

Attachment 6**32 Joseph Street and 1 Vaughan Street, LIDCOMBE****Auburn Local Environmental Plan 2010**

Clause	Yes	No	N/A	Comments
Part 1 Preliminary				
1.1 Name of Plan				
This Plan is <i>Auburn Local Environmental Plan 2010</i> .				
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"/>	Planning standards that are specific and flexible in their application have been exercised for the subject proposal under the ALEP 2010. The site is subject to many constraints, including flooding, right of way and south-eastern dual frontages.
(2) The particular aims of this Plan are as follows:				
(a) to establish planning standards that are clear, specific and flexible in their application,				
(b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being,				
(c) to protect areas from inappropriate development,				
(d) to minimise risk to the community by restricting development in sensitive areas,				
(e) to integrate principles of ecologically sustainable development into land use controls,				
(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,				
(g) to facilitate economic growth and employment opportunities within Auburn,				
(h) to identify and conserve the natural, built and cultural heritage,				
(i) to provide recreational land, community facilities and land for public purposes.				
1.3 Land to which Plan applies				
(1) This Plan applies to the land identified on the Land Application Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plan will apply to this development.
Note. Part 23 of Schedule 3 to the <i>State Environmental Planning Policy (Major Development) 2005</i> applies to certain land identified on the Land Application Map.				
(2) Despite subclause (1), this Plan does not apply to the land identified on the Land Application Map as "Deferred matter".				
1.6 Consent authority				
The consent authority for the purposes of this Plan is (subject to the Act) the Council.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Council is the consent authority for this application.
1.8 Repeal of other local planning instruments applying to land				
(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted.
Note. The following local environmental plans are repealed under this provision: <i>Auburn Local Environmental Plan 2000</i>				
(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other and cease to apply to the land to which this Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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applies.				
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. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This will not apply to the application because the application was lodged after the plan had been made.
1.9 Application of SEPPs and REPs (1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act. (2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies: <ul style="list-style-type: none">• <i>State Environmental Planning Policy No 1—Development Standards</i>• <i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This will not apply to this application.
1.9A Suspension of covenants, agreements and instruments (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. (2) This clause does not apply: <ol style="list-style-type: none">(a) to a covenant imposed by the Council or that the Council requires to be imposed, or(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i>, or(c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or(f) to any bio-banking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no known covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.
			<input checked="" type="checkbox"/>	None of these apply to the development site.
			<input checked="" type="checkbox"/>	The development is not on behalf of a public authority.

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(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Part 2 Permitted or prohibited development				
2.1 Land use zones				
The land use zones under this Plan are as follows: Business Zones B1 Neighbourhood Centre B2 Local Centre B4 Mixed Use B6 Enterprise Corridor B7 Business Park	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The land is zone B4 Mixed Use which permits the type of development that is proposed being a high density mixed use building with an associated basement car park. The proposed development is permissible with consent in the zone.
2.2 Zoning of land to which Plan applies				
For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3 Zone objectives and land use table				
(1) The Table at the end of this Part specifies for each zone: (a) the objectives for development, and (b) development that may be carried out without consent, and (c) development that may be carried out only with consent, and (d) development that is prohibited.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development satisfies the objectives of the zone.
(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) In the Table at the end of this Part: (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(4) This clause is subject to the other provisions of this Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Notes.				
1. Schedule 1 set out additional permitted uses for particular land.				
2. Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.				
3. Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).				
4. Clause 2.6 requires consent for subdivision of land.				
5. Part 5 contains other provisions which require consent for particular development.				
6. Part 6 contains local provisions which require consent for particular development.				
2.4 Unzoned land				
(1) Development may be carried out on unzoned land only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The land is contained within a zone.
(2) Before granting consent, the consent authority: (a) must consider whether the development will	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<p>impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and</p> <p>(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.</p>				
2.5 Additional permitted uses for particular land				
<p>(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:</p> <p>(a) with consent, or</p> <p>(b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.</p> <p>(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not proposing additional permitted land use on site.
2.6 Subdivision—consent requirements				
<p>(1) Land to which this Plan applies may be subdivided, but only with consent.</p> <p>(2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:</p> <p>(a) widening a public road,</p> <p>(b) a minor realignment of boundaries that does not create:</p> <p>(i) additional lots or the opportunity for additional dwellings, or</p> <p>(ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,</p> <p>(c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,</p> <p>(d) rectifying an encroachment on a lot,</p> <p>(e) creating a public reserve,</p> <p>(f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.</p> <p>Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A subdivision of the land is not proposed.
2.7 Demolition requires consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The existing buildings on the site will be demolished as part of the redevelopment of the whole site.</p> <p>The works will facilitate the redevelopment of the site for a mixed use building with basement car park.</p> <p>The demolition forms part of the development application.</p>
2.8 Temporary use of land				This section is not applicable to the application.
<p>(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.</p> <p>(2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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purpose for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.				
(3) Development consent must not be granted unless the consent authority is satisfied that:				
(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) at the end of the temporary use period the site will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or housing estate may exceed 28 days (whether or not consecutive days) in any period of 12 months.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause				
Zone B4 Mixed Use				
1 Objectives of zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed commercial and residential land uses are considered to be compatible with the objectives of the zone.
• To provide a mixture of compatible land uses.				
• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.				
• To encourage high density residential development.				
• To encourage appropriate businesses that contribute to economic growth.				
• To achieve an accessible, attractive and safe public domain.				
2 Permitted without consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Being a mixed use building within the B4 Mixed Use zone, the development has been designed to provide three commercial tenancies on the ground floor level.
Nil				
3 Permitted with consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be shop top housing in accordance with the dictionary part of the ALEP 2010.
Backpackers' accommodation; Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Retail premises; Roads; Self-storage units; Seniors housing; Serviced apartments; Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4			No prohibited development is proposed.	
				No prohibited development is

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4 Prohibited Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	proposed.
Part 4 Principal development standards				
4.1 Minimum subdivision lot size				
(1) The objectives of this clause are as follows:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A land subdivision of the site is not proposed.
(a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A minimum allotment size is not designated for the site or immediate locality under the ALEP 2010.
(b) to ensure that subdivision of land is capable of supporting a range of development types.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 45m ² .	<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) 35m ² , or				
(ii) if a garage will be accessed from the rear of the property – 290m ² , or				
(iii) if the dwelling house will be on a zero lot line – 270m ² ,				
(b) semi-detached dwellings – 270m ² ,				
(c) multi dwelling housing - 170m ² for each dwelling,				
(d) attached dwellings – 170m ² .				
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
community title scheme.				
4.3 Height of buildings				
(1) The objectives of this clause are as follows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The maximum height of buildings permitted in the zone is 36m.
(a) to establish a maximum building height to enable appropriate development density to be achieved, and				
(b) to ensure that the height of buildings is compatible with the character of the locality		<input checked="" 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 type="checkbox"/>	<input checked="" 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 – 27m,				
(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 – 14m.				
				As shown on the architectural plans (as amended), the proposal seeks approval to construct a new 11 storey mixed use building over 4 levels of basement car park with a maximum height of 38.13m (RL53.10) at its highest point including the solar chimney, lift overruns and roof elements when measured from the natural ground level. This represents a variation of 5.92%.
				Otherwise, the building is generally contained within the height limit established by the ALEP 2010.
				A 4.6 variation has been submitted with this application justifying the non-compliance and this is considered reasonable in this instance.
4.4 Floor space ratio				
(1) The objectives of this clause are as follows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The permitted floor space ratio is 5:1, which is equivalent to GFA of 8146.5sqm.
(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and				
(b) To ensure that development intensity reflects its locality.		<input checked="" 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 type="checkbox"/>	<input checked="" 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 1,300m ² – 0.75:1,				
(b) for sites that are 1,300m ² or greater but less than 1,800m ² – 0.80:1,				
(c) for sites that are 1,800m ² or greater – 0.85:1.				
(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				
(b) 3:1 for office premises and hotel or motel accommodation.				
				These areas add an additional 21.3sqm to the calculation creating a gross floor area of 8165.8sqm . This creates a FSR of 5.01:1 , which is an FSR exceedance of 19.3sqm or 0.23%.
				The floor space ratio is calculated as per the definition specified below.

Clause	Yes	No	N/A	Comments
				It is noted that the all basement storage, parking spaces, manoeuvring area and loading/unloading area are excluded from the calculation in accordance with the ALEP 2010 definition.
(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows: <ul style="list-style-type: none"> (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"/>	Clause 4.6 variation request has not been submitted, which reflects the proposed FSR as indicated in the proposal (as amended)
(2D) Despite subclause (2), the maximum floor space ratio for retail premises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is 1.5:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exceedance of FSR for the proposed development (as amended) is not supported. Deferred commencement condition is included to ensure the reduction of GFA to comply with the development standard.
4.5 Calculation of floor space ratio and site area				
(1) Objectives The objectives of this clause are as follows: <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. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Noted.
(2) Definition of "floor space ratio" The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the <i>site area</i> is taken to be: <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. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.				
(4) Exclusions from site area The following land must be excluded from the site area: <ul style="list-style-type: none"> (a) land on which the proposed development is 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No exclusions in accordance with this clause are being applied.

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prohibited, whether under this Plan or any other law,				
(b) community land or a public place (except as provided by subclause (7)).				
(5) Strata subdivisions	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.				
(6) Only significant development to be included	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Only the lots affected by the development are included in the floor space ratio calculation.
The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.				
(7) Certain public land to be separately considered	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No public land incorporated into the proposal.
For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.				
(8) Existing buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All above ground floors of the proposal are factored into the floor space ratio calculation
The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.				
(9) Covenants to prevent "double dipping"	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.				
(10) Covenants affect consolidated sites	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No consolidation covenant is being applied in this instance.
If:				
(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,				
the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.				
(11) Definition	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i> .				
4.6 Exceptions to development standards				
(1) The objectives of this clause are:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A sufficient 4.6 variation has been submitted justifying the slight non-compliance with height control.
(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and				

Clause	Yes	No	N/A	Comments
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.				Elements of the building that are over height include roof top elements such as solar chimney that increases amenity to the units and lift overruns that are internal to the floor plate and will not be visible from the street.
(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable evidence has been provided to demonstrate that Council may vary the development standard as detailed below.
(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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant has provided a written request to seek the variation, justifying that compliance with the standard is unreasonable in the circumstances of the case and that there are sufficient planning grounds to justify the variation as summarised below.
(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and				
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.				
(4) Consent must not be granted for development that contravenes a development standard unless:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant's written request is seen to be satisfactory to support the variation.
(a) the consent authority is satisfied that:				
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and				
(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				
(b) the concurrence of the Secretary has been obtained.				
(5) In deciding whether to grant concurrence, the Secretary must consider:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per Planning Circular PS 18-003, an independent hearing and assessment panel (IHAP) can assume concurrence from the Secretary.
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and				
(b) the public benefit of maintaining the development standard, and				
(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.				
(6) Development consent must not be granted under this clause for a subdivision of land in Zone RUI Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is located with a B4 Mixed Use zone.

Clause	Yes	No	N/A	Comments
Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if: (a) The subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or (b) The subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The variation will form part of Councils 4.6 register.
(8) This clause does not allow consent to be granted for development that would contravene any of the following: (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated, (c) clause 5.4. (ca) clause 6.8.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed variation does not contravene this clause.

