 1 to 3 bedroom units.
•	Ensure apartment layouts are resilient over time by accommodating a variety of furniture arrangements; providing for a range of activities and privacy levels between different spaces within the apartment; utilising flexible room sizes and proportions or open plans; ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.				Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible. A suitable furniture layout can be achieved for all the units.
•	Design apartment layouts which respond to the natural and built environments and	\boxtimes			Every unit has a private balcony which is

Red	quirement	Yes	No	N/A	Comment
	optimise site opportunities by: providing private open space in the form of a balcony, terrace, courtyard or garden for every apartment; orienting main living areas toward the primary outlook and aspect and away from neighbouring noise sources or windows.				appropriately orientated to maximise solar access and views. Single aspect units are limited to a depth of 8.5 metres to ensure sufficient solar amenity and natural ventilation.
•	Locating main living spaces adjacent to main private open space; locating habitable rooms, and where possible kitchens and bathrooms, on the external face of buildings; maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments.				All balconies within the development can be accessed from a primary habitable living room.
•	Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.				The kitchens do not form part of the major circulation space of any apartment.
•	Include adequate storage space in apartment Ensure apartment layouts and dimensions facilitate furniture removal and placement.	\boxtimes			All the units have sufficient storage space in addition to kitchen cupboards and wardrobes.
•	Apartment dimensions on p67-68 of the Design Code achieved. Apartment areas on p69 of the Design	\boxtimes			
•	Code achieved. Single aspect apartments should be limited in depth to 8m from a window.				
•	The back of a kitchen should be no more than 8m from a window.				Majority of the units comply with this requirement.
•	The width of cross-over/cross-through apartments over 15m deep should be 4m				
•	or greater. Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly				
•	for habitable rooms. Minimum apartment sizes: 1 bed = 50m ² , 2 bed = 70m ² , 3 bed = 95m ²				The proposal complies with the minimum apartment sizes as follows: • Smallest 1 bedroom unit size (single aspect) = 70 sqm. • Smallest 2 bedroom unit size (corner apartment) = 82 sqm. • Smallest 3 bedroom unit size = 103 sqm.
	artment Mix				
•	To provide a diversity of apartment types, which cater for different household	\boxtimes			The proposed development is considered to be consistent with the Apartment Mix
•	requirements now and in the future. To maintain equitable access to new housing by cultural and socio-economic groups.				objectives as an acceptable mixture of 1, 2 and 3 bedroom apartments are proposed which will cater for a range of household requirements.

Re	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Provide a variety of apartment types	\boxtimes			The development has the following
	particularly in large apartment buildings. Variety may not be possible in smaller				bedroom mix:-
•	buildings (up to 6 units) Refine the appropriate mix for a location	\square			1 bedroom – 7 units (10%) 2 bedroom – 54 units (77%)
	by: considering population trends in the	\boxtimes		Ш	3 bedroom – 9 units (13%)
	future as well as present market demands;				
	noting the apartment's location in relation to public transport, public facilities,				
	employment areas, schools, universities				
	and retail centres.			\boxtimes	There are no units on the ground floor.
•	Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is	Ш			
	more easily achieved.				
•	Optimise the number of accessible and	\boxtimes			The development is fully accessible and
	adaptable units to cater for a wider range of occupants.				7 units are identified as being specifically adaptable. An access compliance report
•	Investigate the possibility of flexible	\boxtimes			prepared by Peter Simpson of PSE
	apartment configurations which support				Access Consulting P/L has also been
	change in the future.				submitted advising that the adaptable units satisfactorily comply with the
					relevant access provisions of the BCA.
	conies		1		T
Obj	ectives To provide all apartments with private	\square			The proposed development is considered
•	open space.				to be consistent with the Balconies
•	To ensure balconies are functional and				objectives as all apartments are provided
	responsive to the environment thereby promoting the enjoyment of outdoor living				with suitably sized private open spaces which integrate with the overall
	for apartment residents				architectural form of the building and
•	To ensure that balconies are integrated				provide casual overlooking of communal
	into the overall architectural form and				and public areas.
•	detail of residential flat buildings. To contribute to the safety and liveliness				
	of the street by allowing for casual				
Da	overlooking and address.				
Des	sign Practice Where other private open space is not	\boxtimes			All apartments have at least one balcony.
	provided, provide at least one primary				Access is provided directly from living
	balcony.				areas and where possible, secondary
•	Primary balconies should be: located adjacent to the main living areas, such as	\bowtie			access is provided from primary bedrooms.
	living room, dining room or kitchen to				
	extend the dwelling living space;				
	sufficiently large and well proportioned to be functional and promote indoor/outdoor				
	livening – a dining table and 2 chairs				
	(small apartment) and 4 chairs (larger apartment) should fit on the majority of				
	balconies in the development.				
•	Consider secondary balconies, including				
	Juliet balconies or operable walls with balustrades, for additional amenity and				
	choice: in larger apartments; adjacent to				
	bedrooms; for clothes drying, site				
	balconies off laundries or bathrooms and they should be screened from the public				
	domain.				
•	Design and detail balconies in response to	\boxtimes			The site is situated on the corner
	the local climate and context thereby increasing the usefulness of balconies by:				surrounded by two street frontages on the south and west and two access
	locating balconies which predominantly				driveways on the northern and eastern
	face north, east or west to provide solar				side. This generates a degree of separation from the adjoining
	access; utilising sun screens, pergolas, shutters ad operable walls to control				separation from the adjoining developments and views are therefore
	sunlight and wind; providing balconies				maximised in all directions, with primary
	with operable screens, Juliet balconies or				orientation being to the north for solar access.
	operable walls in special locations where noise or high windows prohibit other				400033.
	solutions; choose cantilevered balconies,				

Re	quirement	Yes	No	N/A	Comment
	partly cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; ensuring balconies are not so deep that they prevent sunlight entering				
•	the apartment below. Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy (refer design considerations on p72 of the Design Code)				Balustrades on the upper floors are clear to promote views however primary living rooms are recessed from the balcony edge to maximise privacy.
•	Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.				Facade appearance is considered to be of a high quality contemporary appearance.
	Consider supplying a tap and gas point on	\boxtimes			The requirement can be conditioned if approval of the proposal is considered.
•	primary balconies. Provide primary balconies for all apartments with a min. depth of 2m (2)	\boxtimes			All balconies in the proposal have a minimum depth dimension of 2.5 metres.
•	chairs) and 2.4m (4 chairs). Developments which seek to vary from the min. standards must demonstrate that negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated				No variations are sought in this instance.
•	with design solutions. Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.				Balconies are of sufficient depth to be of high amenity and are functional.
	iling Heights				
Ob.	ectives To increase the sense of space in apartments and provide well proportioned	\boxtimes			The proposed development is considered
•	rooms. To promote the penetration of daylight into				to be consistent with the Ceiling Heights objectives.
•	the depths of the apartment. To contribute to flexibility of use. To achieve quality interior spaces while considering the external building form requirements.				

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Design better quality spaces in apartments by using ceilings to: define a spatial hierarchy between areas of an				The units in the complex above the ground floor have floor to ceiling heights of 2.7 metres.
	apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads; enable				This is considered acceptable for solar access and general residential amenity.
	better proportioned rooms; maximise heights in habitable rooms by stacking wet areas from floor to floor; promote the use of ceiling fans for cooling/heating				Ground floor is proposed to be minimum 5 metres for commercial tenancies.
	distribution.				
•	Facilitate better access to natural light by using ceiling heights which enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors; promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with				
	limited light access such as ground floor				
	apartments and apartments with deep				
	floor plans. Design ceiling heights which promote	\boxtimes			
	building flexibility over time for a range of				
	other uses, including retail or commercial,				
	where appropriate.				Clab thistrees has been factored into the
•	Coordinate internal ceiling heights and	\boxtimes	Ш		Slab thickness has been factored into the calculation of ceiling heights.
	slab levels with external height requirements and key datum lines (refer				calculation of coming neighbo.
	p73 of Design Code).				
•	Count double height spaces with			\bowtie	No mezzanine style units proposed.
	mezzanines as two storeys.	ш			Poing a single tower built form the floor
•	Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple				Being a single tower built form, the floor heights are consistent.
	uses are proposed.				
•	Min. dimensions from finished floor level				
	to finished ceiling level: o Mixed use buildings: 3.3m min. for			\bowtie	
	ground floor retail/commercial and	_			
	for first floor residential, retail or				
	commercial.				
	 For RFBs in mixed use areas: 3.3m min for ground floor; 		Ш		
	∘ For RFBs or other residential floors in				
	mixed use buildings: 2.7m min. for all		Ш		
	habitable rooms on all floors, 2.4m				
	preferred min for non habitable rooms but no less than 2.25m;				
	o 2 storey units: 2.4m for second storey if			\boxtimes	
	50% or more of the apartments has				
	2.7m min. ceiling heights;				
	2 storey units with a 2 storey void space: 2.4m min;		Ш	\bowtie	
	o attic spaces: 1.5m min wall height at				
	edge of room with a 30 ⁰ min. ceiling slope.			\boxtimes	
•	Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive			\boxtimes	
	satisfactory daylight.				
Fle	xibility				

Re	quirement	Yes	No	N/A	Comment				
Ob	ectives								
•	To encourage housing designs which	\boxtimes			The proposed development is considered				
	meet the broadest range of the occupants'				to be consistent with the Flexibility				
	needs as possible.				objectives as layouts promote changes to furniture arrangement and a suitable				
•	To promote 'long life loose fit' buildings, which can accommodate whole or partial	\boxtimes			number can be adapted to the changing				
	changes of use.				needs of residents.				
•	To encourage adaptive reuse.	\bowtie							
•	To save the embodied energy expended	\boxtimes							
	in building demolition.								
Des	sign Practice:								
•	Provide robust building configurations,	\boxtimes			Apartment layout provides for basic				
	which utilise multiple entries and circulation cores, especially in larger				changes to internal configuration.				
	buildings over 15m long by: thin building								
	cross sections, which are suitable for								
	residential or commercial uses; a mix of								
	apartment types; higher ceilings in								
	particular on the ground floor and first								
	floor; separate entries for the ground floor								
	level and the upper levels; sliding and/or								
_	moveable wall systems. Provide apartment layouts which								
•	Provide apartment layouts which accommodate the changing use of rooms	\boxtimes							
	(refer design solutions on p75 of the								
	Design Code).								
•	Utilise structural systems which support a								
	degree of future change in building use or	\boxtimes	Ш	Ш					
	configuration (refer design solutions on								
	p75 of the Design Code).	\boxtimes							
•	Promote accessibility and adaptability by ensuring: the number of accessible and		Ш	Ш					
	visitable apartments is optimised; and								
	adequate pedestrian mobility and access								
	is provided.								
	Ground Floor Apartments								
Ob	ectives								
•	To contribute to the desired streetscape of			\boxtimes	Being a mixed use building, there are no				
	an area and to create active safe streets.				ground floor apartments proposed. This				
•	To increase the housing and lifestyle			\boxtimes	section is not applicable.				
	choices available in apartment buildings.								

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants. Refer to p77 of the Design Code for design options.				There are no ground floor apartments proposed and accordingly this section is not applicable.
•	Ensure adequate privacy and safety of ground floor units located in urban areas with no street setbacks by: stepping up the ground floor level from the level of the footpath a maximum of 1.2m; designing balustrades and establishing window sill heights to minimise site lines into apartments, particularly in areas with no street setbacks; determining appropriateness of individual entries;				
•	ensuring safety bars or screens are integrated into the overall elevation design and detailing. Promoting house choice by: providing private gardens, which are directly accessible from the main living spaces of the apartment and support a variety of activities; maximising the number of accessible and visitable apartments on the ground floor; supporting a change or				
•	partial change in use, such as a home office accessible from the street or a corner shop. Increase opportunities for solar access in ground floor units, particularly in denser areas by: providing higher ceilings and taller windows; choosing trees and shrubs which provide solar access in winter and				
•	shade in summer. Optimise the number of ground floor apartments with separate entires and consider requiring an appropriate percentage of accessible units.				
•	Provide ground floor apartments with access to private open space, preferably as a terrace or garden.				
	ernal Circulation	 			T
Obj	ectives				
•	To create safe and pleasant spaces for the circulation of people and their personal possessions.				The proposed development is considered to be consistent with the Internal Circulation objectives.
•	To facilitate quality apartment layouts, such as dual aspect apartments.				Short spacious access hallways and
•	To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.				apartments are provided around two separate lift cores.
•	To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.				

Requirement	Yes	No	N/A	Comment
 Increase amenity and safety in circulation spaces by: providing generous corridor widths and ceiling heights particularly in lobbies, outside lifts and apartment entry doors; providing appropriate levels of lighting, including the use of natural daylight where possible; minimising corridor lengths to give short, clear sight lines; avoiding tight corners; providing legible signage noting apartment numbers, common areas and general directional finding; providing adequate ventilation. 				Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings. Two lift access cores are provided to service the complex and each core services 5 units. This is considered to deliver high amenity to the residents and users of the building.
 Support better apartment building layouts by designing buildings with multiple cores which: increase the number of entries along a street; increase the number of vertical circulation points; give more articulation to the façade; limiting the number of units off a circulation core on a 				
 single level. Articulate longer corridors by: utilising a series of foyer areas and/or providing 				
 windows along or at the end of a corridor. Minimise maintenance and maintain durability by using robust materials in 	\boxtimes			
common circulation areas. Where units are arranged off a double loaded corridor, the number of units accessible from a single core/corridor should be limited to 8 – exceptions for: adaptive reuse buildings; where developments can demonstrate the achievement of the desired streetscape character and entry response; where developments can demonstrate a high level of amenity for common lobbies, corridors and units.				
Mixed Use				

Red	quirement	Yes	No	N/A	Comment
Obj	ectives				The proposed mixed use building is in
•	To support a mix of uses that complement and reinforce the character, economics	\boxtimes			accordance with the desired future character of the area.
•	and function of the local area. Choose a compatible mix of uses. Consider building depth and form in				No specific uses of the commercial tenancies are proposed at this time.
•	relation to each use's requirements for servicing and amenity (refer details on p80 of the Design Code). Design legible circulation systems, which ensure the safety of users by: isolating commercial service requirements such as	\boxtimes			The commercial tenancies are completely separated from the residential lobbies and tenancies.
	loading docks from residential access, servicing needs and primary outlook; locating clearly demarcated residential entires directly from the public street; clearly distinguishing commercial and residential entries and vertical access points; providing security entries to all entrances into private areas, including car parks and internal courtyards; providing safe pedestrian routes through the site,				
•	where required. Ensure the building positively contributes to the public domain and streetscape by: fronting onto major streets with active uses; avoiding the use of blank walls at the ground level.				The public domain interface is considered to positively contribute to the streetscape by providing a strong commercial building façade to generate an active street frontage, high quality materials, landscaping and paving material.
•	Address acoustic requirements for each use by: separate residential uses, where possible, from ground floor retail or leisure uses by utilising an intermediate quiet-use barrier, such as offices; design for acoustic privacy from the beginning of the project to ensure that future services, such				
•	as air conditioning, do not cause acoustic problems later. Recognising the ownership/lease patterns and separating requirements for purposes of BCA.	\boxtimes			The proposal will be conditioned to comply with the requirements of the Building code of Australia.
	rage				
Obj	ectives				
•	To provide adequate storage for everyday household items within easy access of the apartment.				Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and dedicated separate
•	To provide storage for sporting, leisure, fitness and hobby equipment.				storage cupboards. Additional storage of 9 cubic metres provided to all units within the basement levels.

Requirement	Yes	No	N/A	Comment
Design Practice				
Locate storage conveniently for apartments including: at least 50% of the required storage within each apartment and accessible from either the hall or living area – best provided as cupboards accessible from entires and hallways and/or under internal stairs; dedicated storage rooms on each floor within the development, which can be leased by residents as required; providing dedicated and/or leasible storage in internal or basement car parks.				The plans show that all units will have considerable internal storage space in the form of built in wardrobes and kitchen/ laundry cupboards. Further, separate dedicated storage areas of 9 cubic metres are also being provided to each unit within the basement levels.
 Provide storage which is suitable for the needs of residents in the local area and able to accommodate larger items such as 				
sporting equipment and bicycles. • Ensure that storage separated from	\boxtimes			
 apartments is secure for individual use. Where basement storage is provided: ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations; 				
 exclude it from FSR calculations. Consider providing additional storage in smaller apartments in the form of built-n cupboards to promote a more efficient use of small spaces. 				
 In addition to kitchen cupboards and wardrobes, provide accessible storage facilities at the following rates: ○ Studio = 6m³ ○ 1 bed = 6m³ ○ 2 bed = 8m³ ○ 3+ bed = 10m³ 				9 cubic metres of storage provided to all units within basement levels.
Acoustic Amenity		1		
To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.				The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation to adjoining existing buildings, unit orientation and the grouping of like-use rooms in units together.

