

AUBURN CITY COUNCIL

DA-288/2015

Applicant	Tony Edwards C/-NSW Public Works
Owner	Maritime Authority of NSW
Application No.	DA-288/2015
Description of Land	Pt Lot 2 DP 859608, Pt Lot 2 Burroway Road, WENTWORTH POINT
Proposed Development	Demolition of existing buildings and construction of a new public school
Site Area	3230.00m ²
Zoning	Zone R4 - High Density Residential
Disclosure of political donations and gifts	Nil disclosure
Issues	<ul style="list-style-type: none"> • Orientation of buildings (DCP non-compliance) • Provision of bus bay • Drainage easement

1. Recommendation

- a. That Development Application No. DA-288/2015 for Demolition of existing buildings and construction of a new public school on land at Pt Lot 2 Burroway Road, WENTWORTH POINT be deferred commencement approved subject to the following appropriate conditions listed in the attached schedule.**

2. Background

Wentworth Point Urban Activation Precinct

The Wentworth Point Urban Activation Precinct (WP-UAP) was announced by the Minister for Planning and Infrastructure in 2013. The site was nominated as an Urban Activation Precinct based on its proximity to the Parramatta and Sydney CBD's as well as its potential to connect with public transport. The site's proximity to existing parkland, Sydney Olympic Park and the Parramatta River were also key considerations in nominating the site.

The Wentworth Point UAP covers approximately 18.6 hectares of land area and is currently under the ownership of Roads and Maritime Services. The Department of Planning and Infrastructure prepared a proposal to redevelop the precinct for various land uses including:

- high density residential uses
- a new school with 18 classrooms
- community facilities
- maritime facilities that may include dry boat storage and a rowing/kayaking facility on the western side of Homebush Bay
- small scale supporting retail and commercial uses
- open space including a 3.9 hectare peninsula park with foreshore paths along the river and the bay, a network of pocket parks and a new maritime plaza.

The WP-UAP was rezoned by the Department of Planning and Infrastructure on 4 July 2014 via an amendment to the Auburn Local Environmental Plan 2010 and Wentworth Point Precinct Development Control Plan 2014 to permit the range of land uses outlined above. A range of heights and densities across these sites including residential towers of up to 88 metres (25 storeys) with densities up to 2.6:1 was also proposed.

As a result of the rezoning of the WP-UAP in July 2014, the principal planning controls affecting the site are the Auburn LEP 2010 and the Wentworth Point Precinct Development Control Plan 2014. It is estimated that the rezoning will provide up to 2300 new dwellings within the precinct.

PL-68/2014

A pre-lodgement meeting was held between Council staff and the applicant on 24 February 2015 to discuss the proposal for a new primary school in Wentworth Point for 540 students. The proposal was generally considered to be satisfactory however required various matters to be addressed prior to the formal lodgement of the development application.

It should be noted that the plans provided during the pre-lodgement included some options which proposed the bus circulation route as well as the provision of a bus layback zone to be designated on Ridge Road and/or Burroway Road with excursion pick up access on Ferry Wharf Circuit.

The current application received did not formally propose any bus layback zone and as such a deferred commencement condition will be imposed for design details and amended plans to be submitted for the provision of a bus layback zone. This is discussed in further detail below in the referrals section 5, of the report.

3. Site and Locality Description

The subject site relevant to this application relates to part of a larger lot known as Lot 2 in DP 859608. The site identified by NSW Public Works, is located at 3-7 Burroway Road, on the northern end of Wentworth Point and east of the junction of Hill Road. The total land area covered under this application for the purposes of a new public school comprises approximately 1.5 hectares of land area in accordance with the approved subdivision pattern under a recent consent number DA-273/2014.

Several industrial buildings and ancillary structures occupy the subject site. Existing vehicular access is provided from Burroway Road and the entire perimeter of the site is surrounded by a cyclone mesh fence and brick wall of approximately 2.2m high. The site is relatively flat and contains a number of remnant vegetation scattered along the south, east and western boundaries. The site has a slight fall to the north towards the Parramatta River with a gentle slope of between 1 and 2 degrees.

The site is strategically located close to the geographic centre of the metropolitan Sydney region approximately 12km west of the Sydney CBD and 6km east of the Parramatta CBD. The site adjoins the Sydney Olympic Park Ferry Wharf, vacant land and further to the west comprises open grassed area and car park associated with the ferry wharf. The Wentworth Point Precinct which extends south presently accommodates industrial uses which is undergoing transformation into a growing high density residential community.

The school site is identified in the plan below:



4. Description of Proposed Development

Council has received a development application seeking approval for demolition of existing structures and construction of a three storey purpose-built primary school with 18 classrooms for 540 students from kindergarten to year 6.

The proposed buildings include:

- A single storey administration and hall building (Block A)
- A three storey classroom building (containing 18 Homebases of which 4 are special educational classrooms) and library (Block B)
- Storage building including services (Block C)
- Multi-purpose playing court
- Outdoor active play areas
- Landscaping, fencing and school signage
- Open car park (18 car spaces of which 2 are accessible)

Primary access to the site is proposed from Ferry Wharf Circuit and a separate secondary access to the main car park/drop off and set down is proposed to be provided via Burroway Road.

Normal school operational hours proposed are Monday to Friday 7:30am to 6:00pm. Extended hours proposed for the library and hall spaces are as follows:

- Monday to Friday: 6:00pm to 9:00pm
- Saturday and Sundays: 7:30am to 6:00pm

As discussed above, a new school is proposed to accommodate 540 students (including up to 32 special needs students) and 30 staff. The number of enrolments is to be staged from the opening of the school.

5. Referrals

(a) Internal Referrals

The development application was referred to the following relevant internal Council departments for comment:-

Engineering

Council's engineer is generally satisfied with the proposed school development with respect to parking, traffic, access to the site and stormwater management subject to the imposition of recommended deferred commencement conditions which are required to be satisfied by the applicant prior to Council granting operational consent. Council staff considers the deferred commencement conditions to be necessary and appropriate in order to ensure a suitable bus bay area is provided to service the school.

On the 4 January 2016, Council sent correspondence to the applicant requesting for a design of a bus bay to be incorporated into the plans for the proposed new school. After several discussions and meetings with the applicant, Council received the requested information with an amended design however it was identified that the proposed design of the bus bay encroached on to Sydney Olympic Park Authority (SOPA) land. Subsequently, Council requested that a letter of concurrence from SOPA be provided with respect to the amended design proposal. To date, Council has not received any letters of concurrence from SOPA. In this instance and as stated previously above, Council staff have recommended that a specific deferred commencement condition (DC2) as well as other engineering conditions be imposed on the consent to ensure the provision of a bus bay and resolution of stormwater easement to the satisfaction of Council.

Environmental Health

Advice provided by Council's environmental health officer has recommended that appropriate conditions be imposed on the consent regarding the fitout of the school canteen and associated areas to ensure compliance with the relevant standards and the NSW Food Act.

Landscaping

Council's landscape architect is also satisfied with the proposed school with regard to landscaping proposed for the site, subject to the imposition of recommended conditions on any development consent.

(b) External Referrals

The application was referred to the following approval agencies for comment:

a) Sydney Olympic Park Authority (SOPA)

In accordance with Section 27 of the Sydney Olympic Park Authority Act 2001 and Clause 14 of Sydney Regional Environmental Plan Number 24 Homebush Bay Area, a copy of the development application was referred to SOPA for comment.

In correspondence dated 30 October 2015, the comments received from SOPA generally raised no objections to the proposal with respect to SREP 24 subject to an advisory condition being imposed in the consent relating to the use of SOPA land/or infrastructure.

Subsequently, due to a recent redesign which sought to incorporate a bus bay for the school as required by Council, a supplementary plan was submitted by the applicant to demonstrate compliance. Council reviewed the plan and identified that the proposed plan with the provision of the new bus bay encroached on to SOPA land. As such, Council Officers requested a letter of consent to be provided by SOPA to support the proposed redesign of a new bus bay on Ferry

Wharf Circuit. To date, Council has yet to receive a letter of agreement from SOPA. In this regard, a deferred commencement condition for the provision of a bus bay design is considered appropriate to service the school and will be imposed on the consent to ensure compliance with Council's requirements. The specific deferred commencement condition is listed in the attached schedule known as DC2.

b) Roads and Maritime Services

In accordance with clause 104 of the SEPP (Infrastructure) 2007, the application was referred to RMS for comment. In correspondence dated 6 November 2015, the comments received from RMS requested that specific advisory conditions be included in the consent with respect to speed management and associated installation of signage and prior approval to be obtained separately from RMS in relation to speed zone signage.

c) Department of Primary Industries (Office of Water and Fisheries NSW)

The following referrals were made to the subsidiary government bodies for comment including:

- *Office of Water*

Whilst it is noted that integrated provisions under the EP&A Act 1979 do not apply to development applications by the Crown, it is considered good practice to refer the subject application to the relevant authorities for concurrence. In this regard, the application was informally referred to Office of Water on 12/01/16 for comment. To date, no response has been provided and as such it is assumed that no objections are raised by NOW with respect to the proposed new school.

6. Crown development application

Crown Development

The development proposal constitutes development by the "Crown" for the purposes of Division 4 Part 4 of the Environmental Planning and Assessment Act as detailed below:

Section 88(1) and 88(2) of the EPA Act relevantly provides the following:

"Crown development application" means a development application made by or on behalf of the Crown.

and,

A reference in this Division to the Crown:

(a) includes a reference to a person who is prescribed by the regulations to be the Crown for the purposes of this Division:

Clause 226(1)(a) of the EPA Regulations provides the following:

The following persons are prescribed for the purposes of Division 4 of Part 4 of the Act (as referred to in section 88 (2) (a) of the Act):

(a) a public authority (not being Council)

It is noted that the Roads and Maritime Services is a public authority. Given that this application is made on behalf of RMS, as a consequent, the subject development application constitutes a "Crown" development for the purposes of division 4 of the Act as referred to above.

Determination of Crown development applications

In view of the above, it should be noted that Section 89 of the EPA Act precludes a consent authority, including a regional panel, from refusing a Crown development application, except with the approval of the Minister, or from imposing a condition of consent to a Crown development application, except with the approval of the applicant or the Minister.

