

HOLROYD DEVELOPMENT CONTROL PLAN 2013**Part A – General Controls****2.4 Access: Vehicular Crossings, Splay Corners, Kerb & Guttering**

Control	Provided	Complies (Yes/No)
VC to be reconstructed if in poor condition, damaged or design doesn't comply (check on site)	1 x new VC is proposed to the Gladstone Street frontage	Yes
Avoid services/facilities in road reserve, existing trees, pedestrian crossing, pram ramps etc or condition their relocation (check on site and survey plan)	Proposed VC to Gladstone Street is not considered to create an unacceptable impact	Yes
Corner sites VC to be min. 6m from the tangent point	Compliant	Yes
Corner sites require 3m x 3m (residential) and 4m x 4m (commercial) splay corner to be dedicated	Proposed splay corner is considered appropriate subject to conditions	Yes

3.1 Minimum Parking Spaces**Residential flat buildings, dwellings in B1, B2 and B6 business zones (including shop top housing)**

Not applicable noting ADG controls

Commercial (including retail premises, business premises and office premises) in B2 zones

Control	Required	Provided	Complies (Yes/No)
Ground Floor Leasable GFA 1 per 20m ²	278/20 = 13.9 sp 278m ² = gross leasable floor area	6 spaces	No*

*The proposal may provide for commercial parking spaces as a Section 94 contribution. Accordingly Section 94 contributions have been applied in the conditions of consent supplementary to the Voluntary Planning Agreement.

The total residential parking spaces to be provided are 174. The application is compliant with spaces. 179

Bicycle Parking**Ground Floor – Business Zones**

Control	Required	Provided	Complies (Yes/No)
GLFA: Employee 1 per 300m ²	285/300 = 1sp	Req. 1sp overall Pro. 0sp	No
GLFA: Visitor 1 per 2500m ²	285/2500 = 0.11sp		

Residential Flat Buildings

Control	Required	Provided	Complies (Yes/No)
Studio None	N/A	Req. 89.4 (90)sp overall Pro. 0sp	No, conditions of consent shall be applied requiring the provision of bicycle parking.
1 bedroom 0.5 spaces	34 x 0.5 = 17sp		
2 bedroom 0.5 spaces	103 x 0.5 = 51.5sp		
3+ bedroom 0.5 spaces	12 x 0.5 = 6sp		
Visitor / dwelling 0.1 spaces	149 x 0.1 = 14.9sp		

3.3 Car Parking, Dimensions & Gradient

Controls	Complies (Yes/No)
Min. clear length 5.5m (5.4m AS2890.1-2004)	Yes
Min. clear width 2.4m for open space; 3m for between walls.	Yes
Min. clearance height 2.3m	Yes

3.5 Access, Maneuvering and Layout

Controls	Complies (Yes/No)
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Minimum 1.5m setback from side property boundaries	Compliant
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3.6 Parking for the Disabled

Control	Required	Provided	Complies (Yes/No)
2 spaces per 100 spaces up to 400, and 1 per 100 thereafter, or part thereof	185 spaces proposed. 4 accessible spaces required.	24 disable spaces provided	Yes

6.3/6.4 Erosion and Sediment Control Plan

Comment: Council's Environmental Health Unit has assessed the submitted erosion and sediment control plan to be acceptable, subject to conditions.

9 External Road Noise & Vibration: Development ≤60m of a railway line and/or adjacent to a classified road to be supported by an acoustic report.

Comment: The proposed development is located >60m from a railway line and is not located adjacent to a classified road. Despite this Council's EHU has reviewed the acoustic arrangements and confirmed these are satisfactory.

11 Site Waste Minimisation and Management Plan (SWMMP)

Comment: The plans are considered acceptable by Council's Waste Management Officer, subject to conditions of consent.

Part B – Residential

1. General Residential Controls

1.1 Building Materials

Comment: The proposed materials and finishes to be used are considered acceptable

1.2 Fences

Controls	Complies (Yes/No)
Max. 1.5m	Not applicable
Front fences solid ≤1m and be ≥50% transparent to 1.5m	Not applicable

1.3 Views

Comment: It is not considered that the proposal will take away from views of any significance for any adjoining properties. While it is acknowledged that the size of the proposal is a significant increase to the existing situation on the subject site, the zoning does allow for developments of this size with the expectation that the adjoining properties shall also redevelop as per the applicable development standards for their site.

1.5 Landscape Area

Control	Required	Provided	Complies (Yes/No)
Max. 50% of provided landscaped area shall be forward of the front building line.			Not applicable in this instance
Majority of landscaped area to be to the rear of the building.			Not applicable

1.8 Sunlight Access

Control	Provided	Complies (Yes/No)
1 main living area of existing adjacent dwellings to receive 3 hours direct sunlight between 9am and 4pm, 22 June.	There are no adjoining dwellings currently to the subject site. Despite this evidence has been supplied detailing the ability to achieve this compliance for potential adjoining development.	Yes
Min. 50% of required POS of existing adjacent dwellings to receive 3 hours direct sunlight between 9am and 4pm, 22 June	There are no adjoining dwellings currently to the subject site. Despite this evidence has been supplied detailing the ability to achieve this	Yes

	compliance for potential adjoining development.	
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1.9 Cut & Fill

Control	Provided	Complies (Yes/No)
Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary. Cut controls are not applicable where basement parking is proposed	The application is provided with basement parking	N/A
Fill: max. 0.3m within 0.9m of side/rear boundary; ≥ 0.6 m to be contained within the building; if > 0.15 m shall occupy max. 50% of the landscaped area.	Satisfactory	Yes
Not within easements		

1.11 Vehicular Access and Driveways

Control	Provided	Complies (Yes/No)
6m wide at boundary.	The proposed driveway width is considered an acceptable design solution	Yes
Council favours the use of a central under-building access driveway.	One driveway which is a a central under building driveway - noting the requirement for movement on the ground floor before entering a ramp	Yes

1.12 Universal Housing and Accessibility

Control	Provided	Complies (Yes/No)
15% of units shall be adaptable units.	The application requires the provision of 22 adaptable units, 22 adaptable units have been indicated on the architectural plans.	Yes

