

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 Residential Flat Buildings.

Recommendation

- 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.

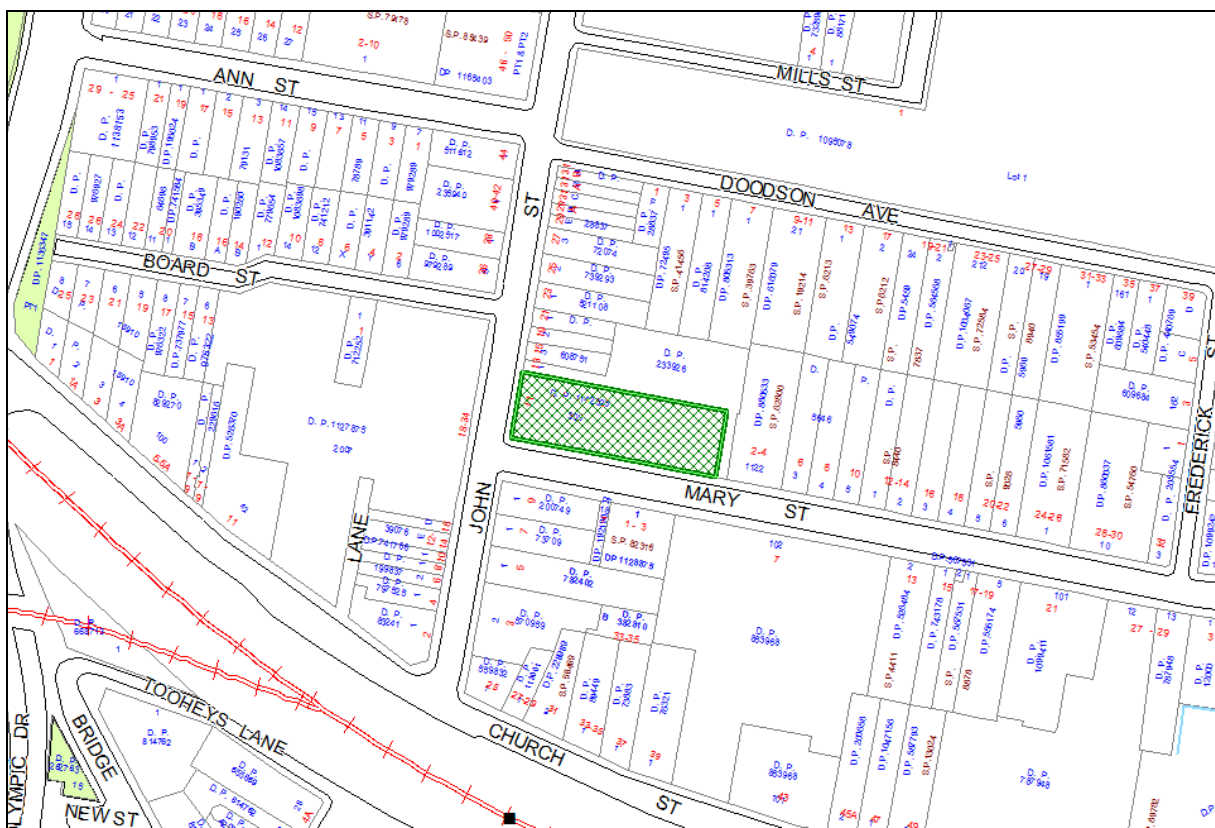
The site is situated within the part of Lidcombe Town Centre on the northern side of the Lidcombe Railway Station. Surrounding developments located in the immediate vicinity consists of a large open car parking area to the north of the site, accessed via two battleaxe driveways with entry from John Street 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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 re-conditioning 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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Details of contamination investigations carried out at the site:</p> <p>Council has received two previous environmental investigations conducted on the site by Aargus P/L in September and October 2011 (phase 1 & 2). Based on the findings of the phase 2 report, a Remediation Action Plan was required to be provided. The RAP prepared by Aargus Australia, ref no. ES4541/3, dated October 2011 was formally submitted to Council on the 27 October 2011. The RAP outlines the strategy and requirements for the removal of one UST and two hotpots and the removal of fill and natural material. The proposed remedial strategy will involve excavation of the soil and off-site disposal. Validation sampling will also be undertaken to confirm the efficacy of the remedial works and to confirm that the residual contaminant concentrations on the site are below guideline values applicable for a medium density residential and open space land use.</p> <p>The plan concludes that the completion of the remediation of the site in accordance with the RAP will ensure that the site is suitable for the proposed development and open space landuse. Appropriate conditions will be imposed to ensure compliance in this regard.</p>	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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
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Requirement	Yes	No	N/A	Comment
<p><u>Principle 3: Built form</u> 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>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.</p>
<p><u>Principle 4: Density</u> 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>A total of 70 new dwelling units will contribute to the redevelopment of the area.</p>
<p><u>Principle 5: Resource, energy and water efficiency</u> 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A satisfactory BASIX Certificate has been submitted with the development application together with an ABSA building sustainability assessment report.</p> <p>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.</p> <p>The development proposal is considered acceptable in this regard.</p>
<p><u>Principle 6: Landscape</u> 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 values. 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</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>Additional landscaping is also proposed around the curtilage of the heritage item and pedestrian thoroughfare to enhance setting of the building and streetscape character.</p>

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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal integrates a number of recesses and projections into the elevations of the building to articulate the overall mass and form. 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. 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 considered: <ul style="list-style-type: none"> 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 publication "Residential Flat Design Code" – Department of Planning, September 2002.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Auburn City Council does not employ a formal design review panel. The design quality principles have been considered above and the Residential Flat Design Code is considered in the assessment table immediately below.

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				
<i>Building Type</i>				
<ul style="list-style-type: none"> Residential Flat Building Terrace Townhouse Mixed-use development Hybrid (refer p8-17 of Design Code)	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed development consists of a mixed residential flat building tower complex with ground floor commercial tenancies. Car parking is located within the three levels of basement with some parking also provided at ground level.
<i>Subdivision and Amalgamation</i>				
Objectives <ul style="list-style-type: none"> Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context. Isolated or disadvantaged sites avoided. 	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Stratum subdivision of the proposed building is proposed. This will not result in any isolated allotments.
<i>Building Height</i>				
Objectives <ul style="list-style-type: none"> To ensure future development responds to the desired scale and character of the street and local area. To allow reasonable daylight access to all developments and the public domain. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The development is compliant with the height controls stipulated for the B4 – Mixed Used zone and is in accordance with the desired future scale and character of the area.</p> <p>The units within the development and the /public domain area will receive an acceptable level of solar access.</p>
<i>Building Depth</i>				
Objectives <ul style="list-style-type: none"> To ensure that the bulk of the development is in scale with the existing or desired future context. To provide adequate amenity for building occupants in terms of sun access and natural ventilation. To provide for dual aspect apartments. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The bulk and scale of the development is in accordance with the desired future character of the zone and future context. The building is considered to provide adequate amenity for the building 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.</p>
Controls <ul style="list-style-type: none"> The maximum internal plan depth of a building should be 18 metres from glass line to glass line. 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 ventilation. Slim buildings facilitate dual aspect apartments, daylight access and natural 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. 	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The building exceeds the 18 metre plan depth glass line to glass line, having an overall depth of up to 21.4m in some instances. However, the building being a slim tower type structure achieves satisfactory daylight and natural ventilation for the units within the development. This is considered to be acceptable in this instance.</p> <p>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.</p>
<i>Building Separation</i>				

