

Holroyd Development Control Plan 2013				
No.	Required/Permitted		Provided	Comply
Part A - General Controls				
1	Subdivision			
	Subdivision is not proposed as a part of this application.			N/A
2	Roads and Access			
2.1	Road Design and Construction			
	New road/s are not proposed as a part of this application.			N/A
2.2	Road Geometry and Intersections			
	New road/s are not proposed as a part of this application.			N/A
2.3	Road Design and Construction within Industrial Zones.			
	New road/s are not proposed as a part of this application, and the subject site is not zoned industrial.			N/A
2.4	Vehicular Crossings, Splay Corners, Kerb & Guttering			
	Council's Development Engineer has reviewed the vehicular crossing and kerb & guttering design, and identifies the design is acceptable, subject to conditions.			Yes
2.5	Concrete Footpath Paving & Underground Ducts			
C1	For all new development within R3, R4 and business zones, construct a concrete footpath of a minimum 1.2m width and associated works along the street frontage(2), and in specific locations. - Business zones – 2.5m (except where a contribution towards public domain improvements is required.	A contribution towards public domain improvements is required.		N/A
2.6	Kerb (Pram) Ramps			
C1	In the case of new corner developments in business zones (except where a contribution towards public domain improvements is required), the construction of kerb ramp/s and associated works at intersections is required.	A contribution towards public domain improvements is required.		N/A
2.7	Guidelines for Road Widening, Road Closures and Splay Corners in and Adjacent to R4 Zones			
C1	Plans for development applications must show any road widening, splay corners, road closures and/or "No Development Strips" that are required by the provisions of this development control plan. This applies where: a) The property is identified in Appendix K of this section; and b) The property is not a single dwelling house.	The subject site is not identified in Part A, Appendix K of the HDCP.		N/A
3	Car Parking			
3.1	Minimum Parking Spaces			
C1	Parking spaces shall be provided in compliance with Council's minimum car parking spaces requirements as set out in Table 3.1.			Yes, with Condition
	Control	Required / Provided		
	Self-Contained Dwellings and "Hostels" for Aged and Disabled Persons (excluding Residential Care Facilities	Refer to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.		
	"Residential Care Facilities" as defined by the SEPP (Housing for Seniors or People with a Disability) 2004 (use for "Nursing and Convalescent Homes")			
	Commercial (including retail premises, business premises and office premises) – B4 zone	Required – 1,595.995m² Leasable GFA		
		Min. 1 per 50m² LGFA Max. 1 per 15m² LGFA	32 spaces to 107 spaces	
	Bicycle Parking - Residential Flat Buildings			Yes, with Condition
	Control	Required	Provided	