Part 5 Miscellaneous provisions

5.4 Controls relating to miscellaneous permissible uses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal does not seek Council's approval to any of the miscellaneous permissible use on to this B4 Mixed Use site.
(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the <i>Building Code of Australia</i> .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 30 square metres of floor area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 43% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
accommodation that is provided to guests must consist of no more than 3 bedrooms.				
(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 10 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) 25% of the total floor area of the principal dwelling.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5.6 Architectural roof features				
(1) The objectives of this clause are: (a) To ensure that any decorative roof element does not detract from the architectural design of the building, and (b) To ensure that prominent architectural roof features are contained within the height limit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The solar chimney, roof parapet and lift overrun are not considered to be architectural roof features and accordingly do not receive a height concession in relation to this clause.
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted to any such development unless the consent authority is satisfied that: (a) the architectural roof feature: (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5.7 Development below mean high water mark				
(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development proposal does not include works below the mean high water mark.
(2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).				
5.9 Preservation of trees or vegetation				
(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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repealed.

Clause	Yes	No	N/A	Comments
(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. 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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: (a) development consent, or (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 which a permit was sought.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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: (a) that is or forms part of a heritage item, or that is within a heritage conservation area, or (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: (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, (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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) This clause does not apply to or in respect of: (a) the clearing of native vegetation: (i) that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003, or (ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause, or (c) trees or other vegetation within a State	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
<p>forest, or land reserved from sale as a timber or forest reserve under the Forestry Act 1916, or</p> <p>(d) action required or authorised to be done by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002, or</p> <p>(e) plants declared to be noxious weeds under the Noxious Weeds Act 1993.</p>				
<p>5.9AA Trees or vegetation not prescribed by development control plan</p> <p>(1) This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.</p> <p>(2) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repealed.
<p>5.10 Heritage conservation</p> <p>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>(i) a heritage item.</p> <p>(ii) An Aboriginal object.</p> <p>(iii) A building, work, relic or tree within a heritage conservation area.</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) 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>(d) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area or,</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The site is not listed in the ALEP 2010 as containing items of heritage. However, there are two heritage listed items located within the vicinity of the site. These items include Lidcombe War Memorial statue, Wellington Park (Heritage Item No. A58 of ALEP 2010) to the south-east and Lidcombe Post Office (Heritage Item No. I34 of ALEP 2010) to the north-east.</p> <p>A Statement Of Heritage Impact has been submitted with this application.</p> <p>It is considered the proposal will not have any impact to these heritage items given the proposed development is fully contained within the property boundary and these sites do not share any common property boundary with the subject site.</p> <p>The SOHI considers that the development is sufficiently removed from the heritage items to cause no physical or interpretive impact. In addition to this, the report nominates that;</p> <p><i>"The proposal will therefore have no adverse impact on the established heritage significance, or setting, of the listed heritage items in its vicinity."</i></p>

Clause	Yes	No	N/A	Comments
(f) subdividing land on which a heritage item is located or that is within a heritage conservation area. (i) on which a heritage item is located or that is within a heritage conservation area or, (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Council officers can therefore be satisfied in accordance with cl5.10(5) that sufficient assessment has been made regarding the assessment of impact the development will have on heritage items within the vicinity of the subject site.
(3) When consent not required However, consent under this clause is not required if: (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development: (i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and (ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development: (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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"/>	As identified in the architectural plans, all building and excavation works are contained within the subject site. Therefore, the proposal will not have any impact to this heritage item/ site.
(5) Heritage impact assessment The consent authority may, before granting consent to any development on land: (a) on which a heritage item is situated, or (b) within a heritage conservation area, or (c) within the vicinity of land referred to in paragraph (a) or (b), 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to above regarding development within the vicinity of heritage items.

Clause	Yes	No	N/A	Comments
(6) Heritage conservation management plans 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 (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"/>	The proposed development is not located within a heritage item or site.
(8) Aboriginal places of 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 (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 nominated State heritage item: (a) notify the Heritage Council about the application, and (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 or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage conservation management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting or the heritage significance of the Aboriginal place of heritage significance, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments												
(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.																
Part 6 Additional local provisions																
6.1 Acid sulfate soils																
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site lies over Class 5 Acid Sulfate Soils and does not lie within 500m of an adjacent altered classification soil.												
(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Class 5 soils are generally acceptable to undertake significant excavation without the need for further studies or management plans to manage Acid Sulfate issues during construction. The development is acceptable in this regard.												
<table border="1"> <thead> <tr> <th>Class</th> <th>Works</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Any works.</td> </tr> <tr> <td>2</td> <td>Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td> </tr> <tr> <td>3</td> <td>Works more than 1m below the natural ground surface. Works by which the watertable is likely to be lowered more than 1m below the natural ground surface.</td> </tr> <tr> <td>4</td> <td>Works more than 2m below the natural ground surface. Works by which the watertable is likely to be lowered more than 2m below the natural ground surface.</td> </tr> <tr> <td>5</td> <td>Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td> </tr> </tbody> </table>					Class	Works	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works more than 1m below the natural ground surface. Works by which the watertable is likely to be lowered more than 1m below the natural ground surface.	4	Works more than 2m below the natural ground surface. Works by which the watertable is likely to be lowered more than 2m below the natural ground surface.	5	Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.
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(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:																
(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																
(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.																
(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):																
(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged,																

Clause	Yes	No	N/A	Comments
<p>have ceased to function or pose a risk to the environment or to public health and safety,</p> <p>(b) routine maintenance 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),</p> <p>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</p> <p>(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:</p> <p>(a) the works involve the disturbance of less 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</p> <p>(b) the works are not likely to lower the watertable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>6.2 Earthworks</p> <p>(1) The objectives of this clause are as follows:</p> <p>(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,</p> <p>(b) to allow earthworks of a minor nature without separate development consent.</p> <p>(2) Development consent is required for earthworks, unless:</p> <p>(a) the work does not alter the ground level (existing) by more than 600mm, or</p> <p>(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(c) the work is ancillary to other development for which development consent has been given.</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> <p>Note. The <i>National Parks and Wildlife Act 1974</i>, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Development consent is required for the proposed 4 basement levels excavations.

Clause	Yes	No	N/A	Comments
6.3 Flood planning				
(1) The objectives of this clause are as follows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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.				
(2) This clause applies to:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(a) land that is shown as "Flood planning area" on the Flood Planning Map, and				
(b) other land at or below the flood planning level.				
(3) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is affected by overland flow of water. A Flood Impact Report prepared by a suitably qualified hydraulic engineer has been submitted with this application which addresses flood planning concerns and establishes the top water level during 1 in 100 year ARI storm event to ensure that the development will not have any adverse impact on the flood level or adjoining properties. Flood modelling has been carried out as part of the report. This report is considered satisfactory.
(a) is compatible with the flood hazard of the land, and				
(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and				
(c) incorporates appropriate measures to manage risk to life from flood, and				
(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and				
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.				
(4) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(5) In this clause:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5m freeboard.				
Flood Planning Map means the Auburn Local Environmental Plan 2010 Flood Planning Map.				
6.4 Foreshore building line				
(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not located in the foreshore area.
(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comments
(3) Development consent must not be granted for development on land in the foreshore area except for the following purposes: (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so, (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoor).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that: (a) the development will contribute to achieving the objectives for the zone in which the land is located, and (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and (c) the development is not likely to cause environmental harm such as: (h) pollution or siltation of the waterway, or (i) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or (ii) an adverse effect on drainage patterns, and (d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and (g) in the case of development for the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, the extension, alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and (h) sea level rise or change of flooding patterns as a result of climate change have been considered.	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	Services are provided to the site or capable of being provided.

Clause	Yes	No	N/A	Comments
(e) suitable road access. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.6 Particular dual occupancy subdivisions must not be approved	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The clause will not apply to the development application.
(1) Development consent must not be granted for a subdivision that would create separate titles for each of the two dwellings resulting from a dual occupancy development. (2) 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"/>	

Auburn Development Control Plan 2010

Local Centres

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
D1 To allow for their adaptive use, mixed use buildings are to incorporate the following flexible design requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A 11 storey mixed use building is proposed within a B4 Mixed use zone.
• The number of internal apartment structural walls are to be minimized; and				Given that the site is affected by flooding, ceiling heights that have been provided to accommodate commercial tenancies on the ground floor are considered suitable. No ground floor residential units are proposed.
• Ceiling heights for the ground floor is to be a minimum of 3.6m.				
D2 Residential components are to be provided with direct access to street level with entrances clearly distinguishable from entries to commercial premises.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Secure entries are to be provided to all entrances to private areas, including car parks and internal courtyards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to provide suitable security to all entries within the development.
D4 Car parking provided for the residential component of the development is to be clearly delineated and provided separate to general customer parking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The relevant provisions are complied with.
D5 Development shall be designed to locate loading bays, waste storage/collection areas and any other noise and odour generating aspects of buildings away from residential areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6 Vehicular circulation areas must be legible and must differentiate between the commercial service requirements, such as loading areas, and residential access.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7 Mechanical plant is to be located on the roof or visually and acoustically isolated from residential uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.1 Number of storeys				
D1 The minimum finished floor level (FFL) to finished ceiling level (FCL) shall be as follows:				
• 3300mm for ground level (regardless of the type of development);	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ground level floor to ceiling height = 3m (commercial level). Non-compliance with ceiling height is considered acceptable due to flooding affection on site requiring an increased ground floor level.
• 3300mm for all commercial/retail levels; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• 2700mm for all residential levels above ground floor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

				Levels 1 – 10 floor to ceiling heights = 2.8m, (residential levels) Note: This is taking into account floor and ceiling separations.
2.2 Articulation and proportion				
D1 Buildings shall incorporate:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended design and appearance of the building is determined as being satisfactory and appropriate for the locality.
•balanced horizontal and vertical proportions and well-spaced and proportioned windows;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
•a clearly defined base, middle and top;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
•modulation and texture; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
•architectural features which give human scale at street level such as entrances and porticos.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 The maximum width of blank walls for building exteriors along key retail streets shall be 5m or 20% of the street frontage, whichever is the lesser.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 Articulation of the building exterior shall be achieved through recesses in the horizontal and vertical plane, adequate contrasts in materials, design features and the use of awnings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4 Features such as windows and doors shall be in proportion with the scale and size of the new building and any adjoining buildings which contribute positively to the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6 Where development has two (2) street frontages the streetscape should be addressed by both facades.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.3 Materials				
D1 New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality. The use of cement rendering shall be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed materials are considered to be of high quality and contemporary appearance. The development is acceptable in this regard.
D2 Building materials and finishes complement the finishes predominating in the area. Different materials, colours or textures may be used to emphasise certain features of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facade of the development contains a mix of concrete finishing's, timber features and glazing materials appropriate to the mixed use building.
D3 Building facades at street level along primary streets and public places consist of a minimum of 80% for windows/glazed areas and building and tenancy entries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An array of louvre screens is used to promote internal and external privacy for apartment dwellers.
D4 Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.4 Roofs				
D1 Design of the roof shall achieve the following:				A flat roof is proposed. The lift over runs cannot be seen from the roadways due to their position on the roof area.
•concealment of lift overruns and service plants;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
•presentation of an interesting skyline;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
•enhancing views from adjoining developments and public places; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
•complementing the scale of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A suitable awning has been constructed within the rooftop communal open space. This is