Requirement	Yes	No	N/A	Comment
Controls				
<ul style="list-style-type: none"> For buildings over three storeys, building separation should increase in proportion to building height: <ul style="list-style-type: none"> Up to 4 storeys/12 metres: <ul style="list-style-type: none"> 12m between habitable rooms/balconies <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> 9m between habitable rooms/balconies and non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> 6m between non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> 5-8 storeys/up to 25 metres: <ul style="list-style-type: none"> 18m between habitable rooms/balconies <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 13m between habitable rooms/balconies and non habitable rooms <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 9m between non habitable rooms <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 9 storeys and above/over 25 metres: <ul style="list-style-type: none"> 24m between habitable rooms/balconies <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> 18m between habitable rooms/balconies and non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> 12m between non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls) <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Where a building step back creates a terrace, the building separation distance for the floor below applies. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Coordinate building separation controls with side and rear setback controls – in a suburban area where a strong rhythm has been established between buildings, smaller building separations may be appropriate. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Coordinate building separation controls with controls for daylight access, visual privacy and acoustic privacy. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Protect the privacy of neighbours who share a building entry and whose apartments face each other by designing internal courtyards with greater building separation <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved. <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> 				<p>Height of building = 30.9 metres including lift overrun. The proposal is eight storeys minus lift overrun.</p> <p>The subject site adjoins an open car park to the north and to the west is an access driveway of the car park which separates the two storey townhouse development from the subject property.</p> <p>As there is no existing development to the north of the site other than an at grade car park, there is no building separation established. A minimum of 6 metres is proposed from the boundary (facade of building to boundary) and 9.55 metres to indented living areas at level 1 to 2, up to 12 metres at level 3 to 7. This is considered to be satisfactory in that, any potential future development to the immediate north of the site is able to be controlled to provide similar setbacks which will achieve the required building separation. Furthermore, windows to habitable rooms are positioned to avoid any direct conflict with the rear northern boundary and the use of blank walls or screens is integrated into the development to ensure visual and acoustic privacy is achieved to all habitable rooms.</p> <p>From the eastern side boundary, a minimum setback of 1.53 metres is proposed from the building facade. A building separation distance of 14 metres is being provided between the two storey townhouse development and the new development thus complying with this planning control.</p> <p>From the western side, a setback of 7 metres is proposed between the facade of the heritage building and the development.</p> <p>At the southern boundary, a zero setback is proposed which is consistent with Council's DCP requirements by generating active street frontages as a concentration of retail outlets, restaurant 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.</p>
<i>Street Setbacks</i>				

Requirement	Yes	No	N/A	Comment
Objectives <ul style="list-style-type: none"> To establish the desired spatial proportions of the street and define the street edge. To create a clear threshold by providing a transition between public and private space. To assist in achieving good visual privacy to apartments from the street. To create good quality entry spaces to lobbies, foyers or individual dwelling entrances. To allow an outlook to and surveillance of the street. To allow for street landscape character. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The proposal is built to the edge of the boundary to Mary Street, providing an active street frontage with passive surveillance. The residential component above street level is set back to allow for articulation of the façade and an increase in the separation distance of adjacent buildings.</p> <p>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.</p>
Controls <ul style="list-style-type: none"> Minimise overshadowing of the street and/or other buildings. 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>Due to the orientation of the site and the development being on a corner allotment, 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.</p> <p>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.</p>
Objectives – Side Setbacks <ul style="list-style-type: none"> To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings. 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>As discussed above under building separation controls, sufficient side and rear setbacks are being provided to allow for appropriate building separation between buildings.</p> <p>Landscaped areas are being provided around the new structure and the refurbished heritage item in a manner that is in keeping with the urban character of the Lidcombe Town Centre. The proposed deep soil zone of 312.2 sqm (11%) for the site is considered to be compatible in the predominantly commercial context of the site having regard to the land uses and deep soil zones proposed to the west of the site and around building structures where possible.</p>
Objectives – Rear Setbacks <ul style="list-style-type: none"> To maintain deep soil zones to maximise natural site drainage and protect the water table. To maximise the opportunity to retain and reinforce mature vegetation. To optimise the use of land at the rear and surveillance of the street at the front. To maximise building separation to provide visual and acoustic privacy 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Controls <ul style="list-style-type: none"> 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. 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>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 appropriately setback to allow separation distance to adjacent developments and to minimise overall bulk and mass of the development.</p>
Floor Space Ratio				

Requirement	Yes	No	N/A	Comment
Design Practice <ul style="list-style-type: none"> 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. Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent properties. Promote landscape health by supporting for a rich variety of vegetation type and size. Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials. A minimum of 25% of the open space area of a site should be a deep soil zone. 	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>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 building. The remaining areas are provided with an intervening landscaped arcade to the tower building.</p> <p>The proposed deep soil zone will be capable of supporting significant trees.</p> <p>Any paving over the deep soil zone is comprised of unit stepping stones and decorative pebbles of porous surface maintaining the permeability of the soil.</p> <p>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.</p>
Fences and Walls				
Objectives <ul style="list-style-type: none"> To define the edges between public and private land. To define the boundaries between areas within the development having different functions or owners. To provide privacy and security. To contribute positively to the public domain. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The separation between the private and public domains is established by a strong commercial building facade at street level, landscaping and paving material.</p> <p>The proposal will contribute positively to the public domain with the provision of an intervening landscaped arcade generating pedestrian activity and an active street frontage.</p>
Design Practice <ul style="list-style-type: none"> Respond to the identified architectural character for the street and/or the area (refer page 45 of the Design Code for design considerations) Clearly delineate the private and public domain without compromising safety and 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 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 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 their apparent scale. Select durable materials which are easily cleaned and graffiti resistant 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The subject development application will establish the high density character for the site and immediate locality that is consistent with the desired future character of the area.</p> <p>As per the objectives sections the private and public domains are delineated via a strong commercial building facade at street level, landscaping and paving material. The residential lobby entries are separated and recessed from the commercial facades.</p> <p>The proposed public domain is enhanced with the provision of landscaping, paving material and multiple entries with no rigid defined edges.</p>
Landscape Design				

Requirement	Yes	No	N/A	Comment
Objectives <ul style="list-style-type: none"> To add value to residents' quality of life within the development in the forms of privacy, outlook and views. To provide habitat for native indigenous plants and animals. To improve stormwater quality and reduce quantity. To improve the microclimate and solar performance within the development. To improve urban air quality. To contribute to biodiversity. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>All open spaces are proposed to be intensively landscaped to integrate the overall appearance of the development to enhance the setting of the building.</p> <p>Low maintenance native indigenous trees and shrubs are being provided for the development.</p>
Design Practice <ul style="list-style-type: none"> Improve the amenity of open space with landscape design which: provides appropriate shade from trees or structures; provides accessible routes through the space and between buildings; screens cars, communal drying areas, swimming pools and the courtyards of 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 the amenity of the public domain by: relating landscape design to the desired proportions and character of the streetscape; using planting and landscape 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 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 site's particular and positive characteristics. Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management. Provide a sufficient depth of soil above paving slabs to enable growth of mature trees. Minimise maintenance by using robust landscape elements. 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The primary landscaping space is located on the western front setback of the heritage building. The space allows for the planting of large trees that is appropriate to the scale and context of the heritage item.</p> <p>Landscaping is provided within public domain areas of the pedestrian access areas to enhance streetscape character and provide human scale to the design of the building at street level.</p> <p>The landscaping proposed around the structures is designed to promote the natural permeability of the site and enhance streetscape character and setting of the buildings.</p> <p>Street landscaping planters and planter boxes on roof top terrace have sufficient depth to support the proposed level of growth.</p>
Open Space				
Objectives <ul style="list-style-type: none"> To provide residents with passive and active recreational opportunities. To provide an area on site that enables soft landscaping and deep soil planting. To ensure that communal open space is consolidated, configured and designed to be useable and attractive. To provide a pleasant outlook. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The communal open space area located on the roof terrace is of sufficient size to allow residents the opportunity for recreation. Further, landscaping in the form of planter boxes contributes to a pleasant outlook from the site.</p> <p>In addition to the communal space, all units within the development are provided with a private balcony capable of supporting a table and chairs.</p> <p>Outdoor dining areas proposed adjacent to pedestrian access areas provide entertainment and increased pedestrian circulation.</p>

Requirement	Yes	No	N/A	Comment
Objectives <ul style="list-style-type: none"> 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. To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity. 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
Design Practice <ul style="list-style-type: none"> Reduce the volume impact of stormwater on infrastructure by retaining it on site (refer design solutions on p54 of Design Code) Optimise deep soil zones. All development must address the potential for deep soil zones. 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 containing dispersive clays. Reduce the need for expensive sediment trapping techniques by controlling erosion. Consider using grey water for site irrigation. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>On site detention is proposed.</p> <p>Significant consolidated deep soil area of 11% of the site area is provided within the site.</p> <p>The stormwater design incorporates a stormwater primary filtering device before discharge of stormwater from the site.</p> <p>A water reuse tank is also incorporated into the stormwater design to be used for landscaping irrigation.</p>
Safety				
Objectives <ul style="list-style-type: none"> To ensure residential flat developments are safe and secure for residents and visitors. To contribute to the safety of the public domain. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The proposal provides secure separate residential entries.</p> <p>Safety of the public domain is enhanced via the opportunity for passive surveillance from the upper unit balconies.</p>
Design Practice <ul style="list-style-type: none"> Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and include: employing a level change at the site and/or building threshold; signage; entry awnings; fences; walls and gates; change of material in paving between the street and the 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 dwellings, between car parks and lift lobbies and to all unit 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 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The separation between the private and public domains is established by strong commercial building facade, recessed residential entries, landscaping and paving material.</p> <p>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.</p> <p>The opportunity for casual surveillance of the public domain is available from the balconies of units located on the southern and western elevations.</p>