1.13 Subdivision: Strata subdivision of residential flat buildings is permitted

Comment: To be conditioned if approved

6.0 Residential Flat Buildings

6.1 Lot Size and Frontage:

Control	Provided	Complies (Yes/No)
Min. lot frontage is: <ul style="list-style-type: none"> 24m (if a highlighted lot in Appendix I); or 28m for all other properties; or 45m for all development ≥ 6 storeys. 	Site frontage controls are covered by Part M	N/A
Not permitted on battleaxe lots.		Yes
The proposal shall not limit future development potential of adjoining lots i.e. landlocking	The applicant has demonstrated attempts to procure the neighbouring sites so as not to landlock or restrict the future development of the adjoining Pitt Street property. As documented the owners of this adjoining property have rejected these offers and as such the proposal is considered satisfactory.	Yes

6.2 Site Coverage: Max. 30% of the site area

Comment: The proposal required a maximum 870.09m² site coverage based on a revised site area of 2,900.3m². The proposal provides for up to 2030m² site coverage (70%) and is therefore non compliant. This non-compliance however is considered acceptable in the subject instance as the proposal satisfies the majority of built envelope, bulk, scale and design controls as stipulated within the Apartment Design Guide and HLEP2013. Furthermore the building massing has been distributed across the site to minimize impacts on adjoining development and the site coverage of 70% is only on the ground floor with coverage minimized as the development moves into upper levels.

6.3 Setbacks

Control	Provided	Complies (Yes/No)
Principal St: 6m and correspond with existing building setback.	Not applicable noting compliance with with Part M of the DCP	N/A
Secondary St: 4m.		N/A
Side: 3m.	Not applicable, compliance with Apartment Design Guide and Part M of the DCP necessary in this instance	N/A
Rear: <ul style="list-style-type: none"> ≤ 4 storeys – 20% of the site length or 6m, whichever is greater. ≥ 5 storeys – 30% of the site length. 	Not applicable, compliance with Apartment Design Guide and Part N of the DCP necessary in this instance	N/A
Basement: 3m to side and rear boundaries.	6m western side boundary basement setbacks, all other setbacks provided 0m setback boundaries, whilst non-compliant this is considered appropriate on the subject site and is supportable.	Complies
All floors >4 storeys to be setback 3m.	Not applicable compliance with Apartment Design Guide and Part N of the DCP necessary in this instance	N/A

6.4 Building Height

3.4 Building Height

Control	Provided	Complies (Yes/No)																		
<p>Maximum building height in storeys shall be provided in accordance with the table below:</p> <table><tr><th colspan="2">Permitted Height (storeys)</th></tr><tr><th>Height</th><th>Storeys</th></tr><tr><td>9m</td><td>1</td></tr><tr><td>11m</td><td>2</td></tr><tr><td>12.5m</td><td>3</td></tr><tr><td>15m</td><td>4</td></tr><tr><td>18m</td><td>5</td></tr><tr><td>21m</td><td>6</td></tr><tr><td>24 m</td><td>7</td></tr></table>	Permitted Height (storeys)		Height	Storeys	9m	1	11m	2	12.5m	3	15m	4	18m	5	21m	6	24 m	7	<p>The application provides for a total of 12 storeys in compliance with the LEP controls</p>	<p>No, but acceptable in this instance as LEP Development Standards Prevail.</p>
Permitted Height (storeys)																				
Height	Storeys																			
9m	1																			
11m	2																			
12.5m	3																			
15m	4																			
18m	5																			
21m	6																			
24 m	7																			
<p>The minimum floor to ceiling heights shall be:</p> <ul style="list-style-type: none">2.7 metres for habitable rooms.2.4 metres for non habitable rooms.2.4 metres for the second storey section of two storey units if 50% or more of the apartment has a 2.7 metre minimum ceiling height.	<p>All residential levels are provided with a floor to ceiling height of 2.7m</p>	<p>Yes</p>																		

Attics

Control	Provided	Complies (Yes/No)
Attics are permissible in RFBs.	No attics proposed	N/A
Min. wall height of 1.5m with min 30° ceiling slope.	No attics proposed	N/A

6.7 Building Appearance - Facade

Control	Provided	Complies (Yes/No)
<p>Appropriate scale, rhythm and proportion, responding to the building use and contextual character.</p> <p>Walls to street to be articulated by windows, verandahs, balconies or blade walls. Max. projection of 600mm forward of building line.</p>	The design of the front façade is considered to be of an acceptable style.	Yes
Buildings on corner sites to address both frontages.		N/A

Building Appearance – Roof Design

Control	Provided	Complies (Yes/No)
Roofs shall relate to the built form, context and character of the street.	With a minimal pitch, the roof presentation is acceptable	Yes
Pitched roofs will not be permitted:- <ul style="list-style-type: none"> Where it doesn't relate to the urban context. Where it increase the visual bulk of the building. Where land has been rezoned high density. 	A pitched roof is not proposed	N/A
Max. 3m height for roofs from ceiling line to ridge.	No pitched roof proposed	N/A

6.8 Building entry and pedestrian access

Control	Provided	Complies (Yes/No)
Shall be clearly identifiable, sheltered, well lit and visible from the street.	The main entry is provided with a covered enclosure, which is identifiable from the street	Yes
Main entry to be separate from carparks or car entries.	Main entry areas are separate from car park	Yes

6.9 Parking

Control	Provided	Complies (Yes/No)
Shall be maintained to a basement.	Basement parking provided	Yes
Vehicle entries shall be setback from the main façade and security doors shall be provided to car park entries to improve the appearance of vehicle entries	Vehicle entry has been provided from Gladstone Street	Yes
One car wash bay shall be provided for all developments having 10 or more dwellings (not a visitor space).	A wash bay has been provided with the plans	Yes

Vehicular access

Control	Provided	Complies (Yes/No)
Shall be located off secondary streets, where possible.		N/A
Direct access shall be provided between the car park to the lobby.	The basement is accessed via a lift tower, provided to the lobby area.	Yes
Access to resident parking areas shall be restricted via a security gate or door.	A security door has been identified	Yes

6.11 Internal circulation

Control	Provided	Complies (Yes/No)
All common facilities must be accessible.		Yes
All staircases are to be internal.	All staircases are provided within the proposed built form	Yes
Sensitive noise rooms shall be located away from less sensitive noise rooms, corridors and stairwells.	Satisfactory	Yes

