

## ATTACHMENT B: TABLE OF COMPLIANCE

### Consideration of the Business Zones Development Control Plan

Control	Requirement	Proposal	Comply
PART C GENERAL DEVELOPMENT CONTROLS FOR BUSINESS ZONES			
C3. Streetscape/Town Character	(a) Proportions the façade of the building should demonstrate vertical proportions and contain no greater than equal proportions of glass to masonry.	The proportions of the façade of the proposal from both frontages show vertical proportions in the form of columns on the ground floor and the verandahs on River Street are broken up vertically. The tartan-inspired rear façade demonstrates vertical and horizontal elements, ensuring the bulk is visually broken up.	Yes
	(b) Rooflines. The use of parapets and varied roof forms are encouraged to create an interesting skyline. Unbroken roof lines on large buildings are not acceptable. Large roof areas may need to be broken up into smaller elements to enable them to integrate successfully with the streetscape. Parapet heights need to be varied to reflect historic divisions of the street frontage on larger frontages or combined new buildings.	The varied rooflines proposed provide interest and assists to break up the bulk of this building. In particular, the repeating and descending pitch of the roof at the River Street elevations shows an innovative modern design while complementing the heritage conservation area.	Yes
	(c) Frontages. It is important that buildings across wide frontages do not dominate the streetscape due to their bulk and scale. The proposed building should be 'broken up'	The pitched roof, vertical elements, verandahs and landscaping effectively breaks up the bulk of the building.	Yes

	to appear as smaller individual tenancies.		
C4. Disabled Access and Facilities	C4.1 New Buildings NSW Building legislation requires new buildings to be fully compliant with the Building Code of Australia (BCA) and Australian Standard 1428.1. This includes the provision of disabled access via the principal public access, accessible toilet facilities, tactile ground surface indicators, hearing augmentation and Braille and tactile signage where appropriate.	The Accessibility Report submitted with the application demonstrates compliance.	Yes
C5. Awnings and Verandahs	Awnings or verandahs should be provided for all new developments or redevelopments in main streets and should be compatible with the height of adjacent commercial development where appropriate.	While the subject site is situated on Maclean's main street, it is not in the retail centre. As such, there are no buildings with awnings on that block of River Street. Therefore, it is not considered appropriate for this site to required a verandah or awning.	Yes
C6. Building Height	9 m Variations to the top plate height controls will be considered on merit on steep slopes.	See full assessment under Clause 4.6 in the main report.	No
C7. Variation to the Maximum Height of a Building	A clause 4.6 (2) variation may be achieved in the following circumstances: (a) to meet flood control requirements of Part D (b) to enable development to be stepped down a steep slope where a 6.5 metre maximum	As above.	No

	building height applies.		
C8. Setbacks	New buildings are required to be built to the front boundary (zero setback)	The proposal is to the front boundary on the River Street frontage.	Yes
C9. Landscaping, Paving and Street Furniture	Applies to land adjoining residential zones.	<p>The landscape plan is considered to contribute to the streetscape character and enhance the appearance from the street;</p> <p>Uses native plants that are sensitive to the local environment;</p> <p>Safe and appropriate; and</p> <p>Integrated into the design of the development.</p> <p>A number of locally native rainforest trees are shown in the landscape plan including an Illawarra Flame Tree, a Red Cedar, a Blueberry Ash/Hard Quandong, and Tulipwoods. There are also a number of smaller native trees, native shrubs and groundcovers proposed.</p> <p>While the lot boundary on MacNaughton Place is abutting the residential zone, the land immediately adjacent is used for a road. Therefore the landscaping on this boundary is limited to hardy low growing plants within the planter boxes along the first floor southern elevation.</p>	Yes
C10. Colour	For contemporary buildings within Heritage Conservation Areas, colours which are sympathetic to the heritage palette are to be used.	The external materials consist of recycled brick, louvres, glazing and are considered appropriate in a Heritage Conservation Area.	Yes, with conditions