Requirement	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A crime risk assessment has been considered in accordance with the CPTED principles and is detailed in the Design Verification Statement submitted.
Visual Privacy				
Objectives				
• To provide reasonable levels of visual privacy externally and internally during the day and night.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Outlook is considered to be maximised without compromising visual privacy to the residents.
Design Practice				
• 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to have optimized building separation to all existing surrounding development.
• Design building layouts to minimise direct 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is not considered to raise 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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none">• Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts (refer design approaches on p65 of the Design Code)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The driveway width is not excessive and is of sufficient distance from an intersection.
<ul style="list-style-type: none">• Ensure adequate separation distances between vehicular entries and street intersections.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">• 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">• 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 minimum.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<ul style="list-style-type: none">• Generally limit the width of driveways to a maximum of 6m.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The vehicular access servicing the basement levels and the at-grade 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 not exceed 12 metres.
<ul style="list-style-type: none">• Locate vehicle entries away from main pedestrian entries and on secondary frontages.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 03 Building Design				
<i>Apartment Layout</i>				
Objectives				
<ul style="list-style-type: none">• To ensure the spatial arrangement of apartments is functional and well organised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout to occur.
<ul style="list-style-type: none">• To ensure that apartment layouts provide high standards of residential amenity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">• To maximise the environmental performance of apartments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">• To accommodate a variety of household activities and occupants' needs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Design Practice				
<ul style="list-style-type: none">• Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building offers a variety of unit types of 1 to 3 bedroom units.
<ul style="list-style-type: none">• 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<ul style="list-style-type: none">• Design apartment layouts which respond to the natural and built environments and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every unit has a private balcony which is

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> Design better quality spaces in apartments by using ceilings to: define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads; enable 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 distribution. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The units in the complex above the ground floor have floor to ceiling heights of 2.7 metres.</p> <p>This is considered acceptable for solar access and general residential amenity.</p> <p>Ground floor is proposed to be minimum 5 metres for commercial tenancies.</p>
<ul style="list-style-type: none"> 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. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines (refer p73 of Design Code). 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Slab thickness has been factored into the calculation of ceiling heights.
<ul style="list-style-type: none"> Count double height spaces with mezzanines as two storeys. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No mezzanine style units proposed.
<ul style="list-style-type: none"> Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Being a single tower built form, the floor heights are consistent.
<ul style="list-style-type: none"> Min. dimensions from finished floor level to finished ceiling level: <ul style="list-style-type: none"> Mixed use buildings: 3.3m min. for ground floor retail/commercial and for first floor residential, retail or commercial. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> For RFBs in mixed use areas: 3.3m min for ground floor; 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> For RFBs or other residential floors in mixed use buildings: 2.7m min. for all habitable rooms on all floors, 2.4m preferred min for non habitable rooms but no less than 2.25m; 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> 2 storey units: 2.4m for second storey if 50% or more of the apartments has 2.7m min. ceiling heights; 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> 2 storey units with a 2 storey void space: 2.4m min; 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> attic spaces: 1.5m min wall height at edge of room with a 30° min. ceiling slope. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Flexibility</i>				

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> • 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. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings.</p> <p>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.</p>
<ul style="list-style-type: none"> • 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. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> • Articulate longer corridors by: utilising a series of foyer areas and/or providing windows along or at the end of a corridor. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> • Minimise maintenance and maintain durability by using robust materials in common circulation areas. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> • 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. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Mixed Use</i>				

Requirement	Yes	No	N/A	Comment
Objectives <ul style="list-style-type: none"> To support a mix of uses that complement and reinforce the character, economics and function of the local area. Choose a compatible mix of uses. Consider building depth and form in 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 loading docks from residential access, servicing needs and primary outlook; locating clearly demarcated residential entries 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. 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. 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposed mixed use building is in accordance with the desired future character of the area.</p> <p>No specific uses of the commercial tenancies are proposed at this time.</p> <p>The commercial tenancies are completely separated from the residential lobbies and tenancies.</p> <p>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.</p> <p>The proposal will be conditioned to comply with the requirements of the Building code of Australia.</p>
Storage				
Objectives <ul style="list-style-type: none"> To provide adequate storage for everyday household items within easy access of the apartment. To provide storage for sporting, leisure, fitness and hobby equipment. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and dedicated separate storage cupboards.</p> <p>Additional storage of 9 cubic metres provided to all units within the basement levels.</p>

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unit acoustic amenity is considered to be promoted via the general building separation provided to adjoining buildings, unit orientation (north and south) and use of privacy screening measures.
<ul style="list-style-type: none"> Arrange apartments within a development to minimise noise transition between flats by: locating busy, noisy areas next to each other and quieter areas next to other quieter areas (kitchen near kitchen, bedroom near bedroom); using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; minimising the amount of party walls with other apartments. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Along the east and west sides of the building acoustic amenity has been preserved via the grouping or non habitable active room such as bedrooms and bathrooms and the utilisation of recessing in the building wall.
<ul style="list-style-type: none"> Design the internal apartment layout to separate noisier from quieter spaces by: grouping uses within an apartment – bedrooms with bedrooms and service areas like kitchen, bathroom, laundry together. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An acoustic report prepared by VIPAC, ref no. 20C-11-0210-TRP-464747-1 dated 31 August 2011 have been submitted with recommendations for mechanical noise emissions arising from the development. The report has been referred to Council's Environmental Health Officer for comment and no objections have been raised subject to conditions of consent.
<ul style="list-style-type: none"> Resolve conflicts between noise, outlook and views by using design measures including: double glazing, operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> Reduce noise transmission from common corridors or outside the building by providing seals at entry doors. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If approval of the proposal is considered, the requirement can be conditioned.
Daylight Access				
Objectives				
<ul style="list-style-type: none"> To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas and proposed single tower form allows for daylight infiltration.
<ul style="list-style-type: none"> To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> To provide residents with the ability to adjust the quantity of daylight to suit their needs. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Design Practice				
<ul style="list-style-type: none"> Plan the site so that new residential flat development is oriented to optimise northern aspect. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site as existing has unrestricted northerly aspect. The communal open space of the site being located on the building roof top will receive unimpeded solar amenity.
<ul style="list-style-type: none"> Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> Optimise the number of apartments receiving daylight access to habitable rooms and principal windows: ensure daylight access to habitable rooms and private open space, particularly in winter; use skylights, clerestory windows and fanlights to supplement daylight access; promote two storey and mezzanine, ground floor apartments or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces; limit the depth of single aspect apartments; ensure single aspect, single storey apartments have a northerly or easterly aspect; locate living areas to the north and service areas to the south and west of development; limit the number 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Due to the single tower form of the building the majority of the units in the building will either receive adequate morning, daytime or afternoon solar access from either the north, east or west, however also as a result of the proposed built form there will be a vertical line of 14 single aspect south orientated units. Notwithstanding this, the proposal can be considered to have optimised solar access. This is because no further reasonable design amendments can be made to the proposal which would improve solar access without being detrimental to other amenity controls such as visual and acoustic privacy.

Requirement	Yes	No	N/A	Comment
Design Practice				
<u>Awnings</u>				
<ul style="list-style-type: none">Encourage pedestrian activity on streets by providing awnings to retail strips, where appropriate, which: give continuous cover in areas which have a desired pattern of continuous awnings; complement the height, depth and form of the desired character or existing pattern of awnings; provide sufficient protection for sun and rain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An awning is proposed for the ground floor commercial component of the building. This awning will improve the amenity for the occupiers of the commercial tenancies and provide all weather cover to the commercial tenancies and residential lobbies of the development. In addition, the awning provides a well defined base for the building separating commercial from residential components and creating visual interest and articulation to the building façade.
<ul style="list-style-type: none">Contribute to the legibility of the residential flat development and amenity of the public domain by locating local awnings over building entries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">Enhance safety for pedestrians by providing under-awning lighting.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>Signage</u>				
<ul style="list-style-type: none">Councils should prepare guidelines for signage based on the desired character and scale of the local area (refer considerations on p88 of Design Code)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No general signage is proposed nor are any uses of the commercial tenancies proposed at this time.
<ul style="list-style-type: none">Integrate signage with the design of the development by responding to scale, proportions and architectural detailing.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none">Provide clear and legible way finding for residents and visitors.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>Facades</u>				
Objectives				
<ul style="list-style-type: none">To promote high architectural quality in residential flat buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed.
<ul style="list-style-type: none">To ensure that new developments have facades which define and enhance the public domain and desired street character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none">To ensure that building elements are integrated into the overall building form and façade design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The design of the building incorporates various architectural elements of blade and fin walls, balconies and awnings and 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 and provides three distinct and harmonious building facades to inter-relate and provide a dominant façade to the street frontages.