6.12 Facilities and amenities

Control	Provided	Complies (Yes/No)
Each unit shall be provided with a laundry within the unit.	Laundry facilities are provided to each unit	Yes
Open air clothes drying facilities shall be provided in a sunny, ventilated area, screened from the public domain.	Open air drying facilities are provided	Yes
Clothes drying areas shall be screened by 1.5m high walls.	Clothes drying area is proposed	Yes
A master antenna shall be provided.	To be conditioned	Yes

Mailboxes shall not be at 90° to the street and shall be integrated with the overall design.	Provided within the entry portico	Yes
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6.15 Waste Management – Bin Storage

Control	Provided	Complies (Yes/No)
Bin storage must: <ul style="list-style-type: none"> Be located behind the building line and screened from the street and any public place. Be accessible and relatively close to each dwelling. Not impact upon the amenity of adjoining premises or dwellings within the development, i.e. odour. 	The garbage room is located on the ground floor behind the building line and is enclosed. Its position is considered satisfactory	Yes
Allow for unobstructed access that does not exceed a grade of 1:8 for bins to be wheeled to the collection point.	Bins are proposed to be collected internally by a garbage truck	Yes

7. Landlocked Sites

Control	Provided	Complies (Yes/No)
Residential R4 zoned lots should not result in the creation of landlocked sites.	Landlocking of No. 208 - 220 Pitt Street is created by the proposal. Please refer to discussion under part M of the DCP in this assessment	No
Where adjacent sites are developed concurrently, amalgamation or integration of public domain / open spaces shall be explored.	Not applicable	Not applicable
Proposals that create landlocked sites shall: <ul style="list-style-type: none"> Provide two written independent valuations representing the affected sites value. Provide evidence that a reasonable offer has been made to the affected owners. Demonstrate how future development on the isolated sites will achieve a high quality streetscape. 	The proposal has provided the requisite documentation and conceptual plans.	Yes

Existing Landlocked Sites

Control	Provided	Complies (Yes/No)
Existing landlocked sites shall be assessed on their merits.	Not applicable	Not applicable
Proposals shall achieve a satisfactory level of amenity, privacy, solar access, landscaping and setbacks and shall not detract from the streetscape.	Not applicable	Not applicable

Part C – Commercial Development

Building Envelope

1.1 Lot Size and Frontage

Control	Provided	Complies (Yes/No)
Min. lot frontage for Zone B2, B4, B5 and B6 is: <ul style="list-style-type: none"> Up to 3 storeys – 20m 4-8 storeys – 26m ≥9 storeys – 32m No min. lot frontage applicable to Zone B1.	The proposed development is 6-12 storeys in height with a minimum frontage of fronting the Gladstone and Neil Street's with a lot frontage of approximately 70m.	Yes
Commercial development is not permitted on battleaxe lots.	N/A	N/A
Council may require consolidation of more than 1 existing allotment to meet the DCP.	N/A	N/A
Proposals that cannot be amalgamated shall: <ul style="list-style-type: none"> Provide two written independent valuations representing the affected sites value. 	The proposal has provided the requisite documentation and conceptual plans.	Yes

<ul style="list-style-type: none"> • Provide evidence that a reasonable offer has been made to the affected owners. • Demonstrate how future development on the isolated sites will achieve vehicle access, basement parking and appropriate built form. 		
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1.2

Floor Area

Control	Provided	Complies (Yes/No)
Bulky good development: bulky goods shall occupy min. 60% TFA.	N/A	N/A
Food and drink premises in Zone B6: Max. GFA 1000m ² .	278m ² of retail tenancy proposed, which will require Development Application prior to first use.	Yes
Shops in Zone B1: Max. GFA 1000m ² .	N/A	N/A

Building Use

Control	Provided	Complies (Yes/No)
Commercial development shall be located at street level, fronting the primary St, and where possible the secondary St.	The proposed retail tenancies front Gladstone Street and the New Road	Yes
Residential development is permitted at ground floor in Zone B1 and B6.	Residential development is proposed on the ground floor fronting Neil Street	Yes
Residential development is not permitted at ground floor in Zone B2 and B4.	Not applicable	N/A
Where residential development is located at ground level and faces the street, they shall be constructed as flexible floor plates to enable future commercial development.	Floor plates have flexibility for future commercial development.	Yes

1.3

Building Height

Control		Provided	Complies (Yes/No)
Min. floor to ceiling height of commercial development / component:		The proposed ceiling heights are as follows: <ul style="list-style-type: none">• Ground floor 4.65m• First floor 2.7m• Second floor 2.7m• Third floor 2.7m• Fourth floor 2.7m• Fifth floor 2.7m• Sixth floor 2.7m• Seventh floor 2.7m• Eighth floor 2.7m• Ninth floor 2.7m• Tenth floor 2.7m• Eleventh floor 2.7m Whilst the first floor does not comply this is considered acceptable in this instance.	Yes
Maximum building height in storeys shall be provided in accordance with the table below:		The proposed development is 12 storey's in height in accordance with the 42m height control.	Yes

Permitted Height (storeys)	
Height	Storeys
10m	1
11m	2
12.5m	2
14m	3
17m	4
20m	5
23m	6

	26m	7			
	29m	8			
	32m	9			
	38m	11			
	41m	12			
	50m	15			
	53m	16			
	65m	20			

1.4 Front Setback

Control	Provided	Complies (Yes/No)
Zone B1 shall observe established front setbacks.	N/A	N/A
Zone B2 and B4 are within site specific section of DCP.	N/A	N/A
Zone B5: <ul style="list-style-type: none"> Greystanes and Smithfield – 10m. Holroyd/Granville – 6m. Church St Granville – 0m. All other areas not stated in other sections of DCP – 4m. 	N/A	N/A
Zone B6: <ul style="list-style-type: none"> South Wentworthville – 6m. All others areas not stated in other sections of DCP – 4m. 	N/A noting part M of the DCP is applicable	N/A

Side Setback

Control	Provided	Complies (Yes/No)
Where site adjoins a business zone, no side setback requirement, unless otherwise stated in site specific controls.	Not Applicable	N/A
Where site adjoins a residential zone (not separated by road), side setback shall be 3m and shall demonstrate solar access and privacy to adjoining residential development.	Side setback 6m to western side.	Yes