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Utilise the site and building layout to maximise the potential for acoustic privacy				Unit acoustic amenity is considered to be promoted via the general building
	by providing adequate building separation				separation provided to adjoining
	within the development and from				buildings, unit orientation (north and
	neighbouring buildings.				south) and use of privacy screening measures.
•	Arrange apartments within a development to minimise noise transition between flats	\boxtimes			measures.
	by: locating busy, noisy areas next to each				Along the east and west sides of the
	other and quieter areas next to other				building acoustic amenity has been
	quieter areas (kitchen near kitchen,				preserved via the grouping or non habitable active room such as bedrooms
	bedroom near bedroom); using storage or circulation zones within an apartment to				and bathrooms and the utilisation of
	buffer noise from adjacent apartments,				recessing in the building wall.
	mechanical services or corridors and				
	lobby areas; minimising the amount of party walls with other apartments.				
•	Design the internal apartment layout to	\boxtimes			An acoustic report prepared by VIPAC,
	separate noisier from quieter spaces by:				ref no. 20C-11-0210-TRP-464747-1
	grouping uses within an apartment -				dated 31 August 2011 have been submitted with recommendations for
	bedrooms with bedrooms and service areas like kitchen, bathroom, laundry				mechanical noise emissions arising from
	together.				the development. The report has been
•	Resolve conflicts between noise, outlook			\boxtimes	referred to Council's Environmental
	and views by using design measures				Health Officer for comment and no objections have been raised subject to
	including: double glazing, operable screened balconies; continuous walls to				conditions of consent.
	ground level courtyards where they do not				
	conflict with streetscape or other amenity				
_	requirements.				If approval of the proposal is considered,
•	Reduce noise transmission from common corridors or outside the building by	\boxtimes			the requirement can be conditioned.
	providing seals at entry doors.				
	/light Access		ı		
Obj	ectives				The proposed development is considered
•	To ensure that daylight access is provided to all habitable rooms and encouraged in	\boxtimes			The proposed development is considered to be generally consistent with the
	all other areas of residential flat				Daylight Access objectives as the
	development.				orientation of living areas and proposed
•	To provide adequate ambient lighting and minimise the need for artificial lighting	\boxtimes			single tower form allows for daylight infiltration.
	during daylight hours.				initiation.
•	To provide residents with the ability to				
	adjust the quantity of daylight to suit their	\boxtimes			
Dec	needs. sign Practice				
•	Plan the site so that new residential flat				The site as existing has unrestricted
	development is oriented to optimise				northerly aspect. The communal open
	northern aspect.				space of the site being located on the
•	Ensure direct daylight access to communal open space between March	\boxtimes			building roof top will receive unimpeded solar amenity.
	and September and provide appropriate				2
	shading in summer.				B
•	Optimise the number of apartments				Due to the single tower form of the building the majority of the units in the
	receiving daylight access to habitable rooms and principal windows: ensure				building will either receive adequate
	daylight access to habitable rooms and				morning, daytime or afternoon solar
	private open space, particularly in winter;				access from either the north, east of west, however also as a result of the
	use skylights, clerestory windows and fanlights to supplement daylight access;				proposed built form there will be a vertical
	promote two storey and mezzanine,				line of 14 single aspect south orientated
	ground floor apartments or locations				units. Notwithstanding this, the proposal
	where daylight is limited to facilitate				can be considered to have optimised solar access. This is because no further
	daylight access to living rooms and private open spaces; limit the depth of single				reasonable design amendments can be
	aspect apartments; ensure single aspect,				made to the proposal which would
	single storey apartments have a northerly				improve solar access without being detrimental to other amenity controls
	or easterly aspect; locate living areas to the north and service areas to the south				such as visual and acoustic privacy.
	and west of development; limit the number				
	·				

Red	quirement	Yes	No	N/A	Comment
	of south acing apartments and increase their window area; use light shelves to reflect light into deeper apartments.]		Chading and glars central has been
•	Design for shading and glare control, particularly in summer: using shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting; optimising the number of north facing living spaces; providing external horizontal shading to north facing windows; providing vertical shading to east or west windows; using high performance glass but minimising external glare off windows (avoid reflective stilling uses a glass reflectance helew 20%)				Shading and glare control has been accommodated for in the design via recessed living rooms and balcony overhangs on the upper floors. A condition can be imposed upon any consent to ensure that all glass balustrade materials to minimise glass reflectance.
•	films, use a glass reflectance below 20%, consider reduced tint glass). Limit the use of lightwells as a source of daylight by prohibiting their use as the primary source of daylight in habitable				Proposed building does not incorporate any light wells.
•	where lightwells are used: relate lightwell dimensions to building separation; conceal building services and provide appropriate detail and materials to visible walls; ensure lightwells are fully open to the sky; allow exceptions for adaptive reuse buildings, if satisfactory performance is				
•	demonstrated. Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter. In dense urban areas (not relevant to Auburn LGA), a minimum				The overall development is complies as 70% of the development will receive 3 hours of direct sun either in the morning, daytime or afternoon.
•	of 2 hours may be acceptable. Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.				14 units (20%) of the units within the proposal are single aspect south orientated. This is unavoidable due to the orientation and built form of the
•	Developments which seek to vary from the minim standards must demonstrate how site constrains and orientation prohibit the achievement of these standards and how energy efficiency is addressed.				development as these units are required to address the street. Therefore, this is considered acceptable as no further design amendments can be made to the design without being detrimental to other amenity consideration such as visual and acoustic amenity.
	fural Ventilation				
•	ectives To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in				The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable
•	promoting thermal comfort for occupants. To provide natural ventilation in non habitable rooms, where possible.	\boxtimes			rooms, and where possible non-habitable rooms, have sufficient openings for ventilation. The BASIX commitments
•	To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.				dictate energy consumption requirements.

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Plan the site to promote and guide natural breezes by: determining prevailing breezes and orient buildings to maximise use, where possible; locating vegetation to direct breezes and cool air as it flows across the site and by selecting planting or trees that do not inhibit air flow.				The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
•	Utilise the building layout and section to increase the potential for natural ventilation (refer design solutions on p86				
•	of the Design Code) Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar				Generally the unit layouts are grouped to be bedrooms/bathrooms and living/kitchen/dining. The living rooms are adjacent to the balconies and generally promote natural
•	usage together. Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout (refer design solution on p86-87 of Design Code)				ventilation.
•	Coordinate design for natural ventilation with passive solar design techniques.				The building has been previously established as being optimised for
•	Explore innovative technologies to naturally ventilate internal building areas or rooms.				passive solar design access. The building is considered to be sufficiently ventilated.
•	Building depths which support natural ventilation typically range from 10-18m.				The building depth exceeding 18m is due to the proposed built form as a single tower building. Notwithstanding this the built form is considered acceptable as the proposal achieves satisfactory daylight and natural ventilation for units within the development. Further, the extent of the variation is numerically small.
•	60% of residential units should be naturally cross ventilated.				Out of the 70 units proposed, 42 units (60%) of the units are either dual aspect
•	25% of kitchen within a development should have access to natural ventilation.	\boxtimes			or cross through apartments and can be considered to be naturally ventilated.
•	Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be				Kitchens are generally located with the living/dining room unit grouping and are minimised in depth or are generally not more than 8 metres from a window. (80%)
Λια	satisfactorily achieved particularly in relation to habitable rooms. nings and Signage				
	ectives				
•	To provide shelter for public streets.	\square			The development is consistent with the
•	To ensure signage is in keeping with	Ħ		Ħ	Awnings and Signage Objectives.
	desired streetscape character and with the development in scale, detail and overall	<u>~</u> 3			
	design				

Red	uirement	Yes	No	N/A	Comment
Des	ign Practice				
<u>Awı</u>	nings				
•	Encourage pedestrian activity on streets	\boxtimes			An awning is proposed for the ground
	by providing awnings to retail strips, where				floor commercial component of the
	appropriate, which: give continuous cover in areas which have a desired pattern of				building. This awning will improve the amenity for the occupiers of the
	continuous awnings; complement the				commercial tenancies and provide all
	height, depth and form of the desired				weather cover to the commercial
	character or existing pattern of awnings;				tenancies and residential lobbies of the
	provide sufficient protection for sun and				development. In addition, the awning
	rain.				provides a well defined base for the
•	Contribute to the legibility of the residential flat development and amenity of the public	\boxtimes			building separating commercial from residential components and creating
	domain by locating local awnings over				visual interest and articulation to the
	building entries.			<u> </u>	building façade.
•	Enhance safety for pedestrians by			\boxtimes	
	providing under-awning lighting.				
Sig	nage				
•	Councils should prepare guidelines for	Ш			No general signage is proposed nor are
	signage based on the desired character and scale of the local area (refer				any uses of the commercial tenancies
	considerations on p88 of Design Code)				proposed at this time.
•	Integrate signage with the design of the				
	development by responding to scale,	Ш			
	proportions and architectural detailing.				
•	Provide clear and legible way finding for			\bowtie	
<i></i>	residents and visitors.	Ш			
	ades ectives		1		
Obj	To promote high architectural quality in	\boxtimes			The proposed development is considered
•	residential flat buildings.				to be consistent with the Facade
•	To ensure that new developments have				objectives as elevations of high
	facades which define and enhance the			ш	architectural design quality which include
	public domain and desired street				modulation and articulation are proposed.
	character.	\boxtimes			The design of the building incorporates
•					
					and fin walls, balconies and awnings and
					roof structures to provide a segmented
					strong architectural character.
					The selection of colours and materials
					enhances the segmented appearance
					and provides three distinct and
•	To ensure that building elements are integrated into the overall building form and façade design.				roof structures to provide a segmented contemporary style used to create a strong architectural character. The selection of colours and materials enhances the segmented appearance

Red	quirement	Yes	No	N/A	Comment
Des	sign Practice				
•	Consider the relationship between the	\boxtimes			A high level of modulation, articulation
	whole building form and the façade and/or				and architectural feature elements are
	building elements.				incorporated to provide visually
•	Compose facades with an appropriate	\boxtimes			interesting and varied facades. The design of the building will establish a
	scale, rhythm and proportion, which	_			good precedent of high quality mixed use
	respond to the building's use and the desired contextual character. Refer				building design for the locality.
	design solutions on p89 of the Design				building design for the locality.
	Code.				Unsightly elements such as services,
•	Design facades to reflect the orientation of	\boxtimes			piping and plant equipment are to be
	the site using elements such as sun				suitably located and/or screened so as
	shading, light shelves and bay windows as				not to detract from the visual quality of
	environmental controls, depending on the				facades.
	façade orientation.				
•	Express important corners by giving visual	\boxtimes			
	prominence to parts of the façade.		_		
•	Coordinate and integrate building	\boxtimes			
	services, such as drainage pipes, with overall façade and balcony design.				
•	Coordinate security grills/screens,				
•	ventilation louvres and car park entry	\boxtimes			
	doors with the overall façade design.				
	of Design				
Obj	ectives				
•	To provide quality roof designs, which	\boxtimes			The proposed development is considered
	contribute to the overall design and				to be consistent with the Roof Design
	performance of residential flat buildings.				objectives as a flat roof with no elements which detract from the overall building
•	To integrate the design of the roof into the overall façade, building composition and	\boxtimes			appearance is proposed.
	desired contextual response.				арреалиное в ргорозса.
	To increase the longevity of the building	\boxtimes			
_	through weather protection.				
Des	sign Practice				
•	Relate roof design to the desired built form	\boxtimes			The proposed building is to have a
	Refer design solutions on p91 of the				generally flat roof which will not have any
	Design Code.				impact upon its overall appearance.
•	Design the roof to relate to the size and	\boxtimes			Rooftop planting is to be suitably setback
	scale of the building, the building				to ensure it is not visible from street elevations.
	elevations and three dimensional building form. This includes the design of any				elevations.
	parapet or terminating elements and the				
	selection of roof materials.				
•	Design roofs to respond to the orientation	\boxtimes			
	of the site.				
•	Minimise the visual intrusiveness of	\boxtimes			
	service elements (lift overruns, service				
	plants, chimneys, vent stacks,				
	telecommunication infrastructure, gutters, downpipes, signage) by integrating them				
	into the design of the roof.				
•	Support the use of roofs for quality open	\boxtimes			
	space in denser urban areas by: providing				
	space and appropriate building systems to				
	support the desired landscape design;				
	incorporating shade structures and wind				
	screens to encourage open space use;				
	ensuring open space is accessible.				
•	Facilitate the use or future use of the roof	\boxtimes			
	for sustainable functions eg rainwater tanks, photovoltaics, water features				
	Where habitable space is provided within				
-	the roof optimise residential amenity in the				
	form or attics or penthouse apartments.				
Ene	ergy Efficiency	1	1	1	1

-			N1/A	
Requirement	Yes	No	N/A	Comment
 Objectives To reduce the necessity for mechanical heating and cooling. To reduce reliance on fossil fuels. To minimise greenhouse gas emissions. To support and promote renewable energy initiatives. 				The proposed development is considered to be consistent with the Energy Efficiency objectives as a BASIX Certificate which achieves the relevant energy targets is provided and the relevant commitments shown on plans.
Design Practice Requirements superseded by BASIX			\boxtimes	The BASIX Certificate for the building show that the development as a whole achieves the Pass Mark for energy and water conservation.
Maintenance				
To ensure long life and ease of maintenance for the development.				The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.
 Design Practice Design windows to enable cleaning from inside the building, where possible. 				Should the application be recommended for approval, relevant conditions in
Select manually operated systems in preference to mechanical systems.	\boxtimes			relation to use of high-quality materials and general maintenance of the site shall
Incorporate and integrate building maintenance systems into the design of				be included in any consent that may be issued.
the building form, roof and façade. • Select durable materials, which are easily	\boxtimes			
 cleaned and are graffiti resistant. Select appropriate landscape elements and vegetation and provide appropriate irrigation systems. 				
For developments with communal open space, provide a garden maintenance and storage area, which is efficient and convenient to use and is connected to water and drainage.				
Waste Management				
Objectives				
 To avoid the generation of waste through design, material selection and building practices. 				The proposed development is considered to be consistent with the Waste Management objectives as suitable
 To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of 				arrangements and facilities for waste disposal and storage are proposed.
 the development. To encourage waste minimisation, including source separation, reuse and recycling. 				
To ensure efficient storage and collection of waste and quality design of facilities.	\boxtimes			

Red	uirement	Yes	No	N/A	Comment
Des	ign Practice				
•	Incorporate existing built elements into new work, where possible.				Suitable waste management facilities are proposed throughout the building and will
•	Recycle and reuse demolished materials, where possible.				be managed by an appointed caretaker.
•	Specify building materials that can be reused and recycled at the end of their life.	\boxtimes			
•	Integrate waste management processes into all stages of the project, including the design stage.				
•	Support waste management during the design stage by: specifying modestly for the project needs; reducing waste by utilising the standard product/component sizes of materials to be used; incorporating durability, adaptability and ease of future service upgrades.				
•	Prepare a waste management plan for green and putrescible waste, garbage,				
•	glass, containers and paper. Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users				
•	and pedestrians. Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation.	\boxtimes			
•	Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities				
•	Supply waste management plans as part of the DA submission.	\boxtimes			
	ter Conservation				
wate To	o reduce the quantity of urban stormwater off.				The proposed development is considered to be consistent with the Water Conservation objectives as on-site detention and a suitable stormwater drainage plan is proposed.
	<u>ign Practice</u> equirements superseded by BASIX.				The design practice requirements are superseded by commitments listed in the accompanying BASIX Certificate.

Regional Environmental Plans

The site is affected by Sydney Regional Environmental Plan (Sydney Harbour Catchment). The development does not however fall within an area of scenic significance or environmental conservation as detailed within this plan. The proposed development is therefore considered o be consistent with the objectives and requirements of the plan.