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

The proposed development is affected by the following Environmental Planning Policies.

7.1 State Environmental Planning Policy No.55 - Remediation of Land

The requirement at Clause 7 of SEPP 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Details of contamination investigations carried out at the site:</p> <p>The application has been accompanied by a Site Audit statement and report prepared by Coffey Environments Australia Pty Ltd (Site Auditor Dr Michael Dunbavan) Dated 17 June 2015.</p> <p>Council's environmental health officer has reviewed the information submitted and have advised that the site audit report concludes that the site can be made suitable for a primary school subject to compliance with the recommendations provided in the report. The report also acknowledges that potential exposure pathways will require ongoing long term environmental management plan.</p> <p>In this regard, it is considered that the application is satisfactory and can be supported subject to recommended conditions of consent regarding contamination/remediation.</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

7.2 State Environmental Planning Policy (Infrastructure) 2007

a) *Division 3 – Educational Establishments:*

The 3 relevant standards stated under clause 32 required for consideration has been superseded by the current NSW Educational Facilities Standards and Guidelines (EFSG). As such the current EFSG has been considered in the assessment of the application as discussed below.

The Educational Facilities Standards and Guidelines (EFSG) aims to set out the minimum standards and design criteria for all new schools. The submitted statement from the applicant has indicated that the proposed new school is purpose built and the design of the school buildings will meet the EFSG criteria taking into account of the following factors such as:

- Scale/size
- Bulk
- Setback
- Visual
- Design principles
- Physical character
- External appearance
- Operation noise impacts; and
- Landscape

In this regard, Council is satisfied that the proposed design of the school has been considered and incorporates the above educational principles, accommodation requirements (rooms & spaces) and relationship between accommodation components.

b) *Division 17, Roads and traffic, Subdivision 2 – Development in or adjacent to road corridors and road reservations:*

In accordance with clause 104, the proposal for a new school development is considered to be a traffic generating development under schedule 3, which requires concurrence referral to the Roads and Maritime Services (RMS) as the proposed student capacity of 540 exceeds the maximum requirement of 50 or more students under the relevant clause.

Having regard to the above, Council has met its statutory obligations and have referred the application to RMS for comment and which has been discussed previously in detail under section 5 of the report. The application was generally considered to be satisfactory by RMS subject to specific conditions of consent as discussed previously.

7.3 Sydney Regional Environmental Plan No. 24 - Homebush Bay Area

The requirements and objectives of Sydney Regional Environmental Plan are not directly relevant to the subject site and application. The Auburn Local Environmental Plan 2010 is the principal planning control that applies to the development within the Wentworth Point UAP, where the subject lot is currently zoned R4. Refer to section 7.5 below.

7.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is identified as being located within the area affected by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development raises no issues as no impact on the catchment is envisaged.

(Note: - the subject site is not identified in the relevant map as 'land within the *'Foreshores and Waterways Area' boundary* or *'Wetland Protection zone'*, is not a *'Strategic Foreshore Site'* and does not contain any heritage items. Hence the majority of the SREP is not directly relevant to the proposed development).

7.5 Local Environmental Plans

The provision of the Auburn Local Environmental Plan (ALEP 2010) is the statutory control governing the site and the land falls within the zone R4 under the relevant plan. The proposed new school is considered to perform satisfactorily having regard to the provisions under the ALEP 2010.

A summary of the relevant provisions applicable to the development proposal is considered in the table below to demonstrate consistency and compliance with the statutory planning controls, whilst a more detailed analysis and comprehensive assessment of the ALEP is discussed further in the compliance table provided in **Appendix B** of this report.

Standard	Requirement	Proposal	Compliance	Percentage variance
Auburn Local Environmental Plan 2010				
Lot Size	No minimum under ALEP 2010. Refer to WPPDCP	N/A	N/A	N/A
Zoning	R4	Educational establishment is permissible with consent under this zone	Yes	N/A
Building Height	Max. 19m (area adjacent to foreshore) to 25m	Max. 16.62m	Yes	N/A
Floor Space Ratio	Max. 1.1(Max. GFA: 15,044m ²)	4,391m ² (0.29:1)	Yes	N/A
Architectural Roof feature	Permitted only for decorative purpose	N/A	N/A	N/A
Flooding	Not identified in flood map, however located adjacent to flood catchment area	Flood study provided.	Yes, Council's engineers are satisfied with the information submitted and have recommended appropriate conditions to be imposed.	N/A
Heritage	No impact on heritage item.	N/A	N/A	N/A

Based on the compliance table summary above, the development proposal is fully compliant with the local planning provisions. The proposal is therefore acceptable in this regard.

8. 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.

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

9.1 Wentworth Point Precinct Development Control Plan 2014

The relevant design requirements and objectives of the WPPDCP 2014 have been considered in the assessment of the development application. The proposed development which primarily seeks consent for the construction of a new school is generally consistent with the relevant requirements and therefore, is considered to perform satisfactorily with regard to the WPPDCP 2014.

The table below is a summary of compliance to demonstrate the development proposal's consistency with the relevant planning controls that are applicable to the site and the proposal with respect to WPPDCP. A more detailed and comprehensive assessment of the development proposal against the WPPDCP is discussed further in the compliance table provided in **Appendix B** of this report.

Table 1. – HBW Compliance Summary:

Wentworth Point Precinct Development Control Plan 2014				
Standard	Requirement	Proposal	Compliance	Percentage variance
2.0 – Vision, principles and indicative structure plan				
2.3 Indicative structure plan	Refer to Figure 2 and Table 1.	The proposal is generally consistent with Figure 2 and table 1 with the exception of the school building addressing the Burroway Road frontage. This is discussed in further detail below under section 9.1a and again in appendix B at page 43-44.	Partial compliance	-
3.0 - Public domain				
3.1 Street network & design	See figure 3	Yes, Street/road network consistent with figure 3. Road infrastructure works addressed under DA-40/2015.	Yes	-
Indicative street dimensions	(Table 2) Ridge Road extension: 25m for primary road.	25m wide as per approved subdivision plan DA-273/2014.	Yes	-
	Indicative local streets: 16m	Not relevant to application.	N/A	-
3.2 Pedestrian & cycle network	See figure 8	Landscape concept plan which incorporates a continuous pedestrian and cycle network link along Parramatta River and Homebush Bay is generally consistent with figure 8.	Yes	-
3.3 Landform & contamination	See figure 9.	Minimal excavation works proposed under this application for new school. SEPP 55 contamination addressed previously under DA-40/2015 and relevant report submitted has been reviewed by Council's Environmental Health Officer who is satisfied that the subject site is suitable to accommodate proposal and have recommended conditions to be imposed.	Yes	-
3.4 Open space network	See figure 10 & 11 & Table 3 for open space characteristics	Not directly relevant to application. It is noted that table 3 of this part does not specifically nominate or contain any requirements for the school site and as such is not considered relevant to this	N/A	-

		application. Notwithstanding, provision of open space is generally in accordance with figures 10 and 11 showing indicative locations of parks etc. in relation to school site, significant portion of playing fields proposed along the eastern boundary stretching from the southern end to the northern end of the site allowing integration of the playing fields with the peninsular park is consistent with the requirements and objectives for playing fields under section 2.3, table 1.		
3.5 Public art	Refer to Public art strategy adopted under subdivision consent	Limited to current application for new school. Proposed public domain works approved under DA-40/2015 cover various detailed landscaping and local park embellishments such as street furniture; bbq/picnic facilities, playground equipment etc. however do not include public art works/sculptures. Public artworks are to be considered under future applications to be consistent with DA-273/2015.	N/A	-
4.0 Private domain				
4.1 Land use & floor space distribution	See figure 2 for land use distribution	Proposed land use for new school is consistent with figure 2. GFA distribution not relevant to subject site and has been considered previously under consent no. 40/2015.	N/A	-
4.2 Building height & form	See figure 12. Max. Range of 5 – 7 storeys for subject specific site.	Proposed 1-3 storeys with max ridge height of school building at 16.42m.	Yes	-
	(Low rise buildings) 4-5 storeys located adjacent to foreshore and peninsular park	Applicable to residential developments only. Subject proposal is site specific as per figure 12.	N/A	-
	Taller forms (typically 4-7 storeys) up to 25 storeys balanced with low rise blocks	N/A	N/A	-
	Low rise - max building lengths: 65m. Where greater than 30m, separate into 2 parts.	Proposed block A = 48.405m and proposed block B = average length of 64.147m. Both blocks are well articulated and incorporate recesses and projections.	Yes	-
4.3 Setbacks & public domain interface	See figure 13. Site specific – 5m from Burroway Rd, 3-5m from Ridge Rd.	Proposed 36.14m setback from Burroway Rd to Block A and 8.76m setback from Block C to Burroway Rd frontage. 5.37m setback from Ridge Rd.	Yes	-
	3 – 5m from property boundary to outer most projection of building	Proposed building envelopes are consistent with this requirement.	Yes	-
	Buildings fronting river foreshore/ peninsula park to be	Not applicable to proposed school building. However, proposed block B fronting river foreshore is consistent with figure 14.	Yes	-

	generally in accordance with figure 14			
4.4 Private open space	Building setback to SOPA site, parklands to be in accordance with figure 15	Proposed block B fronting river foreshore is consistent with figure 15. Proposed minimum 1.59m to 8.78m setback from Ferry Wharf Circuit (SOPA land).	Yes	-
	Balconies (ADG) – min. 8m ² , min. dimension 2m	Not relevant to current application.	N/A	-
	POS on grd lvl – max. gradient 1 in 20	Not relevant to current application.	N/A	-
	Common open space/ courtyards min. 30% of development block	Not relevant to current application.	N/A	-
4.5 Deep soil zones /landscaping	Deep soil zones provided to be consistent with subdivision approval (section 2.3)	Not directly relevant to current application. Proposed playing fields located at northern end of site integrated with Peninsular park are consistent with the requirement at 2.3.	N/A	-
Building design & materials	Buildings to incorporate high level of articulation, distinct facades, articulated roof forms, variations in materials and finishes	Proposed building materials and design are consistent with this requirement.	Yes	-
	Building design to achieve min. 3 hours direct sunlight btw 9am and 3pm midwinter to living areas and POS for at least 70% of apartments	This requirement is not directly relevant to subject application. Proposal relates to new school.	N/A	-
4.7 Wind effects	Wind effects report submitted for buildings over 7 storeys	Proposed school buildings are a maximum of 3 storeys. Wind effects report is not required in this instance.	N/A	-
	Wind effects caused by development should not exceed: 10m per second on streets with active frontages, 16m per second for all other streets	Not relevant to subject application.	N/A	-
4.8 Vehicular access and parking	See table 4. Studio, 1B and 2B = min. 1.0 space 3B or greater = min. 2.0 space Visitors = min. 0.1 space	N/A. See below.	N/A	-
	<u>Non-residential uses.</u>	Required = 15 spaces. Proposed = 18 spaces including 2	Yes	-