Rear Setback

Control	Provided	Complies (Yes/No)
Development adjoining residential shall have a rear setback of 6m.	N/A	N/A
In Zone B6, 0m setback where access to rear laneway provided.	N/A	N/A
Sunlight and privacy shall be maintained to adjoining residential developments.	The proposed development complies with the ADG sunlight and privacy controls.	Yes

1.5 Landscaping and Open Space

Control	Provided	Complies (Yes/No)
Landscaped areas not required in business zones, unless stated in site specific controls.	N/A	N/A

2 Movement

2.1 Rear Laneways and Private Access ways

Control	Provided	Complies (Yes/No)
Vehicular access must be provided where access to existing laneways is possible.	Access from laneways not possible, Gladstone Street vehicular access to basement carpark appropriate for subject site.	Yes
Laneways shall be min. 8m in width.	Not applicable	N/A

2.2 Pedestrian Access

Control	Provided	Complies (Yes/No)
Direct access shall be provided from the car park to all residential and commercial units.	Direct access is provided to the residential units which are serviced by the basement car park through the provision of the lift shaft and egress stairs. It is noted that the residential spaces are located on the basement levels with all commercial spaces provided at ground level.	Yes
Main building entry points shall be clearly visible.	The main building entries are clearly visible from the public domain.	Yes

2.3 Building Entries

Control	Provided	Complies (Yes/No)
Separate entries from the street shall be provided for cars, pedestrians, multiple uses and ground floor apartments.	The proposal is provided with entries in compliance with this control.	Yes
Residential entries must be secure where access is shared between residential and commercial uses.	The lift will be only accessible for the residential levels	Yes
Multiple cores which access above ground uses shall be provided where the site frontage $\geq 30\text{m}$.	The site is provided with multiple cores.	Yes

2.4 Vehicle Access

Control	Provided	Complies (Yes/No)
Driveways shall be provided from laneways, private access ways and secondary streets where possible.	The proposed access is from Gladstone Street, which has been assessed and is considered appropriate for the subject site.	Yes
Loading and unloading facilities shall be provided from a rear lane, side street or right of way where possible.	A loading zone has been proposed within the development	Yes
One two-way driveway is permitted per development site up to 10,000m ² .	Refer to comments provided by Council's TRFC department.	Yes
Driveways are limited to a maximum of 6m or 8m for commercial loading docks and servicing.	Satisfactory arrangement proposed.	Yes
Pedestrian safety shall be maintained	Refer to TRFC comments.	Yes

2.5 Parking

Control	Provided	Complies (Yes/No)
Onsite parking is to be provided underground where possible.	The parking is provided with a ground level (commercial) and a basement levels (residential)	Yes
Basement parking shall be consolidated to maximise landscaping.	Basement parking has been consolidated so as to allow for deep soil zone within the western side setback.	Yes
Parking shall not be visible from main street frontages.	The proposed parking arrangement is not visible from the Neil Street or New Road Frontages	Yes
Natural ventilation or ventilation grills shall be provided to basement parking.	Ventilation of the basement will be achieved via conditions of consent	Yes
Visitor parking is not to be stacked parking.	The proposed visitor parking is not proposed to be stacked.	Yes

3
3.1 Design and Building Amenity Safety and Security

Control	Provided	Complies
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		(Yes/No)
Casual surveillance is to be achieved through active street frontages and creating views of common internal areas.	The proposed commercial tenancies activates the New Road and Gladstone Street frontages and the apartments on Neil Street will all, providing casual surveillance.	Yes
Building entries are to be provided with clear lines of site, should be provided in visually prominent locations and separate residential and commercial entries shall be observed.	The main commercial entries are clearly distinguishable and separate from the residential lobby area.	Yes
Adequate lighting shall be provided within the development i.e. pedestrian access ways, common areas and communal open space, car parking areas and all entries.	A lighting plan for the proposed development has been provided on the ground floor plan, which is considered acceptable.	Yes
Landscaping shall avoid opportunities for concealment.	Council's LAND department has recommended that the application as amended is acceptable.	Yes

3.2 Façade Design and Building Materials

Control	Provided	Complies (Yes/No)
All walls are to be articulated via windows, verandahs, balconies or blade walls. Articulation elements forward of the building line max. 600mm.	The proposed façade presentation is considered acceptable	Yes

3.3 Laneways

Control	Provided	Complies (Yes/No)
Laneways shall: <ul style="list-style-type: none"> Define private and public spaces. Ensure clear lines of sight. Eliminate spaces that enable hiding. Ensure overlooking through balcony / window location. Provide suitable lighting. Public access shall be provided at all times. 	N/A	N/A

Arcades

Control	Provided	Complies (Yes/No)
Min. width of 6m and minimum 4m high.	N/A	N/A
Direct and unrestricted access to be provided during business trading hours.	N/A	N/A

3.4 Shop Fronts

Control	Provided	Complies (Yes/No)
Solid roller shutters and security bars are not permitted.	Roller shutters not proposed	N/A
Open grill (concertina) and transparent grill shutter security devices are permitted.	Shutters on shop fronts not proposed as part of this application	N/A
All windows on the ground floor to the street frontage are to be clear glazing.	The windows proposed to the commercial unit on the ground floor area shall be maintained as clear glazing, via a condition of consent.	Yes

3.5 Daylight Access

Control	Provided	Complies (Yes/No)
Design and orientate dwelling to maximise northerly aspect.	The proposed development maximizes the northerly aspect through building massing arrangements	Yes
1 main living area of existing adjacent	3 hours of direct sunlight is considered	Yes

dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June.	to have been appropriately indicated with the current plans to the southern neighbor.	
Min. 50% of required POS of existing adjacent dwelling to receive 3 hours direct sunlight between 9am and 4pm.	3 hours of direct sunlight is considered to have been appropriately indicated with the current plans to the southern neighbors courtyard and private open space areas	Yes

3.5 Daylight Access

As previously discussed within this assessment, it is considered that at least 70% of dwellings within the development will achieve at least 2 hours of direct sunlight between 9am and 3pm mid winter under the Apartment Design Guide

3.6 Visual and Acoustic Privacy

Standard construction methods in accordance with the BCA will ensure acoustic privacy between units.