Local Environmental Plans

Auburn Local Environmental Plan 2010

The relevant objectives and provisions of Auburn LEP 2010 have been considered in the following assessment table:

Clause		Yes	No	N/A	Comment				
Pa	Part 1 Preliminary								
1.2 <i>A</i> (1)	This Plan aims to make local environmental planning provisions for land in Auburn in accordance with the relevant standard environmental planning instrument under section 33A of the Act.								
(2)	The particular aims of this Plan are as follows: (a) to establish planning standards that are clear, specific and flexible in their	\boxtimes							
1	application, (b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and				The development is considered to be appropriate for the area. The development				
	physical well-being, (c) to protect areas from inappropriate development, (d) to minimise risk to the community by				substantially complies and will establish the future desired character for the locality in the zone.				
	restricting development in sensitive areas, (e) to integrate principles of ecologically				The proposal has incorporated ESD				
1	sustainable development into land use controls, (f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian			\boxtimes	principles with features such as passive design and BASIX.				
	land, (g) to facilitate economic growth and employment opportunities within Auburn.				Being a mixed use development the proposal will also create employment opportunities.				
	 (h) to identify and conserve the natural, built and cultural heritage, (i) to provide recreational land, community facilities and land for 				The heritage building is proposed to be retained and readapted for use as a restaurant.				
	public purposes.				The proposal supplies its own private open space and communal open space.				
	epeal of other local planning nstruments applying to land								
i	All local environmental plans and deemed environmental planning nstruments applying only to the land to which this Plan applies are repealed.								
ļ	Note. The following local environmental plans are repealed under this provision: Auburn Local Environmental Plan 2000	\bowtie							
i t	All local environmental plans and deemed environmental planning nstruments applying to the land to which his Plan applies and to other and cease to apply to the land to which this Plan applies.								
1.9 <i>A</i>	Application of SEPPs and REPs								
(1)	This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.								
(2)	The following State environmental planning policies and regional								

Clause	Yes	No	N/A	Comment
environmental plans (or provisions) do not apply to the land to which this Planapplies:				
State Environmental Planning Policy No 1— Development Standards				
State Environmental Planning Policy No 4— Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6, clause 10 and Parts 3 and 4)				
State Environmental Planning Policy No 60— Exempt and Complying Development				
Sydney Regional Environmental Plan No 24– Homebush Bay Area	-			
1.9A Suspension of covenants, agreements and instruments	3			
(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or othe similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.				There are no covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.
(2) This clause does not apply:(a) to a covenant imposed by the Council or that the Council requires to be imposed, or				None of these apply to the development site.
(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i> , or				
(c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or				
(d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or				
(e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or				
(f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation				
Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.				
(3) This clause does not affect the rights o interests of any public authority unde any registered instrument.				The development is not on behalf of a public authority.
(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).				
Part 2 Permitted or prohibi	ted de	velop	ment	
2.1 Land use zones				

Clause	Yes	No	N/A	Comment
The land use zones under this Plan are as				
follows:				
Residential Zones				
R2 Low Density Residential				
R3 Medium Density Residential				
R4 High Density Residential				
Business Zones				
B1 Neighbourhood Centre				
B2 Local Centre				
B4 Mixed Use				The site is zoned B4 - Mixed Use.
B6 Enterprise Corridor				
B7 Business Park				
Industrial Zones				
IN1 General Industrial				
IN2 Light Industrial				
Special Purpose Zones				
SP1 Special Activities				
SP2 Infrastructure				
Recreation Zones				
RE1 Public Recreation				
RE2 Private Recreation				
Environment Protection Zones				
E2 Environmental Conservation				
Waterway Zones				
W1 Natural Waterways				
2.5 Additional permitted uses for particular land				No additional uses in accordance with this
(1) Development on particular land that is				clause are being applied for under this
described or referred to in Schedule 1				application.
may be carried out:				
(a) with consent, or				
(b) if the Schedule so provides—			\boxtimes	
without consent,				
in accordance with the conditions (if				
any) specified in that Schedule in				
relation to that development.				
(2) This clause has effect despite anything	Ш			
to the contrary in the Land Use Table or other provision of this Plan.				
or carer providen or alle ritain.				
2.6Subdivision—consent requirements				
(1) Land to which this Plan applies may be				Subdivision of the proposed building is
subdivided, but only with consent.				proposed so as to allow for separate titles.
(2) However, consent is not required for a				No objections raised to the subdivision the proposed development.
subdivision for the purpose only of any				
one or more of the following:				
(a) widening a public road,				
(b) a minor realignment of boundaries				
that does not create:				
(i) additional lots or the opportunity for additional dwellings, or				
(ii) lots that are smaller than the				

Clause	Yes	No	N/A	Comment
minimum size shown on the Lot Size Map in relation to the land concerned,				
 (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings, 				
(d) rectifying an encroachment on a lot,			\boxtimes	
(e) creating a public reserve,			\square	
(f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or				
public toilets. Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.			\boxtimes	
2.6 AA Demolition requires consent				
The demolition of a building or work may be carried out only with consent. Note. If the demolition of a building or work is ide				The demolition component of the development is being considered as part of this application.
Zone B4 Mixed Use				
10bjectives of zone				
To provide a mixture of compatible land uses.	\boxtimes			The proposed residential and commercial/retail land uses are considered
 To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. 				to be compatible with the objectives of the zone. The site enjoys close proximity to the Lidcombe town centre and associated public transport links.
 To encourage high density residential development. 	\boxtimes			
 To encourage appropriate businesses that contribute to economic growth. To achieve an accessible, attractive and 				Being a mixed use development, the development will create employment opportunities.
safe public domain.	\boxtimes			орроналисс.
2Permitted without consent			\boxtimes	All proposed development requires
Nil				All proposed development requires consent.
3Permitted with consent	\boxtimes			The ground floor commercial component can be considered to be in accordance
Backpackers' accommodation; Boarding houses; Business premises ; Child care centres; Community facilities; Educational				with the zone by being able to support a variety of uses.
establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Office premises ; Passenger				The upper portion of the building is a residential flat building which is defined as follows:
transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings ; Retail premises ; Roads; Selfstorage units; Seniors housing; Serviced apartments; Shop top housing ; Warehouse				"residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing."
or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited				All components of the proposed development are permissible with consent from Council.
. I Tombiou			\boxtimes	No prohibited development is proposed.

Clause	Yes	No	N/A	Comment
Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Canal estate developments; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Marinas; Mining; Moorings; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Rural supplies; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies				

Cla	use	Yes	No	N/A	Comment			
Pa	Part 4 Principal development standards							
4.1	Minimum subdivision lot size							
(1)	The objectives of this clause are as follows:							
	(a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and				In accordance with the lot size map LSZ_007, there is no minimum lot size that applies to the site.			
	(b) to ensure that subdivision of land is capable of supporting a range of development types.			\boxtimes	Existing allotment. Stratum subdivision of proposed building only is being porposed.			
(2)	This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.							
(3)	The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.			\boxtimes				
(3A)	Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.				The development is not for a single dwelling.			
(3B)	Despite subclause (3), if a lot is a battle- axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.							
(3C)	Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:							
	(a) dwelling houses:							
	(i) 350 square metres, or			<u> </u>				
	(ii) if a garage will be accessed from the rear of the property - 290 square metres, or			\boxtimes				
	(iii) if the dwelling house will be on a zero lot line - 270 square metres,			\boxtimes				
	(b) semi-detached dwellings - 270 square metres,							
	(c) multi dwelling housing - 170 square metres for each dwelling,							
	(d) attached dwellings - 170 square metres.							
(4)	This clause does not apply in relation to							
, , ,	the subdivision of individual lots in a strata plan or community title scheme.			\boxtimes				

Clause		Yes	No	N/A	Comment
4.3 H	leight of buildings				
(1)	The objectives of this clause are as follows:				
	(a) to establish a maximum building height to enable appropriate development density to be achieved, and				In accordance with the height of building maps HOB_007, the subject site is subject to two separate height restrictions. The eastern portion (approximately 50% of the
	(b) to ensure that the height of buildings is compatible with the character of the locality				site) has a height restriction of 32m, whilst the remaining western portion of the site has a height restriction of 36 metres.
(2)	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.				The proposed development has an overall height of 30.9 metres including lift overrun and therefore complies with all applicable height standards.
(2A)	Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:				
	(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,				
	(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.				
4.4 F	Floor space ratio				
(1)	The objectives of this clause are as follows:				
	(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and				In accordance with the floor space ratio map FSR_007, the subject site is subject to two separate FSR restrictions. The eastern portion (approximately 50% of the site) has a FSR restriction of 3.4:1, whilst
	(b) To ensure that development intensity reflects its				the remaining western portion of the site has a FSR restriction of 3.6:1.
(2)	locality. The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.				The development proposes an FSR of 2.65:1 including the heritage item and therefore complies with all applicable FSR standards
(2A)	Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:				The development will establish the desired future density of the B4 – Mixed use zone.
	(a) for sites less than 1,300 square metres—0.75:1,				
	(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,				
	(c) for sites that are 1,800 square metres or greater—0.85:1.				
(2B)	Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6				

Clause	Yes	No	N/A	Comment
Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:				
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and				
(b) 3:1 for office premises and hotel or motel accommodation.				
(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:				
(a) 1.5:1 for bulky goods premises, entertainment facilities, function				
centres and registered clubs, and (b) 2:1 for office premises and hotel or motel accommodation.				

Clause		Yes	No	N/A	Comment
4.5 (area	Calculation of floor space ratio and site				
(1)	Objectives				
	objectives of this clause are as follows:				
(a)	to define <i>floor space ratio</i> ,	\boxtimes			FSR has been appropriately calculated in accordance with this clause.
(b)	to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:				accordance with this clause.
	(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and				The site is one individual consolidated site which does not rely on any adjoining or additional site to achieve the floor space
	(ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and				ratio.
	(iii) require community land and public places to be dealt with separately.			\boxtimes	No floor space concession controls are being applied in this instance. The
(2)	Definition of "floor space ratio"				proposal complies with the FSR permitted.
the r	floor space ratio of buildings on a site is ratio of the gross floor area of all buildings in the site to the site area.				
(3)	Site area				
deve	letermining the site area of proposed elopment for the purpose of applying a space ratio, the site area is taken to be:				
(a)	if the proposed development is to be carried out on only one lot, the area of that lot, or				
(b)	if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.				
calci appl	ddition, subclauses (4)–(7) apply to the ulation of site area for the purposes of ying a floor space ratio to proposed elopment.				
(4)	Exclusions from site area				
	following land must be excluded from the area:				
(a)	land on which the proposed development is prohibited, whether under this Plan or any other law,				
(b)	community land or a public place (except as provided by subclause (7)).				
(5)	Strata subdivisions			\boxtimes	
of ar	area of a lot that is wholly or partly on top nother or others in a strata subdivision is to noluded in the calculation of the site area to the extent that it does not overlap with				

Clause	Yes	No	N/A	Comment
another lot already included in the site area calculation.				
(6) Only significant development to be included				
The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.				
(7) Certain public land to be separately considered				
For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.				
(8) Existing buildings	\boxtimes			
The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.				
(9) Covenants to prevent "double dipping"				
When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.				
(10) Covenants affect consolidated sites				
If: (a) a covenant of the kind referred to in subclause (9) applies to any land (affected land), and				
(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,				
the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.				
(11) Definition				
In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act</i> 1993.				

Cla	use	Yes	No	N/A	Comment
4.6 I	Exceptions to development standards				
(1)	The objectives of this clause are:				
	(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and				The development proposal does not seek to vary any development standards. This clause is therefore not applicable.
	(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.				
(2)	Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.				
(3)	Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:				
	(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and				
	(b) that there are sufficient environmental planning grounds to justify contravening the development standard.				
(4)	Consent must not be granted for development that contravenes a development standard unless:				
	(a) the consent authority is satisfied that:				
	 the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and 				
	(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and				
(5)	(b) the concurrence of the Director- General has been obtained.In deciding whether to grant				
(3)	concurrence, the Director-General must consider:				
	(a) whether contravention of the development standard raises any			\boxtimes	

Cla	use	Yes	No	N/A	Comment
	matter of significance for State or regional environmental planning, and				
	(b) the public benefit of maintaining the development standard, and			\boxtimes	
	(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.				
(6)	Not applicable				
(7)	After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).				
(8)	This clause does not allow consent to be granted for development that would contravene any of the following:				
	(a) a development standard for complying development,			\boxtimes	
	(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,				
	(c) clause 5.4.			\boxtimes	
Pa	rt 5 Miscellaneous provis	ions			
5.6	Architectural roof features				
(1)	The objectives of this clause are:				
	(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and				No height concessions sought. The proposal complies with the height provisions.
	(b) To ensure that prominent architectural roof features are contained within the height limit.				
(2)	Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.				
(3)	Development consent must not be granted to any such development unless the consent authority is satisfied that:				
	(a) the architectural roof feature:				
	(i) comprises a decorative element on the uppermost portion of a building, and				
	(ii) is not an advertising structure,			\boxtimes	

Cla	use	Yes	No	N/A	Comment
	and				
	(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and				
	(iv) will cause minimal overshadowing, and				
	(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.				
5.10	Heritage conservation				
area shown natu desc	Heritage items, heritage conservation is and archaeological sites (if any) are wn on the Heritage Map. The location and re of any such item, area or site is also cribed in Schedule 5.				The subject site contains a heritage item of local significance known as the former Lidcombe Police Station. As the application also involves the refurbishment and use of the police station
(1)	Objectives objectives of this clause are:				as a restaurant, the application has been referred to an external heritage consultant
(a)	to conserve the environmental heritage of Auburn, and	\boxtimes			for comment. Whilst Council has yet to receive a formal
(b)	to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and				response; this matter will be finalised prior to the final report to the Joint Regional Planning Panel. Notwithstanding, the proposed adaptive re-use of the heritage building is considered to be appropriate
(c)	to conserve archaeological sites, and			\boxtimes	given the commercial context of the area and is not considered to raise any
(d)	to conserve places of Aboriginal heritage significance.				significant concerns.
(2)	Requirement for consent				
	elopment consent is required for any of the wing:				
(a)	demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,				The subject site is not located within a heritage conservation area.
(b)	altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,				
(c)	altering a heritage item that is a building by making structural changes to its interior,				The application includes the alterations and refurbishment of the former Lidcombe Police Station into a café/restaurant.
(d)	disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,				
(e)	disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,				
(f)	erecting a building on land on which a				

Clause		Yes	No	N/A	Comment
	heritage item is located or that is within a heritage conservation area,				
(g)	subdividing land on which a heritage item is located or that is within a heritage conservation area.			\boxtimes	
(3)	When consent not required				
	ever, consent under this clause is not ired if:				
(a)	the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:				
	(i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and				
	(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or				
(b)	the development is in a cemetery or burial ground and the proposed development:				
	(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and				
	(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or				
(c)	the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or				
(d)	the development is exempt development.				
Note. For land known as Rookwood Cemetery zoned SP1 Cemetery, development consent from, and notification to, the consent authority is not required under this plan for the further use of an existing grave site or crypt within a graveyard that is a heritage item, provided the heritage significance of the item is not adversely affected.				K Y	
(4)	Effect on heritage significance				A basitana imparat arrangan
consort of the sign consort applications (5)	consent authority must, before granting sent under this clause, consider the effect he proposed development on the heritage ificance of the heritage item or heritage servation area concerned. This subclause ies regardless of whether a heritage act statement is prepared under subclause or a heritage conservation management is submitted under subclause (6).				A heritage impact assessment report has been submitted to accompany the development application and external referrals to a heritage consultant has been made.

Cla	use	Yes	No	N/A	Comment
(5)	Heritage impact assessment				
	consent authority <i>may</i> , before granting ent to any development on land:				
(a)	on which a heritage item is situated, or				
(b)	within a heritage conservation area, or		\square		
(c)	within the vicinity of land referred to in paragraph (a) or (b),				
prep carry would herit	ire a heritage impact statement to be ared that assesses the extent to which the ring out of the proposed development d affect the heritage significance of the age item or heritage conservation area terned.				
(6)	Heritage conservation management plans			\boxtimes	
cons and subr man	consent authority may require, after sidering the significance of a heritage item the extent of change proposed to it, the nission of a heritage conservation agement plan before granting consent or this clause.				
(7)	Archaeological sites				
deve than or to	consent authority must, before granting sent under this clause to the carrying out of elopment on an archaeological site (other land listed on the State Heritage Register which an interim heritage order under the tage Act 1977 applies):				
(a)	notify the Heritage Council of its intention to grant consent, and			\boxtimes	
(b)	take into consideration any response received from the Heritage Council within 28 days after the notice is sent.			\boxtimes	
(8)	Places of Aboriginal heritage significance				
cons	consent authority must, before granting sent under this clause to the carrying out of elopment in a place of Aboriginal heritage ificance:				
(a)	consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and				
(b)	notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.				
(9)	Demolition of item of State significance				
iden signi State	consent authority must, before granting sent for the demolition of a heritage item tified in Schedule 5 as being of State ficance (other than an item listed on the e Heritage Register or to which an interimage order under the Heritage Act 1977				

Cla	use	Yes	No	N/A	Comment
appl	es):				
(a)	notify the Heritage Council about the application, and			\boxtimes	
(b)	take into consideration any response received from the Heritage Council within 28 days after the notice is sent.				
(10)	Conservation incentives				
The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:					
(a)	the conservation of the heritage item is facilitated by the granting of consent, and				
(b)	the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and				
(c)	the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and				
(d)	the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and				
(e)	the proposed development would not have any significant adverse effect on the amenity of the surrounding area.				
Pa	rt 6 Additional local provi	sions	;		
6.1 <i>A</i>	Acid sulfate soils				
(1)	The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	\boxtimes			The site lies over Class 5 Acid Sulfate Soils and does not lie within 500 metres of an adjacent altered classification soil.
(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.				Class 5 soils are general acceptable to undertake significant excavation without the need for further studies or management plans to managed Acid Sulfate issues during construction. The development is acceptable in this regard.
Cla					
<u>of I</u>	and Any works.			\boxtimes	
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.				