D1 Roof forms shall not be designed to add to the perceived height and bulk of the building. D2 Where outdoor recreation areas are proposed on flat roofs, shade structures and wind screens shall be provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	considered acceptable.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.5 Balconies D1 Opaque glazing and/or masonry for balconies is encouraged. D2 Clear glazing for balconies is prohibited. D3 Verandahs and balconies shall not be enclosed. D4 Balconies and terraces shall be oriented to overlook public spaces. D5 The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall not have exposed pipes and utilities. D6 Screens, louvres or similar devices shall be provided to balconies so as to visually screen any drying of laundry.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All balconies are proposed to be concrete render.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no enclosed balconies within the development.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Some vertical and horizontal louvre screens are proposed where appropriate to compliment the design of the building. The use of louvres is not excessive.
2.6 Interface with schools, places of public worship, and public precincts D1 Where a site adjoins a school, place of public worship or public open space: <ul style="list-style-type: none"> • This interface shall be identified in the site analysis plan and reflected in building design; • Building design incorporates an appropriate transition in scale and character along the site boundary(s); • Building design presents an appropriately detailed facade and landscaping in the context of the adjoining land use. D2 The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening. D3 Fencing along boundaries shared with public open space shall have a minimum transparency of 50%. D4 Sight lines from adjacent development to public open space shall be maintained and/or enhanced. Direct, secure private access to public open space is encouraged, where possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No place of worship or school is located immediate adjoins to the site.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.0 Streetscape and Urban form				
3.1 Streetscape D1 Applicants shall demonstrate how new development addresses the streetscape and surrounding built environment. D2 New shop fronts shall be constructed in materials which match or complement materials used in the existing building. D3 Development shall provide direct access between the footpath and the shop. D4 Development shall avoid the excessive use of security bars.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The materials schedule shows a building with an appropriate massing including suitable use of horizontal and vertical projections. The balconies are well defined and oriented towards the street/laneway.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Achieved.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Given the flood concern, the building incorporates a raised floor level. Access to shops is provided through a communal entry that is easily distinguishable from the street level.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>D5 Block-out roller shutters are not permitted.</p> <p>D6 Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Roller shutters for the basement car park are designed to setback from the front building line.</p> <p>No signs are proposed within the development.</p>
<p>3.2 Setbacks</p> <p>D1 New development or additions to existing development shall adopt front setbacks, as shown in Figure 2 (refer to section 14.2 Setbacks for Auburn Town Centre) and Figure 8 (refer to section 15.2 Setbacks for Lidcombe Town Centre). External walls – 1500mm for two storeys.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The subject site is located within the B4 Mixed Use zone and built to boundary setbacks are allowed for sites located within the Lidcombe Town Centre.</p> <p>The proposal has the following setbacks:</p> <p>Basement Encroachment of all 4 basement levels on to the existing laneway/right of way on the north western corner.</p> <p>Ground Floor Eastern side: 4.9m Southern side: 4.8m Western side: 6.2m</p> <p>Levels 1 – 9 Northern side: Nil setback along the northern boundary with the exception of west facing POS setback of the unit at the rear, which is 2.7m. North facing POS of unit in the middle of the building has setback over 21m to the northern boundary.</p> <p>Eastern side: 1.5m -1.9m with the exception of the POS of units on the south eastern corner is built to the boundaries.</p> <p>Southern side: 1.5m -1.9m with the exception of the POS of units on the south eastern corner is built to the boundaries. Part of units on Levels 1 – 3 on the south western corner may encroach above Council's land.</p> <p>Western side: The northern part of all units on the south western corner encroaches above the existing laneway/right of way with setback of 3.545m from the western boundary. POS of these units orientates to the north with setback of over 21m to the northern boundary. Units in the middle part of the building are setback 6.29m from the western boundary.</p> <p>Level 10 Northern side: 1.5m – 3m North facing POS over 2m.</p> <p>Eastern side: 1.5m – 2.5m</p>

				<p>Southern side: 1.5m – 2.5m</p> <p>Western side: 3.545m (existing laneway/right of way width)</p> <p>North western part of the landscaped area adjoining to COS overhangs the existing laneway/right of way.</p> <p>Encroachment of part of the development on Council's land is not supported.</p> <p>Proposed nil setbacks to the northern boundary is appropriate and complies with Lidcombe Town Centre requirements. Except for units POS on the prominent corner is built to the boundary, the external walls of the overall development will maintain 1.5m setbacks from the front boundaries.</p> <p>Further, the proposed front boundary setbacks on the eastern and southern elevations is considered acceptable because it encloses the streetscape and greatly enhances the visual outlook Joseph and Vaughan Streets and provides a built form which is entirely consistent with the desired future character for the Lidcombe Town Centre.</p> <p>Any potential encroachments from the proposed development will be subject to the attached conditions.</p>
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4.0 Mixed Use Developments

4.1 Building design

D1 The architecture of ground level uses shall reflect the commercial/retail function of the centre.

D2 Buildings shall achieve a quality living environment that sympathetically integrates into the character of the commercial precinct.

D3 Commercial and retail servicing, loading and parking facilities shall be separated from residential access and servicing and parking.

D4 The design of buildings on corner sites or at the ends of a business/commercial zone shall emphasise the corner as a focal point.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is considered achieved.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Commercial and residential storage, waste, loading, parking and servicing will be separated.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

4.2 Active street frontages

D1 Retail outlets and restaurants are located at the street frontage on the ground level.

D2 A separate and defined entry shall be provided for each use within a mixed use development.

D3 Only open grill or transparent security (at least 70% visually transparent) shutters are permitted to retail frontages.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two commercial tenancies proposed on ground floor of building at the street frontage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Separate entry provided for each commercial tenancy and the residential component of the building.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It should be noted that all entries are off a central entry podium as the building floor level is raised to accommodate flooding requirements.

4.3 Awnings			
D1 Awning dimensions shall generally be:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• horizontal in form;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• minimum 2.4m deep (dependent on footpath width);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• minimum soffit height of 3.2m and maximum of 4m;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• steps for design articulation or to accommodate sloping streets are to be integral with the building design and should not exceed 700mm;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• low profile, with slim vertical fascia or eaves (generally not to exceed 300mm height);	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• 1.2m setback from kerb to allow for clearance of street furniture, trees, and other public amenity elements; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• In consideration of growth pattern of mature trees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D2 Awning design must match building facades, be complementary to those of adjoining buildings and maintain continuity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D3 Awnings shall wrap around corners for a minimum 6m from where a building is sited on a street corner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D4 Vertical canvas drop blinds may be used along the outer edge of awnings along north-south streets. These blinds must not carry advertising or signage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D5 Under awning lighting shall be provided to facilitate night use and to improve public safety recessed into the soffit of the awning or wall mounted onto the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D6 Soft down lighting is preferred over up lighting to minimise light pollution.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D7 Any under awning sign is to maintain a minimum clearance of 2.8m from the level of the pavement.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D8 All residential buildings are to be provided with awnings or other weather protection at their main entrance area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4 Arcades			
D1 Arcades shall:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Accommodate active uses such as shops, commercial uses, public uses, residential lobbies, cafes or restaurants;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Be obvious and direct thoroughfares for pedestrians;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Provide for adequate clearance to ensure pedestrian movement is not obstructed;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Have access to natural light for all or part of their length and at the openings at each end, where practicable;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Have signage at the entry indicating public accessibility and to where the arcade leads; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Have clear sight lines and no			
			The proposal incorporates the construction of an awning. Suitable conditions can be imposed to ensure compliance with this part.

D2	opportunities for concealment. Where arcades or internalised shopping malls are proposed, those shops at the entrance must have direct pedestrian access to the street.	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
4.5 Amenity	D1 The internal environment of dwellings within mixed use developments in the vicinity of major arterial roads or railway lines shall provide an appropriate level of amenity for privacy, solar access and views.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is considered achieved.
4.6 Residential flat building component of mixed use developments	Applicants shall consult the Residential Flat Buildings Part of this DCP for the design requirements for the residential flat building component of a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant has considered the Residential Flat Building part of the development control plan. A separate assessment is provided below.
5.0 Privacy and Security					
D1	Views onto adjoining private open space shall be obscured by: <ul style="list-style-type: none">• Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or• Incorporating planter boxes into walls or balustrades to increase visual separation between areas. Existing dense vegetation or new planting may be used as a secondary measure to further improve privacy.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The proposal is considered to promote safety and security in the local area by increasing the opportunity for general pedestrian activity and passive surveillance in the locality.</p> <p>The building separation is considered acceptable which minimises visual and acoustic overlooking onto adjoining private open spaces.</p> <p>Privacy screens, obscure glazing and in some cases solid walls are proposed to windows and the edges of balconies to minimise overlooking impacts.</p> <p>The commercial tenancies on the ground level allow for suitable casual surveillance over the public domain.</p> <p>Landscaping is used effectively within the development and is used for privacy mitigation. Sight lines in regards to communal areas/entries are maintained and free of any obstruction.</p> <p>All entries are easily identifiable and clear.</p>
D2	Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Pedestrian walkways and car parking shall be direct, clearly defined, visible and provided with adequate lighting, particularly those used at night.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D6	Landscaping and site features shall not block sight lines and are to be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D7	Seating provided in commercial areas of a development shall generally only be located in areas of active use where it will be regularly used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8	Adequate lighting shall be provided to minimise shadows and concealment spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D9	All entrances and exits shall be made clearly visible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D10	Buildings shall be arranged to overlook public areas and streets to maximise surveillance.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
D11	Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
5.1 Lighting	D1 Lighting design shall be integrated with the interior design of a retail/commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition could be imposed in this regards.

<p>premise. The use of low voltage track lighting, recesses spotighting and designer light fittings is encouraged.</p> <p>D2 Lighting systems shall incorporate specific display lighting to reinforce merchandise and provide a contrast against the street lighting generally.</p> <p>D3 Surface mounted fluorescent fixtures shall not be considered in any part of the retail areas of the premises.</p> <p>D4 The light source shall be selected to provide the desired light effect; however, fitting and methods shall be chosen to produce the highest energy efficiency.</p> <p>D5 Lighting shall not interfere with the amenity of residents or affect the safety of motorists.</p> <p>D6 Excessive lighting shall not be permitted. Light spill onto the street into the public domain shall be minimised.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
<p>5.2 Shutters and grilles</p> <p>D1 Windows and doors of existing shopfronts shall not be filled in with solid materials.</p> <p>D2 Security shutters, grilles and screens shall:</p> <ul style="list-style-type: none"> • be at least 70% visually permeable (transparent); • not encroach or project over Council's footpaths; and • be made from durable, graffiti-resistant materials. <p>D3 Solid, external roller shutters shall not be permitted.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		Achieved.
<p>5.3 Noise</p> <p>D1 New commercial development (whether part of a mixed use development or not) shall comply with the provisions of the relevant acts, regulations, environmental planning instruments, Australian Standards and guidelines produced by the NSW Department of Environment, Climate Change and Water, the NSW Roads and Traffic Authority and the NSW Department of Planning as applicable for noise, vibration and quality assurance. This includes:</p> <ul style="list-style-type: none"> • Development Near Rail Corridors and Busy Roads, NSW Department of Planning, December 2008 – Interim Guidelines. • NSW Industrial Noise Policy; • Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects; and • Environmental Criteria for Road and Traffic Noise. <p>Restaurant and cafe design shall minimise the impact of noise associated with late night operation on nearby residents. Operation includes loading/unloading of goods/materials and the use of plant and equipment at a proposed commercial premise.</p> <p>D2 An acoustic report shall be submitted with</p>	<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"/>		<p>Use of commercial tenancies may require the submission of a further DA.</p> <p>Appropriate condition can be imposed in this regards.</p>