Managing External Noise: Development ≤60m of a railway line and/or adjacent to a classified road report to be supported by an acoustic report.

Comment: Council's EHU has reviewed the acoustic arrangements and confirmed these are satisfactory.

3.7

3.8 Awnings

Control	Provided	Complies (Yes/No)
Awnings: <ul style="list-style-type: none"> Should be flat. Must be 3m deep. Setback from the kerb a min. 600mm. Min. soffit height of 3.2m-3.3m. Slim vertical facias and/or eaves ≤300mm. To be located over all building entries. 	The proposed development has provided for an awning	Yes
Permitted on laneways where active street frontages are required. Shall be retractable and only used in hours of operation.	N/A	N/A
Shall wrap around street corners.	Compliant	Yes
Canvas blinds along street frontages not permitted.	N/A	N/A

3.9 Apartment Layout

It is considered that the design of the proposed units as discussed within this report is acceptable.

3.10 Flexibility and Adaptability:

Control	Provided	Complies (Yes/No)
15% of units shall be adaptable units. Required = 149 x 15% = 22 units	22 units are proposed to be adaptable	Yes

3.11 Corner Buildings: Corner buildings shall articulate street corners and present each frontage as a main street frontage.

Comment: The proposed development is considered to provide for an appropriate articulation of the corner

3.12 Ground Floor Apartments

Control	Provided	Complies (Yes/No)
The number of ground floor accessible apartments shall be maximised.	Given the subject site constraints accessible ground floor units are not feasible.	N/A

Individual entrances are encouraged.	Individual entrances provided for all ground floor units	Yes
Privacy, safety and security shall be optimised through fencing, lighting, landscaping and minimising sightlines through stepping up the ground floor max. 1.2m and through the design of balustrades and sill heights to windows.	Acceptable	Yes

3.13 Internal Circulation & Storage for residential uses

As identified within the SEPP 65 and ADG component of this report, the building complies with the internal circulation requirements and storage.

Balconies

3.14

Whilst the Holroyd DCP 2013 requires that balconies provide a minimum depth of 2.4 metres, the ADG requirements allow for balconies to be 2m in width for 1 and 2 bedroom units and 2.4m for 3 bedroom units. It is noted that all balconies are provided with the requisite minimum depths under the ADG.

Natural Ventilation

3.15

74 of the 149 Units provide for adequate Natural Ventilation, which is 60.7% of development and compliant with the ADG.

3.17 Roof Design

The roof design does not detract from the development and is considered to be satisfactory.

3.18 Waste Management

Control	Provided	Complies (Yes/No)
Garbage/recycling storage areas should be located to be easily accessible.	Waste management proposal is considered satisfactory.	Yes

5 General

5.2 Signage

No signage is proposed as part of the subject DA.

5.3 Hours of Operation

No hours of operation or operational consent for the proposed retail tenancies has been sought under the subject application.

PART E

1.2 PUBLIC PARTICIPATION

Comment: The subject application was notified between the 30 November, 2016 to 6 January 2017. 2 submissions were received during this period.

PART J – Site Specific Guidelines

1 – 8 SITE SPECIFIC GUIDELINES

Comment: Not applicable in this instance

PART L – TOWN CENTRE CONTROLS

Not applicable in this instance

PART M – MERRYLANDS CENTRE CONTROLS

1 Aims and Objectives

Control	Provided	Complies (Yes/No)
Objectives		

<ul style="list-style-type: none"> • Strengthen the economic and employment role of Merrylands. • Provide for an active and vibrant centre. • Ensure buildings are designed to maximise appropriate amenity outcomes for the centre. • Ensure development design promotes the principles of ecologically sustainable development. • Create a centre for a diverse community. • Promote public transport use, cycling and walking and reduce reliance on private car travel. • Improve pedestrian and vehicular traffic movement within the centre. • Achieve urban design strategies that acknowledge the role of Merrylands within Holroyd and the subregion. • Maintain and create clear linkages within the centre and with adjoining residential precincts. 	<p>The objectives are considered to have been satisfied by the proposal. The proposal provides for retail tenancies which will provide employment and economic strength as well as developing an active connection to this new development.</p>	Yes
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3

Public Domain

Control	Provided	Complies (Yes/No)
3.1 Roads and Circulation, Figure 2 requires a new road 1 – between Terminal Place and Sheffield Street extension	The proposal will provide for the required new road	Yes
3.2 Pedestrian and Bicycle Network. Figure 3 requires footpaths along new road 1	Compliant	Yes
3.3 Landscaping and Open Space. Figure 4 shows concept building footprints, swale and public open space	Building footprint predominately aligns with Figure 4 (fronting Pitt Street), the planting on structure is considered acceptable and additional planting along the western side boundary is proposed.	Yes
3.4 Indicative Street Sections B-B and I-I applies	Section B-B is unavailable but Section I-I is compliant with the 9 storeys proposed to Gladstone Street	Yes

4

Building Envelope**4.1 Site amalgamation and minimum frontage**

Control	Provided	Complies (Yes/No)								
C1. Amalgamation of lots in accordance with Figure 5 is required for redevelopment.	Amalgamation not successful despite applicant attempts	Satisfactory								
C2. Where amalgamation is not required by this plan, the minimum site width for redevelopment is 20m	Compliant, each remaining frontage for No. 208 – 220 Pitt Stret is provided with a frontage greater than 20m	Yes								
C3. The minimum site width achieved shall determine the height of buildings (in storeys) in accordance with the table below. Site width shall be measured at the primary frontage. <table><tr><th>Site Width (m)</th><th>Permitted Height (storeys)</th></tr><tr><td>20m</td><td>Maximum 3 storeys</td></tr><tr><td>26m</td><td>Maximum 8 storeys</td></tr><tr><td>32m</td><td>Maximum 20 storeys</td></tr></table>	Site Width (m)	Permitted Height (storeys)	20m	Maximum 3 storeys	26m	Maximum 8 storeys	32m	Maximum 20 storeys	Site width is compliant	Yes
Site Width (m)	Permitted Height (storeys)									
20m	Maximum 3 storeys									
26m	Maximum 8 storeys									
32m	Maximum 20 storeys									
C4. Sites must not be left such that they are physically unable to reasonably develop a three storey building in accordance with the controls in Sections 4 and 5 of this Part	A three storey building is considered possible to redevelop in the future	Yes								
C5. Development must not prevent the provision of laneways, accessways or vehicular access locations is prevented, or cannot be achieved in accordance with this plan	Not applicable	N/A								