Clause		Yes	No	N/A	Comment	
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.					
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.					
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.					
(3)	Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.					
(4)	Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:			\boxtimes		
	(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and			\square		
	(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.					
(5)	Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):					
	(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,			\boxtimes		
	(b) routine management work, being the periodic inspection, cleaning, repair or					

Clause			No	N/A	Comment
	replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),			\boxtimes	
	(c) minor work, being work that costs less than \$20,000 (other than drainage work).				
(6)	Despite subclause (2), development consent is not required under this clause to carry out any works if:			\boxtimes	
	(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or			\boxtimes	
	(b) the works are likely to lower the watertable.				
6.2	Earthworks				
(1)	The objectives of this clause are as follows:				
	(a) to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,				Development consent is required for the proposed basement level excavations.
	(b) to allow earthworks of a minor nature without separate development consent.				
(2)	Development consent is required for earthworks, unless:				
	(a) the work does not alter the ground level (existing) by more than 600 millimetres, or				
	(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or				
	(c) the work is ancillary to other development for which development consent has been given.			\boxtimes	
(3)	Before granting development consent for earthworks, the consent authority must consider the following matters:				
	(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,				The proposed excavations are not anticipated to disrupt local drainage patterns or soil stability.
	(b) the effect of the proposed development on the likely future use or redevelopment of the land,				The proposed development is in accordance with the desired future character of the area and zone B4 – mixed
	(c) the quality of the fill or of the soil to be excavated, or both,	\boxtimes			use zone objectives.

Clause	Yes	No	N/A	Comment
(d) the effect of the proposed development on the existing and	\boxtimes			All fill taken from the site will be required to be taken to an approved landfill site.
likely amenity of adjoining properties, (e) the source of any fill material and the	\boxtimes			Soil has been tested in accordance with SEPP 55 requirements. All off site soil disposal to be to an approved landfill site.
destination of any excavated material,	\boxtimes			The site is not identified as a potential archaeological site.
(f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	\boxtimes			There are no waterways or environmentally sensitive areas in vicinity.
Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				

Clause			Yes	No	N/A	Comment
6.3	Floo	od planning				
(1)	clau	The objectives of this use are:	\boxtimes			In accordance with the flood planning map, the site is not identified as being flood prone as per the maps in the ALEP 2010.
	(a)	to minimise the flood risk to life and property associated with the use of land,				This clause is not applicable to the development.
	(b)	to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,				
	(c)	to avoid significant adverse impacts on flood behaviour and the environment.				
(2)		This clause applies to:	П		\boxtimes	
	(a)	land that is shown as "Flood planning area" on the Flood Planning Map, and				
	(b)	other land at or below the flood planning level.				
(3)	this	Development consent must not be nted for development on land to which clause applies unless the consent nority is satisfied that the development:			\boxtimes	
	(a)	is compatible with the flood hazard of the land, and				
	(b)	is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and				
	(c)	incorporates appropriate measures to manage risk to life from flood, and				
	(d)	is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and				
	(e)	is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.				
(4)	the <i>De</i> v	A word or expression used in this use has the same meaning as it has in NSW Government's Floodplain velopment Manual published in 2005, ess it is otherwise defined in this				
(5)		In this clause:				
1:10	00 A	lanning level means the level of a RI (average recurrent interval) flood us 0.5 metre freeboard.				
		Planning Map means the Auburn Local mental Plan 2010 Flood Planning Map.				
6.4	Fore	eshore building line				
(1)	cla	The objective of this use is to ensure that development in				The subject site is not affected by a

Cla	use	Yes	No	N/A	Comment
	the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.				foreshore building line.
(2)	This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.				
(3)	Development consent must not be granted for development on land in the foreshore area except for the following purposes:	П		\boxtimes	
	(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,			\boxtimes	
	(b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,			\boxtimes	
	(c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).				
(4)	Development consent must not be granted under subclause (3) unless the consent authority is satisfied				
	that: (a) the development will contribute to achieving the objectives for the zone in which the land is located, and				
	(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and				
	(c) the development is not likely to cause environmental harm such as:			\boxtimes	
	(i) pollution or siltation of the waterway, or(ii) an adverse effect on			\boxtimes	
	surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or (iii) an adverse effect on				
	drainage patterns, and (d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and				
	(e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised,				

Clause	Yes	No	N/A	Comment
and				
(f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained,				
(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and				
(h) sea level rise or change of flooding patterns as a result of climate change have been considered.				
6.5 Essential Services				
(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:				The listed services are currently available to the site. Should the development be approved conditions will be imposed requiring that the all serviced be augmented as necessary in accordance with service provider requirements.
(a) the supply of water, (b) the supply of				
electricity,				
(c) the disposal and management of sewage.	\boxtimes			
(d) stormwater drainage or on-site conservation,	\boxtimes			
(e) suitable road access.				
(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause				

The provisions of any Draft Environmental Planning Instruments (EP& A Act s79C(1)(a)(ii))

The proposed development is not affected by any relevant Draft Environmental Planning Instruments.

The provisions of any Development Control Plans (EP& A Act s79C(1)(a)(iii))

Auburn Development Control Plan 2010

a) Local Centres

The relevant objectives and requirements of the DCP 2010 Local Centres have been considered in the following assessment table:

Req	uirement	Yes	No	N/A	Comments
2.0	Built Form				
	ectives				
a.	To provide richness of detail and architectural interest, especially to visually prominent parts of buildings such as lower storeys and street facades.				The proposed design is considered to be a high quality design of contemporary appearance to establish the desired future character of the zone and locality.
b.	To ensure that the form, scale, design and nature of development enhances the streetscape and visual quality of commercial areas within the Auburn local government area.				
c.	To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.				The design complies with the new ALEP 2010 building FSR and building height controls.
d.	To ensure development appropriately supports the centres hierarchy within the Auburn local government area.				
	Number of storeys				
	The maximum number of storeys shall be as per the table below: e 1 – Number of storeys				As per the height of building maps HOB_007, the maximum height permitted for the site is 32 metres. The proposal is 8 storeys in height
	lding height number of storeys				excluding the structural components on the rooftop terrace which only includes the lift, emergency stairs, pedestrian space and
B1 Ce	Neighbourhood ntre zone				services. The development proposal therefore complies with this requirement.
14 We	metres (excluding 3 storeys entworth Point ighbourhood Centre)				
	ntre only)				
	Local Centre zone				
14 <u>Ne</u>	metres (excluding 3 storeys wington Small Village)				
Sm	metres (Newington 3 storeys all Village only)				
	Mixed Use zone				
	metres 4 storeys				
27	metres 6 storeys				
32	metres 8 storeys	\boxtimes			
36	metres 9 storeys				
	Articulation and proportion				
	ormance criteria				The bulk and scale of the building will be
PΙ	The bulk, scale and intensity of development is consistent with the scale of surrounding existing and				compatible with the surrounding developments in an area undergoing transition. This is
P2	planned developments. Existing horizontal or vertical				consistent with the desired future character of the area.
	rhythms in a streetscape are complemented by new facades. Visual interest in a building is achieved by: articulation of facade into horizontal divisions of base, middle and top; balcony and fenestration details; and proportion, spacing and modelling of the surface through detail and relief.	K - W - W -			The tower incorporates strong horizontal and vertical framing elements with contrasting materials, sunscreens and articulated balconies and entries to create a varied façade and fenestration treatment.

	New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings. elopment controls			
•	Buildings shall incorporate: balanced horizontal and vertical proportions and well spaced and			The built form is divided into three clearly defined sections of base, middle and top.
•	proportioned windows; a clearly defined base, middle and top;			The building includes articulated walls at all elevations for enhanced modulation and external surface materials which provide for
•	modulation and texture; and	\boxtimes		texture.
•	architectural features which give human scale at street level such as entrances and porticos.			Ground floor provides external arcade spaces and well articulated and defined entrances and covered porticos at street level to meet human scale.
D2	building exteriors along key retail streets shall be 5m or 20% of the street frontage, whichever is the lesser.			No blank walls are provided at ground/street level. Windows of the commercial tenancies dominate the street frontage to enliven the public space and encourage pedestrian activity and circulation.
D3	Articulation of the building exterior shall be achieved through recesses in the horizontal and vertical plane, adequate contrasts in materials, design features and the use of awnings.			Building exterior is provided with recesses in horizontal and vertical planes, contrasts in materials of construction and design features including balconies and covered entries and awnings over the pathway in front of the site and
	Features such as windows and doors shall be in proportion with the scale and size of the new building and any adjoining buildings which contribute positively to the streetscape.			over the arcade between the tower and the former Police Station.
	Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.			
	Materials ormance criteria			Mix of masonry concrete and glazing materials
PI	Materials enhance the quality and			are proposed on elevations consistent with the
Dev	character of the business precinct.			character of new buildings in the locality.
	New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality.			
D2	Building materials and finishes complement the finishes predominating in the area. Different materials, colours or textures may be			
D3	used to emphasise certain features of the building. Building facades at street level along primary streets and public places consist of a minimum of 80% for			Majority of street frontage consists of glazing materials.
D4	windows/glazed areas and building and tenancy entries. Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.			
Perf P I	Roofs ormance criteria Roof design is integrated into the overall building design. elopment controls Design of the roof shall achieve the	\boxtimes		Lift wells located on roof terrace is not visible due to minimised size and centralised location within the terrace area.
J1	following:			

	concealment of lift overruns and			
	service plants;presentation of an interesting			
	skyline;			
	 enhancing views from adjoining developments and public places; and 	\boxtimes		
D2	 complementing the scale of the building. Roof forms shall not be designed to 	\boxtimes		Roof form does not add to the perceived height and bulk of the building.
	add to the perceived height and bulk of the building. Where outdoor recreation areas are	\boxtimes		Roof top terrace provides shade structures and includes areas which are screened from strong winds.
	proposed on flat roofs, shade structures and wind screens shall be provided.			
	Balconies ormance criteria			
P1	Balconies contribute positively to the amenity of residents and the visual quality of the local centre. elopment controls			
D1	Balustrades and balconies shall be constructed from a balance of solid and transparent material to allow for views from the interior.			Balustrades consist of transparent materials to allow for views from the interior.
D2	Balconies and terraces shall be oriented to overlook public spaces.	\boxtimes		
D3	The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall not have exposed			
D4	pipes and utilities. Screens, louvers or similar devices shall be provided to balconies so as to visually screen any drying of laundry.			
2.6	Interface with schools, places of public worship, and public			
Dev	precincts elopment controls			
D1	Where a site adjoins a school, place of public worship or public open space:		\boxtimes	
	 This interface shall be identified in the site analysis plan and reflected in building design; 		\boxtimes	
	 Building design incorporates an appropriate transition in scale and character along the site boundary(s); 			
	 Building design presents an appropriately detailed facade and landscaping in the context of the adjoining land use. 			
D2	The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening.			
D3	Fencing along boundaries shared with public open space shall have a minimum transparency of 50%. Sight lines from adjacent			
	development to public open space shall be maintained and/or enhanced.			

	Direct, secure private access to public open space is encouraged, where			
3.0	possible. Streetscape and Urban form			
	ectives			
a.	To ensure development integrates well with the locality and respects the streetscape, built form and character of the area.			Proposed development is considered to be design responsive and sympathetic to the existing heritage item and immediate locality of the area. The provision of appropriate setbacks and building constraint size to minimise the
b.	To encourage innovative development which is both functional and attractive in its context.			and building separation aims to minimise the bulk and scale of the development whilst also ensuring buildings on corner and junction sites recognises the importance of the site with the help of the heritage item being a dominant element in the streetscape such as a landmark.
				A pedestrian thoroughfare and arcade is proposed creating a functional and attractive environment that will encourage street activation thereby integrating the built form with the streetscape and character of the area.
	Streetscape ormance criteria			
PI	New and infill development respects the integrity of the existing streetscape and is sympathetic in terms of scale, form, height, shopfront character, parapet, verandah design, and colours and materials, in a manner which interprets the traditional			The proposal responds to the heritage characteristics of the site, by retaining the building to be adapted into a cafe/restaurant. This proposed use is considered to be compatible with the other similar uses in the commercial context of the area.
	architecture, albeit in modern forms and materials. New development conserves and enhances the existing character of the street with particular reference to architectural themes.			The proposed tower building is compatible with the existing streetscape as the proposed building provides retail land uses at ground level to match with the predominantly commercial usage at ground level in the town centre streetscapes. In this regard the proposed nil setback to the boundary addressing Mary Street
	elopment controls Applicants shall demonstrate how new development addresses the streetscape and surrounding built			is considered to satisfactory. Upper residential floor levels addressing Mary
D2	environment. Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.			Street are appropriately stepped back from the street frontage to minimise bulk and scale. No signage proposed as part of the application. This can be controlled via conditions and/or future development applications.
	Setbacks			
Peri	ormance criteria The setback of new buildings is consistent with the setback of adjoining buildings.			The proposal is consistent with the setback requirements.
P2	The built edge of development at the street frontage contributes to a sense of enclosure and scale within the centre.	\boxtimes		
P3	The design of landmark or gateway buildings on corner and junction sites recognises the importance of these sites as dominant elements in the			
	streetscape (see Figure 1 below). The design of infill buildings reinforces continuity, symmetry and unity in the streetscape (see Figure 2 below).			
	New development or additions to existing development shall adopt the following front setbacks:			As proviously discussed the building in built to
	 Nil setbacks for the first two storeys, particularly if adjoining buildings are on a nil 	\boxtimes		As previously discussed, the building is built to the boundary at ground level and appropriately stepped back from the street frontage from level 3 onwards.

	setback (see Figure 3 below). This reinforces the existing				With the retention of the heritage item, the street
	continuity of the streetscape.				corner is maintained and recognised as a
	Where new buildings are more				building landmark as a dominant element in the
	than two storeys in height, the	\boxtimes			streetscape.
	levels above the first two storeys				
	are set back by stepping the upper levels and/or roof.				
D2	Corner sites shall reinforce the street				
	corner, incorporate strong	\boxtimes	Ш		
	architectural elements and adhere to				
D3	a nil setback for the lower two storeys.				
ט	Where business development is located adjacent to existing residential				
	properties, new development shall be				
	set back from side boundaries as follows:				
	 External walls – 900mm for single storey development. 				
	External walls – 1500mm for two				
Dep	storeys. ending on performance and other				
crite	ria, side setbacks may be required to				
	ncreased in order to minimise potential acts on adjoining properties in terms of				
sola					
over	shadowing.				
4.0	Mixed Use Developments		I		1
Obje	ectives]	
a.	To encourage sustainable development by permitting services	\boxtimes		Ш	Propsoal satisfies the mixed use objectives of this section.
	and employment-generating uses in				
	conjunction with residential uses.				
b.	To provide affordable residential	\boxtimes			
	development within close proximity to transport, employment and services.				
c.	To enhance the vitality and safety of	\boxtimes			
	commercial centres by encouraging further residential development.				
d.	To achieve a lively and active street				
	frontage by encouraging the			Ш	
	integration of appropriate retail and				
4.1	commercial uses with urban housing. Building design				
Perf	ormance criteria				Concentration of retail outlets at ground level
PI	Mixed use developments are	\boxtimes			provides a strong base to integrate with local centre streetscape and character of commercial
	designed to architecturally express the different functions of the building				precinct.
	while sympathetically integrating into				
Dov	the local centre streetscape. elopment controls				
	The architecture of ground level uses	\boxtimes			
	shall reflect the commercial/retail				
D3	function of the centre.	<u> </u>			
ען	Buildings shall achieve a quality living environment that sympathetically	\boxtimes			
	integrates into the character of the				
	commercial precinct.				
D3	Commercial and retail servicing, loading and parking facilities shall be	\boxtimes			Service laneway provided along northern rear
	separated from residential access and				boundary are separated from residential access.
	servicing and parking.				
	Active street frontages ormance criteria				
PI	Street activity is enhanced by:				
	the concentration of retail outlets				
	- une concentration of retail outlets		ГШ	ΙШ	

	and;			
Dev	the number of entrances at street level. elopment controls	\boxtimes		
	Retail outlets and restaurants are located at the street frontage on the ground level.	\boxtimes		Ground or street level consists of retail uses and restaurant promoting street activity.
D2	A separate and defined entry shall be provided for each use within a mixed use development.	\boxtimes		Residential entries are separated from commercial entries.
Perf PI	Amenity ormance criteria The amenity provided for residents of a mixed use development is similar to that expected in residential zones in terms of visual and acoustic privacy, solar amenity and views.	\boxtimes		
	The internal environment of dwellings within mixed use developments in the vicinity of major arterial roads or railway lines shall provide an appropriate level of amenity for privacy, solar access and views.			The proposal provides for an appropriate level of amenity. The subject site is located more than 250 metres from the railway line and more than 500 metres from a main road.
Appl Build requ	Residential flat building component of mixed use developments icants shall consult the Residential Flat lings Part of this DCP for the design irements for the residential flat building ponent of a mixed use development.	\boxtimes		
	Privacy and Security			
Obje	ectives			
a.	To provide personal and property security for residents and visitors and enhance perceptions of community safety.			The proposal is considered to promote safety and security in the local area as a result of the retail component at street level increasing the
b.	To enhance the architectural character of buildings at night, improve safety and enliven the town centre at night.			opportunity for general pedestrian activity and passive surveillance.
Perf P1	ormance criteria Private open spaces and living areas of adjacent dwellings are protected from overlooking.	\boxtimes		Views to the north and east comprises of a car park and a two storey townhouse development.
P2	Site layout and design of buildings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.			The units located on the north and east of the site do not overlook any private open space.
D1	Views onto adjoining private open space shall be obscured by:	\boxtimes		Sufficient building separation provided between north and east of the site to minimise visual and acoustic privacy.
	 Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or 			accasilo privacy.
D2	 Incorporating planter boxes into walls or balustrades to increase visual separation between areas. Existing dense vegetation or new planting may be used as a secondary measure to further improve privacy. 	\boxtimes		From the east, the existing substantial setback of the townhouse development and the intervening access driveway provides for sufficient building separation.
D2	Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open			The orientation of units located on the south and