		The Colorbond Surfmist roof proposed is not considered appropriate in a Heritage Conservation Area. A condition is recommended to be included on the consent to require an uncoloured metal roof to be consistent with the HCA.	
C11. Crime Prevention	Crime within commercial areas should be minimised by building design and landscaping elements.	<p>The car park is designed to be open and visible from the street and is proposed to be well lit.</p> <p>The public open space area will be open and visible from River Street.</p> <p>Entrances are proposed to be lit appropriately.</p>	Yes
C12. Development on Flood Prone Land	Development must comply with requirements of Part D.	See assessment under Part D.	Yes
C13. Air, Water & Noise Pollution		<p>The proposal is unlikely to cause air and water pollution.</p> <p>While the proposal is not changing the use of the site, the increased capacity and the configuration of the proposal could mean that impact residential neighbours on MacNaughton Street in terms of noise could increase when patrons are using the River Function Room and when they are leaving the venue.</p> <p>Noise impacts on nearby residents has been carefully considered. An acoustic report has been submitted. In addition to the recommendations in the report, further</p>	Yes, with conditions

		conditions have been included to limit the hours of use of the River Function Room on weekdays.	
C14. Waste Management	Any waste that is generated must be disposed of in accordance with the POEO Act 1997 and Regulations and the Local Government Act 1993.	<p>A Waste Management Plan has been submitted with the application.</p> <p>A waste room has been provided on the ground floor car parking level.</p>	Yes, with conditions
PART D FLOODPLAIN MANAGEMENT CONTROLS	Controls relating to materials and floor height within land mapped as within the 1:100 year flood height.	<p>While a small portion of the land is within the mapped Probably Maximum Flood height area, none of the subject land is within the 1:100 year flood map.</p> <p>Therefore, there are no floodplain management development controls that apply to the site.</p> <p>Furthermore, the Flood Assessment submitted with the application states "due to the very low risk to the Site, it is not considered necessary to enact any flood preparedness requirements."</p> <p>However, the Assessment recommends patrons and staff be evacuated in the event of a flood due to vehicle access on MacNaughton Place being cut off.</p>	Yes
PART E HERITAGE CONSERVATION			
E5. Statements of Heritage Impact and Conservation Management Plans	Applicants may be required to submit a Statement of Heritage Impact (SOHI)	A SOHI has been submitted with the application.	Yes
E6. Demolition Controls	An application for demolition must be	A SOHI has been submitted and detailed	Yes

	accompanied by a SOHI and detailed plans of the proposal.	plans of the proposal are included.	
E8. Development in the vicinity of a Heritage Item or within a Heritage Conservation Area	<p>E8.1 Objectives – manage and minimise impacts</p> <p>E8.2 Controls – development should not detract from the identified setting of heritage buildings or the HCA.</p>	<p>The internal heritage referral response states:</p> <p>“A revised elevation has been provided for the lower part of the façade fronting River Street Plan with angled brick fins and integrated landscaping box planters to screen the undercroft parking. This is considered acceptable and provides for a more aesthetically pleasing façade fronting River Street. The long bump in and out ramp has been largely removed from this elevation. A photomontage has also been provided showing the building in context with the Post Office.</p> <p>The set of 5 gabled roofs of descending size, step the height of the building façade down the hill, paying homage to the roof of the Mechanics Hall and the smaller scale of more domestic sized gabled roofs in the HCA. Behind this, sits a parapet roof and low pitched roof over the main auditorium which is used to minimise the height of the roof. This is setback from the frontage and will not be discernible from street level but will be visible from hillside locations on Wharf and Stanley Streets. The large gable at the rear for the covered deck is acceptable in this context and utilises a traditional</p>	Yes, with conditions

		<p>form roof with some views from the Court House.</p> <p>The proposed colour of the roof is Surfist Colorbond (white). This is out of character with the prevailing pattern of uncoloured metal roofing in the Heritage Conservation Area. The roof should be changed to Zinalume or Galvanised Steel in accordance with DCP policy.”</p> <p>It is thus considered that, with the change in roof colour, the proposal satisfactorily manages and minimises impact; does not detract from nearby heritage buildings and the Heritage Conservation Area.</p>	
E9. General Principles for Heritage Conservation		<p>Does not apply to demolition.</p> <p>Although a condition of approval will be to document the existing building.</p>	N/A
E10. Policies for New Development, Alterations and Additions	<p>E10.1 General Context</p> <p>E10.2 Roof Pitch and Form</p>	<p>The context of the site within the HCA has been considered in the design of the proposal in that it is not copying from heritage eras whilst using elements from the street such as the gabled roof and brick facades.</p> <p>Internal Heritage comments: “The set of 5 gabled roofs of descending size, step the height of the building façade down the hill, paying homage to the roof of the Mechanics Hall and the smaller scale of more domestic sized gabled</p>	Yes, with conditions