Requirement	Yes	No	N/A	Comment
Objectives <ul style="list-style-type: none"> 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The BASIX Certificate for the building show that the development as a whole achieves the Pass Mark for energy and water conservation.
<i>Maintenance</i>				
Objectives <ul style="list-style-type: none"> To ensure long life and ease of maintenance for the development. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 <ul style="list-style-type: none"> Design windows to enable cleaning from inside the building, where possible. Select manually operated systems in preference to mechanical systems. Incorporate and integrate building maintenance systems into the design of the building form, roof and façade. Select durable materials, which are easily 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Should the application be recommended for approval, relevant conditions in relation to use of high-quality materials and general maintenance of the site shall be included in any consent that may be issued.
<i>Waste Management</i>				
Objectives <ul style="list-style-type: none"> To avoid the generation of waste through design, material selection and building practices. To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The proposed development is considered to be consistent with the Waste Management objectives as suitable arrangements and facilities for waste disposal and storage are proposed.

Requirement	Yes	No	N/A	Comment
Design Practice <ul style="list-style-type: none"> • Incorporate existing built elements into new work, where possible. • Recycle and reuse demolished materials, where possible. • Specify building materials that can be reused and recycled at the end of their life. • 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. • 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. 	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.
Water Conservation				
Objectives <ul style="list-style-type: none"> • To reduce mains consumption of potable water. • To reduce the quantity of urban stormwater runoff. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	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.
Design Practice <ul style="list-style-type: none"> • Requirements superseded by BASIX. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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 to 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
Part 1 Preliminary				
1.2 Aims of Plan				
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) The particular aims of this Plan are as follows:				
(a) to establish planning standards that are clear, specific and flexible in their application,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is considered to be appropriate for the area. The development substantially complies and will establish the future desired character for the locality in the zone.
(c) to protect areas from inappropriate development,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) to minimise risk to the community by restricting development in sensitive areas,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) to integrate principles of ecologically sustainable development into land use controls,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal has incorporated ESD principles with features such as passive design and BASIX.
(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) to facilitate economic growth and employment opportunities within Auburn,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Being a mixed use development the proposal will also create employment opportunities.
(h) to identify and conserve the natural, built and cultural heritage,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The heritage building is proposed to be retained and readapted for use as a restaurant.
(i) to provide recreational land, community facilities and land for public purposes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal supplies its own private open space and communal open space.
1.8 Repeal of other local planning instruments applying to land				
(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Note. The following local environmental plans are repealed under this provision: <i>Auburn Local Environmental Plan 2000</i>				
(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other and cease to apply to the land to which this Plan applies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.9 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) The following State environmental planning policies and regional	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p><i>minimum size shown on the Lot Size Map in relation to the land concerned,</i></p> <p>(c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,</p> <p>(d) rectifying an encroachment on a lot,</p> <p>(e) creating a public reserve,</p> <p>(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.</p> <p>Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
<p>2.6 AA Demolition requires consent</p> <p>The demolition of a building or work may be carried out only with consent.</p> <p>Note. If the demolition of a building or work is id</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The demolition component of the development is being considered as part of this application.</p>
<p>Zone B4 Mixed Use</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> To provide a mixture of compatible land uses. 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 encourage high density residential development. To encourage appropriate businesses that contribute to economic growth. To achieve an accessible, attractive and safe public domain. <p>2 Permitted without consent</p> <p>Nil</p> <p>3 Permitted with consent</p> <p>Backpackers' accommodation; Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Retail premises; Roads; Self-storage units; Seniors housing; Serviced apartments; Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4</p> <p>4 Prohibited</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The proposed residential and commercial/retail land uses are considered to be compatible with the objectives of the zone.</p> <p>The site enjoys close proximity to the Lidcombe town centre and associated public transport links.</p> <p>Being a mixed use development, the development will create employment opportunities.</p> <p>All proposed development requires consent.</p> <p>The ground floor commercial component can be considered to be in accordance with the zone by being able to support a variety of uses.</p> <p>The upper portion of the building is a residential flat building which is defined as follows:</p> <p>"residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing."</p> <p>All components of the proposed development are permissible with consent from Council.</p> <p>No prohibited development is proposed.</p>

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				

Clause	Yes	No	N/A	Comment
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Existing allotment. Stratum subdivision of proposed building only is being proposed.
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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				
(ii) if a garage will be accessed from the rear of the property - 290 square metres, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) if the dwelling house will be on a zero lot line - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) semi-detached dwellings - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) multi dwelling housing - 170 square metres for each dwelling,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) attached dwellings - 170 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
4.3 Height 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 site) has a height restriction of 32m, whilst the remaining western portion of the site has a height restriction of 36 metres.
(b) to ensure that the height of buildings is compatible with the character of the locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.4 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 the remaining western portion of the site has a FSR restriction of 3.6:1.
(b) To ensure that development intensity reflects its locality.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
(2) 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 The development will establish the desired future density of the B4 – Mixed use zone.
(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:				
(a) for sites less than 1,300 square metres—0.75:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) for sites that are 1,800 square metres or greater—0.85:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) 3:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) 2:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
4.5 Calculation of floor space ratio and site area				
(1) Objectives				
The objectives of this clause are as follows:				
(a) to define floor space ratio ,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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:				
(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is one individual consolidated site which does not rely on any adjoining or additional site to achieve the floor space ratio.
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) require community land and public places to be dealt with separately.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No floor space concession controls are being applied in this instance. The proposal complies with the FSR permitted.
(2) Definition of “floor space ratio”				
The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.				
(3) Site area				
In determining the site area of proposed development for the purpose of applying a floor 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.				
(4) Exclusions from site area				
The following land must be excluded from the site area:				
(a) land on which the proposed development is prohibited, whether under this Plan or any other law,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) community land or a public place (except as provided by subclause (7)).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Strata subdivisions				
The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
4.6 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Consent must not be granted for development that contravenes a development standard unless:				
(a) the consent authority is satisfied that:				
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the concurrence of the Director-General has been obtained.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) In deciding whether to grant concurrence, the Director-General must consider:				
(a) whether contravention of the development standard raises any	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
heritage item is located or that is within a heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) subdividing land on which a heritage item is located or that is within a heritage conservation area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) When consent not required				
However, consent under this clause is not required 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the development is exempt development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.				
(4) Effect on heritage significance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan 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.

Clause	Yes	No	N/A	Comment
<p>(5) Heritage impact assessment</p> <p>The consent authority <i>may</i>, before granting consent to any development on land:</p> <p>(a) on which a heritage item is situated, or</p> <p>(b) within a heritage conservation area, or</p> <p>(c) within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
<p>(6) Heritage conservation management plans</p> <p>The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(7) Archaeological sites</p> <p>The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):</p> <p>(a) notify the Heritage Council of its intention to grant consent, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
<p>(8) Places of Aboriginal heritage significance</p> <p>The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:</p> <p>(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</p> <p>(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.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
<p>(9) Demolition of item of State significance</p> <p>The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i></p>				

Clause	Yes	No	N/A	Comment						
applies):										
(a) notify the Heritage Council about the application, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
(b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
Part 6 Additional local provisions										
6.1 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.						
<table border="1"> <thead> <tr> <th>Class of land</th><th>Works</th></tr> </thead> <tbody> <tr> <td>1</td><td>Any works.</td></tr> <tr> <td>2</td><td>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td></tr> </tbody> </table>	Class of land	Works	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Class of land	Works									
1	Any works.									
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.									
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							

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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4)	Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	routine management work, being the periodic inspection, cleaning, repair or				

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

Clause	Yes	No	N/A	Comment
6.3 Flood planning				
(1) The objectives of this clause are:				In accordance with the flood planning map, the site is not identified as being flood prone as per the maps in the ALEP 2010. This clause is not applicable to the development.
(a) to minimise the flood risk to life and property associated with the use of land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) to avoid significant adverse impacts on flood behaviour and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) This clause applies to:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) land that is shown as "Flood planning area" on the Flood Planning Map, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) other land at or below the flood planning level.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) is compatible with the flood hazard of the land, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) incorporates appropriate measures to manage risk to life from flood, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's <i>Floodplain Development Manual</i> published in 2005, unless it is otherwise defined in this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) In this clause: flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. Flood Planning Map means the Auburn Local Environmental Plan 2010 Flood Planning Map.				
6.4 Foreshore building line				
(1) The objective of this clause is to ensure that development in	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is not affected by a

Clause	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted for development on land in the foreshore area except for the following purposes:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the development will contribute to achieving the objectives for the zone in which the land is located, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the development is not likely to cause environmental harm such as:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) pollution or siltation of the waterway, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>and</p> <p>(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,</p> <p>(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</p> <p>(h) sea level rise or change of flooding patterns as a result of climate change have been considered.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>6.5 Essential Services</p> <p>(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:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p> <p>(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.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The listed services are currently available to the site.</p> <p>Should the development be approved conditions will be imposed requiring that the all serviced be augmented as necessary in accordance with service provider requirements.</p>