<p>C6.Where required amalgamations cannot be achieved:</p> <p>a) Applicants are to negotiate with all affected property owners prior to the lodgement of a development application, in an attempt to achieve the preferred development outcome.</p> <p>b) In instances where amalgamation cannot be achieved (because a landowner chooses not to take-up a reasonable offer) the following information must be submitted with any development application:</p> <ul style="list-style-type: none"> • two (2) written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent Valuers registered with the Australian Institute of Valuers, and • evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports. 	<p>Amalgamation not possible, subsequently documentation submitted to Council in November 2017 which included:</p> <ul style="list-style-type: none"> - Two Written Valuations and - Evidence of a reasonable offer being made to the affected site land owners 	Yes
<p>C7.Where amalgamation (as required) is not achieved the applicants must show that the remaining sites, which are not included in the consolidation will still be able to achieve the development outcome prescribed in this DCP (i.e. minimum site frontage of 20m). This includes achieving the required vehicular access, basement parking and built form.</p> <p>Note:</p> <ul style="list-style-type: none"> • Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Holroyd LEP 2013 and this plan. • A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site. 	<p>Conceptual plans submitted detailing potential development outcomes for landlocked sites detail compliance with the DCP development outcomes.</p>	Yes

4.2 Building and Ceiling Heights

7.2 Building and Ceiling Heights

Control	Provided	Complies (Yes/No)						
C1.Maximum permitted building height in storeys* shall be in accordance with the table below. <div><table><tr><th colspan="2">Permitted Height (storeys)</th></tr><tr><th>Height (m)</th><th>Storeys</th></tr><tr><td>41</td><td>12</td></tr></table></div>	Permitted Height (storeys)		Height (m)	Storeys	41	12	The proposal will provide for a part 6, part 9 and part 12 storey building.	Yes
Permitted Height (storeys)								
Height (m)	Storeys							
41	12							
C3.Each storey shall have the following minimum floor to ceiling heights: <ul style="list-style-type: none">• Ground floor- 3.5m• First floor (regardless of use)- 3.3m• All other floors- 2.7m	First floor ceiling height is non compliant at 3m but as detailed throughout this report this non-compliance is considered acceptable	Yes						
C4.Development in the centre shall establish a consistent building height transition, from the edges of the centre, to the core of the centre.	The proposed storeys are considered to create a consistent building height transition	Yes						
C5.Ensure the achievement of daylight access to public open spaces in accordance with Section 7.4.	Solar access to public open spaces is considered acceptable to the roof top communal open spaces provided, despite the reduced solar access to the first floor (Level 2) podium level COS	Yes						

4.3 Street setbacks, road widening and street frontage heights

Control	Provided	Complies (Yes/No)
C1.Street setbacks in accordance with Figure 6	Compliant	Yes

are required for redevelopment.			
C6. Street wall height of buildings (podium) shall be 3 storeys, with a minimum height of 11m and maximum height of 14m.		Not applicable	N/A
C9. Minor projections into the street setback will be accepted for sites where 0m setback is required, in accordance with the table below:		3m Awning provided to New Road 1 which is acceptable	Yes
Permitted Projection	Permitted length of projection		
Awnings	3.0m		
Awnings (laneways)	Maximum 1.5m		
Balconies (above 3 rd storey)	600mm		

4.4 Building Depth and Length

Control	Provided	Complies (Yes/No)
C2. The maximum permissible building plan depth for residential accommodation is 18m.	The proposed development complies with the 18m building envelope depth.	Yes
C3. The maximum permissible building envelope depth for residential accommodation is 22m.	The proposed development complies with the 22m building envelope depth.	Yes
C4. Residential apartments on the 2nd and 3rd storey levels are limited in depth to 8m from the glassline and 11m from the outer edge of the building envelope.	Apartment depths have been assessed against the ADG requirements and are considered acceptable	Yes
C5. Where office premises are proposed, all points on an office floor should be no more than 15m from a source of daylight.	No office floors proposed	N/A
C6. The maximum horizontal length of any building above the podium shall not exceed 50m.	Compliant	Yes
C7. All residential and mixed use developments shall be, or substantially contain, dual aspect apartments.	68 of the 149 units proposed are dual aspect (45.6%) which is considered substantial	Yes

4.5 Setbacks and Separation

Control	Provided	Complies (Yes/No)
C1. Where the street setback is 0m, a continuous built edge shall be provided up to the 3rd storey, regardless of use.	Not applicable noting 2.5m setback provided	N/A

4.6 Active frontages, Street Address and Building Use

Control	Provided	Complies (Yes/No)
C1. Provide Active frontages at street level, orientating onto streets, laneways and public places, as identified on Figure 9.	Not applicable	N/A
C3. At least 70% of street level frontages shall be transparent glazing. Blank or solid walls and the use of dark or obscured glass on active frontages are prohibited.	Acceptable	Yes
C6. Large developments shall provide multiple entrances.	Multiple entrances are provided	Yes
C7. Solid roller shutters or the like that obscure windows and entrances are not permitted. Security grilles which are fixed internally to the shop front, fully retractable and are at least 50% transparent when closed, are acceptable	Compliant	Yes
C8. The ground floor level of active frontages shall be at the same level as the footpath, unless otherwise required by this plan.	Compliant	Yes
C9. The location of fire escapes, service doors, plant equipment and the like are to be	The location of the fire escapes and sub-station have been minimized	Yes

minimised on active streets.	where possible	
C10. Street address in the form of entries, lobbies and/or habitable rooms with clear glazing are required at ground level, in accordance with Figure 9.	The proposal satisfies this control	Yes
C11. Direct pedestrian access off the primary street front shall be provided.	Compliant	Yes
C12. Direct 'front door' access to residential units is encouraged.	Compliant	
C13. Open space should be oriented to overlook pedestrian access points	Compliant	
C14. Blank walls or dark or obscured glass is not permitted.	Building façade finishes is appropriate for site	Yes
C15. Retail and commercial uses are to be located on at the ground floor level for all development within the B4 zone.	Not applicable	N/A
C16. Residential development is not permitted to be located at the ground floor level of any development within the B4 zone.	Not applicable	N/A
C17. Commercial office space or other suitable non residential uses must be provided at the first floor level of development for the entire premises street frontage.	No non-residential uses provided to first floor of development	No