	spaces of adjoining dwellings.	\boxtimes			eastern elevations provide for passive
D3	Shared pedestrian entries to	_			surveillance of the street and public domain.
D 4	buildings shall be lockable.				
D4	Buildings adjacent to streets or public spaces shall be designed to	\boxtimes			
	allow casual surveillance over the				
	public area.				
D5	Development shall be consistent				
	with Council's Policy on Crime Prevention Through Environmental				
	Design.				
	Lighting				
Pert	ormance criteria				An awning is proposed over the commercial
PI	Lighting is provided to highlight the architectural features of a building and		Ш	Ш	tenancies thereby ensuring that lighting will not
	enhance the identity and safety of the				interfere with residential amenity.
	public domain but does not floodlight				
P2	the facade. The use of integrated lighting				
1 2	systems in retail shops is both	\boxtimes	Ш	Ш	
	functional and decorative.				
P3	Lighting is sufficient for its purpose	\boxtimes			
	and used to make bold design statements.				
P4	Lighting does not interfere with	\boxtimes			
	amenity of residents or safety of				
Dov	motorists. elopment controls	\boxtimes			
D1	Lighting design shall be integrated				
	with the interior design of a				
	retail/commercial premise. The use of				
	low voltage track lighting, recesses spotlighting and designer light fittings	\boxtimes		П	
	is encouraged.				
D2	Lighting systems shall incorporate				
	specific display lighting to reinforce merchandise and provide a contrast	\boxtimes			Appropriate conditions could be imposed to
	against the street lighting generally.				ensure compliance with this requirement.
D3	Surface mounted fluorescent				
	fixtures shall not be considered in any part of the retail areas of the	\boxtimes			
	premises.				
D4	The light source shall be selected				
	to provide the desired light effect; however, fitting and methods shall be	\boxtimes			
	chosen produce the highest energy				
	efficiency.				Light spill to be minimised by proposed awning
D5	Lighting shall not interfere with the amenity of residents or affect the				over commercial tenancies.
	safety of motorists.]			
D6	Excessive lighting shall not be				
	permitted. Light spill onto the street				
	into the public domain shall be minimised.				
	Shutters and grilles				
	ormance criteria				
PΙ	Security shutters, grilles and screens allow the viewing of shopfront	Ш		\boxtimes	
	windows and light to spill out onto the				
DΩ	footpath.				
r 4	Shutters, grilles and screens are to be made from durable, graffiti-resistant	Ш		\boxtimes	
	materials and compatible with the				
Desc	building style.				
	elopment controls Windows and doors of existing				Façade of commercial tenancies consist
J 1	shopfronts shall not be filled in with			\boxtimes	predominantly of glazing materials at street
	solid materials.				frontage.
D2	Security shutters, grilles and screens				There are no shutters are noted as being

	shall:				proposed for the commercial tenancies.
	• be at least 70% visually permeable (transparent);				
	 not encroach or project over Council's footpaths; and 				
	• be made from durable, graffiti- resistant materials.				
D3	Solid, external roller shutters shall not be permitted.			\boxtimes	
	Noise				
_	ormance criteria				
PI	New commercial developments within major arterial roads or railway lines are designed to mitigate noise and vibration impacts.				A noise report prepared by VIPA, ref no. 20C-11-0210-TRP-464747-1 dated 31/08/11 has been submitted with the application. The report
P2	Commercial uses in the local centres must minimise noise impacts on adjoining residential areas caused by loading/unloading, late night operations, use of plant and equipment and entertainment activities.				recommends appropriate noise attenuation of the mechanical ventilation systems to comply with the DECCW Interim Noise Design Guidelines.
Dev	elopment controls				
DI	New commercial development (whether part of a mixed use development or not) shall comply with the provisions of the relevant acts, regulations, environmental planning instruments, Australian Standards and guidelines produced by the NSW Department of Environment, Climate Change and Water, the NSW Roads and Traffic Authority and the NSW Department of Planning as applicable for noise, vibration and quality assurance. This includes:				
	 Development Near Rail Corridors and Busy Roads, NSW Department of Planning, December 2008 – Interim Guidelines. 				The subject development site is located more than 250 metres from the Lidcombe Train Station. Formal referral to the Rail corporation is not required in this instance as per the SEPP (infrastructure) 2007 and the <i>Interim Guidelines</i>
	 NSW Industrial Noise Policy; 				for Development near rail corridors and busy roads.
	Interim Guideline for the Account of Naise from Rail				
	Assessment of Noise from Rail Infrastructure Projects; and				
	Environmental Criteria for Road and Traffic Noise.				
D2	Restaurant and cafe design shall minimise the impact of noise associated with late night operation on nearby residents. Operation				
	includes loading/unloading of goods/materials and the use of plant and equipment at a proposed commercial premise.				
D3	An acoustic report shall be submitted with a development application for a proposed commercial use in the local centre that operates during the hours between 10pm and 6am.				
6.0	Access and Car Parking	I .	1	1	ı
		nsult the	e Parkir	ng and I	oading Part of this DCP for other access, parking
	loading requirements for all development				
		1	1		
	Access, loading and car parking requirements				Car parking provided over three levels of

	elopment controls		basement parking and at rear of building for
DI	Car parking rates shall be provided in accordance with the Parking and Loading Part of this DCP.		visitor, commercial and loading requirements. General access and manoeuvring has been assessed by Council's engineering section as being generally acceptable subject to some modification which have been incorporated into conditions of consent. A breakdown of the parking calculations are as follows: 7 x 1 bedroom unit @ 1.0 per unit 7 54 x 2 bedroom unit @ 1.0 per unit 54 9 x 3 bedroom unit @ 2.0 per unit 18 70 Units (visitor) @ 0.2 per unit 14 767 Sqm retail/comm @ 1.0 per 40m³ 20
			316 Sqm restaurant @ 1.0 per 40m ³ 7.9 Total Required 120.9
			Total Proposed 122
			The development proposes a total of 115 parking spaces within the basement levels: 36 spaces in level 1 for visitors and retail, 40 spaces for residents in level 2 and 36 spaces for residents in level 3. This includes 7 disabled parking spaces.
			At ground level, a total of 7 parking spaces are provided at the rear of the building for retail including one disabled space.
			The development is considered to provide sufficient parking to accommodate the residential and commercial components of the development. The proposal is acceptable as it is in accordance with the Parking and Loading section of the DCP.
	Creation of new streets and		
	laneways ormance criteria All new proposed roads are designed to convey the primary function of the street, including:		No new street or laneway is proposed.
	 Safe and efficient movement of vehicles and pedestrians; 		
	 Provision for parked vehicles and landscaping, where appropriate; 		
	 Location, construction and maintenance of public utilities; and 		
Davi	Movement of service and delivery vehicles.		
DI	On some sites, new streets may be able to be introduced. Where a new street shall be created, the street shall be built to Council's standards, Road Design Specification D1 and relevant Quality Assurance requirements while having regards to the circumstances of each proposal. Consideration will be given to maintaining consistency and compatibility with the design of existing roads in the locality.		
D2	Development adjoining a new laneway shall contribute to an attractive streetscape and presents a		

	well designed and proportioned				
	facade and incorporates windows,				
	balconies, doorways and landscaping, where possible.				
D3	•				
כט	New public laneways created within large blocks shall maximise				
	pedestrian and vehicle connections			\boxtimes	
	within local centres.				
D4	A minimum width of 6m shall be				
	provided for all carriageways on				
	access roads. If parallel on-street				
	parking is to be provided, an				
	additional width of 2.5m is required				
D F	per vehicle per side.				
D5	New streets shall be dedicated to Council. The area of any land				
	dedicated to Council shall be included				
	in the site area for the purpose of	ш	ΙШ		
	calculating the floor space ratio.				
7.0	Landscaping				
	ectives				
a.	To create attractive buildings, public				974.3 sqm (34%) of landscaping is proposed for
١.	spaces and walkways.				the site including deep soil area at the western
b.	To improve visual quality and				end to enhance the setting of the buildings.
	contribute to a more positive local centre experience.	لا ا			Landscape plans submitted is considered to be
C.	To reduce impacts on climate				satisfactory.
0.	change at the local level and improve				Cationatory.
	the natural environmental features				
	and local ecology of the local centre.				
_	ormance criteria				Dan all areas areas of at the constant front
P1	Landscaping forms an integral part		Ш		Deep soil areas proposed at the western front setback including street planters are of
Da	of the overall design concept.				appropriate depth to support growth of large
P2	Landscape reinforces the architectural character of the street				trees.
	and positively contributes to		Ш		
	maintaining a consistent and				Planter boxes proposed at roof top terrace
	memorable character.				around building edge assist in softening the
P3	Landscaped areas are used to				visual impact of the development.
	soften the impact of buildings and car				
	parking areas as well as for screening				
P4	purposes.				
P4	Landscaped areas are provided for passive and recreational use of		—		
	workers.				
Dev	elopment controls			_	
D1	Development shall incorporate				
	landscaping in the form of planter				
	boxes to soften the upper level of				
D	buildings.	\square			
D2	At grade car parking areas,			\sqcup	
	particularly large areas, shall be landscaped so as to break up large				
	expanses of paving. Landscaping				
	shall be required around the perimeter				
	and within large carparks.				
D3	In open parking areas, one (1)			$ \sqcup $	
	shade tree per ten (10) spaces shall				
D4	be planted within the parking area.			$ \; \sqcup \; $	
D4	Fencing shall be integrated as part of the landscaping theme so as to				
	minimise visual impacts and to				
	provide associated site security.				
D5	Paving and other hard surfaces			╽╙	
	shall be consistent with architectural				
_	elements.				
	Street trees				
D1	Street trees shall be planted at a				Existing street trees that contribute to the
	rate of one (1) tree per lineal metre of street frontage, even in cases where a			╽╙	heritage and streetscape are proposed to be
İ	on our morniago, even in cases whele a	I	1	1	I and a second and proposed to be

	site has more than one street				retained.
	frontage, excluding frontage to				
Da	laneways.				
D2	Street tree planning shall be consistent with Council's Street Tree				
	Masterplan or relevant Public Domain				
	Plan or Infrastructure Manual.	\boxtimes			
D3	Significant existing street trees shall				
	be conserved and, where possible,				
	additional street trees shall be planted to ensure that the existing streetscape				
	is maintained and enhanced.				
D4	Where street trees and the provision			\boxtimes	
	of awnings are required, cut-outs shall				
	be included in the awning design to				
	accommodate existing and future street trees.		_		
D5	Driveways and services shall be				
	located to preserve significant trees.				
D6	At the time of planting, street trees		$ \sqcup $		
	shall have a minimum container size				
	of 200 litres and a minimum height of				
דת	3.5m, subject to species availability. Planter boxes (or similar)	\boxtimes			
D7	Planter boxes (or similar) surrounding trees in the footpath shall				
	be 1.2m x 1.2m, filled with approved				
	gravel and located 200mm from the				
	back of the kerb line.				
	Energy Efficiency and Water Co	onser	ation		T
_	ectives To achieve energy efficient	\square			ABSA and BASIX Certificates have been
a.	To achieve energy efficient commercial and retail developments.				submitted with the application to address
b.	To encourage site planning and				thermal comfort and energy efficiency for the
	building design which optimises site				residential component.
	conditions to achieve energy				The development is considered to be acceptable
	efficiency.				in this regard.
C.	To minimise overshadowing of the	ı 1\/l	1 1 1		
٠.					1
<u> </u>	public domain including streets and open space.				
d.	public domain including streets and open space. To give greater protection to the				
	public domain including streets and open space. To give greater protection to the natural environment by reducing				
d.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions.				
	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of				
d.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions.				
d.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving				
d. e.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the				
d. e.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting				
d. e. f.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control.				
d. e.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains				
d. e. f.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water				
d. e. f.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures.				
d. e. f. g.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency				
d. e. f. g.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency ormance criteria				The development is considered to generally in
d. e. f. g.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency				accordance with the energy efficiency
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d. e. f. g.	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency ormance criteria Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy				accordance with the energy efficiency
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d. e. f. 8.1 Perf	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency ormance criteria Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance.				accordance with the energy efficiency
d. e. f. 8.1 Perf	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency ormance criteria Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance. elopment controls Any hot water heaters to be installed,				accordance with the energy efficiency
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d. e. f. 8.1 Perf	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency ormance criteria Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance. elopment controls Any hot water heaters to be installed, as far as practicable, shall be solar and, to the extent that this is not				accordance with the energy efficiency
d. e. f. 8.1 Perf	public domain including streets and open space. To give greater protection to the natural environment by reducing greenhouse gas emissions. To encourage the installation of energy efficient and water conserving appliances. To reduce the consumption of nonrenewable energy sources for the purposes of heating, water, lighting and temperature control. To minimise potable water mains demand of non residential development by implementing water efficiency measures. Energy efficiency ormance criteria Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance. elopment controls Any hot water heaters to be installed, as far as practicable, shall be solar				accordance with the energy efficiency

	Score. The practicability of all external lighting and common areas (e.g. undercover car parking) being lit utilising renewable energy resources generated on site shall be investigated. Larger developments (buildings exceeding 400m² in area) shall investigate the viability of utilising renewable energy resources for all lighting on site. A statement shall be included with the development application addressing these requirements.			
	Water conservation ormance criteria			BASIX Certificate submitted addresses water
PI	Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.			conservation for the residential component.
DI	New developments shall connect to recycle water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.			
D2	Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.			
	Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.			
Appl Drain	Stormwater drainage icants shall consult the Stormwater nage Part of this DCP for requirements tormwater management.	\boxtimes		The proposed method of stormwater drainage is generally acceptable subject to amendments being made to the design via conditions of consent.
	Rainwater tanks ormance criteria			
PI	Adequate measures are incorporated into new development to encourage the collection and reuse of stormwater and reduce stormwater runoff.			Appropriate conditions will be imposed for a minimum 10m³ capacity water reuse tank to be provided for irrigation of the landscape area within the subject development site.
DI	Rainwater tanks shall be installed as part of all new development in accordance with the following:	\boxtimes		
	 The rainwater tank shall comply with the relevant Australian Standards; 			
	 The rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development; 			
	 Rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards; 			

	The suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks shall not be leasted within the front authorize.			
	 Iocated within the front setback; and The overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP. 			
	Ventilation ormance criteria			
ΡI	Natural ventilation is incorporated into the building design.			
DI	The siting, orientation, use of openings and built form of the development shall maximise opportunities for natural cross ventilation for the purposes of cooling and fresh air during summer and to avoid unfavourable winter winds.			
	Solar amenity			
Perf PI	ormance criteria New buildings are designed to protect solar amenity for the public domain and residents.			The overall development complies as 70% of the development will receive 3 hours of direct sun either in the morning, daytime or afternoon.
Deve DI	Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 3.00 pm on 21 June for:			
	public places or open space;50% of private open space areas;	\boxtimes		
	40% of school playground areas; or			
	 windows of adjoining residences. 	\boxtimes		
D2	Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.	\boxtimes		
9.0	Ancillary Site Facilities		ı	
	Provision for goods and mail			
	ormance criteria			
PI	New development incorporates adequate provision in its design for the delivery of goods and mail to both business and residential occupants. elopment controls			Deliveries to the site can be made via the proposed at grade parking at the rear of the site.
DI	Provision shall be made on-site for courier car parking spaces in a convenient and appropriately signposted location, preferably with access off the principal street frontage, for developments incorporating greater than 3,000m ² of gross leasable floor area devoted to commercial premises. Provision of mailboxes for residential units shall be incorporated within the			There are no mailboxes shown on the plans submitted, however this can be satisfied via conditions of consent.