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:

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
Objectives				
a. To provide richness of detail and architectural interest, especially to visually prominent parts of buildings such as lower storeys and street facades.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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. The design complies with the new ALEP 2010 building FSR and building height controls.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To ensure development appropriately supports the centres hierarchy within the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.1 Number of storeys				
DI The maximum number of storeys shall be as per the table below: Table 1 – Number of storeys	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 excluding the structural components on the rooftop terrace which only includes the lift, emergency stairs, pedestrian space and services. The development proposal therefore complies with this requirement.
ALEP 2010 maximum building height				
Maximum number of storeys				
B1 Neighbourhood Centre zone				
14 metres (excluding Wentworth Point Neighbourhood Centre)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17 metres (Wentworth Point Neighbourhood Centre only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B2 Local Centre zone				
14 metres (excluding Newington Small Village)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16 metres (Newington Small Village only)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B4 Mixed Use zone				
18 metres	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
27 metres	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
32 metres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
36 metres	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.2 Articulation and proportion				
Performance criteria				
P1 The bulk, scale and intensity of development is consistent with the scale of surrounding existing and planned developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The bulk and scale of the building will be compatible with the surrounding developments in an area undergoing transition. This is consistent with the desired future character of the area. 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.
P2 Existing horizontal or vertical 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Direct, secure private access to public open space is encouraged, where possible.				
3.0 Streetscape and Urban form				
Objectives				
a. To ensure development integrates well with the locality and respects the streetscape, built form and character of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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 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.</p> <p>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.</p>
b. To encourage innovative development which is both functional and attractive in its context.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.1 Streetscape				
Performance criteria				
P1 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 architecture, albeit in modern forms and materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>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 is considered to satisfactory.</p> <p>Upper residential floor levels addressing Mary Street are appropriately stepped back from the street frontage to minimise bulk and scale.</p> <p>No signage proposed as part of the application. This can be controlled via conditions and/or future development applications.</p>
P2 New development conserves and enhances the existing character of the street with particular reference to architectural themes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Applicants shall demonstrate how new development addresses the streetscape and surrounding built environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.2 Setbacks				
Performance criteria				
P1 The setback of new buildings is consistent with the setback of adjoining buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is consistent with the setback requirements.</p>
P2 The built edge of development at the street frontage contributes to a sense of enclosure and scale within the centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4 The design of infill buildings reinforces continuity, symmetry and unity in the streetscape (see Figure 2 below).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 New development or additions to existing development shall adopt the following front setbacks:				
<ul style="list-style-type: none"> Nil setbacks for the first two storeys, particularly if adjoining buildings are on a nil 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p>

and; <ul style="list-style-type: none">the number of entrances at street level. Development controls D1 Retail outlets and restaurants are located at the street frontage on the ground level. D2 A separate and defined entry shall be provided for each use within a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ground or street level consists of retail uses and restaurant promoting street activity. Residential entries are separated from commercial entries.
4.3 Amenity Performance criteria P1 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. Development controls D1 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
4.4 Residential flat building component of mixed use developments Applicants shall consult the Residential Flat Buildings Part of this DCP for the design requirements for the residential flat building component of a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.0 Privacy and Security				
Objectives a. To provide personal and property security for residents and visitors and enhance perceptions of community safety. b. To enhance the architectural character of buildings at night, improve safety and enliven the town centre at night. Performance criteria P1 Private open spaces and living areas of adjacent dwellings are protected from overlooking. 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. Development controls D1 Views onto adjoining private open space shall be obscured by: <ul style="list-style-type: none">Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; orIncorporating 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. D2 Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 opportunity for general pedestrian activity and passive surveillance. Views to the north and east comprises of a car park and a two storey townhouse development. The units located on the north and east of the site do not overlook any private open space. Sufficient building separation provided between north and east of the site to minimise visual and acoustic privacy. From the east, the existing substantial setback of the townhouse development and the intervening access driveway provides for sufficient building separation. The orientation of units located on the south and

spaces of adjoining dwellings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	eastern elevations provide for passive surveillance of the street and public domain.
D3 Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.1 Lighting				
Performance criteria				
P1 Lighting is provided to highlight the architectural features of a building and enhance the identity and safety of the public domain but does not floodlight the facade.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An awning is proposed over the commercial tenancies thereby ensuring that lighting will not interfere with residential amenity.
P2 The use of integrated lighting systems in retail shops is both functional and decorative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3 Lighting is sufficient for its purpose and used to make bold design statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4 Lighting does not interfere with amenity of residents or safety of motorists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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 is encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Lighting systems shall incorporate specific display lighting to reinforce merchandise and provide a contrast against the street lighting generally.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate conditions could be imposed to ensure compliance with this requirement.
D3 Surface mounted fluorescent fixtures shall not be considered in any part of the retail areas of the premises.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4 The light source shall be selected to provide the desired light effect; however, fitting and methods shall be chosen produce the highest energy efficiency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Lighting shall not interfere with the amenity of residents or affect the safety of motorists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Light spill to be minimised by proposed awning over commercial tenancies.
D6 Excessive lighting shall not be permitted. Light spill onto the street into the public domain shall be minimised.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.2 Shutters and grilles				
Performance criteria				
P1 Security shutters, grilles and screens allow the viewing of shopfront windows and light to spill out onto the footpath.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P2 Shutters, grilles and screens are to be made from durable, graffiti-resistant materials and compatible with the building style.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls				
D1 Windows and doors of existing shopfronts shall not be filled in with solid materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Façade of commercial tenancies consist predominantly of glazing materials at street frontage.
D2 Security shutters, grilles and screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no shutters are noted as being

well designed and proportioned facade and incorporates windows, balconies, doorways and landscaping, where possible.				
D3 New public laneways created within large blocks shall maximise pedestrian and vehicle connections within local centres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 per vehicle per side.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 calculating the floor space ratio.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7.0 Landscaping				
Objectives				
a. To create attractive buildings, public spaces and walkways.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	974.3 sqm (34%) of landscaping is proposed for the site including deep soil area at the western end to enhance the setting of the buildings. Landscape plans submitted is considered to be satisfactory.
b. To improve visual quality and contribute to a more positive local centre experience.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the local centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Performance criteria				
P1 Landscaping forms an integral part of the overall design concept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deep soil areas proposed at the western front setback including street planters are of appropriate depth to support growth of large trees. Planter boxes proposed at roof top terrace around building edge assist in softening the visual impact of the development.
P2 Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P3 Landscaped areas are used to soften the impact of buildings and car parking areas as well as for screening purposes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
P4 Landscaped areas are provided for passive and recreational use of workers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D1 Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 At grade car parking areas, 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4 Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Paving and other hard surfaces shall be consistent with architectural elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.1 Street trees				
D1 Street trees shall be planted at a rate of one (1) tree per lineal metre of street frontage, even in cases where a	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing street trees that contribute to the heritage and streetscape are proposed to be

<p>site has more than one street frontage, excluding frontage to laneways.</p> <p>D2 Street tree planning shall be consistent with Council's Street Tree Masterplan or relevant Public Domain Plan or Infrastructure Manual.</p> <p>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.</p> <p>D4 Where street trees and the provision of awnings are required, cut-outs shall be included in the awning design to accommodate existing and future street trees.</p> <p>D5 Driveways and services shall be located to preserve significant trees.</p> <p>D6 At the time of planting, street trees shall have a minimum container size of 200 litres and a minimum height of 3.5m, subject to species availability.</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	retained.
8.0 Energy Efficiency and Water Conservation				
<p>Objectives</p> <p>a. To achieve energy efficient commercial and retail developments.</p> <p>b. To encourage site planning and building design which optimises site conditions to achieve energy efficiency.</p> <p>c. To minimise overshadowing of the public domain including streets and open space.</p> <p>d. To give greater protection to the natural environment by reducing greenhouse gas emissions.</p> <p>e. To encourage the installation of energy efficient and water conserving appliances.</p> <p>f. To reduce the consumption of non-renewable energy sources for the purposes of heating, water, lighting and temperature control.</p> <p>g. To minimise potable water mains demand of non residential development by implementing water efficiency measures.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>ABSA and BASIX Certificates have been submitted with the application to address thermal comfort and energy efficiency for the residential component.</p> <p>The development is considered to be acceptable in this regard.</p>
<p>8.1 Energy efficiency</p> <p>Performance criteria</p> <p>P1 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.</p> <p>Development controls</p> <p>D1 Any hot water heaters to be installed, as far as practicable, shall be solar and, to the extent that this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development is considered to generally in accordance with the energy efficiency requirements.</p>