	<u>refer to Auburn DCP for parking rates (1 per 2 staff)</u>	disabled spaces.		
4.9 Safety and security	Meet CPTED principles	Proposal complies with NSW Educational Facilities Standards & Guidelines.	Yes	-
4.10 Adaptable housing	Over 50, 6 to be provided (Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number)	Adaptable housing not directly relevant to application. School design however incorporates the requirements under the current Facilities Standards and BCA and accommodates for special needs.	N/A	-
5.0 Sustainability and environmental management				
5.1 Sustainability	Compliance with BASIX, water reuse, water and energy efficient fittings	BASIX not relevant. Proposed design of school incorporates the requirements under the current Facilities Standard.	N/A	-
5.2 Water management	See figure 16	Stormwater management plan and report submitted is satisfactory.	Yes	-
Ecology	Protection of coastal saltmarsh on eastern point of peninsular park (Wilsonia backhousei species). Re-establish riparian vegetation around foreshore – wetlands/areas of planted swamp oak Boardwalks not to encroach coastal saltmarsh Timing of construction works to avoid impacts on white bellied sea eagle.	Subject site is located more than 500m from the Newington Nature Reserve and therefore the proposal will not directly impact on the nature reserve.	Yes	-

Based on the compliance table summary above, the proposed new school is generally consistent with the planning controls relevant to the site, with the exception of the one specific requirement relating to the orientation of the building to address Burroway Road. This minor non-compliance is discussed in further detail below.

9.1a – Table 1 requirements (building orientation) WWPDCP:

Cl. 2.2 – Development Principles:

To achieve the vision, the Wentworth Point Precinct is to:

- strengthen the role of Wentworth Point as an integral part of the broader Sydney Olympic Park Specialised Precinct
- create a network of unique, memorable and high quality places
- respond to and enhance its unique natural setting on the Parramatta River
- provide a peninsula park that maximises amenity for the local community
- create a compact, walkable urban community
- provide high density, medium to high rise housing to increase housing choice
- incorporate a network of publicly accessible open spaces

- h. *incorporate a primary school that serves the wider Wentworth Point community*
- i. provide public view corridors to and from the Millennium Marker, Parramatta River and Sydney Olympic Park, Parklands
- j. create a complete, largely self-contained community
- k. comprise a diverse and innovative built form that provides a high quality living environment
- l. be resilient to climate change and sea level rise, and
- m. incorporate sustainability measures that reduce its impact on the natural environment.

Comment:

A public school is proposed to be provided within Lot 201 and is the subject of this application. The subdivision of the Burroway Road Parcel and specific lot requirements to facilitate future development of the site have been satisfied and consent issued by the JRPP under a previous DA-273/2015 for the subdivided lot. The subject application therefore satisfies this development principle.

Cl. 2.3 – Indicative Structure plan:

Objectives:

- a. To ensure that development in precinct occurs in a coordinated manner consistent with the vision and development principles for the precinct.
- b. To Ensure key elements of the precinct are delivered whilst providing a degree of flexibility as to final layout and design

Controls:

- 1. *Development to be generally consistent with indicative structure plan (fig. 2). Where variations are proposed, development is to demonstrate how the vision, development principles, key elements for the precinct and relevant specific objectives are achieved.*
- 2. A subdivision DA is required for each of the 2 neighbourhoods prior to approval of any other development in the neighbourhood which is not for public purpose.

Table 1 – Key elements:

Primary School

- A primary school with a site area of approximately 1.5ha adjacent to the local centre and peninsula park
- *School buildings that address Burroway Road with a drop-off/set down facility adjacent to the local centre*
- Playing fields located at the northern end of the school site and be designed to integrate with the peninsula park.

Comment:

As previously discussed, the proposal is generally consistent with the above development objectives and controls as well as table 1, key elements requirements with the exception of a specific DCP requirement relating to the orientation of the building and the drop off/set down facility location.

The technical non-compliance is considered to be satisfactory on the basis that the vision, development principles, the intent and primary objective of the control; which is to provide a school for the area, has been achieved. In addition the proposed location of the primary school is consistent with and accords with the indicative structure plan as outlined in figure 2. Further, a consistent setback in accordance with figure 13 has also been proposed for the school site.

The school building is proposed to address Ferry Wharf Circuit along the Western side of the subject site; where the main entrance is proposed. A separate secondary entry is proposed along Burroway Road for the provision of a car park for staff and also a drop-off/set down facility for special needs students. A variation to the control is considered satisfactory as the proposed orientation and siting of the building does not contravene the principle objective of the plan or detrimentally impact on the design of the school, nor does the technical departure alone warrant

the refusal of the application. The proposal in general largely complies with the relevant controls outlined in the plan.

Additionally, the proposed location of playfields are generally in line with the objective and requirement of Table 1 as playfields are proposed to be situated along the eastern side of the school site which stretches from the southern to the northern end to enable integration of the playfields with the peninsular park as required, thus also achieving the objective of the plan.

Having regard to the above and despite the minor non-compliance noted, the proposal and overall design is considered to be suitable and appropriate given that the proposal meets the broader objectives, vision and development principles of the WPPDCP, which is to provide a school that serves the wider Wentworth Point community. Therefore, in accordance with requirement 1.6 – application of the WPPDCP 2014, the development proposal with its minor departures noted are considered to be acceptable as it achieves the development outcomes established for the precinct.

9.2 Section 94 Contributions Plan

The application and nature of the development proposed do not require the payment of contributions in accordance with section 22.8(h) – Exemptions to the levy of Council's section 94 contributions plan, in that:

*Development by or non-profit organisations which provide a distinct community benefit including but not limited to the provision of childcare services, libraries, community or **educational facilities**, places of worship, outreach services or the like, on a cooperative or not-for-profit basis.*

In this instance, as Council considers that the proposed new school being an 'educational facility' provides a distinct public benefit that is not for profit basis, section 94 levies can therefore be exempt.

Further, as the development is by the Crown, section 94 levies cannot be imposed given the applicability of Circular D6 for Crown development applications and its policy of limiting conditions of consent including section 94 conditions on Crown activities.

10. 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.

11. 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.

12. 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.

13. 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 8 September 2015 to 22 September 2015. The notification generated 4 (four) submissions as a result of the notification of the development proposal. The issues raised in the public submissions are summarised and commented on as follows:

Issue: The respondents have primarily raised concerns with regard to the following:

- Due to the growth of the area, proposed new school is unable to accommodate just for Wentworth Point residents.
- Proposed new school has not considered projected population increase. It is noted that the growth of Newington Public School has significantly increased over the number of years.
- Lack of information provided in relation to future expansion of the school. Will this compromise existing open space?
- Concerns are raised regarding the number of students per classrooms and whether adequate classrooms are provided to accommodate a student capacity of 540.
- Proposal has not considered wind tunnelling effects and information submitted is inconsistent and lacking.
- Lack of provision of pre-school students and or long day care facilities.
- Overshadowing of the active play areas caused by proposed building.
- Area dedicated to playground is insufficient.
- Concerns regarding whether there is sufficient parking on site.
- Concerns were also raised with respect to the non-compliance with the building envelope sitting and layout.

Comment: A purpose built school building with associated facilities and playing fields are proposed to be provided in Lot 201 in accordance with the WWPDCP 2014. The new school will accommodate 540 students to meet the needs of the community and with options for future expansion seemingly contingent on the growth of the area and which will also be subject of a further application to Council.

The proposed new school building is low in scale and will have a maximum height of 3 storeys measuring 16.62 metres high. An analysis for the wind tunnelling effect is not considered necessary for buildings typically below 25 metres in height and as such is not required for the proposed new school.

This application relates to the construction of a new school only. Concerns regarding the provision of pre-school and long day care facilities are not relevant to this application.

Council notes that there are no specific controls provided for active play areas for a school and as such as a general guide, Council has applied the minimum standard of 3hrs of unobstructed solar access rule for this application. The shadow diagrams provided indicate that overshadowing of the active play areas will only occur from around 12 to 3pm in the afternoon during June 21st at its worst case. The active play areas will however still receive 3hrs of uninterrupted morning sun from 9am to 12 noon which is considered satisfactory during the winter solstice. In summer, solar access would be significantly increased. Further it should also be noted that due to the orientation of the site, some overshadowing is considered to be unavoidable. In this regard, the partial overshadowing is considered acceptable.

The proposed dedicated active play areas to be provided with the school building are consistent with the WWPDCP. No quantitative sqm of open space areas for the

school is specified under the plan and as such the proposal is considered to be satisfactory. The active play areas have been designed to be integrated with the peninsular park to accommodate for any overflow where required.

The number of parking provided for the school is consistent and compliant with the numerical parking rates outlined in Council's Parking and Loading section of the DCP. A total of 18 spaces are provided in the car park including disabled spaces which exceeds the minimum requirement of 15 spaces. As such adequate parking is provided to service the school.

Concerns regarding the minor departure relating to the building orientation, sitting and layout has been discussed throughout this report and in particular section 9.1a and page 43-44 in the compliance table provided in appendix B. The technical non-compliance is considered to be acceptable in that the development proposal as a whole meets the broader objectives, visions and development principles of the WWPDCP, that is, to provide a school that serves the wider Wentworth Point community. As such a variation can be supported in this instance.