4.7 Landscaping and Open Space

Control	Provided	Complies (Yes/No)
C1. Public open spaces for passive recreation and for overland flow paths shall be provide as identified in Figure 4.	Not applicable in this instance	N/A
C2. Streetscape planting shall be provided in accordance with Figure 4.	Streetscape planting provided	Yes
C3. Planting and public domain works shall be in accordance with Council's Landscape Masterplan.	Acceptable	Yes
C4. Deep soil zones shall be provided in accordance with Figure 4	Deep soil zone has been provided on western side setback.	Yes
C5. Where there is limited capacity for water infiltration, stormwater treatment measures are to be integrated with the design of the buildings.	Compliant	Yes

5 Merrylands Neil Street Precinct Controls

5D

Access Network

5D.1 Street / Access Network

Control	Provided	Complies (Yes/No)
C1. Provide new public streets as shown in Figure 4.	The proposal will provide for a New Road 1 as show in Figure 4	Yes
C3. Setbacks along streets are to be provided in accordance with Section 5H	A setback of minimum 2.5m is provided to Gladstone Street, Neil Street and to New Road 1	Yes
C4. The width of footpaths shall be maximised for comfortable pedestrian movement; to facilitate tree planting and where bike routes exist, to allow cycling off road.	The footpath width is considered acceptable	Yes

C6. New streets are to be dedicated to the Council. New streets are to be maintained by the landowner until dedicated to Council.	The accompanying Statement of Environmental Effects has advised that the <i>Proponent has sought to enter into a Voluntary Planning agreement (VPA) with Council to deliver infrastructure works within the Neil Street Precinct. It is proposed to offset the provision of S94 Contributions from the development through a crediting mechanism</i>	Yes
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5D.2 Connectivity

Control	Provided	Complies (Yes/No)
C1. Provide through-site links and pedestrian ways as indicated in Figure 5.	The proposal is not considered to maintain a visual connection as envisaged, i.e, from the intersection of Neil and Pitt Street towards the new intersection of Gladstone Street and New Road 1. Despite this the proposed built form is considered appropriate and supportable	Complies
C2. Through-site connection and arcade must: i. Provide a clear sight-line from one end to the other for surveillance and accessibility, in mid-block locations. ii. Have a minimum width of 12m. iii. Extend and enhance the public domain and have a public domain character. iv. Be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night.	An on-site connection as described above has not been provided for. However, through site connection is provided along the western side boundary between Gladstone and Neil Street.	Yes
C6. Vehicular entry points are not permitted along Pitt Street, Neil Street and New Road 1 south of New Road 2.	The new vehicular point is provided from Gladstone Street	Yes

5D.3.1 New Road 1

Control	Provided	Complies (Yes/No)
C1. Buildings are not permitted to be located on any proposed street and are required to be setback from streets (Refer Section 5H for street setbacks).	Complies	Yes
C3. New Road 1 is to be provided in accordance with Figures 4, 10, 11 and 12.	Complies	Yes

5G. Site Amalgamation

Control	Provided	Complies (Yes/No)
C1. Amalgamation of lots in accordance with Figure 28 is desired for redevelopment.	Block B has not been amalgamated in accordance with Figure 28 Sufficient documentation has been provided that demonstrates a genuine offer has been made to the adjoining neighbor to show that attempts have been made to amalgamate in accordance with Figure 28.	No
C2. Land amalgamation is to increase the width of the street front-age and avoid irregular lot configuration.	The application will leave No's. 208, 212 and No's. 214-220 Pitt Street isolated and not in accordance with the desired amalgamation pattern. Despite this, the isolated site is considered large enough to be redeveloped separately and the	Yes

	application has demonstrated conceptual plans of how the adjoining lot may be redeveloped	
C4. The lot shape, orientation and design of amalgamation and subdivision lots is to support the following: i. Protection and enhancement of the amenity, solar access, privacy, open space and views of the neighbouring lots ii. Incorporation of the principles of water sensitive urban design	Satisfactory	Yes
C5. The block width, dimension, orientation and layout are to consider the existing subdivision pattern of the locality.	Satisfactory	Yes
C6. New lot/s created must be such that each lot with street frontage allows for the siting of a development which will address the street.	The proposed development is considered to address the street	Yes

5H. Site Specific Controls – General Precinct Controls

Control	Provided	Complies (Yes/No)
<p>Building Envelopes</p> <p>Maximum Horizontal Length of Buildings (above any podium)</p> <ul style="list-style-type: none"> • 9 to 12 Storeys = Max. 75m • 13 to 20 Storeys = Max. 55m <p>The max. horizontal length of any building without substantial articulation shall not exceed 45m.</p>	The proposed built form is considered to allow for acceptable articulation to its 3 public street frontages	Yes
<p>Building Breaks</p> <p>Buildings Please refer to Section 8 for the location of preferred building separation requirements.</p>	Noted	Noted
<p>Solar Access</p> <p>Public Open Space Neil Street Park</p> <ul style="list-style-type: none"> • Min. 2 hours direct sunlight between 12noon to 3.00pm at the winter solstice (22 June) to min. 50% of the area. <p>Other Public Open Spaces</p> <ul style="list-style-type: none"> • Min. 2 hours direct sunlight between 9am to 4.00pm at the winter solstice (22 June) to min. 50% of the area. 	<p>Solar access will be maintained for a minimum of at least 2 hours</p> <p>Solar access will be maintained for a minimum of at least 2 hours</p>	<p>Yes</p> <p>Yes</p>
<p>Street Activation</p> <p>Western Side of New Road 1</p> <ul style="list-style-type: none"> • Area between Terminal Place and Neil Street to be intermittently activated as a secondary active frontage. 	The application will provide for the provision of commercial floor space via two retail tenancies with an awning which is considered an acceptable activation of the western side of New Road 1 and Gladstone Street	Yes
<p>Parking</p> <ul style="list-style-type: none"> • Parking must be provided in the basement (underground). 	Parking is proposed between three basement levels and additional spaces for the commercial tenancies and visitors provided within the garaging to the ground level, whilst not strictly compliant with this control the proposal is considered acceptable in this instance.	Complies