a development application for a proposed commercial use in the local centre that operates during the hours between 10pm and 6am.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>													
5.4 Wind Mitigation																
P1 New developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to be consistent with the performance criterion of this part. As detailed below, suitable conditions will be imposed on the development to ensure the relevant wind report recommendations to be incorporated in the relevant architectural and landscape plans, and that wind standards will be adhered to during construction. Pedestrian amenity is considered to be acceptable within the locality given the proposed built form, with suitable building separation.												
D1 Site design for tall buildings (towers) shall: <ul style="list-style-type: none"> • set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower; • ensure that tower buildings are well spaced from each other to allow breezes to penetrate local centres; • consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level; and • ensure useability of open terraces and balconies. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development has an overall height of 38.13 metres.												
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building incorporates a 11 storey structure that incorporates nil to 1.5 metres boundary setbacks for Levels 1-10 and then introduces further setbacks for the top level.												
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is envisaged within the local centre, particularly within the mixed use B4 zone, that a similar built form will occur along the western side of Joseph Street within this section. The design of the building is considered to be acceptable in regard to the points raised in this part.												
D2 A Wind Effects Report is to be submitted with the DA for all buildings greater than 35m in height.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Condition is to be imposed to ensure that the wind report recommendations are incorporated on the architectural and landscape plans.												
D3 For buildings over 48m in height, results of a wind tunnel test are to be included in the report.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>													
6.0 Access and Car Parking																
6.1 Access, loading and car parking requirements																
D1 Car parking rates shall be provided in accordance with the Parking and Loading Part of this DCP.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development incorporates the following:</p> <ul style="list-style-type: none"> - 36 x 1 bedroom units (36min – 36max) - 56 x 2 bedroom units (67.2min – 168max) - 2 x 3 bedroom units (3min – 8max) - Total 94 units (107min – 212max) <p>Visitors (8min – 25 max)</p> <ul style="list-style-type: none"> - 2 Commercial Tenancies (259.4sqm) (5min – 7max) 												
Residential																
<table border="1"> <thead> <tr> <th>Component</th> <th>Min.</th> <th>Max.</th> </tr> </thead> <tbody> <tr> <td>Studio / 1 bedroom</td> <td>1 space per unit</td> <td>1 space per unit</td> </tr> <tr> <td>2 bedrooms</td> <td>1.2 spaces per unit</td> <td>3 spaces per unit</td> </tr> <tr> <td>3 bedrooms</td> <td>1.5 spaces per unit</td> <td>4 spaces per unit</td> </tr> </tbody> </table>	Component	Min.	Max.	Studio / 1 bedroom	1 space per unit	1 space per unit	2 bedrooms	1.2 spaces per unit	3 spaces per unit	3 bedrooms	1.5 spaces per unit	4 spaces per unit				
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Component	Min.	Max.														
51-100 units	8 spaces	25 spaces														

Commercial						Proposed basement car park for 90 vehicles, at least being deficient by 30 spaces.
Component	Min.	Max.				In accordance with the ADG, the site is within 800m of a railway station and as such the RMS parking guidelines are to be utilised. The RMS guidelines nominate that 94 spaces are acceptable in this instance.
6.2 Creation of new streets and laneways						The proposal results in shortfall of 4 car spaces, which is not supported. Refer to discussion in ADG regarding variation to the car spaces.
D1 On some sites, new streets may be able to be introduced. Where a new street shall be created, the street shall be built to Council's standards, Road Design Specification D1 and relevant Quality Assurance requirements while having regards to the circumstances of each proposal. Consideration will be given to maintaining consistency and compatibility with the design of existing roads in the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			No new roads or streets are being created.
D2 On site car parking shall be provided below ground or located within the building and well screened.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
D3 Development adjoining a new laneway shall contribute to an attractive streetscape and presents a well designed and proportioned facade and incorporates windows, balconies, doorways and landscaping, where possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
D4 New public laneways created within large blocks shall maximise pedestrian and vehicle connections within local centres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
D5 A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
D6 New streets shall be dedicated to Council. The area of any land dedicated to Council shall be included in the site area for the purpose of calculating the floor space ratio.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
7.0 Landscaping						
D1 Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Landscaping is provided on the ground floor and Levels 1 and 10 communal open space areas.
D2 At grade car parking areas, particularly large areas, shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large carparks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			The landscape plan shows the use of shrubs to achieve an appropriate landscape solution for the building.
D3 In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			The landscaping is appropriate for a development within the Lidcombe Town Centre where high density living is promoted.
D4 Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

<p>site security.</p> <p>D5 Paving and other hard surfaces shall be consistent with architectural elements.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Condition is to be included to ensure that the architectural plans are consistent with the landscape plans.
<p>7.1 Street trees</p> <p>D1 Street trees shall be planted at a rate of one (1) tree per lineal metre of street frontage, even in cases where a site has more than one street frontage, excluding frontage to laneways.</p> <p>D2 Street tree planning shall be consistent with Council's Street Tree Masterplan or relevant Public Domain Plan or Infrastructure Manual.</p> <p>D3 Significant existing street trees shall be conserved and, where possible, additional street trees shall be planted to ensure that the existing streetscape is maintained and enhanced.</p> <p>D4 Where street trees and the provision of awnings are required, cut-outs shall be included in the awning design to accommodate existing and future street trees.</p> <p>D5 Driveways and services shall be located to preserve significant trees.</p> <p>D6 At the time of planting, street trees shall have a minimum container size of 200L and a minimum height of 3.5m, subject to species availability.</p> <p>D7 Planter boxes (or similar) surrounding trees in the footpath shall be 1.2m x 1.2m, filled with approved gravel and located 200mm from the back of the kerb line.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable conditions will be imposed on the consent.
	<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"/>	
8.0 Energy Efficiency and Water Conservation				
<p>8.1 Energy efficiency</p> <p>D1 Any hot water heaters to be installed, as far as practicable, shall be solar and, to the extent that this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the proposal in respect of energy efficiency.
<p>D2 The practicability of all external lighting and common areas (e.g. undercover car parking) being lit utilising renewable energy resources generated on site shall be investigated. Larger developments (buildings exceeding 400m² in area) shall investigate the viability of utilising renewable energy resources for all lighting on site. A statement shall be included with the development application addressing these requirements.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is required to comply with the BASIX requirements and as such the certificate is required to be incorporated into the bundle of plans to be approved.
<p>8.2 Water conservation</p> <p>D1 New developments shall connect to recycle water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BASIX Certificate submitted addresses water conservation for the residential component.
<p>D2 Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>washing, fire fighting and other suitable purposes.</p> <p>D3 Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8.3 Stormwater drainage</p> <p>Applicants shall consult the Stormwater Drainage Part of this DCP for requirements for stormwater management.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed method of stormwater disposal is generally acceptable to Council's Development Engineer subject to appropriate conditions to be imposed.
<p>8.4 Rainwater tanks</p> <p>D1 Rainwater tanks shall be installed as part of all new development in accordance with the following:</p> <ul style="list-style-type: none"> • The rainwater tank shall comply with the relevant Australian Standards; • The rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development; • Rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards; • The suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks shall not be located within the front setback; and • The overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal has been supported by a satisfactory stormwater management system. The supporting BASIX certificate did not require any rainwater tanks to be installed to meet water conservation measures. In this regard, the proposal is considered acceptable.
<p>8.5 Ventilation</p> <p>D1 The siting, orientation, use of openings and built form of the development shall maximise opportunities for natural cross ventilation for the purposes of cooling and fresh air during summer and to avoid unfavourable winter winds.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It is considered that all the rooms will be naturally ventilated. Solar chimney will assist natural ventilation for single aspect apartments. 57 of 94 units (61%) will be naturally cross ventilated. This achieves the minimum requirements for natural ventilation under SEPP 65. Refer to further discussion under part 4B in ADG.
<p>8.6 Solar amenity</p> <p>D1 Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 3.00 pm on 21 June for:</p> <ul style="list-style-type: none"> • public places or open space; • 50% of private open space areas; • 40% of school playground areas; or • windows of adjoining residences. <p>D2 Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The adjoining property to the south separated by a 20m road encasement, being 2 – 8 Vaughan Street and 1 Kerrs Road, has residential units above commercial tenancies. The residential units incorporate north facing POS which will be cast in shadow. However, at least 2 hours of sunlight access will be maintained as the result of the block pattern and the proposed 11 storey building orientation.</p> <p>Overshadowing of the neighbouring development is unavoidable in this instance.</p>

				<p>The development has been designed to incorporate articulated spaces on the western and southern elevations to maximise solar penetration to the adjoining developments. This will be more evident when the remaining sites within the area are developed. It should also be noted that the adjoining development at 2 – 8 Vaughan Street and 1 Kerrs Road has been approved as a 9 storey RFB with 2 separate towers with 10m building separation and has been setback a further 4m from the northern boundary for Level 2 and above. The design will assist the provision of solar access to the north facing POS of the entire Building A between 11am to 3pm, part of Building B between 1pm to 2pm, and entire Building B from 3pm onwards.</p> <p>As the area is undergoing transition to higher density mixed use development, the impact upon the adjoining premises is considered unavoidable given the applicable zoning, heights and associated floor space ratios. It is noted that any development on the subject site would generate significant shadow to the adjoining properties.</p> <p>Suitable materials and finishes have been proposed.</p>
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9.0 Ancillary Site Facilities

9.1 Provision for goods and mail deliveries

D1 Provision shall be made on-site for courier car parking spaces in a convenient and appropriately signposted location, preferably with access off the principal street frontage, for developments incorporating greater than 3,000m² of gross leasable floor area devoted to commercial premises.

D2 Provision of mailboxes for residential units shall be incorporated within the foyer area of the entrance to the residential component of the mixed use developments.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This is achieved. The plans show the provision of letter boxes situated at the main pedestrian entrance to the building facing Joseph Street.

10.0 Other Relevant Controls

10.1 Waste

D1 Applicants shall consult the Waste Part of this DCP for requirements for disposal.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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An acceptable waste management plan dealing with the demolition and construction has been submitted for the application. The development is acceptable in this regard.

10.2 Access and amenity

D1 Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The proposal has been supported by suitable documentation to facilitate the access and mobility part of the ADCP 2010

11.0 Public Domain

D1 Any works within the public domain or

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Appropriate engineering conditions

	which present to the public domain shall be consistent with Council's Public Domain Manual and/or the Town Centre Infrastructure Manual and Council's Policy on Crime Prevention Through Environmental Design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	can be provided to address the matter.
D2	New buildings shall contribute to the public domain through the provision of awnings, sheltered building entries, verandahs and canopies, safe pedestrian linkages to car parks, landscaping, and open space, where appropriate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Outdoor dining on footpaths shall be limited. Refer to Council's Public Domain Plan, Outdoor Dining Policy and Public Art Policy.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12.0 Subdivision					
12.1 Size and dimensions					
D1	Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the appropriate siting of buildings and the provision of required car parking, loading facilities, access and landscaping.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The property is located on one to be amalgamated allotment.
12.1 Utility services					
D1	The applicant shall demonstrate that each proposed allotment can be connected to appropriate utility services including water, sewerage, power and telecommunications and (where available) gas. This may include advice from the relevant service authority or a suitably qualified consultant as to the availability and capacity of services.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conditions will be required addressing the servicing of the building with water, sewer and electricity.
D2	Common trenching for gas, electricity and telecommunications shall be provided in accordance with agreements between the relevant servicing authorities in NSW.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13.0 Residential Interface					
D1	Buildings adjoining residential zones and/or open space shall be setback a minimum of 3m from that property boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is located within the Lidcombe Town Centre in the B4 Mixed Use zone. The proposal adjoins a residential zone to the west.
D2	Loading areas, driveways, rubbish, storage areas, and roof top equipment shall not be located directly adjacent to residential zones, or if unavoidable shall be suitably attenuated or screened.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is located within a B4 Mixed Use zone within the Lidcombe Town Centre and is not directly adjacent to a residential zone that permits lower density.
D3	Any commercial buildings which may have the potential to accommodate the preparation of food from a commercial tenancy shall provide ventilation facilities to ensure that no odour is emitted in a manner that adversely impacts upon any residential zones.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	It is noted that the subject site is separated from the lower density residential area by Joseph and Vaughan Streets, which will allow adequate separation distance to achieve visual separation compliance.
D4	External lighting shall be positioned to avoid light spillage to adjoining residential zones.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Suitable accommodation for loading/garbage removal is made within the ground level car park of the site.
D5	Where noise generating development is proposed adjacent to residential or other noise sensitive uses, such as places of worship and child care centres, an acoustic report shall be submitted with a development application, outlining methods to minimise adverse noise impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Additionally, no uses have been allocated for the commercial spaces