		<p>roofs in the HCA... The large gable at the rear for the covered deck is acceptable in this context and utilises a traditional form roof with some views from the Court House.”</p>	
	E10.3 Verandahs	<p>No verandah is proposed. This is considered appropriate in the context of this section of River Street, as there are no existing verandahs in the vicinity.</p>	
	E10.4 Windows and Doors	<p>Strong vertical proportions have been included in the design, to align with this clause. The window frames are a minimal design, which references the crosshatched Scottish tartan.</p>	
	E10.5 Building Materials	<p>Exterior materials will be largely recycled brick and glazing, with small section of weatherboard cladding, recycled from the existing building. These are in line with the “earthy palate and warm tones” requested by Council’s heritage/strategic planner.</p>	
	E10.6 Setbacks	<p>The zero front setback is consistent with the commercial precinct of Maclean.</p>	
	E10.7 Garages and Carports	<p>The car parking area to be accessed from MacNaughton Place and is not visible from River Street.</p>	
	E10.8 Colour Schemes	<p>The colours proposed are generally considered sympathetic to the streetscape, with the exception of the white roof</p>	



	E10.9 Advertising	(see comments under E8).  No advertising is proposed.	
PART F PARKING AND VEHICULAR ACCESS CONTROLS			
F2. Number of Car Parking Spaces	<p>A Community Facility is not listed in Table F1, so the rate for "Place of public entertainment" has been used: 1 space per 10 seats or 1 space per 15 m2 of main assembly area, whichever is the greater.</p> <p>"Restaurant/Café": 1 space per 30 m2 Or 1 space per 6 seats</p>	<p>1 space per 10 seats = 30 car parking spaces required OR 1 space per 15 m2 of auditorium (297 m2) = 20 spaces</p> <p>PLUS For a restaurant/café, as the restaurant/café use is not part of this proposal, the number of seats is not provided, therefore the floor area calculation is used here: 1 space per 30 m2 (restaurant area is calculated as the kitchen + River Function Room = 205 m2) = 7 spaces</p> <p>Therefore 37 car parking spaces are required and 40 spaces are proposed.</p>	Yes
F4. Car Parking Space Dimensions		Spaces and manoeuvring comply with requirements for B99 vehicles.	Yes
F5. Manoeuvring, loading and unloading	All business development must provide on-site loading and unloading facilities in designated loading bays.	<p>While the proposal is not a business development, three loading bays are proposed.</p> <p>The first loading bay is to be within the existing Council car parking area. This is within one of the lots subject to the development, so is considered "on-site."</p> <p>The second is proposed to be on River Street and to replace two parallel car</p>	Yes, with conditions

		<p>parking spaces. This has been supported by the Safe System Working Group and the Local Traffic Committee, who provided the comment "The Loading zone is supported subject to meeting the minimum width requirements which may require a kerb indentation or reconfiguring the lanes and parking." This will be required as a condition on the consent. This is aimed to accommodate buses.</p> <p>The third loading bay is to be within the existing porte-cochere under a Right of Way arrangement.</p> <p>Each loading bay will have a maximum parking time of 15 minutes.</p>	
F6. Access to the Site		<p>All vehicles will be able to enter and exit the site in a forward direction, the access point to the car park will not be within 6 m of an intersection, and the entry/exit points is unlikely to cause conflict with existing access points on MacNaughton Place. There is considered to be adequate standing area within the car park to prevent on-street queuing. Adequate pedestrian access is provided.</p>	Yes
F7. Car Park Design		<p>The car parking area is open to MacNaughton place and is easily visible from the street. The design of the car parking area allows the first floor area to be on one level on the sloped site, so that is presents as single storey</p>	Yes