Having regard to the above, the development proposal has been assessed on its individual merit and is considered to perform satisfactory with respect to the ALEP and WPPDCP with some minor departures noted as being acceptable.

14. 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.

15. Operational Plan / Delivery Program

This assessment and report relates to the Auburn City Council Operational Plan and Delivery Program, Our Places – Attractive and Liveable theme, action “2a.1.1.3 Assess development applications, complying development and construction certificates”.

16. 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 relevant zones under the provisions of Auburn Local Environmental Plan 2010. The proposal is consistent with all statutory and non-statutory controls applying to the development. 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 by way of a deferred commencement consent subject to conditions.

APPENDIX B:

- | | |
|---|--------|
| a) Auburn Local Environmental Plan (LEP 2010) | pg. 18 |
| b) Wentworth Point Precinct Development Control Plan 2014 | pg. 40 |

(a) Auburn Local Environmental Plan (LEP) 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"/>	The development proposal is considered to be consistent with the aims of this plan subject to compliance with the conditions recommended by Council.
(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"/>	
(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"/>	
(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(g) to facilitate economic growth and employment opportunities within Auburn,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(h) to identify and conserve the natural, built and cultural heritage,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(i) to provide recreational land, community facilities and land for public purposes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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"/>	The development proposal is considered to be consistent with the aims of this plan subject to compliance with the conditions recommended by Council.
(2) The particular aims of this Plan are as follows:				
(j) to establish planning standards that are clear, specific and flexible in their application,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(k) 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"/>	
(l) to protect areas from inappropriate development,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(m) to minimise risk to the community by restricting development in sensitive areas,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(n) to integrate principles of ecologically sustainable development into land use controls,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(o) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(p) to facilitate economic growth and employment opportunities within Auburn,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(q) to identify and conserve the natural, built and cultural heritage,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(r) to provide recreational land, community facilities and land for public purposes.	<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"/>	
1.8A Savings provision relating to development applications				
If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant land is appropriately amended or, if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.				
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>section 36 of the Act.</p> <p>(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:</p> <p><i>State Environmental Planning Policy No 1—Development Standards</i></p> <p><i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> (clause 6, clause 10 and Parts 3 and 4)</p> <p><i>State Environmental Planning Policy No 60—Exempt and Complying Development</i></p> <p><i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1.9A Suspension of covenants, agreements and instruments</p> <p>(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>(2) This clause does not apply:</p> <p>(a) to a covenant imposed by the Council or that the Council requires to be imposed, or</p> <p>(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i>, or</p> <p>(c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or</p> <p>(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or</p> <p>(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or</p> <p>(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or</p> <p>(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.</p> <p>(3) This clause does not affect the rights or interests of any public authority under any registered instrument.</p> <p>(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>There are no covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.</p>
<p>Part 2 Permitted or prohibited development <i>(note: the subject lot 201 is located within the land use zoning: R4)</i></p>				
<p>2.6 Subdivision—consent requirements</p> <p>(1) Land to which this Plan applies may be subdivided, but only with development consent.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Application for proposed land subdivision of Lot 201 is addressed under DA-273/2014.</p>

Notes.				
1	If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> , the Act enables it to be carried out without development consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not 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"/>
Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.				
Zone R4 High Density Residential				
1 Objectives of zone				
	• To provide for the housing needs of the community within a high density residential environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	• To provide a variety of housing types within a high density residential environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	• To encourage high density residential development in close proximity to bus service nodes and railway stations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Permitted without consent				
Nil				
3 Permitted with consent				
	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Shop top housing; <u>Any other development not specified in item 2 or 4</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Prohibited				
	Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		The proposed development relates to a proposed new school and is defined as an educational establishment which is permissible with Council consent under the relevant zone. Further, the development for the purpose of an educational establishment (i.e. school) is also permitted pursuant to clause 27 and 28(1) – ‘prescribed zone’ under the SEPP (Infrastructure) 2007.		
		An educational establishment is defined as follows:		
		educational establishment means a building or place used for education (including teaching), being:		
		(a) a school, or		
		(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.		
		The development proposal is not a prohibited development.		

Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies.				
Part 3 Exempt and complying development				
This part is not relevant as the development is not exempt or complying development.				
Part 4 Principal development standards				

4.1 Minimum subdivision lot size				
(1) The objectives of this clause are as follows:				Addressed under DA-273/2014. Application does not seek any subdivision of the school site.
(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"/>	
(b) to ensure that subdivision of land is capable of supporting a range of development types.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is not located within the Former Lidcombe Hospital Site.
(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"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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				
(iii) if the dwelling house will be on a zero lot line – 270 square metres,				
(b) semi-detached dwellings – 270 square metres,				
© multi dwelling housing – 170 square metres for each dwelling,				
(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"/>	
4.2 Rural subdivision				
Not Applicable.				

4.3 Height of buildings				The proposed building height of the new school is a maximum of 16.42m measured to the highest point of the roof. Proposal complies with this requirement.
(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"/>	
(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"/>	
(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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				The maximum FSR permitted across the subject site is 1:1 and the total area of the subject site is 15,044m ² . The gross floor area proposed for the school is 4,391m ² resulting in an FSR of 0.29:1. The proposed FSR is therefore compliant.
(1) The objectives of this clause are as follows:				
(d) 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"/>	
(e) To ensure that development intensity reflects its locality.	<input checked="" 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Space Ratio Map, is as follows:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and				
(b) 2:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>4.5 Calculation of floor space ratio and site area</p> <p>(1) Objectives The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to define floor space ratio, (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: <ul style="list-style-type: none"> (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and (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 (iii) require community land and public places to be dealt with separately. <p>(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.</p> <p>(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:</p> <ul style="list-style-type: none"> (a) if the proposed development is to be carried out on only one lot, the area of that lot, or (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out. <p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p> <p>(4) Exclusions from site area The following land must be excluded from the site area:</p> <ul style="list-style-type: none"> (a) land on which the proposed development is prohibited, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclause (7)). <p>(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 another lot already included in the site area calculation.</p> <p>(6) Only significant development to be included The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.</p> <p>(7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>FSR has been calculated in accordance with this requirement.</p>
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<p>site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p> <p>(8) Existing buildings</p> <p>The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.</p> <p>(9) Covenants to prevent “double dipping”</p> <p>When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.</p> <p>(10) Covenants affect consolidated sites</p> <p>If:</p> <ul style="list-style-type: none"> (a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, <p>the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.</p> <p>(11) Definition</p> <p>In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i>.</p>				
<p>4.6 Exceptions to development standards</p> <p>(1) The objectives of this clause are:</p> <ul style="list-style-type: none"> (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances. <p>(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.</p> <p>(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:</p> <ul style="list-style-type: none"> (a) that compliance with the 	<input type="checkbox"/> 	<input type="checkbox"/> 	<input checked="" type="checkbox"/> 	<p>The application does not seek to vary any development standards under this plan.</p>

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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the public benefit of maintaining the development standard, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Not applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).				
(8) This clause does not allow consent to be granted for development that would contravene any of the following:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) a development standard for complying development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) clause 5.4.				
Part 5 Miscellaneous provisions				

5.6 Architectural roof features				Not relevant to the subject application for new school as the development proposed is well within the height limit specified under Council's relevant planning instrument and Height of Building map sheet HOB_009.
(1) The objectives of this clause are:				
(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) To ensure that prominent architectural roof features are contained within the height limit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.				
(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:				
(a) the architectural roof feature:				
(i) comprises a decorative element on the uppermost portion of a building, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) is not an advertising structure, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iv) will cause minimal overshadowing, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5.9 Preservation of trees or vegetation				Subject site has been identified by Department of Planning as an urban activation precinct to facilitate housing supply and increase housing choice and affordability in the broader Sydney metropolitan region.
(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.				
(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) development consent, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) a permit granted by the Council.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The removal of existing trees and vegetation is therefore required to facilitate the construction of a new school which is consistent with the aims of the UAP/Wentworth Point Precinct DCP.

which a permit was sought.				
(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) that is or forms part of a heritage item, or that is within a heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the Council is satisfied that the proposed activity:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.				
(8) This clause does not apply to or in respect of:				
(a) the clearing of native vegetation:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i>) that is authorised by a development consent under the provisions of the <i>Native Vegetation Conservation Act 1997</i> as continued in force by that clause, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <i>Forestry Act 1916</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i> , the <i>Roads Act 1993</i> or the <i>Surveying and Spatial Information Act 2002</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i> .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>Note. Permissibility may be a matter that is determined by or under any of these Acts.</p> <p>(9) Not adopted</p>				
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<p>5.10 Heritage conservation</p> <p>Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.</p> <p>(1) Objectives</p> <p>The objectives of this clause are:</p> <p>(a) to conserve the environmental heritage of Auburn, and</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and</p> <p>(c) to conserve archaeological sites, and</p> <p>(d) to conserve places of Aboriginal heritage significance.</p> <p>(2) Requirement for consent</p> <p>Development consent is required for any of the following:</p> <p>(a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,</p> <p>(c) altering a heritage item that is a building by making structural changes to its interior,</p> <p>(d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,</p> <p>(f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,</p> <p>(g) subdividing land on which a heritage item is located or that is within a heritage conservation area.</p> <p>(3) When consent not required</p> <p>However, consent under this clause is not required if:</p> <p>(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:</p> <p>(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</p> <p>(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development:</p> <p>(i) is the creation of a new grave or</p>				<p>The subject site is not identified as a heritage conservation area.</p>
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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			
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).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(5) Heritage impact assessment			
The consent authority may, before granting consent to any development on land:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(a) on which a heritage item is situated, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) within a heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) within the vicinity of land referred to in paragraph (a) or (b),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.			
(6) Heritage conservation management plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.			
(7) Archaeological sites			
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):			
(a) notify the Heritage Council of its intention to grant consent, 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"/>
(8) Places of Aboriginal heritage significance			
The consent authority must, before granting consent under this clause to the carrying out of			

development in a place of Aboriginal heritage significance:				
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(9) Demolition of item of State significance				
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> 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"/>	
5.12 Infrastructure development and use of existing buildings of the Crown				
(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority that is permitted to be carried out without consent under the State Environmental Planning Policy (Infrastructure) 2007.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Works proposed by Crown.
(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Part 6 Additional local provisions				