				and would be subject to separate development applications.
15.0 Lidcombe Town Centre				
15.1 Development to which this section applies This section applies to the Lidcombe Town Centre which is zoned B4 Mixed Use, RE1 Public Recreation and RE2 Private Recreation under the <i>Auburn LEP 2010</i> . Refer to Figure 6. Where there are inconsistencies between the controls contained within this Section and other controls within this DCP, these controls prevail to the extent of the inconsistency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development site is located within the Lidcombe Town Centre.
15.2 Setbacks D1 Setbacks within the town centre shall be consistent with Figure 7.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The subject site is located within the B4 Mixed Use zone and built to boundary setbacks are allowed for sites located within the Lidcombe Town Centre.</p> <p>Refer to discussion under ADCP Local Centres Section 3.2 Setbacks above.</p> <p>The proposed front boundary setbacks is considered acceptable because it encloses the streetscape and greatly enhances the visual outlook Joseph and Vaughan Streets and provides a built form which is entirely consistent with the desired future character for the Lidcombe Town Centre.</p>
14.3 Active Frontage D1 As a minimum, buildings shall provide active street frontages consistent with Figure 8.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An active street frontage is not nominated for the site. The proposal provides three commercial tenancies on the ground level of the building which is permissible within a B4 mixed use zone.
15.4 Laneways D1 Redevelopment within the Auburn Town Centre shall make provision for the creation of new laneways as shown in Figure 9.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is benefited by an existing laneway at the rear.
15.5 Key Sites Several sites within the Lidcombe Town Centre have been identified as having the greatest potential for intensification with commercial, residential and mixed use development, as shown in Figure 10. Each site has an inherent capacity to contribute to the transformation of the urban form into one which will generate more activity and lead the development of the town centre. The development controls for these sites apply in addition to the development controls presented in previous sections of this Part.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site is located in key sites 5 Bridge Street, as per Figure 10.
15.10 Site 5 – Bridge Street D1 Building separation distances shall be determined by having regard to the SEPP 65 and accompanying ADG, formerly RFDC. D3 Preferred primary access to the site shall be provided via Vaughan Street with a secondary access via Bridge Street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to ADG section for detailed discussion.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject sites addresses Joseph and Vaughan Streets. Proposed primary access from Joseph Street is

	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	considered acceptable.
D4 Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable connection between Vaughan street and Bridge Street, and Olympic Street and Bridge Street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing laneway will be maintained.
D6 Outdoor dining shall be encouraged along Joseph Street and Bridge Street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sufficient area is provided to accommodate future development for outdoor dining.

Residential Flat Buildings

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
Objectives				
a. To ensure that all development contributes to the improvement of the character of the locality in which it is located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is consistent with the built form objectives as it results in an articulated, balanced development which improves the existing streetscape and is consistent with the form and scale of future developments anticipated for the vicinity and achieves the required energy efficiency ratings.
b. To ensure that development is sensitive to the landscape setting and environmental conditions of the locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To ensure that the appearance of development is of high visual quality and enhances and addresses the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To ensure that the proposed development protects the amenity of adjoining and adjacent properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and local character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To ensure that development relates well to surrounding developments including heritage items, open space and other land uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To ensure that development maximises sustainable living.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. To maximise views, solar and daylight access.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. To provide an acceptable interface between character areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. To minimize the impacts of buildings over shadowing open spaces and improve solar access to the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
k. To contribute to the streetscape and form a clear delineation between the public and private domain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.1 Site area				
Performance criteria				
P1 The site area of a proposed development is of sufficient size to accommodate residential flat buildings and provide adequate open space and car parking consistent with the relevant requirements of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is for a mixed use development, or "shop top housing" comprising a commercial ground floor and a residential flat building above. In this regard, the proposal does not relate to a sole residential flat building. The site is considered to be suitably sized to
Development controls				

<p>D1 A residential flat building development shall have a minimum site area of 1,000 square metres and a street frontage of 20 metres in the B4 Zone or 26 metres in the R4 zone.</p> <p>D2 Where lots are deep and have narrow street frontages the capacity for maximising residential development is limited. Two or more sites may need to be amalgamated to provide a combined site with sufficient width for good building design.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>accommodate the proposal. Zoning = B4 Mixed Use Site area = 1629sqm. Primary street frontage (Joseph Street) = 35m</p>
<p>2.2 Site coverage</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<p>Performance criteria</p> <p>P1 Ensure that new development and alterations and additions to existing development result in site coverage which allows adequate provision to be made on site for infiltration of stormwater, deep soil tree planting, landscaping, footpaths, driveway areas and areas for outdoor recreation.</p> <p>P2 Minimise impacts in relation to overshadowing, privacy and view loss.</p> <p>P3 Ensure through-site links for pedestrians are incorporated where applicable.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>As per the ADG and Local Centres part of the ADCP 2010, the proposed development is considered satisfactory given its town centre location.</p> <p>As previously noted, the subject site is within Lidcombe Town Centre and the proposed design will accentuate the streetscape and place an emphasis on ensuring privacy within the adjoining residential uses.</p>
<p>Development controls</p> <p>D1 The built upon area shall not exceed 50% of the total site area.</p> <p>D2 The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.</p>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>No site through link proposed.</p> <p>The built upon area exceeds 50% of the total site area. The building occupies 64.5% of the site on the ground floor level. It is not feasible to achieve compliance with the stated provision due to the zoning, location of the site within the Lidcombe Town Centre, and the applicable planning controls that allows a high floor space ratio. It is considered appropriate to permit a variation to the stated provision in this instance.</p>
<p>2.3 Building envelope</p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Performance criteria</p> <p>P1 The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings:</p> <ul style="list-style-type: none"> • addresses both streets on corner sites; • align with the street and/or proposed new streets; 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposal is consistent with the objectives of the zone and compatible with the desired future character of the area in accordance with the zone objectives.</p> <p>The proposed development has</p>

<ul style="list-style-type: none"> form an L shape or a T shape where there is a wing at the rear. <p>Note: The development control diagrams in section 10.0 illustrate building envelope controls.</p> <p>Development controls</p> <p>D1 Council may consider a site specific building envelope for certain sites, including:</p> <ul style="list-style-type: none"> double frontage sites; sites facing parks; sites adjoining higher density zones; and isolated sites. <p>D2 The maximum building footprint dimensions, inclusive of balconies and building articulation but excluding architectural features, is 24m x 45m for sites up to 3,000m²</p> <p>D3 The tower component of any building above the podium or street wall height is to have a maximum floor plate of 850m².</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>a strong presentation to Joseph Street.</p> <p>The development generally incorporates a 'L' shape to allow for large internal recessed spaces.</p> <p>The ground floor level is considered to be appropriately designed notwithstanding its dimensions.</p> <p>The proposed development has a maximum building footprint of 37m x 23m (northern side) and 37m x 38m (southern side), which occupies an area of 1050sqm excluding the communal landscape strip on the ground floor which is open to the elements.</p> <p>The proposed development however is considered acceptable given the size and configuration of the combined lots.</p>
2.4 Setbacks				
Performance criteria				
<p>P1 Impact on the streetscape is minimised by creating a sense of openness, providing opportunities for landscaping and semi-private areas, and providing visual continuity and building pattern.</p> <p>P2 Integrate new development with the established setback character of the street.</p> <p>P3 Ensure adequate separation between buildings, consistent with the established character and rhythm of built elements in the street.</p> <p>P4 Ensure adequate separation between buildings for visual and acoustic privacy.</p> <p>P5 Maintain a reasonable level of amenity for neighbours with adequate access to sunlight.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The subject site is located within the B4 Mixed Use zone and built to boundary setbacks are allowed for sites located within the Lidcombe Town Centre.</p> <p>Refer to discussion under ADCP Local Centres Section 3.2 Setbacks above.</p>
Development controls				
2.4.1 Front setback				
<p>D1 The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1 and B2 zones) to provide a buffer zone from the street where residential use occupies the ground level.</p> <p>D2 Where a site has frontage to a lane, the</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed front boundary setbacks is considered acceptable because it encloses the streetscape and greatly enhances the visual outlook Joseph Street and provides a built form which is entirely consistent with the desired future character for the Lidcombe Town Centre.</p> <p>The rear of the development</p>

	minimum setback shall be 2m, however, this will vary depending on the width of the lane.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	fronts a laneway with minimum width of 3.545m. Adequate setbacks have been provided, subject to conditions for any encroaching elements.
D3	Where a new building is located on a corner, the main frontage shall be determined on the existing streetscape patterns. Where the elevation is determined as the 'secondary' frontage, the setback may be reduced to 3m except where it relates to a primary frontage on that street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Setback of at least 4.8m to the secondary street (Vaughan Street).
D4	Front setbacks shall ensure that the distance between the front of a new building to the front of the building on the opposite side of the street is a minimum of 10m for buildings up to 3 storeys high. For example, a 2m front setback is required where a 6m wide laneway is a shareway between the front of 2 buildings. Where a footpath is to be incorporated a greater setback shall be required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate separation is provided between the subject building and the opposite building across Joseph and Vaughan Streets. The separation distance is approximately 20m.
D5	All building facades shall be articulated by bay windows, verandas, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 1 metre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable articulation is provided within façade treatments.
D6	In all residential zones, levels above 4 storeys are to be setback for mid block sites.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is located within a town centre and is not located within a residential zone.
2.4.2 Side setback					
D1	In all residential zones, buildings shall have a side setback of at least 3m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is located within a town centre and is not located within a residential zone.
D2	Eaves may extend a distance of 700mm from the wall.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.3 Rear setback					
D1	Rear setbacks shall be a minimum of 10m from the property boundary.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is located within a town centre and is not located within a residential zone.
D2	Where there is a frontage to a street and a rear laneway the setback to the rear laneway shall be a minimum of 2m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	Where a building is an L or T shape with the windows facing side courtyards the rear setback shall be a minimum of 2m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2.4.4 Haslam's creek setback					
D1	A minimum 10m setback from the top of the creek bank of Haslam's Creek and its tributaries shall be required. Refer to the Stormwater Drainage Part of this DCP for additional controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development site is not in near vicinity of Haslam's Creek.
2.4.5 Setbacks at Olympic Drive, Lidcombe					
Performance criteria					

P1 Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback. P2 East-west streets maintain view corridors to Wyatt Park.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not located on Olympic Drive. This section of the DCP is not applicable.	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Development controls					
D1 For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 4m. D2 The setback area and verge shall be landscaped and planted with a double row of street trees. D3 The setback to east-west streets shall be generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.					
2.5 Building depth					
Performance criteria					
P1 A high level of amenity is provided for residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to deliver an appropriate level of amenity to the residents of the building.	
Development controls					
D1 The maximum depth of a residential flat building shall be 24m (inclusive of balconies and building articulation but excluding architectural features).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The “L” shaped development proposes a maximum depth of 38.9m (from north to south).</p> <p>As discussed under compliance table for SEPP 65, the development is appropriately articulated to respond to the shape of the allotment and is provided with solar chimney to comply with natural ventilation requirement.</p> <p>The performance of the apartments in relation to solar access and natural ventilation is generally considered acceptable.</p> <p>The communal open space provided and the proposed built form allows for increased amenity to each unit.</p> <p>Therefore, a technical variation is supported in this regard as it is not considered to adversely affect the residential amenity of the affected units.</p>	
2.6 Floor to ceiling heights					
Performance criteria					
P1 Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>As discussed above,</p> <p>Ground level floor to ceiling height = 3m (commercial level), due to flood affectation on site.</p> <p>Levels 1 - 10 floor to ceiling</p>	