<ul style="list-style-type: none"> 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 located 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. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.5 Ventilation Performance criteria PI Natural ventilation is incorporated into the building design. Development controls 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.6 Solar amenity Performance criteria PI New buildings are designed to protect solar amenity for the public domain and residents. Development controls 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: <ul style="list-style-type: none"> public places or open space; 50% of private open space areas; 40% of school playground areas; or windows of adjoining residences. D2 Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The overall development complies as 70% of the development will receive 3 hours of direct sun either in the morning, daytime or afternoon.
9.0 Ancillary Site Facilities				
9.1 Provision for goods and mail deliveries Performance criteria PI New development incorporates adequate provision in its design for the delivery of goods and mail to both business and residential occupants. Development controls 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. D2 Provision of mailboxes for residential units shall be incorporated within the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deliveries to the site can be made via the proposed at grade parking at the rear of the site. 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 residential component of the mixed use developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10.0 Other Relevant Controls				
10.1 Waste DI Applicants shall consult the Waste Part of this DCP for requirements for disposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satisfactory waste management plan submitted.
10.2 Access and amenity DI Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11.0 Public Domain				
Objectives a. To ensure private development contributes to a safe, attractive and useable urban environment within the local centres of the Auburn local government area. b. To ensure the public domain forms an integrated part of the urban fabric of commercial centres. c. To encourage both night and day pedestrian activity in the commercial centres. d. To ensure private development contributes to a positive pedestrian environment. e. To encourage public art in new development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
Development 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed works to the public domain are consistent with Council's Public Domain Plan.
D2 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. Note: Refer to the relevant Public Domain Plan and Council's Public Art Policy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.0 Subdivision				
Objectives a. To ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate car parking, loading facilities, etc. b. 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.1 Size and dimensions Performance criteria PI The size and dimension of proposed lots contribute to the orderly development of the commercial centres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls DI Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

increase accessibility to public open space.				respect the character of the heritage item and the amenity of the adjoining developments despite the increase in scale.
e. To improve pedestrian access and circulation within the town centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Retail frontages shall be provided at street level on John Street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Outdoor dining is encouraged along John Street.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
				<p>The development proposes to refurbish the 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.</p> <p>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.</p>

b) *Residential Flat Buildings*

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

Requirement	Yes	No	N/A	Comments
1.0 Introduction				
1.2 Purpose of this Part				
The purpose of this Part is to ensure residential flat buildings:				
• are pleasant to live in and create enjoyable urban places;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• maintain a high level of amenity;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• contribute to the overall street locality;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• minimise the impact on the environment; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• optimise use of the land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.0 Built Form				
• Objectives				
• To ensure that all development contributes to the improvement of the character of the locality in which it is located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is considered to be satisfactory with regard to landscape setting and the environment. Open areas are proposed to promote pedestrian access and circulation around the buildings and integrate the heritage item with the new development.
• To ensure that the appearance of development is of high visual quality and enhances and addresses the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To ensure that the proposed development protects the amenity of adjoining and adjacent properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The design of the development is considered to be of high quality which will set an acceptable benchmark for mixed use

<ul style="list-style-type: none"> To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and locality. To ensure that development relates well to surrounding developments. To ensure that development maximises sustainable living. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>development in the locality.</p> <p>The proposal is considered to respect the amenity of adjoining developments despite the increase in scale. The development will establish the desired future character.</p>
<p>2.1 Site area</p> <p>Performance criteria</p> <p>P1 The site area of a proposed development is of sufficient size to accommodate residential flat buildings.</p> <p>Development controls</p> <p>D1 A residential flat building development shall have a minimum site area of 1000m² and an average minimum width of 24m.</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development site is considered to be of acceptable size and dimensions with a site area of 2834 sqm and frontage of 30.04 metres to John Street and 94 metres to Mary Street.</p> <p>Development located on a corner site with two street frontages.</p>
<p>2.2 Site coverage</p> <p>Performance criteria</p> <p>P1 Adequate areas for landscaping open space and spatial separation is provided between buildings.</p> <p>Development controls</p> <p>D1 The built upon area shall not exceed 50% of the total site area.</p> <p>D2 The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site coverage will exceed 50% of the site. Given that the site is for a mix use development in a predominantly commercial context and not a dedicated residential flat building, this is considered to be satisfactory.</p> <p>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.</p>
<p>2.3 Building envelope</p> <p>Performance criteria</p> <p>P1 The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings:</p> <ul style="list-style-type: none"> addresses both streets on corner sites; align with the street and/or proposed new streets; are located across the site; and form an L shape or a T shape where there is a wing at the rear. <p>Note: The development control diagrams in section</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is consistent with the objectives of the zone and compatible with the desired future character of an area undergoing transition.</p> <p>The development is situated on a corner allotment and the retention of the heritage building establishes that the frontage of the proposed development is to Mary Street.</p>

10.0 illustrate building envelope controls.				
Development controls Council may consider a site specific building envelope for certain sites, including: <ul style="list-style-type: none"> ■ corner sites; ■ double frontage sites; ■ sites facing parks; ■ sites adjoining higher density zones; and ■ isolated sites. 				
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>				
2.4 Setbacks Performance criteria 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.				
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				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.
Development controls 2.4.1 Front setback D1 The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1, B2 and B4 zones). 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. 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. 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. 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.				
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				The subject site is located within the B4 – Mixed use zone. 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. The development achieves compliance with this requirement and provides a building separation of greater than 10 metres, from the south. 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 Side setback					<p>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 with the building separation controls of SEPP 65. Further it should be noted that the development is situated within a 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.</p> <p>The proposal is for a mixed used development; therefore the requirement is not applicable.</p>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D2	Eaves may extend a distance of 700mm from the wall.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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 deep shall be included on the side wall, generally mid-way along the length of the wall.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.3 Rear setback					<p>The development is situated on a corner allotment with the proposed building addressing Mary Street. The site adjoins 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 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.</p>
D1	Rear setbacks shall be a minimum of 10m.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.4 Haslam's creek setback					<p>The development site is not located in the vicinity of Haslam's Creek.</p>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.5 Setbacks at Olympic Drive, Lidcombe					<p>The development is not located on Olympic Drive.</p>
Performance criteria					
P1	Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P2	East-west streets maintain view corridors to Wyatt Park.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls					
D1	For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 6m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	The setback area and verge shall be landscaped and planted with a double row of street trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>P1 Window heights allow for light penetration into rooms and well proportioned elevations.</p> <p>Development controls</p> <p>D1 The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.</p> <p>D2 For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.</p> <p>D3 For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Window head heights are a minimum of 2.4 metres from floor level. The development is acceptable in this regard.</p>
<p>2.9 Heritage</p> <p>Performance criteria</p> <p>P1 Development does not adversely affect the heritage significance of heritage items and heritage groups and archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles.</p> <p>Development controls</p> <p>D1 All development adjacent to and/or adjoining a heritage item shall be:</p> <ul style="list-style-type: none"> responsive in terms of the curtilage and design; accompanied by a Heritage Impact Statement; and respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The subject site contains a heritage item of local significance known as the former Lidcombe Police Station.</p> <p>The application has since been referred to an external heritage consultant for comment and Council has yet to receive any receive any formal response, however 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 given the commercial context of the area and is not considered to raise any significant concerns.</p>
<p>2.10 Building design</p> <p>Performance criteria</p> <p>P1 Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.</p> <p>Development controls</p> <p>2.10.1 Materials</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p>
<p>2.10.2 Building articulation</p> <p>D1 Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.</p> <p>D2 Dwelling entrances shall create a sense of individuality and act as a</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal offers an articulated facade with distinct horizontal and vertical framing elements.</p> <p>At ground level the residential entrance</p>