		<p>looking north along River Street.</p> <p>The Wayfinding and Signage plans shows a number of directional signs to be applied to the car parking area.</p> <p>The plan shows the car parking spaces as clearing line marked and designated spaces indicated, including disabled spaces and small car spaces.</p> <p>As the car park is open, it will be naturally well ventilated. Lighting within the car park will be required as a condition.</p>	
F8. Pavement Construction		A condition will required for detailed plans to be submitted to Council prior to Construction Certificate to ensure the pavement meets the appropriate standards.	Yes, with conditions
F10. Traffic impact of large-scale development	<p>For large scale developments the provision for the following facilities may be required:</p> <p>A drop-off and pick up point for taxis and community buses.</p> <p>A parking bay for a community bus.</p> <p>Bicycle Racks</p>	<p>A traffic impact assessment has been provided with the application.</p> <p>The loading zone on River Street is intended to be used for community buses and taxis.</p> <p>2 bike racks are proposed.</p>	Yes
PART G SUSTAINABLE WATER CONTROLS	This section applies to all new commercial development.	<p>While the proposal is not a commercial development, sustainable water controls have been considered here.</p> <p>2 x 20 kilolitre rainwater tanks. The rainwater will be used to irrigate landscaped areas and for toilet flushing.</p>	Yes

		The impervious surface calculations provided show that the DCP stormwater reduction targets can be met.	
<b>PART H EROSION AND SEDIMENT CONTROL</b>			
H3. Erosion and Sediment Control Plans OR 'Deemed to Comply Statements'	Either an Erosion and Sediment Control Plan (ESCP) or a Deemed to Comply Statement must be submitted with a Development Application.	A Statement of Sediment Control has been submitted with the application.	Yes
H8. Code of Practice/Conditions of consent for All Development that includes Building Works		Conditions to be applied to the consent.	Yes, with conditions
<b>PART I SUBDIVISION AND ENGINEERING STANDARDS</b>			
14. Site Access	Vehicular access driveways from a public road must be: (b) not closer than the 6 metres to an intersecting road or break in traffic island (c) located so that site distance is adequate for the 85 <sup>th</sup> percentile speed of vehicles or the speed zone, whichever is the greater.	Vehicular access to the ground level car park from MacNaughton place is not within 6 m of an intersection and has good lines of sight.	Yes
15. Provision of Services		See assessment under Clause 7.8	Yes
<b>PART J ADVERTISEMENTS AND ADVERTISING STRUCTURES</b>	Relates to advertising.	The signage proposed is not considered advertising as it is identification signage. The signage concepts submitted are considered appropriate within the Heritage Conservation Area, integrating either Indigenous concepts or	Yes, with conditions

		<p>Scottish heritage concepts.</p> <p>Conditions will be included in the consent to ensure no up-lighting or flashing lights will be installed.</p>	
PART O MACLEAN TOWN CENTRE CONTROLS			
O3. Precinct Controls	<p>Policies for each precinct have been developed to guide development to ensure that it relates well to its location and enhances the special character of Maclean.</p> <p>Precinct 5 – The Civic Precinct – applies to the subject site.</p> <p>Precinct 5 Policies:</p> <p>1. This precinct should remain essentially unchanged. Careful maintenance of these important heritage assets must be ongoing.</p> <p>4. It is suggested that the road width of MacNaughton Place be reduced and the relationship with the river strengthened by appropriate landscaping. Tree planting should be established on both sides of MacNaughton Place (rather than only the southern side as in the master plan) to create an avenue, and frame the view to the river.</p>	<p>Numbers 1 and 4 apply to the proposal.</p> <p>The proposal will change this precinct, contrary to this policy. However, the existing 1980s façade of is not considered contributory to the Heritage Conservation Area. It is considered that the proposed development will complement the Civic Precinct and not detract from the Heritage streetscape.</p> <p>The Civic Precinct map within the DCP shows the rear of the subject site as Wharf Street, rather than MacNaughton Place. Therefore, it is considered the no. 4 does not apply to this proposal.</p>	Yes