<p>Development controls</p> <p>D1 The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines.</p> <p>D2 Where there is a mezzanine configuration, the floor to ceiling height may be varied.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>heights = 2.8m (residential levels)</p> <p>Note: This is taking into account floor and ceiling separations.</p>
<p>2.7 Head height of windows</p> <p>Performance criteria</p> <p>P1 Window heights allow for light penetration into rooms and well proportioned elevations.</p> <p>Development controls</p> <p>D1 The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.</p> <p>D2 For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.</p> <p>D3 For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Window head heights are a minimum of 2.4m from floor level. The development is acceptable in this regard.</p>
<p>2.8 Heritage</p> <p>Performance criteria</p> <p>P1 Development does not adversely affect the heritage significance of heritage items and heritage groups and archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles.</p> <p>Development controls</p> <p>D1 All development adjacent to and/or adjoining a heritage item shall be:</p> <ul style="list-style-type: none"> responsive in terms of the curtilage and design; accompanied by a Heritage Impact Statement; and respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development site is not an identified heritage item. However, the subject site is located within the vicinity of two heritage listed items. The matters concerning heritage is addressed under the ALEP 2010. As such, the matter does not require further review.</p>
<p>2.9 Building design</p> <p>Performance criteria</p> <p>P1 Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.</p> <p>P2 The use of sympathetic materials, colour schemes and details of new residential development and associated structures ensures that the character of Auburn's residential areas is not diminished.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No objection is raised to the materials and colour scheme of the proposal which is considered to be of high quality and will make a positive contribution to the streetscape.</p>

Development controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.9.1 Materials				
Performance criteria				
P1 The use of face brick (smooth faced) is encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Good quality materials and finishing are proposed which contributed to the existing streetscape and add to the mixed use nature of the locality.
P2 The use of cement render on building facades is discouraged due to high ongoing maintenance issues.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D1 All developments shall be constructed from durable, quality materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.9.2 Building articulation				
D1 Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal offers an articulated facade with distinct horizontal and vertical elements.
D3 Dwelling entrances shall create a sense of individuality and act as a transitional space between private and communal spaces. Entrances shall be clearly articulated and identifiable from the street through use of address signage, lighting, canopies and/or architectural statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The entrance to the building is considered to be acceptable in regard to this part.
D3 Elevations shall provide for variation and depth rather than relying on front façade treatment only. Varied massing projections and recesses shall be used to create a sense of articulation and depth.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facade provides recessed elements on every facade of the building.
2.9.3 Roof form				
D1 Roof forms shall be designed in a way that the total form does not add to height and bulk of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flat roof and low horizontal parapet proposed. The roof form is in accordance with this clause.
2.9.4 Balustrades and balconies				
D1 Balustrades and balconies shall be designed to maximise views of the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All balconies consist of masonry construction. The design of the balconies is incorporated within the overall design of the building.
The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall avoid having exposed pipes and utilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Should the application be approved appropriate condition will be included in any consent to ensure compliance with this clause.
D2 Opaque glazing and/or masonry for balustrading and balconies is encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Clear glazing for balconies and balustrades is prohibited.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.10 Dwelling size				
Performance criteria				
P1 Internal dwelling sizes and shapes are suitable for a range of household types.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All units within the development meet the minimum dwelling size identified in the ADG and the objectives of the apartment layout requirements. The layout is suitable to accommodate a variety of furniture layouts. Therefore, the development is
P2 All rooms are adequate in dimension and accommodate their intended use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				

D1	The size of the dwelling shall determine the maximum number of bedrooms permitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	acceptable in this regard. All balconies are accessible from the living rooms of every unit.
Number of bedrooms	Dwelling size				
Studio	50m ²				
1 bedroom (cross through)	50m ²				
1 bedroom (mansionette)	62m ²				
1 bedroom (single aspect)	63m ²				
2 bedrooms (corner)	80m ²				
2 bedrooms (cross through or over)	90m ²				
3 bedrooms	115m ²				
4 bedrooms	130m ²				
D2	At least one living area shall be spacious and connect to private outdoor areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.11 Apartment mix and flexibility					
Performance criteria					
P1	A diversity of apartment types are provided, which cater for different household requirements now and in the future.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The residential component of the building will offer a variety of unit types of differing sizes and bedrooms.
P2	Housing designs meet the broadest range of the occupants' needs possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development has the following bedroom mix:- 36 x 1 bedroom apartment 56 x 2 bedroom apartments (subject to deletion of 1 unit) 2 x 3 bedroom apartments
Development controls					
D1	A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10 adaptable units have been proposed and an appropriate condition will be imposed to ensure the required amount of adaptable units will be provided in the development.
	Variety may not be possible in smaller buildings, for example, up to six units.				
D2	The appropriate apartment mix for a location shall be refined by:				The building is considered to offer an appropriate unit mix.
	<ul style="list-style-type: none"> ■ considering population trends in the future as well as present market demands; and ■ noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No ground floor apartments are proposed.
D3	A mix of one (1) and three (3) bedroom apartments shall be located on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4	The possibility of flexible apartment configurations which support future change to optimise the building layout and to provide northern sunlight access for all apartments, shall be considered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The design of the development is considered to be satisfactory in regards to this part.
D5	Robust building configurations which utilise	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>D6 Apartment layouts which accommodate the changing use of rooms shall be provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Design solutions may include:</p> <ul style="list-style-type: none"> ■ windows in all habitable rooms and to the maximum number of non-habitable rooms; ■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and ■ dual master bedroom apartments, which can support two independent adults living together or a live/work situation. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>D7 Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include:</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3.0 Open space and landscaping

Objectives

<p>a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development proposal is considered to be generally consistent with the open space and landscaping objectives.
<p>b. To provide private open areas that relate well to the living areas of dwellings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>c. To provide sufficient areas for deep soil planting.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>d. To provide a mix of hard and soft landscape treatments.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>e. To help provide a visual and acoustic buffer from the street without preventing passive surveillance.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>f. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>g. To provide for the preservation of existing trees and other natural features on the site, where</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>appropriate.</p> <p>h. To provide low maintenance communal open space areas.</p> <p>i. To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.</p> <p>j. To conserve and enhance street tree planting.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<p>3.1 Development application requirements</p> <p>A landscape plan shall be submitted with all development applications for residential flat buildings.</p> <p>The landscape plan should specify landscape themes, vegetation (location and species), paving and lighting that provide a safe, attractive and functional environment for residents, integrates the development with the neighbourhood and contributes to energy efficiency and water management.</p> <p>A landscape plan prepared by a professionally qualified landscape architect or designer shall be submitted with the development application which shows:</p> <ul style="list-style-type: none"> ■ proposed site contours and reduced levels at embankments, retaining walls and other critical locations; ■ existing vegetation and the proposed planting and landscaping (including proposed species); ■ general arrangement of hard landscaping elements on and adjoining the site; ■ location of communal facilities; ■ proposed lighting arrangements; ■ proposed maintenance and irrigation systems; and ■ proposed street tree planting. 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>A suitable landscaping plan which details species, quantity required, height and spread, planting depth detail has been submitted and is considered satisfactory.</p>
<p>3.2 Landscaping</p> <p>Performance criteria</p> <p>P1 Paving may be used to:</p> <ul style="list-style-type: none"> ■ ensure access for people with limited mobility; ■ add visual interest and variety; ■ differentiate the access driveway from the public street; and ■ encourage shared use of access driveways between pedestrians, cyclists and vehicles. <p>Development controls</p> <p>D1 If an area is to be paved, consideration shall be given to selecting materials that will reduce glare and minimise surface run-off.</p> <p>D2 All landscaped podium areas shall maintain a minimum soil planting depth of 600mm for tree provision and 300mm for turf provision.</p>	<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"/>	<p>Adequate use of garden beds and planter species on the ground floor, Level 1 and Level 10 communal open space has allowed a softening of the building.</p>
<p>3.3 Deep soil zone</p> <p>Performance criteria</p> <p>P1 A deep soil zone allows adequate opportunities for tall trees to grow and spread.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The development provides 48.1sqm (2.9%) of the site as</p>

<p>Note: Refer to the development control diagrams in section 10.0.</p> <p>Development controls</p> <p>D1 A minimum of 30% of the site area shall be a deep soil zone.</p> <p>D2 The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building.</p> <p>D3 Deep soil zones shall have minimum dimensions of 5m.</p> <p>D4 Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.</p>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>deep soil zone, which is considered acceptable in this instance as the development site is located within the Lidcombe Town Centre. The area is a relatively dense urban area which restricts the provision of deep soil zones. Suitable stormwater management measures are proposed and soft landscaping accommodating shrubs and small trees form an integral part of the ground floor level, Level 1, and Level 10 communal open space area.</p>
<p>3.4 Landscape setting</p> <p>Performance criteria</p> <p>P1 Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain.</p> <p>P2 Residential flat buildings are adequately designed to reduce the bulk and scale of the development.</p> <p>P3 Landscaping assists with the integration of the site into the streetscape.</p> <p>P4 Enhance the quality and amenity of the built form.</p> <p>P5 Provide privacy and shade in communal and private open space areas.</p> <p>Development controls</p> <p>D1 Development on steeply sloping sites shall be stepped to minimise cut and fill.</p> <p>D2 Existing significant trees shall be retained within the development.</p> <p>D3 The minimum soil depth for terraces where tree planting is proposed is 800 mm.</p> <p>D4 Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.</p> <p>D5 Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.</p> <p>D6 All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposal incorporates paved surfaces within the Level 10 communal open space area.</p> <p>Planters provided have minimum soil depth to cater for the need of planter species.</p> <p>Suitable conditions can be imposed to ensure efficient irrigation system to be provided.</p>

<p>3.5 Private open space</p> <p>Performance criteria</p> <p>P1 Private open space is clearly defined and screened for private use.</p> <p>P2 Private open space:</p> <ul style="list-style-type: none"> ■ takes advantage of available outlooks or views and natural features of the site; ■ reduces adverse impacts of adjacent buildings on privacy and overshadowing; and ■ resolves surveillance, privacy and security issues when private open space abuts public open space. <p>P3 Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.</p>	<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"/> <p>The proposed development is considered to be consistent with the Balconies objectives as all apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of communal and public areas.</p>
<p>Development controls</p> <p>D1 Private open space shall be provided for each dwelling in the form of a balcony, roof terrace or, for dwellings on the ground floor, a courtyard.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms.</p>
<p>D2 Dwellings on the ground floor shall be provided with a courtyard that has a minimum area of 9m² and a minimum dimension of 2.5m.</p>	<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	
<p>D3 Dwellings located above ground level shall be provided with a balcony or roof terrace that has a minimum area of 8m² and a minimum dimension of 2m.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The building does not incorporate ground floor units.</p>
<p>D4 Balconies may be semi enclosed with louvres and screens.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>All residential units have access to a balcony that has a depth of a minimum of 2m and a minimum area of 8sqm.</p>
<p>D5 Private open space shall have convenient access from the main living area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>All private open spaces are accessible from a living area.</p>
<p>D6 Part of the private open space shall be capable of serving as an extension of the dwelling for relaxation, dining, recreation, entertainment and children's play.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>Balconies are adequately sized to cater for clothes drying if required.</p>
<p>D7 Additional small, screened service balconies may be provided for external clothes drying areas and storage.</p>	<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Balconies are suitably orientated and appropriate screening has been used to reduce any likely privacy concerns.</p>
<p>D8 Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
<p>3.6 Communal open space</p> <p>Performance criteria</p> <p>P1 The site layout provides communal open spaces which:</p> <ul style="list-style-type: none"> ■ contribute to the character of the 			<p>The proposal incorporates an area of common open space on the Level 10, which is seen to be</p>