	foyer area of the entrance to the	\boxtimes		
	residential component of the mixed use developments.			
10 (O Other Relevant Controls			<u>L</u>
	Waste			
DI	Applicants shall consult the Waste Part of this DCP for requirements for disposal.	\boxtimes		Satisfactory waste management plan submitted.
	Access and amenity Applicants shall consult the relevant provisions within the Access and	\boxtimes		
11 (Mobility Part of this DCP. O Public Domain			
	ectives			
a.	To ensure private development contributes to a safe, attractive and useable urban environment within the local centres of the Auburn local government area.			The development provides for an attractive public domain interface zone which includes awnings, articulated building entries, balconies, safe pedestrian linkages to car parks, landscaping and open space at street level.
b.	To ensure the public domain forms an integrated part of the urban fabric of commercial centres.	\boxtimes		landscaping and open space at street level.
C.	To encourage both night and day pedestrian activity in the commercial centres.	\boxtimes		
d.	To ensure private development contributes to a positive pedestrian environment.			
e. Dev	To encourage public art in new development. elopment controls			
DI	Any works within the public domain or which present to the public domain shall be consistent with Council's Public Domain Manual and/or the Town Centre Infrastructure Manual and Council's Policy on Crime Prevention Through Environmental Design.			Proposed works to the public domain are consistent with Council's Public Domain Plan.
	New buildings shall contribute to the public domain through the provision of awnings, sheltered building entries, verandahs and canopies, safe pedestrian linkages to car parks, landscaping, and open space, where appropriate. E: Refer to the relevant Public Domain			
	and Council's Public Art Policy.			
	O Subdivision		ı	
a.	To ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate			
b.	car parking, loading facilities, etc. To provide lots which are of sufficient size to satisfy user requirements and to facilitate development of the land while having regard to site opportunities and constraints.			
	Size and dimensions			
Perf P I	ormance criteria The size and dimension of proposed lots contribute to the orderly development of the commercial centres.			
Dev	elopment controls			
	Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the			

	appropriate siting of buildings and the				
	provision of required car parking, loading facilities, access and				
	landscaping.				
	Utility services				
	ormance criteria				
PI	All essential public utility services	\boxtimes			Conditions will be imposed requiring that the all services be augmented as necessary in
	are provided to the development to the satisfaction of relevant authorities.				accordance with service provider requirements.
Dev	elopment controls				accordance with convice provider requirements.
	The applicant shall demonstrate that	\boxtimes			
	each proposed allotment can be				
	connected to appropriate utility				
	services including water, sewerage,				
	power and telecommunications and (where available) gas. This may				
	include advice from the relevant				
	service authority or a suitably qualified				
	consultant as to the availability and capacity of services.				
D2	Common trenching for gas, electricity				
	and telecommunications shall be	\boxtimes			
	provided in accordance with				
	agreements between the relevant servicing authorities in NSW.				
14.0	Lidcombe Town Centre			I	
	Development to which this section				
appl					The section of the first of the
	section applies to the Lidcombe Town re which is zoned B4 Mixed Use, RE1			Ш	The subject site is identified as being within the site map 2 – Mary Street North.
	ic Recreation and RE2 Private				and map 2 many career man
	reation under the <i>Auburn LEP 2010</i> .				
	r to Figure 9. Where there are nsistencies between the controls				
	ained within this Section and other				
	rols within this DCP, these controls				
	ail to the extent of the inconsistency. Peral sites within the Lidcombe Town				
	re have been identified as having the	\boxtimes	Ш		
	test potential for intensification with				
	mercial, residential and mixed use slopment, as shown in Figure 10. Each				
	has an inherent capacity to contribute				
	e transformation of the urban form into				
	which will generate more activity and				
	the development of the town centre. development controls for these sites				
	y in addition to the development				
cont	rols presented in previous sections of				
this	Part. Site 2 – Mary Street North				
	ectives				
a.	To ensure architectural design recognises:				
	• the strategic significance of the	\boxtimes			
	site within the Lidcombe Town Centre; and	لاست			
	 the visual prominence of the site from public areas, including the 				
	approach towards the site from				
١.	the northern end of John Street.				
b.	To provide a transition in scale from	\boxtimes			The development will establish the desired
	the proposed taller buildings on John Street to the adjacent residential				future character of the locality that is in
	zone.				accordance with the zoning objectives.
c.	To provide development that is	\boxtimes			Open space is provided between the heritage
	sensitive in scale and character to the heritage item within the site.				item and the new development with sufficient
d.	To enhance the public domain and				building separation to minimise the bulk and scale. The development is also considered to
	The passes were with	\boxtimes			21.21.21.21.21.21.21.21.21.21.21.21.21.2

e. Dev	increase accessibility to public open space. To improve pedestrian access and circulation within the town centre. elopment controls	\boxtimes		respect the character of the heritage item and the amenity of the adjoining developments despite the increase in scale.
DI	Public open space shall be provided at the intersection of John and Mary Streets, or within close			
D2	proximity to this intersection. Retail frontages shall be provided			The development proposes to refurbish the
D3	at street level on John Street. Outdoor dining is encouraged along John Street.			existing heritage building for re-use as a restaurant. The proposed commercial component of the new development and the adjoining restaurant provides open areas around the building with outdoor dining associated with the restaurant to improve pedestrian access and circulation around the site. This is consistent with the objectives of the zone.
				Due to the retention of the existing heritage item, outdoor dining is proposed on Mary Street. This is considered to be appropriate as this will integrate well with the ground floor commercial/retail tenancies proposed, thus promoting pedestrian activity and circulation around the site.

b) Residential Flat Buildings

The relevant objectives and requirements of the DCP 2010 Residential Flat Buildings have been considered in the following assessment table:

_					
Red	quirement	Yes	No	N/A	Comments
1.0	Introduction				
1.2	Purpose of this Part				
	e purpose of this Part is to ensure residential flat ildings:				
•	are pleasant to live in and create enjoyable urban places;	\boxtimes			
•	maintain a high level of amenity;			ш	
•	contribute to the overall street locality;	\boxtimes			
•	minimise the impact on the environment; and	\square		П	
•	optimise use of the land.	\boxtimes			
2 (Built Form				
2.0	Built I Offi				
•	Objectives				
•	To ensure that all development contributes to the improvement of the character of the locality in which it is located.				The development will establish the desired future character of the locality in accordance with the objectives of the zone.
•	To ensure that development is sensitive to the landscape setting and environmental conditions of the locality.				The development is considered to be satisfactory with regard to landscape setting and the environment. Open areas are proposed to promote pedestrian access and
•	To ensure that the appearance of development is of high visual quality and enhances and addresses the street.	\boxtimes			circulation around the buildings and integrate the heritage item with the new development.
•	To ensure that the proposed development protects the amenity of adjoining and adjacent properties.	\boxtimes			The design of the development is considered to be of high quality which will

•	To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and locality.			development in the locality.
•	To ensure that development relates well to surrounding developments.	\boxtimes		The proposal is considered to respect the amenity of adjoining developments despite the increase in scale. The development will establish the desired future character.
•	To ensure that development maximises sustainable living.			establish the desired future character.
2.1	Site area			
Per	formance criteria			
P1	The site area of a proposed development is of sufficient size to accommodate residential flat buildings.			The development site is considered to be of acceptable size and dimensions with a site area of 2834 sqm and frontage of 30.04
De	velopment controls			metres to John Street and 94 metres to Mary Street.
D1	A residential flat building development shall have a minimum site area of 1000m ² and an average minimum width of 24m.			many career.
D2	Where lots are deep and have narrow street frontages the capacity for maximising residential development is limited. Two or more sites may need to be amalgamated to provide a combined site with sufficient width for good building design.			Development located on a corner site with two street frontages.
2.2	Site coverage			
Perf	ormance criteria			
P1	Adequate areas for landscaping open space and spatial separation is provided between buildings.			
De	velopment controls			
D1	The built upon area shall not exceed			The site coverage will exceed 50% of the
	50% of the total site area.			site. Given that the site is for a mix use development in a predominantly
D2	50% of the total site area.			
D2	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one			development in a predominantly commercial context and not a dedicated residential flat building, this is
D2	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting
2.3	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting
2.3	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards. Building envelope			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting
2.3 Per	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards. Building envelope formance criteria The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality.			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting and overall outlook of the building. The proposed development is consistent with the objectives of the zone and compatible with the desired future character of an area undergoing transition. The development is situated on a corner
2.3 Per	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards. Building envelope formance criteria The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings: addresses both streets on corner sites; align with the street and/or proposed new streets;			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting and overall outlook of the building. The proposed development is consistent with the objectives of the zone and compatible with the desired future character of an area undergoing transition.
2.3 Per	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards. Building envelope formance criteria The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings: addresses both streets on corner sites; align with the street and/or proposed new streets; are located across the site; and			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting and overall outlook of the building. The proposed development is consistent with the objectives of the zone and compatible with the desired future character of an area undergoing transition. The development is situated on a corner allotment and the retention of the heritage building establishes that the frontage of the
2.3 Per	50% of the total site area. The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards. Building envelope formance criteria The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings: addresses both streets on corner sites; align with the street and/or proposed new streets;			development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory. The site also incorporates significant landscaping to areas not covered by building footprints and hard paved vehicular and publicly accessible pedestrian areas to enhance the setting and overall outlook of the building. The proposed development is consistent with the objectives of the zone and compatible with the desired future character of an area undergoing transition. The development is situated on a corner allotment and the retention of the heritage building establishes that the frontage of the

10.0 illu	strate bu	ilding envelope controls.			
Develo	pment co	ontrols			
		consider a site specific building tain sites, including:			
		corner sites;		\boxtimes	
		double frontage sites;			
		sites facing parks;	Ш		
	•	sites adjoining higher density zones; and		\boxtimes	
	•	isolated sites.			
2.4	Setbac	ks			
Perforn	nance cr	iteria			
	P1	Impact on the streetscape is minimised by creating a sense of openness, providing opportunities for landscaping and semi-private areas, and providing visual continuity and building pattern.			The proposed nil setback to Mary Street is consistent with the requirements of Council's DCP for Local Centres. The nil setback addresses the Mary street frontage and is considered appropriate given the commercial context of the area.
Develo	pment co	ontrols			
2.4.1	Front s	etback			
	D1	The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1, B2 and B4 zones).			The subject site is located within the B4 – Mixed use zone.
	D2	Where a site has frontage to a lane, the minimum setback shall be 2m, however, this will vary depending on the width of the lane.		\boxtimes	
	D3	Where a new building is located on a corner, the main frontage shall be determined on the existing streetscape patterns. Where the elevation is determined as the 'secondary' frontage, the setback may be reduced to 3m except where it relates to a primary frontage on that street.			The site is located on the corner. The existing heritage building fronting John Street is to be retained and thus helps to establish that the mixed use development is to Mary Street. The nil setback to Mary Street is considered to be acceptable given the B4 — Mixed use zone which is consistent with Council's Local Centres DCP setback requirements.
	D4	Setbacks from the street shall ensure that the distance between the front of one building to the front of the building on the opposite side of the street is a minimum of 10m for three (3) storey buildings. For example, 2m front setbacks and a 6m wide laneway where that laneway is a shareway. Where a footpath is to be incorporated a greater setback shall be required.			The development achieves compliance with this requirement and provides a building separation of greater than 10 metres, from the south.
	D5	All walls shall be articulated by bay windows, verandahs, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 600mm.			The front facade of the development is considered to be well articulated with the incorporation of recesses in horizontal and vertical planes and contrasting materials with fenestration treatments to create a varied façade.

2.4.2 S	ide setba	nck			
	D1	Where the external walls have no windows or only windows to bathrooms/laundries, these shall be setback at least 3m from a side boundary. Where there are no windows in the wall to living rooms the setback from the side boundary shall be at least 3m.			A minimum setback of 1.53 metres is proposed from eastern side boundary. Whilst this is less than the required 3 metres, however the eastern boundary adjoins a driveway to the car park. This, together with the existing increased setback of the adjacent townhouse developments provides for a significant separation distance that is consistent
	D2	Eaves may extend a distance of 700mm from the wall.		\boxtimes	with the building separation controls of SEPP 65. Further it should be noted that the development is situated within a
	D3	If the depth of the building is greater than 12m, a courtyard space that is at least 3m from the side boundary and a minimum 3m			Mixed use zone in the predominantly commercial context of the area and the urban character of the Lidcombe Town Centre rather than a residential area.
		deep shall be included on the side wall, generally mid-way along the length of the wall.			The proposal is for a mixed used development; therefore the requirement is not applicable.
2.4.3	Rear se	etback			
	D1	Rear setbacks shall be a minimum of 10m.			The development is situated on a corner allotment with the proposed building addressing Mary Street. The site adjoins
	D2	Where there is a frontage to a street and a rear laneway the setback to the rear laneway shall be a minimum of 2m.			an open car park to the north and as such no building separation has been established. Due to the limited site width of 30.04 metres, the minimum proposed rear setback of 6 metres from building
	D3	Where a building is an L or T shape with the windows facing side courtyards the rear setback shall be a minimum of 2m.			façade is considered to be satisfactory and will provide for a compliant building separation for potential future developments to the north of the site as similar setbacks can be provided to achieve the required building separation. The site is also in the predominantly commercial context of the area rather than a residential area.
2.4.4	Haslan	n's creek setback			
	D1	A minimum 10m setback from the top of the creek bank of Haslam's Creek and its tributaries shall be required. Refer to the Stormwater Drainage Part of this DCP for additional controls.			The development site is not located in the vicinity of Haslam's Creek.
2.4.5	Setbac	ks at Olympic Drive, Lidcombe			
Perforr	nance cr	iteria			
	P1	Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback.			The development is not located on Olympic Drive.
	P2	East-west streets maintain view corridors to Wyatt Park.			
Develo	pment c	ontrols			
	D1	For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 6m.		\boxtimes	
	D2	The setback area and verge shall be landscaped and planted with a double row of street trees.		\boxtimes	

D3	The setback to east-west streets shall be generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.			
2.5 Buildin	g depth			
Performance	criteria			The proposal is considered to deliver a high level of amenity to the residents of the building. This is due to the high level of
P1	A high level of amenity is provided for residents.			solar access and substantial proportion of cross ventilated units.
Developmen	t controls			
D1	The maximum depth of a residential flat building shall be 18m excluding balconies.			As discussed under the compliance table for SEPP 65, a minor variation is sought with the building exceeding 20m is some areas. Notwithstanding this, the building would provide a high level of amenity for future residents and this minor standard variation is considered acceptable in this instance.
2.6 Numbe	r of storeys			
Performance	criteria			The proposed development is consistent
P1	The number of storeys is achievable within the maximum building height in <i>Auburn LEP</i>			with this requirement and has been discussed in detail under the SEPP 65 and ALEP 2010 compliance table above.
Developmen	2010. t controls			Proposed development has an overall height of 30.9 metres and is eight storeys in height.
D1	Residential flat buildings shall be a maximum four (4) storeys above ground level (existing), except where basement car parking allows for natural ventilation up to less than 1m above ground level.			
2.7 Floor to	o ceiling heights			
Performance	criteria			
P1	Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form.			2.7 metres floor to ceiling height provided.
Developmen	t controls			
D1	The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines.			No mezzanine space proposed in residential component.
D2	Where there is a mezzanine configuration, the floor to ceiling height may be varied.			
D3	When located near business areas, a floor to ceiling height of 3 to 3.3m for the ground and first floor shall be provided.		\boxtimes	
D4	When located within business areas, a floor to ceiling height of 3.3m for the ground and first floor shall be provided.			Ground floor height of commercial space is 5 metres. The first floor will be 2.7 metres however this is considered acceptable given the residential only use of the floor.
2.8 Floor to	ceiling heights			
Performance	criteria			

	P1	Window heights allow for light penetration into rooms and well proportioned elevations.			Window head heights are a minimum of 2.4 metres from floor level. The development is acceptable in this regard.
Dev	elopmen	t controls			
	D1	The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.			
	D2	For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.			
	D3	For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.		\boxtimes	
2.9	Heritag	le .			
Perf	ormance	criteria			
P1	herit herit well	elopment does not adversely affect the age significance of heritage items and age groups and archaeological sites as as their settings, distinctive etscape, landscape and architectural s.			The subject site contains a heritage item of local significance known as the former Lidcombe Police Station. The application has since been referred to an external heritage consultant for comment
Dev		t controls			and Council has yet to receive any receive any formal response, however this matter
D1	All adjo	development adjacent to and/or ning a heritage item shall be: ve in terms of the curtilage and design;			will be finalised prior to the final report to the Joint Regional Planning Panel. Notwithstanding, the proposed adaptive reuse of the heritage building is considered to be appropriate given the commercial
	-	nied by a Heritage Impact Statement;	\boxtimes		context of the area and is not considered to
	and				raise any significant concerns.
	in terms pitch, he	Il of the building's heritage significance of the form, massing, roof shapes, ght and setbacks.			
2.10	Buildir	g design			
Perf	ormance	criteria			
Dev	P1	Building design, detailing and finishes provide an appropriate scale to the street and add visual interest. t controls			No objection is raised to the materials and colour scheme of the proposal which is considered to be of high quality and will make a positive contribution to the streetscape.
2.10	.1 Mat	erials			
	D1	All developments shall be constructed from durable, quality materials. As a guide, preference shall be given to bricks that are smooth faced and in mid to dark tones.			
2.10	.2 Buil	ding articulation			
	D1	Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.			The proposal offers an articulated facade with distinct horizontal and vertical framing elements.
	D2	Dwelling entrances shall create a sense of individuality and act as a			At ground level the residential entrance

	D3	transitional space between private and communal spaces. Elevations shall provide for variation and depth rather than relying on front façade treatment only. Varied massing projections and recesses shall be used to create a sense of articulation and depth.	\boxtimes		lobbies are integrated with the commercial facade however they are not the dominate elements. The facade provides recessed elements on every facade of the building.
2.10.3	Roof fo	rm			Flat most and law basinessal managet
	D1	Roof forms shall be designed in a way that the total form does not add to height and bulk of the building.			Flat roof and low horizontal parapet proposed. The roof form is in accordance with this clause.
2.10.4	Balustrac	les and balconies			
	D1	Balustrades and balconies shall allow for views from the interior. Accordingly, balustrades shall be partly transparent and partly solid.			Semi recessed glass balustrades proposed except on the first storey street elevation to assist in maintaining privacy.
	D2	The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall avoid having exposed pipes and utilities.			
2.11	Dwelling				
Perfori	mance cr	iteria			
P1		dwelling sizes and shapes are for a range of household types.	\boxtimes		All units within the development meet the Residential flat building minimum dwelling
P2		ns are adequate in dimension and odate their intended use.	\boxtimes		size. The layout is suitable to accommodate a variety of furniture layouts.
Develo	pment co	ontrols			
D1		e of the dwelling shall determine the m number of bedrooms permitted.			 Smallest 1 bedroom unit size (single aspect) = 70 sqm. Smallest 2 bedroom unit size (corner
Numb	er of bed	rooms Dwelling size			apartment) = 82 sqm. • Smallest 3 bedroom unit size = 103
Studio	•	50m ²			sqm. This is compliant with the SEPP
		ss through) 50m ²			65 controls.
	oom (mas	2			
1 bedr	oom (sing	gle aspect) 63m ²			
	ooms (co	,			
	,	oss through or over) 90m ² 115m ²			
3 bedr 4 bedr		130m ²			
	001113	100111			
D2		t one living area shall be spacious nect to private outdoor areas.			All balconies are accessible from the living areas of every unit.
2.12	Apartme	nt mix and flexibility			
Perfori	mance cr	iteria			
	P1	A diversity of apartment types are provided, which cater for different household requirements now and in the future.			The residential component of the building will offer a variety of unit types of differing sizes and bedrooms.