6.1 Acid sulfate soils					In accordance with the Acid Sulfate Soils Map ASS_009, the subject land is identified as Class 2. Geotech investigation report prepared by NSW Public Works – M Aleki, report ref. IS-GS34A) dated June 2015 has been submitted to accompany the development application. The report is considered to be satisfactory and appropriate conditions will be imposed to ensure compliance.
(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"/>	
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Class of land	Works				
1	Any works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.				
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c)	minor work, being work that costs less than \$20,000 (other than drainage work).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6)	Despite subclause (2), development consent is not required under this clause to carry out any works if:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a)	the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the works are likely to lower the water table.				
6.2 Earthworks					
(1)	The objectives of this clause are as follows:				
(a)	to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Earthworks proposed are considered satisfactory and appropriate conditions will be imposed to ensure consistency and compliance with this requirement.
(b)	to allow earthworks of a minor nature without separate development consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2)	Development consent is required for earthworks, unless:				
(a)	the work does not alter the ground level (existing) by more than 600 millimetres, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the work is exempt development under this Plan or another applicable environmental planning instrument, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c)	the work is ancillary to other development for which development consent has been given.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3)	Before granting development consent for earthworks, the consent authority must consider the following matters:				
(a)	the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the effect of the proposed development on the likely future use or redevelopment of the land,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c)	the quality of the fill or of the soil to be excavated, or both,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d)	the effect of the proposed development on the existing and likely amenity of adjoining properties.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

(e) the source of any fill material and the destination of any excavated material,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) the likelihood of disturbing relics,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Note. The <i>National Parks and Wildlife Act 1974</i> , particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				

6.3 Flood planning	(1) The objectives of this clause are: (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>In accordance with Flood Planning Map FLD_009, the subject site is not identified as being flood prone. However, the development site is located adjacent to a high risk flood region 1. A report/study prepared by John Gan on 7th May 2014 has been submitted to accompany the application. The report has been reviewed by Council’s engineering section and is satisfied that the application can proceed subject to conditions.</p>
	(2) This clause applies to: (a) land that is shown as “Flood planning area” on the Flood Planning Map, and (b) other land at or below the flood planning level.	<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				
	(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.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
6.5 Essential Services	(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required: a) the supply of water, b) the supply of electricity, c) the disposal and management of sewage. d) stormwater drainage or on-site conservation.	<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>Addressed under DA-273/2014 and DA-40/2015, these previous consents included provision of appropriate services such as gas, electricity, sewer, stormwater disposal, telecommunication lines and road access to facilitate redevelopment of future various land uses in accordance with the zone.</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 type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	
<p>This clause applies to land at Wentworth Point, identified as "Wentworth Point Maritime Precinct" on the Key Sites Map.</p> <p>(2) Despite any other provision of this Plan, development of the land to which this clause applies for any of the following purposes is permissible with development consent:</p> <p>(a) boat building and repair facilities, (b) boat launching ramps, (c) boat sheds, (d) marinas.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

b) Wentworth Point Precinct DCP 2014

The relevant objectives and provisions of Wentworth Point Precinct DCP 2014 have been considered in the following assessment table:

[illegible]

<p>(Sydney Harbour Catchment) 2005 (a deemed SEPP), and</p> <ul style="list-style-type: none"> - the relevant Section 94 Contributions Plan or any relevant infrastructure planning agreement. <p><i>This DCP replaces all DCPs and deemed DCPs that applied to the precinct prior to the commencement date of this Plan, including the Homebush Bay West DCP (2004) and the Homebush Bay West - Wentworth Point Master Plan (2005).</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1.5 Consent Authority</p> <p>Unless otherwise authorised by the Act, Auburn City Council is the consent authority for all development in the precinct to which this DCP applies.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1.6 Application of this DCP</p> <p>The provisions of this DCP are not statutory requirements and any development application will be considered on its merits. The consent authority is to be flexible in applying the controls and allow reasonable alternative solutions that achieve the overall vision, development principles and key elements for the precinct as well as the specific objectives of the controls.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Role of the Indicative Structure Plan</p> <p>The Wentworth Point Precinct Indicative Structure Plan at Figure 2 shows how the overall precinct may develop over time. It is intended as a guide to demonstrate how the vision, development principles and key elements for the precinct may be achieved.</p> <p><u><i>It is recognised that there may be other options for the site's layout which may be as effective in achieving the above for the precinct. As such, Council may grant consent to a proposal that differs from the Indicative Structure Plan where the variation is considered to still achieve the vision, principles and key elements of this DCP.</i></u></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed school site is located in accordance with figure 2.
<p>Consistency with Objectives and Controls in this DCP</p> <p>Clauses in this DCP contain objectives and controls relating to various aspects of development. The objectives enable Council and applicants to consider whether a particular proposal will achieve the development outcomes established for the precinct. The controls establish standards, which if met, mean that development should be consistent with the objectives.</p> <p><u><i>However, in some circumstances, strict compliance with the controls may not be necessary, or may be difficult to achieve because of the particular characteristics of a development site. In these situations, Council may grant consent to a proposal that does not comply with the controls in this plan, providing the relevant objectives are achieved. Where a variation is sought it must be justified demonstrating how the development will meet the vision and development principles as well as the objectives of the relevant control.</i></u></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted.
<p>1.7 Information to be Submitted with Development Applications</p> <p>Information requirements for development applications are set out in Part 2 of the Auburn DCP 2010.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All relevant information required to properly assess this application has been provided and considered satisfactory.

<p>should address the following matters as they relates to that neighbourhood:</p> <ul style="list-style-type: none"> - identify individual development lots, and lots for open space or other public purposes - confirm how development will be distributed across the neighbourhood consistent with the floor space ratio controls identified in the Auburn LEP, by allocating a maximum allowable floor space for each development lot - confirm the final street, pedestrian and cycleway network - include a stormwater management strategy for the neighbourhood - identify the proposed changes to the landform - confirm that the proposed development within the western neighbourhood would not impact on the ecological values of Newington Nature Reserve, including as a result of overshadowing - identify opportunities for deep soil planting within development lots, including front setbacks, (see Section 4.5) and within the public domain - a public art strategy (see section 3.5). 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Addressed under previous consent DA-40/2015 for the Burroway Road Parcel. Distribution of GFA for the specific school site is not relevant.</p>
<p>(continued from above) Table 1 – Key elements</p> <p>Primary school:</p> <ul style="list-style-type: none"> - A new primary school with a site area of approximately 1.5ha adjacent to the local centre and peninsular park - School buildings that address Burroway Road with a drop-off/set down facility adjacent to the local centre - Playing fields located at the northern end of the school site and be designed to integrate with the peninsular park. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is generally consistent with the requirements of table 1 with the exception of the school building to address Burroway Road frontage. This has been discussed previously in detail above under section 9.1a.</p> <p>Further, the applicant has provided a response in relation to the technical non-compliance to justify and demonstrate the suitability of the proposed building envelope layout despite the non-compliance as follows:</p> <p><i>"The proposal consolidates building elements along the Ferry Wharf Circuit (proposed) boundary to provide for neighbouring residents a view corridor across the playing fields to Parramatta River.</i></p> <p><i>The main entry along Ferry Wharf Circuit (proposed) addresses a bus route to the site as well as the nearby ferry terminal. Ferry Wharf Circuit (proposed) will also be the primary student pick up and drop off zone. Burroway Road has a secondary pedestrian entry for students either walking to school or riding a bicycle – bike storage racks will be provided onsite near its entry.</i></p> <p><i>This is inconsistent with the DCP as the proposed Ferry Wharf Circuit (to be developed by SOPA) was not designed at the time of the DCP. This proposed school design provides a resolution whereby the school's entry addresses Ferry Wharf Circuit provides traffic relief to Burroway Road as this will likely require more demand due to the future high rise residential developments. It will also provide a safer set down and pick up</i></p>

				area.” Having regard to the above, despite the minor non-compliance noted, the proposal and overall design is considered to be suitable and appropriate given that the proposal meets the broader objectives, vision and development principles of the WPPDCP that is to provide a school that serves the wider Wentworth Point community.
3.0 Public Domain				
3.1 Street Network and Design				
<i>Objectives</i>				
a. To create a distinct sense of place that responds to natural landscape features.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To integrate with the surrounding street network by extending the existing alignment of Burroway Road and Ridge Road into the precinct and continuing the future alignment of Ridge Road to the peninsula park.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To provide a legible, interconnected and permeable local street network, providing convenient opportunities for movement throughout the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To prioritise pedestrian and cyclist movement and provide places for people to interact and connect.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To facilitate the safe and efficient movement of vehicles, pedestrians and cyclists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To optimise view lines to the water, Millennium Marker and parklands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To coordinate and manage the potential raising of road levels to accommodate on-site parking above the water table in order to avoid intrusion into the ground water table and potential land contamination and achieve acceptable flood protection.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. To create an attractive and comfortable streetscape for pedestrians and cyclists that comprise consistent and high quality paving, street furniture and street tree plantings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Controls</i>				
1. The street network is to be generally consistent with Figure 3 . The western extension of Burroway Road and northern extension of Ridge Road are to be located as shown. Local streets and shareways are to be located generally as shown or may be varied where the above objectives are met. In particular, to enhance sense of place, Ridge Road is to pivot north-east to directly align with Wentworth Point.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addressed under DA-273/2014. Approved subdivision of Pt Lot 2 is generally in accordance with figure 3 – street network plan of this plan.
2. New streets are to be generally consistent with the parameters in Table 2 below and the typical street sections at Figure 4 to Figure 7 . Angle parking is to be provided on Ridge Road adjoining the peninsula park. Additional opportunities to provide parking within close proximity to the foreshore open space are also to be explored.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No new streets created within the school site.
3. The extension of Burroway Road is to facilitate vehicular access to the block located to the west of the pocket park.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application relates to school site only. This requirement will be addressed under subsequent applications at detailed design stage where compliance with this requirement is to be demonstrated by the applicant. The
4. The access road adjoining the maritime plaza is to facilitate emergency and service access. The design of the road is to integrate with that	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