<div>transitional space between private and communal spaces.</div> <div><div>D3</div><div>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.</div></div>	<div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div>lobbies are integrated with the commercial facade however they are not the dominate elements.</div> <div>The facade provides recessed elements on every facade of the building.</div>
<div>2.10.3 Roof form</div> <div><div>D1</div><div>Roof forms shall be designed in a way that the total form does not add to height and bulk of the building.</div></div>	<div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div>Flat roof and low horizontal parapet proposed. The roof form is in accordance with this clause.</div>
<div>2.10.4 Balustrades and balconies</div> <div><div>D1</div><div>Balustrades and balconies shall allow for views from the interior. Accordingly, balustrades shall be partly transparent and partly solid.</div></div> <div><div>D2</div><div>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.</div></div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div>Semi recessed glass balustrades proposed except on the first storey street elevation to assist in maintaining privacy.</div>
<div>2.11 Dwelling size</div> <div>Performance criteria</div> <div><div>P1</div><div>Internal dwelling sizes and shapes are suitable for a range of household types.</div></div> <div><div>P2</div><div>All rooms are adequate in dimension and accommodate their intended use.</div></div> <div>Development controls</div> <div><div>D1</div><div>The size of the dwelling shall determine the maximum number of bedrooms permitted.</div></div> <div><div>Number of bedrooms</div><div>Dwelling size</div><div>Studio50m²</div><div>1 bedroom (cross through)50m²</div><div>1 bedroom (masionette)62m²</div><div>1 bedroom (single aspect)63m²</div><div>2 bedrooms (corner)80m²</div><div>2 bedrooms (cross through or over)90m²</div><div>3 bedrooms115m²</div><div>4 bedrooms130m²</div></div> <div><div>D2</div><div>At least one living area shall be spacious and connect to private outdoor areas.</div></div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div>All units within the development meet the Residential flat building minimum dwelling size. The layout is suitable to accommodate a variety of furniture layouts.</div> <div><div><div>• Smallest 1 bedroom unit size (single aspect) = 70 sqm.</div><div>• Smallest 2 bedroom unit size (corner apartment) = 82 sqm.</div><div>• Smallest 3 bedroom unit size = 103 sqm. This is compliant with the SEPP 65 controls.</div></div></div> <div>All balconies are accessible from the living areas of every unit.</div>
<div>2.12 Apartment mix and flexibility</div> <div>Performance criteria</div> <div><div>P1</div><div>A diversity of apartment types are provided, which cater for different household requirements now and in the future.</div></div>	<div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div>The residential component of the building will offer a variety of unit types of differing sizes and bedrooms.</div>

P2	Housing designs meet the broadest range of the occupants' needs possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	The appropriate apartment mix for a location shall be refined by: <ul style="list-style-type: none"> ■ considering population trends in the future as well as present market demands; and ■ noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building is considered to offer an appropriate unit mix. The development has the benefit of being within close proximity to a public transport. Ground floor is dedicated to commercial tenancies in accordance with the mixed use zoning.
D4	The number of accessible and adaptable apartments to cater for a wider range of occupants shall be optimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building is fully visitable due to the lift access. The development has 7 units identified as being specifically adaptable.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Apartment layouts which accommodate the changing use of rooms shall be provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two lift cores are proposed for the development and each lift services 5 units. Unit floor sizes are considered to be of sufficient size to provide flexible furniture layouts.
	Design solutions may include:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> ■ windows in all habitable rooms and to the maximum number of non-habitable rooms; ■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and ■ dual master bedroom 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>apartments, which can support two independent adults living together or a live/work situation.</p> <p>D8 Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include:</p> <ul style="list-style-type: none"> ■ a structural grid, which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; ■ the alignment of structural walls, columns and services cores between floor levels; ■ the minimisation of internal 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. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.0 Open space and landscaping				
<p>Objectives</p> <p>a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.</p> <p>b. To provide private open areas that relate well to the living areas of dwellings.</p> <p>c. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.</p> <p>d. To provide for the preservation of existing trees and other natural features on the site, where appropriate.</p> <p>e. To provide low maintenance communal open space areas.</p> <p>f. To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.</p> <p>g. To conserve and enhance street tree planting.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development proposal is considered to be consistent with the open space and landscaping objectives.</p>
<p>3.1 Development application requirements</p> <p>A landscape plan shall be submitted with all development applications for residential flat buildings.</p> <p>The landscape plan should specify landscape themes, vegetation (location and</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A suitable landscaping plan prepared by Greenland Design P/L which details species, quantity required, height and spread, planting depth detail has been submitted and is considered satisfactory.</p>

D1 D2 D3 D4	A minimum of 30% of the site area shall be a deep soil zone. The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building. Deep soil zones shall have minimum dimensions of 5m. Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposed deep soil zone of 312.2 sqm for the site is considered to be compatible in the predominantly 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 keeping with the commercial character of the area rather than a residential area.</p> <p>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 residential flat building.</p>
3.4 Landscape setting Performance criteria					
P1 P2 P3	Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain. Residential flat buildings are adequately designed to reduce the bulk and scale of the development. Landscaping assists with the integration of the site into the streetscape.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>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.</p> <p>The proposed building introduces stepping as well and horizontal and vertical elements to achieve this.</p>
	Development controls				
D1 D2 D3 D4 D5	Development on steeply sloping sites shall be stepped to minimise cut and fill. Existing significant trees shall be retained within the development. Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland. Residential flat buildings shall address and align with any public open space and/or bushland on their boundary. All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The development site is not steeply sloping.</p> <p>Some trees are required to be removed to facilitate the basement of the development; however the majority of existing trees located along the frontage of John Street are to be retained. Substantial trees are also proposed in replacement of the trees removed.</p> <p>There is no adjoining bushland or public reserves.</p> <p>A water tank is proposed and to be utilised to support landscaping on site.</p>
3.5 Private open space Performance criteria					
P1 P2	Private open space is clearly defined and screened for private use. Private open space: <ul style="list-style-type: none"> ■ takes advantage of available outlooks or views and natural 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>All apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of public areas.</p>

features of the site;		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> ■ reduces adverse impacts of adjacent buildings on privacy and overshadowing; and ■ resolves surveillance, privacy and security issues when private open space abuts public open space. 		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	Private open space shall be provided for each dwelling in the form of a balcony, roof terrace or, for dwellings on the ground floor, a courtyard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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	Dwellings on the ground floor shall be provided with a courtyard that has a minimum area of 9m ² and a minimum dimension of 2.5m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no ground floor units proposed.
D3	Dwellings located above ground level shall be provided with a balcony or roof terrace that has a minimum area of 8m ² and a minimum dimension of 2m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All apartments have a minimum balcony depth of 2 metres and have a total area of 8 sqm or greater.
D4	Balconies may be semi enclosed with louvres and screens.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Private open space shall have convenient access from the main living area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Part of the private open space shall be capable of serving as an extension of the dwelling for relaxation, dining, recreation, entertainment and children's play.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Additional small, screened service balconies may be provided for external clothes drying areas and storage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 metres from the northern boundary and indented living areas is proposed to minimise privacy impacts (acoustic privacy and overlooking into adjoining sites).
3.6 Communal open space					
Performance criteria					
P1	The site layout provides communal open spaces which:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A communal open space of 944.56 sqm or (33%) is proposed for the development at the roof top terrace.
	<ul style="list-style-type: none"> ■ contribute to the character of the development; 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> ■ provide for a range of uses and activities; 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> ■ allows cost-effective maintenance; and 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> ■ contributes to stormwater management. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					

Objectives				
5.1 Access and car parking requirements				
Note: Applicants shall consult the Parking and Loading Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building as proposed provides sufficient onsite parking to service the need of the development in accordance with the needs of the Parking and Loading section of the DCP.
5.2 Basements				
Performance criteria				
P1 Basements allow for areas of deep soil planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal allows for a deep soil zone separate to the basement as proposed.
Development controls				
D1 Where possible, basement walls shall be located directly under building walls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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 building is proposed.
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.0 Privacy and security				
Objectives				
a. To ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To provide personal and property security for residents and visitors and enhance perceptions of community safety.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.1 Privacy				
Performance criteria				
P1 Private open spaces and living areas of adjacent dwellings are protected from overlooking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sufficient building separation provided between north and east of the site to minimise visual and acoustic privacy. This has been discussed previously under SEPP 65 compliance table and Local Centres chapter of the Auburn DCP 2010.
Development controls				
D1 Buildings shall be designed to form large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2 Windows to living rooms and main bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>D3 Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.</p> <p>D4 Views onto adjoining private open space shall be obscured by:</p> <ul style="list-style-type: none"> ■ 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. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
<p>5.2 Noise</p> <p>Performance criteria</p> <p>P1 The transmission of noise between adjoining properties is minimised.</p> <p>P2 New dwellings are protected from existing and likely future noise sources from adjoining residential properties and other high noise sources (such as busy roads, railway corridors and industries) and the transmission of intrusive noise to adjoining residential properties is minimised.</p> <p>Development controls</p> <p>D1 For acoustic privacy, buildings shall:</p> <ul style="list-style-type: none"> ■ 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; ■ 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. <p>Note: For development within or adjacent to a rail corridor, or major road corridor with an annual average daily traffic volume of more than 40,000 vehicles, applicants must consult <i>State Environmental Planning Policy (Infrastructure) 2007</i> and the NSW Department of Planning's Development Near Rail Corridors and Busy Roads – Interim Guidelines, 2008.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The development is located more than 250 metres from the nearest railway line and as such is unlikely to result in adverse noise impacts to the development.</p> <p>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.</p>
<p>5.3 Security</p> <p>Performance criteria</p>				