P2	Housing designs meet the broadest range of the occupants' needs possible.			
Development co	ntrols			
D1	A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings.			The development has the following bedroom mix:- 1 bedroom – 7 units (10%) 2 bedroom – 54 units (77%) 3 bedroom – 9 units (13%)
	Variety may not be possible in smaller buildings, for example, up to six units.			
D2	The appropriate apartment mix for a location shall be refined by:			The building is considered to offer an appropriate unit mix.
	 considering population trends in the future as well as present market demands; and 			The development has the benefit of being within close proximity to a public transport.
	noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres.			Ground floor is dedicated to commercial tenancies in accordance with the mixed use zoning.
D3	A mix of one (1) and three (3) bedroom apartments shall be located on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.			The building is fully visitable due to the lift access. The development has 7 units identified as being specifically adaptable.
D4	The number of accessible and adaptable apartments to cater for a wider range of occupants shall be optimised.			
D5	The possibility of flexible apartment configurations, which support future change to optimise the building layout and to provide northern sunlight access for all apartments, shall be considered.			
D6	Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.			Two lift cores are proposed for the development and each lift services 5 units.
D7	Apartment layouts which accommodate the changing use of rooms shall be provided.	\boxtimes		Unit floor sizes are considered to be of
	Design solutions may include:			sufficient size to provide flexible furniture layouts.
	windows in all habitable rooms and to the maximum number of non-habitable rooms;			layouts.
	 adequate room sizes or open- plan apartments, which provide a variety of furniture layout opportunities; and 			
	■ dual master bedroom			

			apartments, which can support two independent adults living together or a live/work situation.	:		
	D8	deg use	ctural systems that support a ree of future change in building or configuration shall be used ign solutions may include:			
		•	a structural grid, which accommodates car parking dimensions, retail commercial and residentia uses vertically throughout the building;			
		1	the alignment of structura walls, columns and services cores between floor levels;			
		•	the minimisation of interna structural walls;			
		•	higher floor to ceiling dimensions on the ground floor and possibly the first floor; and			
		•	knock-out panels between apartments to allow two adjacent apartments to be amalgamated.			
3.0 Ope	n space	and	landscaping	<u> </u>	T	
Objecti	ves					
	a.	recre	provide sufficient and essible open space for the eation needs of the likely dents of the proposed dwelling.			The development proposal is considered to be consistent with the open space and landscaping objectives.
	b.	relat	provide private open areas that the well to the living areas of llings.			
	C.					
	d.	exist feat	provide for the preservation of ting trees and other natura ures on the site, where copriate.			
	e.	To com	provide low maintenance munal open space areas.			
	f.	for v	provide adequate opportunities vater infiltration and tall trees to vand to spread, so as to te a canopy effect.			
	g.		conserve and enhance street planting.			
3.1	Develo	pmer	t application requirements			
	A lands develor building	oment	plan shall be submitted with all applications for residential flat			A suitable landscaping plan prepared by Greenland Design P/L which details species, quantity required, height and
			ne plan should specify emes, vegetation (location and			spread, planting depth detail has been submitted and is considered satisfactory.

	safe, at for residuals with the	tractive dents, e neig	ring and lighting that provide a re and functional environment integrates the development hbourhood and contributes to ency and water management.		
	profess or desig	ionall gner s	plan prepared by a y qualified landscape architect hall be submitted with the application which shows:		
		redi reta	posed site contours and uced levels at embankments, ining walls and other critical tions;		
			ting vegetation and the posed planting and landscaping luding proposed species);		
			eral arrangement of hard lscaping elements on and pining the site;		
		loca	tion of communal facilities;		
		prop	oosed lighting arrangements;		
	•		posed maintenance and ation systems; and		
3.2	Londos		posed street tree planting.		
	Landso	•			
Perforn	nance cr	iteria			
	P1	Pav	ing may be used to:		
		•	ensure access for people with limited mobility;		
		•	add visual interest and variety;		
		•	differentiate the access driveway from the public street; and		
		•	encourage shared use of access driveways between pedestrians, cyclists and vehicles.		
Develo	pment co	ontro	ls		
	D1	con: sele	an area is to be paved, sideration shall be given to acting materials that will reduce and minimise surface run-off.		
	D2	All I mai dep	andscaped podium areas shall name in a minimum soil planting the of 600mm for tree provision 300mm for turf provision.		
3.3	Deep s				
Perform	nance cr	iteria			
	P1	opp	eep soil zone allows adequate ortunities for tall trees to grow spread.		A deep soil zone of 312.2 sqm or 11% of the site is proposed for the development. The width of the deep soil zone allows for
Develo	pment c	Not	e: Refer to the development trol diagrams in section 10.0.		the planting of medium to large trees.
				1	

	D1	A minimum of 30% of the site area shall be a deep soil zone.			sqm for the site is considered to be compatible in the predominantly
	D2	The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building.			commercial context of the site having regard to the land uses and other landscaped areas being provided around the development in a manner that is in
	D3	Deep soil zones shall have	\boxtimes		keeping with the commercial character of the area rather than a residential area.
	D4	minimum dimensions of 5m. Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.			Deep soil zone proposed primarily on western end of the site within front setback of the heritage building. This is considered to be an acceptable outcome given that the site is for a mix use development and not a dedicated
3.4	Landso	cape setting			residential flat building.
Perform	nance cr				
	P1	Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public			All street interface landscaping is appropriately located within the site and not on public street but will make a significant visual improvement to the public domain adjoining the site.
	P2	domain. Residential flat buildings are adequately designed to reduce the			The proposed building introduces stepping as well and horizontal and vertical elements
	P3	bulk and scale of the development. Landscaping assists with the integration of the site into the streetscape.			to achieve this.
Develo	pment c	ontrols			
	D1	Development on steeply sloping sites shall be stepped to minimise cut and fill.			The development site is not steeply sloping.
	D2	Existing significant trees shall be retained within the development.			Some trees are required to be removed to facilitate the basement of the development; however the majority of existing trees
	D3	Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.			located along the frontage of John Street are to be retained. Substantial trees are also proposed in replacement of the trees removed.
	D4	Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.			There is no adjoining bushland or public reserves.
	D5	All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.			A water tank is proposed and to be utilised to support landscaping on site.
3.5	Private	open space			
Perform	nance cr	iteria			
	P1	Private open space is clearly defined and screened for private use.			All apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the
	P2	Private open space: takes advantage of available outlooks or views and natural			building and provide casual overlooking of public areas.

		fea	tures of the site;]	
		adj	duces adverse impacts of acent buildings on privacy dovershadowing; and		
		an pri	solves surveillance, privacy d security issues when wate open space abuts blic open space.		
Develop	ment	controls			All anathrapita have at least one beloomy
	D1	provided form of	open space shall be d for each dwelling in the a balcony, roof terrace or, lings on the ground floor, a rd.		All apartments have at least one balcony. Access is provided directly from living areas and in some instances, secondary access is provided from primary bedrooms.
	D2	be prov	gs on the ground floor shall ided with a courtyard that ninimum area of 9m ² and a m dimension of 2.5m.		There are no ground floor units proposed.
	D3	level s balcony minimur	gs located above ground hall be provided with a or roof terrace that has a m area of 8m ² and a		All apartments have a minimum balcony depth of 2 metres and have a total area of 8 sqm or greater.
	D4	Balconie	n dimension of 2m. es may be semi enclosed yres and screens.		
		With lou	vies and scieens.		
	D5		open space shall have ent access from the main ea.		
	D6	shall be extension relaxation	the private open space capable of serving as an on of the dwelling for on, dining, recreation, nment and children's play.		
	D7	Addition balconie	nal small, screened service es may be provided for clothes drying areas and		The balconies have been orientated to address Mary Street and promote an active frontage or to the north of the site for solar access. Sufficient setback of minimum 6
	D8	shall tak distance	open space and balconies to advantage of mid to long wiews where privacy will not arise.		metres from the northern boundary and indented living areas is proposed to minimise privacy impacts (acoustic privacy and overlooking into adjoining sites).
3.6	Com	munal oper	n space		
Perform					
		The site la open space			A communal open space of 944.56 sqm or (33%) is proposed for the development at
			character of the development;		the roof top terrace.
		•	provide for a range of uses and activities;		
		•	allows cost-effective maintenance; and		
		•	contributes to stormwater management.		
Develop	ment	controls			

	D1	Communal open space shall be useable, have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved				
	D2	recreation area. The communal open space area shall have minimum dimensions of 10m.				
3.7	Prote	ection of existing trees				
Perfor	mance	criteria				
	P1	Major existing trees are retained where practicable through appropriate siting of buildings, access driveways and parking areas and appropriate landscaping.			\boxtimes	The basement occupies a total of 61% of the site only. Therefore nominated deep soil areas and landscaped areas are capable of supporting medium to large trees as proposed on the landscape plan submitted.
Develo	pment	controls				
	D1	Building structures or disturbance to existing ground levels shall not be within the drip line of existing significant trees to be retained.				
	the Tr	dditional requirements, applicants shall ee Preservation Part of this DCP.				
3.8 Biodiversity						
Perfor	mance	criteria				
P1 Existing and native flora at canopy and understorey levels is preserved and protected.						An appropriate mix of species is proposed in the landscaping design. Substantial trees are proposed in
	W	lantings are a mix of native and exotic ater-wise plant species.				replacement of the removal of some trees.
Develo	pment	controls				
	D1	The planting of indigenous species shall be encouraged.	\boxtimes			
3.9	Stree	et trees				
Perfor	mance	criteria				
	P1	Existing street landscaping is maintained and where possible enhanced.	\boxtimes			All existing street trees are being maintained in the proposal. The proposed driveways will not interfere with the existing
Development controls						street trees.
	D1	Driveways and services shall be located to preserve existing significant trees.				
	D2	Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage.				
		Note: Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.				
4 N Ac	cess a	nd car parking	•	•		•

Objecti	Objectives					
5.1	Access	and car parking requirements				
		s shall consult the Parking and his DCP.				The building as proposed provides sufficient onsite parking to service the need of the
5.2	Basements					development in accordance with the needs of the Parking and Loading section of the
	Perform	nance criteria				DCP.
	P1	Basements allow for areas of deep soil planting.				The proposal allows for a deep soil zone separate to the basement as proposed.
	Develo	pment controls				
	D1	Where possible, basement walls shall be located directly under building walls.				The basement has been contained under the building as proposed.
	D2	A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.	\boxtimes			
	D3	Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.				Being a mixed use development, the basement can be provided to the boundary. Notwithstanding this, a significant deep soil, landscaping area and landscaping proposed at the western side of the heritage
	D4	Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.				building is proposed. Basement walls do not appear to protrude over the maximum 1.2 metres.
5.0 Priv	acy and	security		1		I
Objecti	ives					
a.	provide resident	ure the siting and design of buildings visual and acoustic privacy for ts and neighbours in their dwellings vate open spaces.				
b.	for res	vide personal and property security idents and visitors and enhance ions of community safety.	\boxtimes			
5.1	Privacy	1				
Perforr	nance cr	iteria				
	P1	Private open spaces and living areas of adjacent dwellings are protected from overlooking.	\boxtimes			Sufficient building separation provided between north and east of the site to minimise visual and acoustic privacy. This
Develo	pment co	ontrols				has been discussed previously under SEPP 65 compliance table and Local Centres
	D1	Buildings shall be designed to form			\boxtimes	chapter of the Auburn DCP 2010.
		large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.				

	D3	shall e provide	ayout and building design insure that windows do not edirect and close views into ws, balconies or private spaces of adjoining gs.			
	D4		onto adjoining private open shall be obscured by:			
		•	Screening that has a maximum area of 25% openings, shall be permanently fixed and made of durable materials; or			
		•	Existing dense vegetation or new planting.			
5.2	Noise					
Perforn	nance cr	iteria				
	P1		insmission of noise between ng properties is minimised.			The development is located more than 250 metres from the nearest railway line and as such is unlikely to result in adverse noise
	P2	existing source: properly source: railway and the noise	wellings are protected from g and likely future noise s from adjoining residential ties and other high noise s (such as busy roads, corridors and industries) e transmission of intrusive to adjoining residential ties is minimised.			impacts to the development.
Develo	pment co	ontrols				
	D1	For a	coustic privacy, buildings	\boxtimes		The proposed development is considered to be consistent with the Acoustic Amenity
		:	be designed to locate noise sensitive rooms and private open space away from the noise source or by use of solid barriers where dwellings are close to high noise sources;			objectives as acoustic intrusion is minimised through building separation to adjoining existing buildings, unit orientation and the grouping of like-use rooms in units together.
			minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion; and			
		,	all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of the BCA.			
corridor average vehicles <i>Environ</i> and the Near	, or ma e daily tr s, app mental F NSW De	jor road raffic vol licants Planning partmen idors ar	within or adjacent to a rail I corridor with an annual ume of more than 40,000 must consult State Policy (Infrastructure) 2007 t of Planning's Development ad Busy Roads – Interim			
5.3	Securit					
Perform	nance cr	iteria				

	P1	Site layout and design of the dwellings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.			Passive surveillance of public and communal open space is maximised through orientation of units towards the street. Various building elements allow
	Council	Consideration shall also be given to 's Policy on Crime Prevention n Environmental Design (CPTED).			balconies and habitable rooms of apartments to overlook streets. Street level activity will be encouraged via
Develo	Development controls				provision of two separate residential building entries and direct public access from pedestrian footpath to commercial
	D1	Shared pedestrian entries to buildings shall be lockable.			tenancies. A shared entrance pathway and entrance porch area to each lift will provide a secure pedestrian access pathway and
	D2	Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.			path of travel to each dwelling. Lighting is being provided to all common areas including carparking.
	D3	Ground floor apartments may have individual entries from the street.			
	D4	Residential flat buildings adjoining a park or public open space shall be treated like a front entrance/garden for the length of the park. Refer to Figure 4 - Park frontage in section 10.0.			
5.4	Fences				
Perform	nance co	ontrols			Being a mixed use development there are
	P1	Front fences and walls maintain the streetscape character and are consistent with the scale of development.			no front fences specifically proposed.
Develo	pment co	ontrols			
	D1	The front and side dividing fences, where located within the front yard area, shall not exceed 1.2m as measured above existing ground level and shall be a minimum of 50% transparent. Front and side dividing fences where located within the front yard area shall not be constructed of solid pre-coated metal type materials such as Colorbond™ or similar.			
	D2	All fences forward of the building alignment shall be treated in a similar way.			
	D3	Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building line.			
	D4	Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.			
	D5	Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.			