<ul style="list-style-type: none"> ■ development; ■ provide for a range of uses and activities; ■ allows cost-effective maintenance; and ■ contributes to stormwater management. <p>Development controls</p> <p>D1 Communal open space shall be useable and where possible have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved recreation area.</p> <p>D2 The communal open space area shall have minimum dimensions of 10m.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>utilised if required for passive recreation. The area is adequately designed and has a minimum dimension of at least 10sqm.</p> <p>Site area = 1629sqm Communal open space = 11.68% (190.3sqm).</p> <p>Communal open space area which are provided with additional features such as common room, BBQ, kitchenette and seating.</p> <p>The communal open space will achieve maximum solar penetration, subject to deletion of unit 10:01. Suitable landscaping beds have been provided around the borders of the open area.</p>
<p>3.7 Protection of existing trees</p> <p>Performance criteria</p> <p>P1 Major existing trees are retained where practicable through appropriate siting of buildings, access driveways and parking areas and appropriate landscaping.</p> <p>Development controls</p> <p>D1 Building structures or disturbance to existing ground levels shall not be within the drip line of existing significant trees to be retained.</p> <p>D2 Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees are to be provided if existing trees cannot be retained.</p> <p>Note: For additional requirements, applicants shall refer to the Tree Preservation Part of this DCP.</p>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The subject site does not incorporate any existing trees and/or vegetation.</p>
<p>3.8 Biodiversity</p> <p>Performance criteria</p> <p>P1 Existing and native flora at canopy and understorey levels is preserved and protected.</p> <p>P2 Plantings are a mix of native and exotic water-wise plant species.</p> <p>Development controls</p> <p>D1 The planting of indigenous species shall be encouraged.</p>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The subject site does not incorporate any existing trees and/or vegetation.</p> <p>The submitted landscape plan is considered satisfactory.</p>
<p>3.9 Street trees</p> <p>Performance criteria</p> <p>P1 Existing street landscaping is maintained and where possible enhanced.</p>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The site does not incorporate</p>

<p>Development controls</p> <p>D1 Driveways and services shall be located to preserve existing significant trees.</p> <p>D2 Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage.</p> <p>Note: Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	any existing street trees and no street trees are proposed.
4.0 Access and car parking			
<p>Objectives</p> <p>4.1 Access and car parking requirements</p> <p>Note: Applicants shall consult the Parking and Loading Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	The building provides sufficient onsite parking in accordance with the Apartment Design Guide as detailed above.
4.2 Basements			
<p>Performance criteria</p> <p>P1 Basements allow for areas of deep soil planting.</p> <p>Development controls</p> <p>D1 Where possible, basement walls shall be located directly under building walls.</p> <p>D2 A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.</p> <p>D3 Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.</p> <p>D4 Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.</p>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The basement, drainage culvert pipe and existing laneway/right of way at the rear occupy most area of the site which prohibits the provision of any deep soil zones. The design is considered acceptable in this instance as the development site is located within the Lidcombe Town Centre. The area is a relatively dense urban area which restricts the provision of deep soil zone. Suitable stormwater management measures are proposed and soft landscaping and planter boxes accommodating shrubs and small trees form an integral part of landscaping on the ground floor level, Level 1 and Level 10 communal open space area.</p> <p>The basement is designed in accordance with this part and a suitable condition can be imposed to ensure a dilapidation report is undertaken prior to any works to be undertaken.</p>
5.0 Privacy and security			
<p>Objectives</p> <ol style="list-style-type: none"> To ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces. To provide personal and property security for 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The proposal is considered to promote safety and security in the local area by increasing the opportunity for general pedestrian activity and passive surveillance in the locality.

residents and visitors and enhance perceptions of community safety.				
5.1 Privacy				
Performance criteria				
P1 Private open spaces and living areas of adjacent dwellings are protected from overlooking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development has provided numerous privacy features to ensure adjoining development is not adversely impacted upon including proposed privacy screens, blank walls and smart windows/balcony locations.
Development controls				
D1 Buildings shall be designed to form large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sufficient building separation provided to minimise visual overlooking and acoustic privacy onto adjoining private open spaces.
D2 Windows to living rooms and main bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape. Where it is impracticable to locate windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to perform satisfactorily in maintaining privacy for residents within the development and on surrounding uses.
D3 Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Privacy screens and in some cases solid walls are proposed to the edges of balconies to minimise overlooking impacts.
D4 Views onto adjoining private open space shall be obscured by: <ul style="list-style-type: none"> ■ Screening that has a maximum area of 25% openings, shall be permanently fixed and made of durable materials; or ■ Existing dense vegetation or new planting. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.2 Noise				
Performance criteria				
P1 The transmission of noise between adjoining properties is minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Acoustic report has been prepared to support the application and the mitigation measures within this report are recommended to be imposed as conditions of consent.
P2 New dwellings are protected from existing and likely future noise sources from adjoining residential properties and other high noise sources (such as busy roads, railway corridors and industries) and the transmission of intrusive noise to adjoining residential properties is minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls				
D1 For acoustic privacy, buildings shall: <ul style="list-style-type: none"> ■ be designed to locate noise sensitive rooms and private open space away from the noise source or by use of solid barriers where dwellings are close to high noise sources; ■ minimise transmission of sound through the building structure and in particular protect 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development has provided an Acoustic Report which has been referred for the Environmental Health Office's comment. It is advised by Council's Environmental Health Officer that recommended measures suggested by the acoustic consultant as stated in
D2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>sleeping areas from noise intrusion; and</p> <ul style="list-style-type: none"> ■ all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of the BCA. <p>Note: For development within or adjacent to a rail corridor, or major road corridor with an annual average daily traffic volume of more than 40,000 vehicles, applicants must consult <i>State Environmental Planning Policy (Infrastructure) 2007</i> and the NSW Department of Planning's Development Near Rail Corridors and Busy Roads – Interim Guidelines, 2008.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>the report as suitable and appropriate conditions will be imposed on any consent that may be issued to ensure all noise attenuation measures will be adopted to minimise potential noise impacts to the future residents.</p> <p>The proposal relates to the construction of 94 residential units on a site that is located approximately 150m from the railway line. Accordingly, the proposal requires the assessment against the interim guidelines for 'Development near Rail Corridors and Busy Roads' within the acoustic assessment for Residential flat buildings.</p> <p>An acoustic report prepared by PJ Knowland Pty Ltd T/A PKA Acoustics (ref: 217 057 R02v1) dated 30 October 2017 has been submitted with the development application to address this requirement. The report concludes the following;</p> <ol style="list-style-type: none"> 1. <i>The glazing and outer façade must be selected and installed to meet the minimum requirements in Section 6 and Table 6-1 of this report;</i> 2. <i>The selection and placement of any outdoor mechanical equipment such as condenser units, exhaust serving car parks and toilets, roller doors for access etc. must be designed to acoustically comply with the criteria established in Table 5-2 of this report; and</i> 3. <i>A Construction Noise and Vibration Management Plan must be prepared and adhered to prior to and during construction of the proposed building. The plan must take into account the noise criteria established in Table 5-3, Table 5-4, Table 5-6, Table 5-7 and Table 5-8.</i> <p>It is considered that the development will perform adequately in regards to mitigation of rail noise subject to the recommendations of the submitted acoustic report. It is therefore recommended that if the development is to be determined favourably, the</p>
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			recommendations of the submitted acoustic report form part of any conditions of development consent.
5.3 Security			
Performance criteria			
P1 Provide personal and property security for residents and visitors.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P2 Site layout and design of the dwellings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P3 Ensure a development is integrated with the public domain and contributes to an active pedestrian-orientated environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P4 Ensure effective use of fencing or other means to delineate private and public areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Note: Consideration shall also be given to Council's Policy on Crime Prevention Through Environmental Design (CPTED).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development controls			
D1 Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D2 Ensure lighting is provided to all pedestrian paths, shared areas, parking areas and building entries.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D3 High walls which obstruct surveillance are not permitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D4 The front door of a residential flat building shall be visible from the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D5 Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D6 A council approved street number should be conspicuously displayed at the front of new development or the front fence of such development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D7 Fences higher than 900mm shall be of an open semitransparent design.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D8 Balconies and windows shall be positioned to allow observation of entrances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D9 Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D10 Blank walls facing a rear laneway should be avoided to discourage graffiti.			

<p>D11 Pedestrian and vehicular entrances must be designed so as to not be obstructed by existing or proposed plantings.</p> <p>D12 If seating is provided in communal areas of a development it should generally only be located in areas of active use where it will be regularly used.</p> <p>D13 Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.</p> <p>D14 Ground floor apartments may have individual entries from the street.</p> <p>D15 Residential flat buildings adjoining a park or public open space shall be treated like a front entrance/garden for the length of the park. Refer to Figure 4 - Park frontage in section 10.0.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Provided.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable furnishings can be provided in the communal open space.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal does not adjoin a park or public open space.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No ground floor apartments proposed.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal does not adjoin a park or public open space.
5.4 Fences				
Performance controls				
P1 Front fences and walls maintain the streetscape character and are consistent with the scale of development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No fencing is proposed for the development.
P2 Ensure that views from streets are maintained and not obstructed by excessively high fences.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P3 Reduce the impact of front fencing on the streetscape and encourage fencing which is sympathetic to the existing streetscape, general topography and the architectural style of the existing dwelling or new development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P4 Ensure that materials used in front fencing are of high quality and are sympathetic to the exiting streetscape character.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls				
D1 The front and side dividing fences, where located within the front yard area, shall not exceed 1.2m as measured above existing ground level and shall be a minimum of 50% transparent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2 Materials of construction will be considered on their merit, with regard being given to materials that are similar to other contributory fences in the vicinity, with a general prohibition on the following materials:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> • Cement block; • Metal sheeting, profiled, treated or pre-coated. • Fibro, flat or profile; • Brushwood; and • Barbed wire or other dangerous material. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 All fences forward of the building alignment shall	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

be treated in a similar way.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D4 Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building line.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D5 Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6 Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D7 Fencing and associated walls must be positioned so as not to interfere with any existing trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D8 Gates and doors are to be of a type which does not encroach over the street alignment during operation.			<input checked="" type="checkbox"/>	

6.0 Solar amenity and stormwater reuse

Objectives

a. To minimise overshadowing of adjoining residences and to achieve energy efficient housing in a passive solar design that provides residents with year round comfort and reduces energy consumption.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The siting of the building, being located within the Lidcombe Town Centre, is such that surrounding buildings and private open space will receive adequate solar access. Although it is noted that considerable overshadowing will occur to the south of the building, the area is currently undergoing transition to higher density mixed use and it is envisaged that similar developments will occupy the adjoining sites.
b. To create comfortable living environments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To encourage installation of energy efficient appliances that minimise greenhouse gas generation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development incorporates a suite of energy efficiency and water conservation measures and is detailed in the submitted plans and BASIX certificate.