6.0 Solar amenity and stormwater reuse					
Objectives					
a.	To minimise overshadowing of adjoining residences and to achieve energy efficient housing in a passive solar design that provides residents with year round comfort and reduces energy consumption.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The solar access to the development and surrounding existing buildings complies with the requirements listed below.</p> <p>The site as existing has unrestricted northerly aspect. The communal open space located at roof top will receive unimpeded solar amenity.</p>
b.	To create comfortable living environments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c.	To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d.	To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e.	To encourage installation of energy efficient appliances that minimise green house gas generation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1 Solar amenity					
Performance criteria					
P1	Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible.</p>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No solar collectors proposed as part of this development.</p>
	Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Where adjoining properties do not have any solar collectors, a minimum of 3m ² of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Note: Where the proposed development is located on an adjacent northern boundary this may not be possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	Buildings shall be designed to ensure sunlight to at least 50% of	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4	Habitable living room windows shall be located to face an outdoor space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D7	Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	The western walls of the residential flat building shall be appropriately shaded.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shading devices in the form of louvers are proposed over balcony areas and windows on the western elevation of the building.
6.2	Ventilation				
	Performance criteria				
P1	The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
	Development controls				
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 winds.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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	Apartments shall be designed to consider ventilation and dual aspect. This can be achieved with cross over apartments, cross through apartments, corner apartments and two (2) storey apartments. Single aspect apartments shall be kept to a minimum except for those that are north facing. Single aspect	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 depth and the unit layouts are grouped to be bedrooms/bathrooms and living/kitchen/dining.

<p>apartments shall be limited in depth to 8m from a window.</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The living rooms are adjacent to the balconies allowing for natural ventilation.
<p>6.3 Rainwater tanks</p> <p>Performance criteria</p> <p>P1 The development design reduces stormwater runoff.</p> <p>Development controls</p> <p>D1 Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.</p> <p>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.</p> <p>D3 The suitability of rainwater tanks erected within the side setback areas of development will be assessed on an individual case by case basis.</p> <p>D4 Rainwater tanks shall not be located within the front setback.</p> <p>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.</p> <p>D6 The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.</p> <p>6.4 Stormwater drainage</p> <p>Applicants shall refer to the stormwater drainage requirements in the Stormwater Drainage Part of this DCP.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>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.</p> <p>Council's development engineer has raised no objections subject to recommended conditions of consent.</p>
7.0 Ancillary site facilities				
<p>Objectives</p> <p>a. To ensure that site facilities are effectively integrated into the development and are unobtrusive.</p> <p>b. To ensure site facilities are adequate, accessible to all residents and easy to maintain.</p> <p>c. To cater for the efficient use of public utilities including water supply, sewerage, power,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All service areas are located at the rear of the building along the northern boundary and accessed via the driveway.</p> <p>A loading bay is provided at the rear of the site.</p>

<p>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.</p> <p>D3 Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>7.5 Waste disposal</p> <p>Applicants shall refer to the requirements held in the Waste Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Satisfactory waste management plan submitted.</p>
<p>8.0 Subdivision</p>				
<p>Objectives</p>				
<p>a. To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8.1 Lot amalgamation</p>				
<p>Performance criteria</p>				
<p>P1 Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>Development controls</p>				
<p>D1 Development sites involving more than one lot shall be consolidated.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>D3 Adjoining parcels of land not included in the development site shall be capable of being economically developed.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8.2 Subdivision</p>				
<p>Development controls</p>				
<p>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.</p> <p>D2 Proposed allotments which</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.2 Design guidelines					
Performance criteria					
P1	Residential flat building developments allow for dwelling adaptation that meets the changing needs of people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls					
D1	The required standard for Adaptable Housing is AS 4299. Wherever the site permits, developments shall include adaptive housing features into the design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development complies with AS299 and an access compliance report prepared by Peter Simpson of PSE Access Consulting P/L has been submitted confirming that the units identified as being specifically adaptable comply with the relevant access provisions of the BCA.
	External and internal considerations shall include:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ access from an adjoining road and footpath for people who use a wheel chair;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ doorways wide enough to provide unhindered access to a wheelchair;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ adequate circulation space in corridors and approaches to internal doorways;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ wheelchair access to bathroom and toilet;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ electrical circuits and lighting systems capable of producing adequate lighting for people with poor vision;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ avoiding physical barriers and obstacles;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ avoiding steps and steep end gradients;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ visual and tactile warning techniques;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ level or ramped well lit uncluttered approaches from pavement and parking areas;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ providing scope for ramp to AS 1428.1 at later stage, if necessary;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ providing easy to reach controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ internal staircase designs for adaptable housing units that ensure a staircase inclinuator can be installed at any time in the future; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	■ providing a disabled car space for each dwelling designated as adaptable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Note: In the design of residential flat buildings,		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
					Each adaptable unit is provided with a disabled parking space.

applicants shall consider the Access and Mobility Part of this DCP.																			
D1 All development proposals with five or more housing units shall be capable of being adapted (Class C) under AS 4299. The minimum number of adaptable housing units is set out below. Number of dwellings Number of adaptable units <table border="1"> <thead> <tr> <th>Number of dwellings</th> <th>Number of units</th> </tr> </thead> <tbody> <tr> <td>5-10</td> <td>1</td> </tr> <tr> <td>11-20</td> <td>2</td> </tr> <tr> <td>21 – 30</td> <td>3</td> </tr> <tr> <td>31- 40</td> <td>4</td> </tr> <tr> <td>41 - 50</td> <td>5</td> </tr> <tr> <td>Over 50</td> <td>6</td> </tr> </tbody> </table> (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.		Number of dwellings	Number of units	5-10	1	11-20	2	21 – 30	3	31- 40	4	41 - 50	5	Over 50	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 compliant with the relevant provisions of the BCA. 7 disabled parking spaces are also being provided in-conjunction with the 7 adaptable units.
Number of dwellings	Number of units																		
5-10	1																		
11-20	2																		
21 – 30	3																		
31- 40	4																		
41 - 50	5																		
Over 50	6																		
9.3 Lifts Development controls D1 Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable housing units shall be required. D2 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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are two lift cores provided for the development and each lift services 5 units.														
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>															
9.4 Physical barriers Development controls D1 Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 to 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))

Advertised (newspaper) ☒

Mail ☒

Sign ☒

Not Required ☐

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.*

Comment: 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.*

Comment: 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 alternative 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.*

Comment: The proposal is considered to perform satisfactorily in with regard to the provisions of SEPP 65 – Residential 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%.*

Comment: 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.*

Comment: 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.*

Comment: 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 Street 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 Management 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

	T044328/2011	Cover Sheet - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T044330/2011	Site Analysis Plan - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T044337/2011	Levels 3-7 Floor Plan / Roof Terrace Plan - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use De...
	T044339/2011	South / West Elevations Plan - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T044341/2011	North / East Elevations Plan - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T044347/2011	Shadow Diagrams Plan - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T044348/2011	Stormwater Plan Sheet 1 - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T044349/2011	Stormwater Plan Sheet 2 - DA-219/2011 - 11 John Street Lidcombe - Demolition and Construction of Mixed Use Development
	T068239/2011	Mechanical Services Plan - DA-219/2011 - 11 John Street Lidcombe
	T068237/2011	Roof and Upper Floor Stormwater Layouts Plan - DA-219/2011 - 11 John Street Lidcombe
	T068235/2011	Landscape Details & Specifications Plan - DA-219/2011 - 11 John Street Lidcombe
	T068233/2011	Landscape Plan - Roof Terrace - DA-219/2011 - 11 John Street Lidcombe
	T068231/2011	Landscape Plan - Ground Floor Area 2 - DA-219/2011 - 11 John Street Lidcombe
	T068230/2011	Landscape Plan Ground Floor Area 1 - DA-219/2011 - 11 John Street Lidcombe
	T068229/2011	Amended Driveway Sections Plan - DA-219/2011 - 11 John Street Lidcombe
	T068226/2011	Adaptable Unit Layouts Plan - DA-219/2011 - 11 John Street Lidcombe
	T068221/2011	Amended Existing Police Station Elevations Plan - DA-219/2011 - 11 John Street Lidcombe
	T068220/2011	Amended Existing Police Station Floor / Proposed Cafe Restaurant Plan - DA-219/2011 - 11 John Street Lidcombe
	T068219/2011	Amended Sections Plan - DA-219/2011 - 11 John Street Lidcombe
	T068218/2011	Amended Level 1 and 2 Plan - DA-219/2011 - 11 John Street Lidcombe
	T068217/2011	Amended Ground Floor Plan - DA-219/2011 - 11 John Street Lidcombe
	T068216/2011	Amended Basement Plan - DA-219/2011 - 11 John Street Lidcombe