6.0 Sola	ar ameni	ty and stormwater reuse			
Objecti	ves				
	a.	To minimise overshadowing of adjoining residences and to achieve energy efficient housing in a passive solar design that provides residents with year round			The solar access to the development and surrounding existing buildings complies with the requirements listed below. The site as existing has unrestricted
	b.	comfort and reduces energy consumption. To create comfortable living environments.			northerly aspect. The communal open space located at roof top will receive unimpeded solar amenity.
	C.	To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.			
	d.	To reduce the consumption of non- renewable energy sources for the purposes heating water, lighting and temperature control.			
	e.	To encourage installation of energy efficient appliances that minimise green house gas generation.			
6.1	Solar a	menity			
Perforn	nance cr	iteria			
	P1	Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.			The siting of the building is such that surrounding buildings and private open space will receive adequate solar access either in the morning, daytime or afternoon.
	P2	Buildings and private open space allow for the penetration of winter sun to ensure reasonable access to sunlight or daylight for living spaces within buildings and open space around buildings.			Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible.
Develo	pment c	ontrols			
	D1	Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.			No solar collectors proposed as part of this development.
		Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on		\boxtimes	
		June 21. Where adjoining properties do not have any solar collectors, a minimum of 3m² of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.			
		Note: Where the proposed development is located on an adjacent northern boundary this may not be possible.			
	D2	Buildings shall be designed to ensure sunlight to at least 50% of			The siting of the building is such that surrounding buildings and private open

		the principal area of ground level private open space of adjoining properties for at least 3 hours between 9:00am and 3:00pm on June 21.		space will receive adequate solar access either in the morning, daytime or afternoon.
	D3	If the principal area of ground level private open space of adjoining properties does not currently receive at least this amount of sunlight, then the new building shall not further reduce solar access.		
	D4	Habitable living room windows shall be located to face an outdoor space.		All living areas and balconies are orientated towards the street or to the north of the site to maximise solar amenity.
	D5	North-facing windows to living areas of neighbouring dwellings shall not have sunlight reduced to less than 3 hours between 9:00am and 3:00pm on June 21 over a portion of their surface.		
	D6	Where the proposed residential flat building is on an adjacent northern boundary or located within an area undergoing transition, compliance with D1, D2, D3 and D4 development controls may not be achievable.		
	D7	Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.		
	D8	The western walls of the residential flat building shall be appropriately shaded.		Shading devices in the form of louvers are proposed over balcony areas and windows on the western elevation of the building.
6.2	Ventila			
Perforn	nance cr	iteria		
Davida	P1	The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.		The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation.
Develo	pment co	ontrois		
	D1	Rooms with high fixed ventilation openings such as bathrooms and laundries shall be situated on the southern side to act as buffers to insulate the building from winter		The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
	D2	winds. Apartments shall be designed to consider ventilation and dual aspect. This can be achieved with cross over apartments, cross through apartments, corner		42 or 60% of the units are dual aspect or cross through and can be considered to provide satisfactory natural ventilation to the units. Single aspect apartments are minimised in doubt, and the unit levelute are grouped to
		apartments and two (2) storey apartments. Single aspect apartments shall be kept to a minimum except for those that are north facing. Single aspect		depth and the unit layouts are grouped to be bedrooms/bathrooms and living/kitchen/dining.

		apartments shall be limited in depth to 8m from a window.			
	D3	Where possible residential flat buildings shall be designed with bathrooms, laundries, and kitchens positioned on an external wall with a window to allow for natural ventilation of the room.			The living rooms are adjacent to the balconies allowing for natural ventilation.
6.3	Rainwa	iter tanks			
Perforn	nance cr	iteria			
P1	The stormwa	development design reduces ater runoff.			Appropriate conditions will be imposed for a minimum 10m³ capacity water reuse tank to be provided for irrigation of the landscape
	Develo	pment controls			area within the subject development site.
	D1	Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.			
	D2	Rainwater tanks shall be constructed, treated or finished in a non-reflective material which blends in with the overall tones and colours of the building and the surrounding developments.			
	D3	The suitability of rainwater tanks erected within the side setback areas of development will be assessed on an individual case by case basis.			
	D4	Rainwater tanks shall not be located within the front setback.			
	D5	The overflow from the domestic rain water tank shall discharge to the site stormwater disposal system. For additional details refer to the Stormwater Drainage Part of this DCP.			
	D6	The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.			
6.4	Stormv	vater drainage			Council's development engineer has raised no objections subject to recommended
	Applica drainag Drainag			conditions of consent.	
	7.0 Ancillary site facilities Objectives				
	a.	To ensure that site facilities are effectively integrated into the development and are unobtrusive.			All service areas are located at the rear of the building along the northern boundary and accessed via the driveway.
	b.	To ensure site facilities are adequate, accessible to all residents and easy to maintain.			
	C.	To cater for the efficient use of public utilities including water supply, sewerage, power,			A loading bay is provided at the rear of the site.

		telecommunications and gas services and for the delivery of postal and other services.			
7.1	Clothe	washing and drying			
Perforn	nance cr	iteria			
	P1	Adequate open-air clothes drying facilities which are easily accessible to all residents and screened, are provided.			
Develo	pment c	ontrols			
	D1	Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.			Each unit has a laundry and drying facility.
	D2	Open air clothes drying facilities shall be provided in a sunny, ventilated and convenient location which is adequately screened from streets and other public places, where possible.			
7.2	Storag	9			
Perforn	nance cr	iteria			Storage is provided within each unit in the
	P1	Dwellings are provided with adequate storage areas.	\boxtimes		form of built in wardrobes, kitchen cupboards and dedicated separate storage cupboards.
	Development controls				Additional storage of 9 cubic metres is proposed to be provided to all units and are
	D1	Storage space of 8m ³ per dwelling shall be provided. This space may form part of a garage or be a lockable unit at the side of the garage.			located within the 3 basement levels.
	D2	Storage space shall not impinge on the minimum area to be provided for parking spaces.			
7.3	Utility	services			
Perforn	nance cr	iteria			
	P1	All proposed allotments are connected to appropriate public utility services including water, sewerage, power and telecommunications, in an orderly, efficient and economic manner.			Conditions will be imposed requiring that the all services be augmented as necessary in accordance with service provider requirements.
Develo	pment c	ontrols			
		Where possible, services shall be underground.			
7.4	4 Other site facilities				
Perforn	nance cr	iteria			
	P1	Dwellings are supported by necessary utilities and services.	\boxtimes		Appropriate conditions can be imposed to ensure compliance with this requirement.
Development controls					
	D1	A single TV/antenna shall be provided for each building.			
	D2	A mailbox structure that meets the			

		relevant Australia Postal Service requirements shall be provided, located centrally and close to the major street entry to the site. All letterboxes shall be lockable.							
	D3 Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.								
7.5	Waste	disposal							
	held in	nts shall refer to the requirements the Waste Part of this DCP.				Satisfactory submitted.	waste	management	plan
8.0 Sul Object	odivision	<u> </u>	l	l					
Object	1463								
	a.	To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.							
	b.	To provide allotments of sufficient size to satisfy user requirements and to facilitate development of the land at a density permissible within the zoning of the land having regard to site opportunities and constraints.							
8.1	Lot am	algamation							
Perforr	mance cı	iteria							
	P1	Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design.			\boxtimes				
Develo	pment c	ontrols							
	D1 Development sites involving more than one lot shall be consolidated.				\boxtimes				
	D2	Plans of Consolidation shall be submitted to, and registered with, the office of the NSW Land and Property Management Authority. Proof of registration shall be produced prior to release of the Occupation Certificate.							
	D3	Adjoining parcels of land not included in the development site shall be capable of being economically developed.							
8.2	Subdiv								
Develo	pment c	ontrols							
	D1	The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.							
	D2	Proposed allotments, which							

		deve site	ain existing buildings and elopment, shall comply with coverage and other controls ained within this Part.			
8.3	Creatio	n of ı	new streets			
Perform	nance cr	iteria				
	P1		some sites, where appropriate, streets are introduced.		\boxtimes	There are no new streets being proposed as part of this application.
	P2	to c	proposed roads are designed convey the primary residential tions of the street including:		\boxtimes	
		•	safe and efficient movement of vehicles and pedestrians;			
			provision for parked vehicles;		\square	
			provision of landscaping;			
		٠	location, construction and maintenance of public utilities; and			
		•	movement of service and delivery vehicles.			
	Develo	pmen	t controls			
	D1	crea Cou assu rega eacl shal cons	ere a new street is to be ted, the street shall be built to ncil's standards and quality urance requirements having and to the circumstances of a proposal. Consideration I be given to maintaining sistency and compatibility with design of existing roads in the lity.			
	D2	prov acce park addi per infoi roac Tab	ninimum width of 6m shall be rided for all carriageways on ess roads. If parallel on-street ing is to be provided, an tional width of 2.5m is required vehicle per side. For specific mation detailing Council's I design specifications, refer to le 1 – Development Standards Road Widths in section 10.2.			
	D3	desi cons deve	larger self-contained new dential areas, specific road gn requirements shall be sidered for site specific elopment controls.			
9.0 Ada Objectiv	ptable h	ousir	ng	<u> </u>		
Cojecti	163					
	a.	dwellayo acco	Insure a sufficient proportion of lings include accessible uts and features to mmodate changing irements of residents.			The development is fully accessible from basement levels via lifts to residential levels above and from pedestrian footpaths to commercial and residential levels.
0.4	b.	allov as tl or di	ncourage flexibility in design to v people to adapt their home neir needs change due to age sability.			
9.1	Develo	pmen	t application requirements			

Note: Evidence of compliance with the Adaptable Housing Class C requirements of Australian Standard (AS) 4299 shall be submitted when lodging a development application to Council and certified by an experienced and qualified building professional.					
9.2 Design guid					
Performance co	riteria				
P1 Residential flat building developments allow for dwelling adaptation that meets the changing needs of people.					
Development c	ontro	S			
D1	Whe	required standard for ptable Housing is AS 4299. erever the site permits, elopments shall include			The development complies with AS299 and an access compliance report prepared by Peter Simpson of PSE Access Consulting
	desi		\boxtimes		P/L has been submitted confirming that the units identified as being specifically adaptable comply with the relevant access provisions of the BCA.
		rnal and internal siderations shall include:	\boxtimes		Free 100 100
	•	access from an adjoining road and footpath for people			
		who use a wheel chair; doorways wide enough to			
		provide unhindered access to a wheelchair;	\boxtimes		
		adequate circulation space in corridors and approaches to internal doorways;			
	•	wheelchair access to bathroom and toilet;			
	•	electrical circuits and lighting systems capable of producing adequate lighting for people with poor vision;			
	٠	avoiding physical barriers and obstacles;			
	•	avoiding steps and steep end gradients;			
	•	visual and tactile warning techniques;			
	•	level or ramped well lit uncluttered approaches from pavement and parking areas;			
		providing scope for ramp to AS 1428.1 at later stage, if			
		necessary; providing easy to reach	\boxtimes		
		controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors;			
	•	internal staircase designs for adaptable housing units that ensure a staircase inclinator can be installed at any time in the future; and			
	•	providing a disabled car space for each dwelling designated as adaptable.			Each adaptable unit is provided with a disabled parking space.
Note: In the o	design	of residential flat buildings,	\boxtimes		

applicants shall consi Part of this DCP.				
D1 All developme housing units adapted (Cla minimum nu units is set ou			A total of 70 residential units are proposed with 7 units specifically identified as being adaptable. The access compliance report prepared by Peter Simpson of PSE Access Consulting P/L has also been submitted confirming that the adaptable units are	
Number of dwelling	s Number of units		Ш	compliant with the relevant provisions of the BCA.
5-10	1			7 disabled parking spaces are also being
11-20	2			provided in-conjunction with the 7 adaptable units.
21 – 30	3			
31- 40	4			
41 - 50	5			
Over 50 6 (Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number) Note: Adaptable Housing Class C incorporates all essential features listed in Appendix A – Schedule of				
Features for Adaptable Housing in AS 4299. 9.3 Lifts				
Development controls				
D1 Lifts are encouraged to be installed in four (4) store residential flat buildings whe adaptable housing units shall be required.				There are two lift cores provided for the development and each lift services 5 units.
Where the development does not provide any lifts and includes adaptable housing units, the adaptable housing units shall be located within the ground floor of the development.				
9.4 Physical bar				
Development controls D1 Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.				The development is fully accessible from the pedestrian footpath to ground floor lobbies and lifts to basement levels and residential floors above.

c) Access and Mobility

The relevant requirements and objectives of the Access and Mobility part of the Auburn DCP 2010 have been considered in the assessment of the development application. Council Officer is satisfied that the proposal satisfies the requirements of the DCP in general as pedestrian access ramp is provided to the main entrance of the building and suitable accessible facilities such as communal staff areas, disabled toilet facilities and lifts are provided within the building. In this regard the application is considered to be consistent with the objectives and relevant requirements of the DCP.

d) Stormwater Drainage

The relevant requirements and objectives of the Stormwater Drainage part of the Auburn DCP 2010 have been considered in the assessment of the development application. Suitable Stormwater plans and specifications have been submitted to accompany the development application. Council's Engineers have raised no objection to the proposed stormwater design and appropriate conditions have been provided to be imposed on any development consent. Therefore the application is considered to be consistent with the objectives and relevant requirements of the DCP.

Section 94 Contributions Plan

The development would require the payment of contributions in accordance with Council Section 94 Contributions Plans. It is recommended that conditions be imposed on any consent requiring the payment of these contributions prior to the issue of any construction certificate for the development.

The calculation is based on the following:

Residential component

7 x 1 bedroom units, 54 x 2 bedroom units and; 9 x 3 bedroom units.

Commercial/retail component

Construction cost of commercial + retail + associated fitout works: \$1,530,000.

As at 29 September 2011, the fee payable is **\$389,002.86**. This figure is subject to indexation as per the relevant plan.

Disclosure of Political Donations and Gifts

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

The suitability of the site for the development (EP&A Act s79C(1)(c)

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard it its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s79C(1)(d

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In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days between 15.7.11 and 19.2.11. The notification generated one (1) submission in respect of the proposal. The issues raised in the public submissions are summarised and commented on as follows:

 Adaptive reuse of the heritage police station is pleasing although this involves demolition of the cell block. A more sympathetic treatment of the rear façade should be undertaken with the new folding doors being federation compatible.

<u>Comment</u>: Council raises no significant concerns with regard to proposed alterations to the heritage item. A submitted Heritage Impact Statement is considered to be satisfactory.

 The intended planting of palm trees behind the Police Station to screen the bulk of the new high rise building should be reconsidered. Nine conifers along the John and Mart Street frontages are out of place and should be removed to allow unimpeded views of the Police Station.

<u>Comment</u>: The landscape plan submitted is considered to be satisfactory. The retention of existing trees to John Street is being investigated in conjunction with Council's landscape officer to establish to preferred outcome. In any case, conditions of consent may be imposed to provide alteranive planting of street trees, should they be required.

 High rise mixed use building should not be approved due to unacceptable quality of life for future occupants nearby.

<u>Comment</u>: The proposal is considered to perform satisfactorily in with regard to the provisions of SEPP 65 – Residental Flat Design. Adequate building separation distances have been provided to minimise bulk and scale of the building, visual and acoustic privacy and to allow for adequate solar amenity into adjoining developments. The development is also in an appropriate zone encouraging redevelopment for the purpose of high-density residential with elements of commercial and retail consistent with an urban centre expansion and which is also consistent with the planning controls and intentions of the Auburn DCP 2010. The proposal is therefore considered to be compatible with the desired future character of the locality.

Number of singles aspect flats total 40%.

<u>Comment</u>: The number of single aspect south facing units amounts to 20% and exceeds the maximum 10% permitted under the SEPP 65 Residential Flat Design Code. Notwithstanding, the proposal is considered to be acceptable due to the orientation and built form of the development as these units are required to address the Mary Street frontage. In addition, it is considered that no further design amendments can be made to the design without being detrimental to other amenity consideration such as visual and acoustic amenity.

• The shadows from the eight storey building will be long and the mid-day shadow is well over the St. Joachim's Primary School Playground in the 11am to 1pm lunch period.

<u>Comment</u>: The portion of the overshadowing will fall on the school buildings and to a lesser extent the school playground at lunch time. Due to the subject development site being situated on the northern side of Mary Street, some overshadowing is considered to be unavoidable. It should also be noted that the proposal is within an area undergoing transformation, where the zone encourages higher density development and the proposal does not achieve the maximum permitted heights or FSR controls that are otherwise permitted for the site.

• The loading bay and driveway clearances are designed for medium rigid trucks; however the usual garbage trucks are three axle vehicles for which the swept area would be too tight.

<u>Comment</u>: Amended architectural drawings illustrate the two loading bays proposed with one loading bay located at the rear of the café/restaurant. Access is via the existing driveway from John Streét and deliveries will be via small delivery vans with access extending via the removable bollards with egress through the site and exit from Mary Street in a one-way traffic manoeuvre. The loading bay areas are large enough for a medium rigid vehicle but the café/restaurant is unlikely to require such a large vehicle for deliveries or collection of waste.

Waste will be delivered from the waste rooms in the basement to the collection area and loading bay at the rear of the development. The waste bins will be moved by tractor and trolley, contracted to the Waste Managément Company, engaged by the future Body Corporate. Garbage collection will be at ground floor level at the rear of the development.

The public interest (EP& A Act s79C(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

Conclusion

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is appropriately located within the B4 – Mixed use zone under the relevant provisions of Auburn Local Environmental Plan 2010. The proposal is consistent with all statutory and non-statutory controls applying to the development. Minor non-compliances with Council's controls have been discussed in the body of this report. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and the development may be approved subject to conditions.

ATTACHMENTS