<ul style="list-style-type: none"> Underground parking is not permitted to encroach into the setback areas or under public open space areas. Please refer to Part A - General Controls for other parking requirements. 	<p>Complies</p> <p>The proposal is deficient in relation to the required commercial parking spaces while so, may be provided as a Section 94 contribution</p>	<p>Yes</p> <p>No</p>
<p>Building Envelope Depth</p> <p>Commercial / retail (Above Podium)</p> <ul style="list-style-type: none"> Max 25m (unless specified in Part 5H). <p>Residential</p> <ul style="list-style-type: none"> Max 22m (unless specified in Part 5H). 	<p>Not Applicable</p> <p>A depth of 21.7m is provided for Building Block D1</p>	<p>N/A</p> <p>Yes</p>
<p>Public Domain Interface</p> <p>Vehicle Access</p> <ul style="list-style-type: none"> Vehicle access should not ramp along boundary alignments facing a street or public open space. 	<p>Complies noting ramp is located internally on ground floor</p>	<p>Yes</p>

5H.2 Site Specific Controls – Block B

Control	Provided	Complies (Yes/No)
5H.2.1 Site and Building Design		
C1. Primary active frontages are to be provided where shown in Figure 35.	Not applicable as primary active street frontage in this instance is Pitt Street	N/A
C2. Primary active frontages are vibrant and inviting.	Not applicable	N/A
5.2.2 Building Heights		
C1. Development should comply with Block B Height Plan which indicates the maximum number of permissible storeys (Refer Figure 35 and 36).	The proposal will provide for 3 built forms as follows <ul style="list-style-type: none"> 12 storeys fronting New Road 1 6 storeys fronting Neil Street 9 storeys fronting Gladstone Street 	Yes
Along New Road 1 and Gladstone Street	Complies	Yes
Along Neil Street	Complies	Yes
5.2.3 Setbacks		
C1 Provide setbacks as shown in Figure 36.	Complies	Yes
• Min 2.5m (Refer Figure 36)		
Public Domain Interface		
C2. Driveways and vehicular crossings are to be provided from New Road 1. Indicative locations are shown in Figure 35	Driveway provided in an acceptable location	Yes
Building Use		
B6 Zone - Along New Road 1		
Ground floor	Commercial and residential provided to the ground floor	Yes
• Commercial/retail/residential		
First floor and above	Residential only provided to the first floor	Yes
• Residential / Commercial		
B6 & B4 Zone - Along Neil Street		
• All floors residential	Residential	Yes
Building Envelope Depth		

Commercial/retail (Above Podium) • Max 25m	Not applicable	Yes
Residential • Max 22m	A depth of 21.7m is provided for Building Block D1	Yes
Building Envelope Depth		
Commercial / retail (Above Podium) • Max 25m	Not applicable	Yes
Residential • Max 22m	A depth of 21.7m is provided for Building Block D1	Yes
Setback		
Street setback Neil Street, New Road 1 and Gladstone Street • Min 2.5m	Minimum 2.5m setback provided to each frontage	Yes

6. Movement

6.2 Pedestrian Access

Control	Provided	Complies (Yes/No)
C1. Pedestrian site through links shall be provided in accordance with Figures 2 and 3.	Compliant	Yes

6.3 Vehicular Access

Control	Provided	Complies (Yes/No)
C1. Driveways shall be provided from laneways (existing or proposed), private accessways and secondary streets (as indicated in Figure 2	Compliant	Yes
C2. Vehicular access in the Neil Street precinct shall comply with Figure 2.	Compliant	Yes

6.4 Parking

Control	Provided	Complies (Yes/No)
C1. On-site parking is to be accommodated underground wherever possible.	At grade parking spaces provided	No
C2. On street parking within Neil Street shall be provided as indicated Section 5.	At grade parking spaces provided	No

7. Design and Building Amenity

7.2 Managing External Noise and Vibration

Control	Provided	Complies (Yes/No)
C1. Development proposals within 60m of the south western railway line and/or adjacent to Neil Street or Pitt Street must provide a report demonstrating that internal noise and vibrations will satisfy relevant standards	Council's EHU has reviewed the acoustic arrangements and confirmed these are satisfactory.	Yes

7.3 Awnings

Control	Provided	Complies (Yes/No)
C2. Continuous awnings are required to be provided to all active street frontages (except laneways)	Not applicable, but while so an awning is provided in part to New Road 1	Yes

7.4 Adaptable Housing

Control	Provided	Complies (Yes/No)
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C1. Provide a total of 20% of dwellings as adaptable housing by ensuring that: i) a minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class A. ii) a minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class C.	The proposal has identified 22 units (15%) as per the ADG requirements which are adaptable units to be provided	Satisfactory
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7.5 Corner Buildings

Control	Provided	Complies (Yes/No)
C1. Generally, Corner building shall be designed to: i) Articulate street corners by massing and building articulation, ii) to add variety and interest to the street, iii) Present each frontage of a corner building as a main street frontage, iv) reflect the architecture, hierarchy and characteristics of the streets they address, and v) align and reflect the corner conditions.	Acceptable	Yes
C2. Corners identified in Figure 6 shall be emphasised through architectural design and materials.	Not Applicable	Not applicable

8. Environmental

8.1 Flood and Stormwater Management

Control	Provided	Complies (Yes/No)
C2. Management of the redevelopment of the Neil Street Precinct must be undertaken in a whole-of-site approach. Site amalgamation and resubdivision under this DCP is required to manage redirection of the floodway.	Required amalgamation has not been successful	N/A
C3. Building footprints are to be placed to allow best movement of flood waters (eg. 30m separation between buildings on the southern end of New Road (1) north)	Not Applicable	N/A
C4. Provide a 40m floodway through Neil Street Precinct, comprising roads, parks, swales and a natural creek system.	Not Applicable	N/A