of the broader plaza.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	majority of the requirements are not relevant to the application.
5. Shareways are to prioritise pedestrian and cyclist movement whilst accommodating site access for emergency and service vehicles in a low speed traffic environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Development applications are to identify the future management arrangements for the shareways.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Public pedestrian connections between the precinct and the adjoining Sydney Olympic Park, Parklands are to be provided through a managed gradient change such as steps and ramps.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Where the road levels are to be raised, an applicant is to demonstrate that this is undertaken in a coordinated manner and the resultant streetscape and urban form can meet the relevant objectives of this DCP.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Intersection and crossing design is to favour pedestrian convenience and safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Footpaths are to be provided on both sides of every street. Pavement width is to allow for comfortable walking, unimpeded by obstacles. The placement of trees, street furniture and signage is to provide for amenity without causing clutter.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. A public domain plan is to be submitted with the relevant development application that details the design, maintenance and management of all streets.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. New streets are to have shared services pits to reduce maintenance costs and reduce conflict with street plantings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. Street furniture that enhances the comfort, legibility and attractiveness of the public domain is to be provided. It is to include high quality, durable and co-ordinated selection of: <ul style="list-style-type: none"> - seating - lighting - rubbish bins - signage. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Where possible, areas of planted Swamp Oak along Burroway Road and Hill Road should be retained or replaced as part of the landscape design.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15. Street trees are to be provided within deep soil zones on all streets (with the exception of shareways) to achieve the following outcomes: <ul style="list-style-type: none"> - co-ordinated palette of climatically responsive species - reinforce the street hierarchy and create distinct places - be robust and low-maintenance - be planted in a co-ordinated, regularly spaced and formalised manner - increase the comfort of the public domain for pedestrians - enhance the environmental performance of the precinct by increasing opportunities for energy efficiency, reducing the heat island effect and providing habitat for wildlife. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Planter boxes within share ways are to support the growth of appropriate sized trees, having regard for the Residential Flat Design Code guidelines on planting on structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.2 Pedestrian and Cycle Network				
<i>Objectives</i>				
a. To facilitate convenient movement, with safe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not relevant to subject application.

and direct connections between key locations including the primary school, ferry terminal, peninsula park, wider Sydney Olympic Park, Parklands and the proposed Homebush Bay Bridge.				Addressed under previous consent DA-273/2014.
b. To provide continuous foreshore public access.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. The pedestrian and cyclist network is to be generally consistent with Figure 8 .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. A continuous shared pedestrian and cycle link is to be provided along the Parramatta River and Homebush Bay foreshore.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. The subdivision / block pattern is to provide a number of safe and convenient walking and cycling routes, including shareways, between key destinations and to the river foreshore.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Pedestrian and cycle access throughout the precinct, including connections from roads to public open space, is to be designed to:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- be direct and accessible to all				
- be easily identified by users				
- have a public character				
- include signage advising of the publicly-accessible status of the link and the places to which it connects				
- be clearly distinguished from vehicle accessways, unless purpose built shareways				
- allow visibility along the length of the link to the public domain at each end				
- align with breaks between buildings so that views are extended and the sense of enclosure is minimised				
- include materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant				
- be well lit to safety standards				
- be open to the sky along the entire length				
- be accessible 24 hours a day.				
5. Lockable bike storage is to be provided as part of the Maritime Plaza.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.3 Landform and contamination				
<i>Objectives</i>				
a. To minimise the impact of excavation on the water table and existing ground conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Previously discussed above, Council's environmental health officer is satisfied that the subject site is suitable to accommodate proposed school. SAS submitted is considered satisfactory.
b. To ensure any above ground car parking is appropriately located and screened to create attractive streetscapes, convenient pedestrian movement and minimal visual impact on the public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To integrate development sites with surrounding landform through sensitive gradient transitions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To avoid disturbing acid sulphate soils.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. The existing landform and internal roads may be raised to accommodate parking above the water table. The general form of any raising is shown at Figure 9 . Any raising is to ensure:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- an appropriate visual and functional transition to the peninsula park and the Sydney Olympic Park, Parklands, and between development blocks, public open space and the school playing fields				

<ul style="list-style-type: none"> - gradient changes across the site in accordance with applicable Australian Standards for accessibility - that it will not result in any adverse impacts, such as stormwater runoff on adjoining land. 				
2. Any raising in either the western or eastern neighbourhood is to be addressed as part of the first subdivision development application that creates the internal road and block network, and is to demonstrate how the reformed topography integrates with the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. The ground floor of buildings is to engage with and activate the adjoining street or public open space.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Basement parking areas are to be protected from flooding.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Note: generally a ground floor level the same as the adjoining footpath or park surface or up to 0.6m above the level of the adjoining footpath or park surface will achieve this outcome.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.4 Open Space Network				
Objectives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Addressed under previous consent DA-273/2014. Application relates to new school and active playing fields located on northern end of site integrated with the Peninsular Park.
a. To provide unique, high quality, and memorable places.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To create an iconic peninsula park at Wentworth Point that reinforces the distinct and valuable landscape character of Parramatta River.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To create a continuous foreshore park along the precinct's Parramatta River frontage and continuous public open space along the precinct's Homebush Bay frontage providing a range experiences along the foreshore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To provide a network of pocket parks, distributed across the precinct that allow for a diverse range of active and passive recreation uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To integrate with the broader Sydney Olympic Park, Parklands and Wentworth Point open space network.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To promote an attractive, green and environmentally sensitive character for the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To optimise physical access and views to the water.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. To protect and enhance the precinct's ecological values within the open space network.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. To maximise the interface between development and public open space to provide enhanced levels of residential amenity and casual surveillance of the public open space, including through the creation of a wedge of public open space between the school and eastern neighbourhood aligned with the pivot of Ridge Road.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. To locate and design the school's primary open space so that it visually (and potentially functionally) integrates with the peninsula park, including enabling informal community recreational use outside of school hours.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Controls				
1. Areas of publicly accessible open space are to be provided generally in accordance with Figure 10 and Figure 11 and the	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per DA-273/2014, subdivision incorporates designated public open space area that is consistent with figure

characteristics outlined in Table 3 . Variations to the open space network are to demonstrate consistency with the above objectives, the vision, development principles and key elements for the precinct.				10 and 11 of this plan.										
2. A high level of functional and visual engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: <ul style="list-style-type: none">- providing convenient and safe public pedestrian connections where possible- addressing level differences through human scale transitions avoiding large or abrupt level changes- screening all car parking and building services from view, and- providing view corridors in accordance with Figure 2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is noted that this requirement does not directly relate to the school site as figures 10 and 11 and table 3 requirements do not specifically nominate requirements for opens space characteristics. Notwithstanding, the school provides for a large portion of playing fields that stretches along the eastern boundary from the southern to the northern end of the site which integrates with the peninsular park consistent with the table 1 requirements under section 2.3 of this plan and the development principles.										
Table 3 – open space characteristics:														
<table><tr><th>Open space</th><th>Key Characteristics</th></tr><tr><td>Peninsular park</td><td><ul style="list-style-type: none">- min. size 3.9ha- cater for local recreational needs and a variety of active and passive recreation uses in accordance with the following principles<ul style="list-style-type: none">- a landmark on the river- a vibrant neighbourhood park- a memorable riverfront journey- a sustainable legacy- address the following key issues:<ul style="list-style-type: none">- sea wall condition- landform generation- retention of views- interface with the maritime plaza and housing- wetland and water sensitive urban design (WSUD) opportunities- contamination</td></tr><tr><td>Parramatta River Foreshore</td><td>A continuous foreshore park (typically 30m wide) along Parramatta River foreshore that continues and connects the peninsular park with SOPA parklands</td></tr><tr><td>Homebush Bay Foreshore</td><td><ul style="list-style-type: none">- A continuous foreshore opens space (typically 20m wide) along the Homebush Bay foreshore that connects the peninsular park with the balance of Wentworth Pt- Accommodate movement between the maritime precinct and water access with design measures that ensure the safety of pedestrian and cyclist movement</td></tr><tr><td>Maritime Plaza</td><td>- Indicative size 1800m2</td></tr></table>	Open space	Key Characteristics	Peninsular park	<ul style="list-style-type: none">- min. size 3.9ha- cater for local recreational needs and a variety of active and passive recreation uses in accordance with the following principles<ul style="list-style-type: none">- a landmark on the river- a vibrant neighbourhood park- a memorable riverfront journey- a sustainable legacy- address the following key issues:<ul style="list-style-type: none">- sea wall condition- landform generation- retention of views- interface with the maritime plaza and housing- wetland and water sensitive urban design (WSUD) opportunities- contamination	Parramatta River Foreshore	A continuous foreshore park (typically 30m wide) along Parramatta River foreshore that continues and connects the peninsular park with SOPA parklands	Homebush Bay Foreshore	<ul style="list-style-type: none">- A continuous foreshore opens space (typically 20m wide) along the Homebush Bay foreshore that connects the peninsular park with the balance of Wentworth Pt- Accommodate movement between the maritime precinct and water access with design measures that ensure the safety of pedestrian and cyclist movement	Maritime Plaza	- Indicative size 1800m2				Not relevant as discussed above.
Open space	Key Characteristics													
Peninsular park	<ul style="list-style-type: none">- min. size 3.9ha- cater for local recreational needs and a variety of active and passive recreation uses in accordance with the following principles<ul style="list-style-type: none">- a landmark on the river- a vibrant neighbourhood park- a memorable riverfront journey- a sustainable legacy- address the following key issues:<ul style="list-style-type: none">- sea wall condition- landform generation- retention of views- interface with the maritime plaza and housing- wetland and water sensitive urban design (WSUD) opportunities- contamination													
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Maritime Plaza	- Indicative size 1800m2													