6.1 Solar amenity

Performance criteria

P1 Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The siting of the building is such that surrounding buildings and private open space will receive adequate solar access either in the morning or afternoon depending on its positioning relative to the building. It is noted that the buildings to the south will receive shadowing for the majority of the day, however this is considered acceptable given the sites orientation and that the area is undergoing a transition into higher density mixed use locality.
P2 Buildings and private open space allow for the penetration of winter sun to ensure reasonable access to sunlight or daylight for living spaces within buildings and open space around buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Development controls

D1 Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	of orientating living areas and private open spaces to optimise solar access where possible.
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are no solar panels proposed
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Where adjoining properties do not have any solar collectors, a minimum of 3m ² of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The adjoining property to the south separated by a 20m road encasement, being 2 – 8 Vaughan Street and 1 Kerrs Road, has residential units above commercial tenancies. The residential units incorporate north facing POS which will be cast in shadow. However, at least 2 hours of sunlight access will be maintained as the result of the block pattern and the proposed 11 storey building orientation.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Buildings shall be designed to ensure sunlight to at least 50% of the principal area of ground level private open space of adjoining properties for at least 3 hours between 9:00am and 3:00pm on June 21.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Overshadowing of the neighbouring development is unavoidable in this instance.
D3 If the principal area of ground level private open space of adjoining properties does not currently receive at least this amount of sunlight, then the new building shall not further reduce solar access.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D4 New buildings and additions shall be designed to maximise direct sunlight to north-facing living areas and all private open space areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development has been designed to incorporate articulated spaces on the western and southern elevations to maximise solar penetration to the adjoining developments. This will be more evident when the remaining sites within the area are developed. It should also be noted that the adjoining development at 2 – 8 Vaughan Street and 1 Kerrs Road has been approved as a 9 storey RFB with 2 separate towers with 10m building separation and has been setback a further 4m from the northern boundary for Level 2 and above. The design will assist the provision of solar access to the north facing POS of the entire Building A between 11am to 3pm, part of Building B between 1pm to 2pm, and entire Building B from 3pm onwards.
D5 North-facing windows to living areas of neighbouring dwellings shall not have sunlight reduced to less than 3 hours between 9:00am and 3:00pm on June 21 over a portion of their surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6 Where the proposed residential flat building is on an adjacent northern boundary or located within an area undergoing transition, compliance with D1, D2, D3 and D4 development controls may not be achievable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As the area is undergoing transition to higher density mixed use development, the impact upon the adjoining premises is considered unavoidable given the applicable zoning, heights and associated floor space ratios.
D7 Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D8 The western walls of the residential flat building shall be appropriately shaded.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

			<p>It is noted that any development on the subject site would generate significant shadow to the adjoining properties.</p> <p>Appropriate shading structures have been proposed over all balconies</p>	
6.2 Ventilation				
<p>Performance criteria</p> <p>P1 The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.</p> <p>Development controls</p> <p>D1 Rooms with high fixed ventilation openings such as bathrooms and laundries shall be situated on the southern side to act as buffers to insulate the building from winter winds.</p> <p>D2 Apartments shall be designed to consider ventilation and dual aspect. This can be achieved with cross over apartments, cross through apartments, corner apartments and two (2) storey apartments. Single aspect apartments shall be kept to a minimum except for those that are north facing. Single aspect apartments shall be limited in depth to 8m from a window.</p> <p>D3 Where possible residential flat buildings shall be designed with bathrooms, laundries, and kitchens positioned on an external wall with a window to allow for natural ventilation of the room.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation.</p> <p>The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.</p> <p>The applicant demonstrated that 61% of units are to be naturally ventilated.</p> <p>The living rooms are adjacent to the balconies and generally promote natural ventilation.</p>
6.3 Rainwater tanks				
<p>Performance criteria</p> <p>P1 The development design reduces stormwater runoff.</p> <p>Development controls</p> <p>D1 Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.</p> <p>D2 Rainwater tanks shall be constructed, treated or finished in a non-reflective material which blends in with the overall tones and colours of the building and the surrounding developments.</p> <p>D3 The suitability of rainwater tanks erected within the side setback areas of development will be assessed on an individual case by case basis.</p> <p>D4 Rainwater tanks shall not be located within the</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The proposal has been supported by a satisfactory stormwater management system. The supporting BASIX certificate did not require any rainwater tanks to be installed to meet water conservation measures. OSD systems have been incorporated into the communal open space areas. In this regard, the proposal is considered acceptable.</p>

front setback.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D5 The overflow from the domestic rain water tank shall discharge to the site stormwater disposal system. For additional details refer to the Stormwater Drainage Part of this DCP.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D6 The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6.4 Stormwater drainage Applicants shall refer to the stormwater drainage requirements in the Stormwater Drainage Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Council's Development Engineer does not raise any objections to the proposal subject to recommended conditions of consent.
7.0 Ancillary site facilities				
Objectives				
<ul style="list-style-type: none"> a. To ensure that site facilities are effectively integrated into the development and are unobtrusive. b. To maintain and enhance the character of streetscapes. c. To ensure site facilities are adequate, accessible to all residents and easy to maintain. d. To cater for the efficient use of public utilities including water supply, sewerage, power, telecommunications and gas services and for the delivery of postal and other services. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building is provided or capable of being provided with an appropriate level of services.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The provision of ancillary facilities is not considered to detract from the character of the streetscape in that all facilities are suitably incorporated within the design of the building.
7.1 Clothes washing and drying				
Performance criteria				
P1 Adequate open-air clothes drying facilities which are easily accessible to all residents and screened, are provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The balconies are of sufficient size and appropriate masonry and privacy screens are to be conditioned so that any balcony clothes drying will not be readily apparent when viewed from the public domain.
Development controls				
D1 Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every apartment is provided with a laundry facility.
D2 Open air clothes drying facilities shall be provided in a sunny, ventilated and convenient location which is adequately screened from streets and other public places, where possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7.2 Storage				
Performance criteria				
P1 Dwellings are provided with adequate storage areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residential units are designed to provide a minimum 8m ³ (where applicable) storage areas within the apartment in the form of dedicated separate storage cupboards.
Development controls				
D1 Storage space of 8m ³ per dwelling shall be	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>provided. This space may form part of a garage or be a lockable unit at the side of the garage.</p> <p>D2 Storage space shall not impinge on the minimum area to be provided for parking spaces.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>Store rooms are located within the basement level for additional storage. Areas for some units. This is considered compliant with the ADG subject to conditions imposed.</p> <p>It should be noted that the ADG requires the following storage requirements;</p> <p>Studio Apartments: 4m³ 1 Bedroom Units: 6m³ 2 Bedroom Units: 8m³</p>
<p>7.3 Utility services</p> <p>Performance criteria</p> <p>P1 All proposed allotments are connected to appropriate public utility services including water, sewerage, power and telecommunications, in an orderly, efficient and economic manner.</p> <p>Development controls</p> <p>D1 Where possible, services shall be underground.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The site is currently suitably serviced. Any augmentation required could be resolved by standard conditions should the proposal be recommended for approval.</p>
<p>7.4 Other site facilities</p> <p>Performance criteria</p> <p>P1 Dwellings are supported by necessary utilities and services.</p> <p>Development controls</p> <p>D1 A single TV/antenna shall be provided for each building.</p> <p>D2 A mailbox structure that meets the relevant Australia Postal Service requirements shall be provided, located centrally and close to the major street entry to the site. All letterboxes shall be lockable.</p> <p>D3 Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The architectural plan shows the provision of letterboxes accessed from Joseph Street. A condition will be imposed on any development consent to address this requirement.</p>
<p>7.5 Waste disposal</p> <p>Applicants shall refer to the requirements held in the Waste Part of this DCP.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>An acceptable waste management plan dealing with the demolition, construction and ongoing waste phase of the development has been submitted for the application. The development is acceptable in this regard.</p>
<p>8.0 Subdivision</p> <p>Objectives</p> <p>a. To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.</p>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>A detailed Strata Plan has not been submitted. The matter of Strata Subdivision may be addressed as a condition</p>

b. To provide allotments of sufficient size to satisfy user requirements and to facilitate development of the land at a density permissible within the zoning of the land having regard to site opportunities and constraints.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	attached to any consent that may be issued.
8.1 Lot amalgamation				
Performance criteria				
P1 Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal incorporates amalgamation of 7 lots. Condition is to be imposed to comply with lot consolidation requirements.
Development controls				
D1 Development sites involving more than one lot shall be consolidated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Plans of Consolidation shall be submitted to, and registered with, the office of the NSW Land and Property Management Authority. Proof of registration shall be produced prior to release of the Occupation Certificate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Adjoining parcels of land not included in the development site shall be capable of being economically developed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The adjoining parcels of land will be capable of being economically developed.
8.2 Subdivision				
Development controls				
D1 The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A detailed Strata Plan has not been submitted. The matter of Strata Subdivision may be addressed as a condition attached to any consent that may be issued.
D2 Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this Part.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8.3 Creation of new streets				
Performance criteria				
P1 On some sites, where appropriate, new streets are introduced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal will maintain existing laneway/right of way. No new streets are being proposed as part of the development. This clause is not applicable to the proposal.
P2 New proposed roads are designed to convey the primary residential functions of the street including:				
■ safe and efficient movement of vehicles and pedestrians;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ provision for parked vehicles;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ provision of landscaping;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ location, construction and maintenance of public utilities; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
■ movement of service and delivery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

vehicles.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls				
D1 Where a new street is to be created, the street shall be built to Council's standards and quality assurance requirements having regard to the circumstances of each proposal. Consideration shall be given to maintaining consistency and compatibility with the design of existing roads in the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2 A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side. For specific information detailing Council's road design specifications, refer to Table 1 – Development Standards for Road Widths in section 10.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3 For larger self-contained new residential areas, specific road design requirements shall be considered for site specific development controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9.0 Adaptable housing				
Objectives				
a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is fully accessible from the basement levels via lift to residential levels above.
b. To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.1 Development application requirements				
Note: Evidence of compliance with the Adaptable Housing Class C requirements of Australian Standard (AS) 4299 shall be submitted when lodging a development application to Council and certified by an experienced and qualified building professional.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted.
9.2 Design guidelines				
Performance criteria				
P1 Residential flat building developments allow for dwelling adaptation that meets the changing needs of people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition shall be imposed to ensure compliance with the relevant BCA and Australian Standards regarding adaptable housing.
Development controls				
D1 The required standard for Adaptable Housing is AS 4299. Wherever the site permits, developments shall include adaptive housing features into the design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vaughan Street access is designed to provide barrier free access to the foyer. This is through an access ramp given the flood impacts on site and the associated raised ground floor level.
External and internal considerations shall include: ■ access from an adjoining road and footpath for people who use a wheel chair;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adaptable units are proposed

<ul style="list-style-type: none"> ■ doorways wide enough to provide unhindered access to a wheelchair; ■ adequate circulation space in corridors and approaches to internal doorways; ■ wheelchair access to bathroom and toilet; ■ electrical circuits and lighting systems capable of producing adequate lighting for people with poor vision; ■ avoiding physical barriers and obstacles; ■ avoiding steps and steep end gradients; ■ visual and tactile warning techniques; ■ level or ramped well lit uncluttered approaches from pavement and parking areas; ■ providing scope for ramp to AS 1428.1 at later stage, if necessary; ■ providing easy to reach controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors; ■ internal staircase designs for adaptable housing units that ensure a staircase inclinator can be installed at any time in the future; and ■ providing a disabled car space for each dwelling designated as adaptable. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	within the development with internal design and fixtures that can be refitted to accommodate people with disabilities.
	<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"/>	
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	<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"/>	
D2 All development proposals with five or more housing units shall be capable of being adapted (Class C) under AS 4299. The minimum number of adaptable housing units is set out below.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Condition of consent will be imposed to ensure sufficient accessible car parking spaces will be made available to the adaptable units in accordance with this clause.
Number of dwellings	Number of adaptable units			
Number of dwellings	Number of units			
5-10	1			The development proposes 94 units. 10 of those units have been identified as being adaptable units.
11-20	2			
21 - 30	3			
31- 40	4			
41 - 50	5			
Over 50	6			
(Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number)				
Note: Adaptable Housing Class C incorporates all essential features listed in Appendix A – Schedule of Features for Adaptable Housing in AS 4299.				
9.3 Lifts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Having considered the number of units proposed on site, one centralised lift core with two lifts is proposed to service all 94 units, which is acceptable in this
D1 Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>housing units shall be required.</p> <p>D2 Where the development does not provide any lifts and includes adaptable housing units, the adaptable housing units shall be located within the ground floor of the development.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	regard.
<p>9.4 Physical barriers</p> <p>Development controls</p> <p>D1 Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is fully accessible from the pedestrian footpath to ground floor and residential units, with all other levels accessible via lifts.