	<ul style="list-style-type: none">- Publicly accessible at all times- Predominantly hard-paved, may include small areas of turf and/or landscaping- Fringed with small scale retail uses such as shops and cafes that engage with and enliven the space				
Pocket Parks in western neighbourhood	<ul style="list-style-type: none">- Minimum 3x pocket parks- Typical size 2000m2- Publicly accessible at all times- Located to enhance views of the water or the SOPA parklands- Sufficient deep soil planting to accommodate some large tree planting- May accommodate car parking beneath- Landscaped areas over car parking provided in accordance with RFDC guidelines for planning on structures- Located to receive good levels of solar access				
3.5 Public Art					
<i>Objectives</i>					Addressed under DA-273/2014. A draft public art strategy has been submitted with the application and is considered to be satisfactory.
a. To enhance the sense of place through the provision of public art.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To use public art to enhance and define the character areas of the precinct.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Controls</i>					
1. A public art strategy is required to form part of the first subdivision development application for each of the two neighbourhoods to achieve the following principles: <ul style="list-style-type: none">- provide public art at key focal points throughout the precinct in locations that maximise visibility;- enhance the precinct's identity and sense of place; and- ensure public art is high quality, durable and low maintenance.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Development applications are to demonstrate consistency with the public art strategy for the relevant neighbourhood.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.0 Private domain					
4.1 Land use and floor space distribution					
<i>Objectives</i>					The application relates to the construction of a new school. Subdivision of the Burroway Road site and distribution of floor space on the subdivided lots which include the school site was approved under DA-273/2014 and DA-40/2015. The school site comprises a total land area of 15,044m ² . Floor space distribution for the school site is not applicable.
a. To reinforce the role of Wentworth Point as a major location for housing as part of the Sydney Olympic Park Specialised Precinct.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To ensure the vision, development principles and key elements for the precinct are delivered.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To encourage a range of non-residential uses that meet the needs of local residents.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To ensure that floor space is appropriately distributed across the precinct.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Controls</i>					
1. The distribution of land uses within the precinct is to be consistent with the development principles and indicative structure plan in Figure 2 .		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Distribution of floor space is only applicable to residential land uses.

2. A range of non-residential uses are to be provided to meet the needs of the local community. Retail uses are to be focused around the Maritime Plaza. Small scale retail uses such as cafes may be allowed where adjoining and engaging with pocket parks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The maximum floor space of individual buildings is to be consistent with the distribution of floor space approved by the relevant subdivision application (see Section 2.3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.2 Building Height and form				
<i>Objectives</i>				
a. To reinforce the role of Wentworth Point as a major location for housing and a key part of the Sydney Olympic Park Specialised Precinct.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed school is consistent with height and building form requirements.
b. To create a visually interesting, modulated skyline comprised primarily of perimeter block development supported by a small number of taller tower buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To frame significant views between the Parramatta River and the Millennium Marker and to maximise view sharing.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To reinforce the preferred urban form and enhance the legibility of the precinct by aligning greatest height to the western extension of Burroway Road and the northern extension of Ridge Road.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e. To achieve a balance between an urban scale and creating a comfortable, human scale public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
f. To ensure that the bulk and scale of buildings is minimised and that building forms provide a high level of residential amenity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. Maximum building height in storeys is to be consistent with Figure 12 . Height measured in storeys is to be taken from the relevant adjacent street frontage. This enables consideration of the raising of the landform within the precinct, whereby while a building may achieve the same height in metres it may present as a higher building in storeys at one frontage (refer to Figure 14 and Figure 15).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Maximum height of buildings proposed is 16.42m and comprises of 1 to 3 storeys. Proposed height is therefore consistent with the requirements of this plan under figure 12 for the school site where the maximum number of storeys permitted is 5 – 7 storeys.
2. Buildings heights are to be consistent with the following principles: - lower rise buildings (4 to 5 storeys) are to be located adjacent to the foreshore and the peninsula park, with vertical building elements providing articulation - a range of building heights (typically 4 - 7 storeys) with taller forms of up to 25 storeys balanced with lower rise perimeter block forms.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Although this requirement is not directly relevant to the application, compliance has been met.
3. Lower rise building forms are to be consistent with the following principles: - - perimeter block building forms generally enclose a central communal open space - - full height gaps between buildings for visual connections between streets and communal open spaces within blocks - - maximum building lengths of 65m, but where a building has a length greater than 30m, it is to be separated into at least 2 parts by a significant recess or projection - - maximum building depth in accordance with the NSW Residential Flat Design	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Although this requirement is not directly relevant to the application, compliance has been met. Building lengths do not exceed the maximum 65m and incorporates recesses and projections to achieve articulation. School building comprises of two main building components and 1 smaller building, all of which are detached.

Code.				
4. Taller building forms are to be consistent with the following principles:				
- a maximum of 6 x 25 storey buildings across the precinct (5 in the western neighbourhood and 1 in the eastern neighbourhood)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- located generally in accordance with Figure 12 and distributed through the precinct				
- separated in accordance with the NSW Residential Flat Design Code				
- a maximum individual footprint of 750m ² GFA				
- oriented to take advantage of views and enable view corridors to be obtained between the Millennium Marker and Parramatta River				
- minimise overshadowing on public and communal open space				
- not overshadow the peninsula park or Parramatta River foreshore path from 9am and 3pm on 21 June				
- incorporate a semi-podium to soften street presence				
- have a strong vertical emphasis in facade articulation.				
4.3 Setbacks and Public Domain Interface				
<i>Objectives</i>				
a. To provide strong definition to the public domain and create a coherent, urban street wall that encloses streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed setbacks for the school are as follows:
b. For ground floor residential uses, to create an attractive transitional space that enables a high level of engagement between the public and private domains, softens the impact of the built form and is capable of being used for private outdoor recreation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	• Burroway Rd frontage: 36,114m to main school building (i.e. Block A) and minimum 8.76m to block C. • Ridge Rd frontage: 5m minimum. • Ferry wharf circuit: 4.5m minimum.
c. For ground floor commercial uses, to build to the street alignment to maximise presence and activation of the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed setbacks are consistent with figure 13 for the school site.
d. To set taller building elements back from the street to reduce apparent building scale and bulk and enable adequate sunlight access to the public domain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To present a varied and visually attractive form when viewed from the Parramatta River foreshore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Controls</i>				
1. Minimum building setbacks are to be consistent with Figure 13 .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Setbacks from the outermost projection of the building to the property boundary or for shareways, to the edge of the shareway corridor:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- are to be between 3-5m				
- may be reduced at key street corners where it can be demonstrated that it is to provide an urban design element, and				
- may be reduced by up to 600mm for elements that articulate the building facade such as balconies, party walls and eaves.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Buildings on street corners are to address both street frontages.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Except where directly adjoining Sydney Olympic Park, Parklands, all above ground carparking structures in areas highly visible	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

from the public domain are to be suitably sleeved with active frontages, which may comprise residential or non-residential uses such as shops and cafes.				
5. Buildings fronting the river foreshore and peninsula park are to be generally in accordance with Figure 14 and: <ul style="list-style-type: none"> - be highly modulated and articulated - avoid long building forms fronting the water / open space, and - incorporate generous landscaping within setbacks. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Building setbacks to Sydney Olympic Park, Parklands are to be generally in accordance with Figure 15 and: <ul style="list-style-type: none"> - enable unrestricted emergency vehicle access to buildings in accordance with applicable building code requirements - incorporate landscaping to reduce the visual impact of buildings and the emergency vehicle access and visually integrate the precinct with the parklands, and - in accordance with CPTED principles ensure that the setback is safe and clearly identifiable as part of the precinct and not for general public access. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Development facing the extension of Burroway Road is to engage with the street and adjoining pocket park through layout and design measures that provide an appropriate balance between privacy and opportunities for casual surveillance of the public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Residential uses at ground level are to be in accordance with the following principles: <ul style="list-style-type: none"> - ground level dwellings have their main entry directly accessible from and at the same level as the adjoining public footpath or parkland or are raised by up to 600m - buildings and main living areas and adjoining private open space are oriented to be parallel and directly overlook the street or park, and - front boundary treatments combine level change, landscaping and fencing to provide a reasonable level of privacy for residents whilst not significantly reducing visual surveillance. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Commercial uses at ground level are to be in accordance with the following principles: <ul style="list-style-type: none"> - at the same level as the adjoining public footpath - highly glazed facades that engage with the street - awnings for pedestrian shelter - access in accordance with the Disability Discrimination Act 1992. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.4 Private Open Space <i>Objectives</i>				
a. To soften the visual impact of buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable to subject application.
b. To cater for the recreational needs of building occupants and enhance comfort levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To provide communal open space for residents that offers social opportunities and quality outlook from apartments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To contribute to the environmental performance of the precinct by reducing the urban heat island effect and where appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

providing for habitat creation.				
Controls				
1. Balconies are to meet the requirements of the NSW Residential Flat Design Code and have a minimum area of 8 sqm and a minimum dimension of 2m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Private open space for ground floor apartments is to meet the requirements of the NSW Residential Flat Design Code, and have a maximum gradient of 1 in 20.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Private open space and balconies are to be directly accessible from the living area of the dwelling and capable of serving as an extension of the living area. 4. Common open space / courtyards are to be located, designed and landscaped to:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- comprises generally a minimum of 30% of the development block				
- incorporate shade trees				
- enhance views from residential apartments and create recreational opportunities				
- be the focal point for residents and incorporate residents facilities, storage space for maintenance equipment, public art (refer Section 3.5) and water features where appropriate, and				
- achieve good amenity in terms of solar access and natural air flow.				
4. Additional communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.5 Deep soil zones / landscaping				
Objectives				
a. To improve amenity and soften the impact of buildings through the provision of landscaping, including the retention and/or planting of trees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable to subject application.
b. To assist with the management of water quality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Controls				
1. Deep soil zones are to be provided consistent with the subdivision approval for the relevant neighbourhood (see Section 2.3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Compliance with deep soil requirements will be required to be demonstrated at detailed design stage under a subsequent applications – particularly in relation to residential land uses.
2. Where the deep soil zone requirements set out the Residential Flat Design Code cannot be met, a similar extent of landscaping is to be provided, and designed in accordance with the Residential Flat Design Code guidelines for planting on structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.6 Building Design and Materials				
Objectives				
a. To achieve diversity and interest in the architectural character of the development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building design and materials is considered satisfactory and is consistent with the requirements under the current NSW Educational Facilities Standards & Guidelines (EFSG).
b. To make a positive contribution to streetscape quality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To reduce the appearance of building bulk and scale.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Controls				
1. To create a varied, diverse built form, each building is to have its own distinct, innovative design that represents contemporary best practice in architectural and urban design quality. <i>Note: Different architectural firms are encouraged to design each building.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Buildings have a high level of articulation				

<p>through:</p> <ul style="list-style-type: none"> - variation in form and massing - recesses and projections - useable balconies and decks, and - elements of a finer scale than the main structural framing such as eaves and awnings. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. An arresting and diverse range of building facades are to be provided, incorporating elements that express visually prominent parts of buildings such as corners.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Facades are to incorporate distinct, legible pedestrian entries and engage with the public domain through the extensive use of large windows and other openings and the avoidance of large expanses of blank walls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Rooflines are to be:				
<ul style="list-style-type: none"> - articulated to provide visual interest and contribute to a dynamic, modulated skyline, and - designed to facilitate the establishment of devices that enhance the environmental performance of the buildings, including green roofs, solar panels and rainwater collection and storage. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Variations in materials and colours are to be used to differentiate between the parts of buildings, in particular the base.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Buildings are to include a variety of high quality, durable materials in a range of compatible colours such as rendered concrete or face brick and include components of timber, steel and glass except highly reflective glass.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Utility elements are to be designed as integral parts of the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Building design is to consider the Building Amenity provisions of the NSW Residential Flat Design Code, and in particular achieve a minimum of 3 hours direct sunlight between 9 am and 3 pm in midwinter to living rooms and private open spaces for at least 70% of apartments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.7 Wind effects				
<i>Objectives</i>				
a. To ensure that taller residential apartment buildings satisfy nominated wind standards so as to maintain comfortable conditions for pedestrians, maintain the structural integrity of buildings and encourage the growth of street trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subject application relates to a new school comprising 3 levels/storeys at most and as such wind effect requirements are not required.
<i>Controls</i>				
1. A wind effects report is to be submitted with development applications for buildings over seven storeys, and is to demonstrate that the wind effects caused by development does not exceed:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	To be considered at detailed design stage of future applications involving high density residential towers under separate application.
<ul style="list-style-type: none"> - 10 metres per second on streets with active frontages - 16 metres per second for all other streets. 				
2. Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Balconies are to be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens, pergolas and shutters.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.8 Vehicular Access and Car Parking				

Objectives				
a. To ensure the amount, location and design of car parking caters for the needs of residents, workers and visitors.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed school is generally satisfactory as discussed below.
b. To minimise adverse traffic impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To encourage active transport such as walking, cycling and public transport.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To create a high quality streetscape outcome that provides a safe, convenient and comfortable pedestrian environment where car parking is not visually dominant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Controls				
1. Car parking for residential uses is to be provided as set out in Table 4 .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The parking rate for an educational establishment as specified part 8.2 (D10, table 10) of Council's Parking and loading section in the DCP is as follows:
Table 4 – Minimum residential car parking requirements:				
Dwelling Type	Minimum car parking rate			
Studio	1.0			
1 bedroom	1.0			
2 bedroom	1.1			
3 bedrooms or greater	2.0			
Visitors	0.1			
2. Car parking for non-residential uses is to be provided in accordance with the Auburn DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Primary schools: 1 per 2 staff
3. Car parking is to be provided within the development blocks but may extend under share ways if required. Car parking is not permitted under primary or local [check] roads or the foreshore and peninsula parks. Car parking may intrude in part under pocket parks provided that appropriate ownership and management agreements are established and it does not preclude or limit deep soil planting.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Car parking entrances are to be: - in accordance with Parking and loading, Section 3.4 - General parking design and Section 4.4.2- Design of parking spaces of the Auburn DCP 2010 - where alternative locations exist, excluded from the western extension of Burroway Road or opposite a public park - limited to a maximum of 2 entrances per block - screened for the full height and width of the entrance to minimise views into the car park from the public domain, and - maintain clear sight lines for vehicles entering and exiting the car park and pedestrians using the footpath outside the entrance in accordance with Parking and loading, Section 3.3 - Sight distance and pedestrian safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A total of 30 staff is proposed to be employed for the new school. Based on the above parking rate, the total number of parking spaces required on site to accommodate the new school is a minimum of 15 spaces. It is noted that the subject application proposes to provide a total of 18 on-site parking spaces including 2 disabled spaces within the proposed car park which is greater than the minimum parking required for the development. Therefore, the proposal is acceptable as compliance is achieved.
5. Access driveways and circulation roadways are provided in accordance with Parking and loading, Section 3.2 – Access driveway and circulation roadway design of the Auburn DCP 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Despite the concerns raised with regard to traffic, access and the proposed drop off/set down area, Council's engineers have advised that they are satisfied that approval may be granted subject to recommended deferred commencement conditions to be imposed in any consent requiring the submission of complete and amended plans and information prior to the consent being operable. Therefore, the application is considered acceptable as Council is satisfied that the deferred commencement conditions can be made to be consistent with Council's requirements prior to operational consent being issued.
6. Development is to incorporate on-site bicycle parking in accordance with Parking and loading, Section 3.1 - Bicycle parking of Auburn DCP 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Residential development is to provide an appropriate number of car share parking spaces for the exclusive use of car share scheme vehicles. Car share parking spaces	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

communal spaces within the site.				
3. Ground floor dwellings fronting the streets are to have an "address" or "front door" that is visible and directly accessible from the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. The detailed design of the external areas of the ground floor is to minimise blind-corners, recesses and other areas which have the potential for concealment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Where practicable, lift lobbies, stairwells and corridors are to be visible from public areas by way of glass panels or openings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.10 Adaptable housing <i>Objectives</i> a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents. b. To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability. <i>Controls</i> 1. Residential development is to meet the requirements for adaptable housing within residential flat buildings set out in the Auburn DCP 2010.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Not relevant to current application for a new school. However, it is noted that the school provides for 32 special needs students and incorporates disabled facilities and access within the school.
5.0 Sustainability and Environmental Management 5.1 Sustainability <i>Objectives</i> a. To increase energy efficiency. b. To reduce reliance on potable water. c. To be climatically responsive and maximise advantages provided by the precincts north facing waterfront location including access to winter sunlight and cooling summer breezes. d. To reduce waste and increase the reuse and recycling of materials. <i>Controls</i> 1. Residential development is to comply with BASIX. 2. The re-use of grey water and provision of dual water reticulation systems is encouraged where possible. 3. Development adjacent to the waterfront that faces north should optimise the amount of glazing on the northern façade and incorporate deep and extensive balconies. 4. Public amenities are to use water and energy efficient fittings.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <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 type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	A Basix Certificate is not required or relevant for works proposed. Notwithstanding, the school incorporates environmentally sustainable design principals as required by the current Educational Facilities Standards.
5.2 Water Management <i>Objectives</i> a. To reduce stormwater quantity and improve stormwater quality prior to it exiting the precinct. b. To reduce reliance on potable water for use in irrigations systems. c. To reduce the risk to human life and property from flooding to acceptable levels. d. To ensure resilience to climate change and potential future sea level rise. <i>Controls</i> 1. Development incorporates water management	<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"/>	Satisfactory stormwater management plan and report has been submitted with the application. Council's engineers are satisfied that the proposed method of stormwater drainage is acceptable and appropriate conditions can be imposed to ensure compliance.

measures generally in accordance with Figure 16.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Development incorporates a suite of other water sensitive urban design measures, in particular those that replicate natural water cycle processes, in the public domain and within blocks such as: <ul style="list-style-type: none"> - on-site water detention - bio-retention systems - swales - gully baskets - stormwater quality improvement devices - permeable pavements; and - collection of rainwater for use in irrigation systems in the public domain, including streets, parks and private communal recreation areas. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The following stormwater targets are to be met for the entire precinct: <ul style="list-style-type: none"> - 90% reduction in the post-development average annual gross pollutant load - 85% reduction in the post-development average annual total suspended solids (TSS) load - 65% reduction in the post-development average annual total phosphorus (TP) load - 45% reduction in the post-development average annual total nitrogen (TN) load 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The following stormwater targets are to be met for specific sites: <ul style="list-style-type: none"> - 92% reduction in the post-development average annual gross pollutant load. - 90% reduction in the post-development average annual total suspended solids (TSS) load. - 68% reduction in the post-development average annual total phosphorus (TP) load. - 47% reduction in the post-development average annual total nitrogen (TN) load. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Hard paved surfaces within the peninsula park and along the foreshore promenade are to maintain permeability.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Development complies with the flood risk management provisions of the Auburn DCP 2010.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Development applications are to demonstrate that proposed changes to the landform will not result in increased stormwater runoff to adjoining sites.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.3 Ecology				
<i>Objectives</i>				
a. To ensure that development does not impact on the ecological values of the adjoining Newington Nature Reserve and Homebush Bay.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is located approximately 500m from the Newington reserve and as such is not considered to detrimentally impact on the ecology of the locality.
b. To protect and enhance the ecological values of the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Controls</i>				
1. Demonstrate that development will not impact on the ecological values of the Newington Nature Reserve as a result of water run-off or overshadowing. Consideration is to be given to the <i>Guidelines for Development adjoining Department of Environment and Climate Change Land.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. For the peninsula park and the foreshore open space:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<ul style="list-style-type: none"> - Coastal Saltmarsh Threatened Ecological Community on the eastern point of the peninsula park is to be protected and regenerated to increase the diversity and density of the community's indicator species (including the <i>Wilsonia</i> backhouse species), and weeds are to be eradicated - riparian vegetation is to be re-established along the foreshore in particular around wetlands and to enhance existing mangroves and areas of planted Swamp Oak - suitable species and extent of revegetation is to be identified by an ecologist - boardwalks are not to encroach on Coastal Saltmarsh Threatened Ecological Community and are to form a barrier to weed infestation - interpretive signage is to be provided along the boardwalk in appropriate locations to educate the community about the Coastal Saltmarsh and <i>Wilsonia</i> backhouse. <p>3. The timing of construction works is to avoid impacts on the White-bellied Sea-eagle.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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