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No.	Required/Permitted		Provided	Comply
	Studio	None	16 spaces	
	1-4+ bedroom	0.5 spaces	0.5 x 98 = 49 spaces	
	Visitor / dwelling	0.1 spaces	0.1 x 98 = 9.8 spaces	
	Total		59 spaces	
3.2	Parking Design Guidelines			
	*Refer to Part A, <i>Section 3.1 – Minimum Parking Spaces</i> of the HDCP, and <i>Clauses 48 & 50</i> of SEPP (HSPD) 2004.			Yes, with Condition
3.3	Dimensions & Gradient			
	Council's Development Engineer has reviewed the parking design, and identifies the design is acceptable, subject to conditions.			Yes
3.4	Site Works			
C4	Ensure covered and enclosed car parks have adequate provision for lighting and ventilation, preferably by natural means.		Standard condition of consent.	Yes, with Condition
3.5	Access, Maneuvering and Layout			
	Council's Development Engineer has reviewed the parking design, and identifies the design is acceptable, subject to conditions.			Yes
3.6	Parking for the Disabled			
C1	Provide parking for the disabled at the rate of 2 spaces per 100 visitors or customer spaces, up to 400 spaces, and 1 per 100 thereafter, or part thereof.		Refer to Part A, <i>Clause 3.6 – Parking for the Disabled</i> – Control C3 below.	N/A
C3	Parking for Self-contained dwellings and "hostels" for aged and disabled persons, and Residential Care Facilities must comply with requirements of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.		Noted.	Noted
3.7	Referrals / Other Approvals			
	The application was not required to be referred to concurrence / approval bodies in accordance with the <i>Environmental Planning and Assessment Act, 1979</i> .			N/A
4	Tree and Landscape Works			
	No trees are existing on-site. Council's Tree Management Officer has reviewed the submitted landscape plan, and identifies the design is acceptable, subject to conditions.			Yes
5	Biodiversity			
	The site is not identified as being affected by biodiversity.			N/A
6	Soil Management			
	An erosion and sediment control plan has been submitted, and the proposed measures are considered acceptable.			Yes
7	Stormwater Management			
	Council's Development Engineer has reviewed the submitted stormwater plans, and identifies the design is acceptable, subject to conditions.			Yes
8	Flood Prone Land			
	Flood Affected Site – Stormwater Overflow		Council's Development Engineer has reviewed the submitted stormwater plans, and identifies the design is acceptable, subject to conditions.	Yes
9	Managing External Road Noise and Vibration			
C1	Ensure an acoustic/vibration report is provided as part of the planning documentation for development proposal adjacent to a Classified Road* and certain unclassified roads, or within 60 metres of a railway line. - Pitt Street		The site is identified as being adjacent to a road, Pitt Street, which requires an acoustic / vibration report to be submitted. An acoustic report has been submitted, which has been reviewed by Council's Environmental Health Officer to be acceptable, subject to conditions.	Yes
10	Safety and Security			
	Safety and security of the proposed development has been maintained to an acceptable			Yes

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	level.		
11	Waste Management		
	The waste management arrangements have been reviewed by Council's Waste Project Officer to be acceptable, subject to conditions.		Yes
12	Services		
	Services are available on-site and are unaffected by the proposed development.		Yes
Part C – Commercial, Shop Top Housing and Mixed Use Development Controls			
1	Building Envelope		
1.1	Lot Size and Frontage		
	*Refer to Part M, <i>Section 10.4 – Site Amalgamation</i> of the HDCP.		N/A
1.2	Site Coverage, Floor Area and Building Use		
C1	There are no minimum site coverage controls for commercial or shop top housing development, unless otherwise stated as site specific controls within this DCP	Noted.	Noted
1.3	Building Height		
	*Refer to Part M, <i>Section 10.6 – Built Form Controls</i> of the HDCP for building height, and the ADG Assessment under <i>Section 4C – Ceiling Heights</i> for floor to ceiling heights.		N/A
1.4	Setbacks, Separation and Depth		
	* Refer to Part M, <i>Section 10.6 – Built Form Controls</i> for setbacks and depth and refer to the ADG Assessment under <i>Sections 3F – Visual Privacy</i> for building separation.		N/A
1.5	Landscaping and Open Space		
C1	Landscaped area is not required in business zones, unless where site specific controls within this DCP requires otherwise.	Noted.	Noted
2	Movement		
2.1	Rear Laneways and Private Access ways		
	Refer to Part M, <i>Section 10.3 – Access Network</i> of the HDCP.		N/A
2.2	Pedestrian Access		
C4	Direct and unimpeded access from the car parking area to all residential units and commercial units within the development shall be provided.	Direct and unimpeded access from the basement car parking areas is provided to all residential and commercial units.	Yes
C5	Main building entry points should be clearly visible from primary street frontages, well lit, legible and enhanced through building design and treatment.	The building entry points are clearly visible, well lit, legible and enhanced through building design and treatment.	Yes
2.3	Building Entries		
C3	Separate entries from the street are to be provided for cars, pedestrians, multiple uses (commercial and residential) and ground floor apartments.	Separate entries are provided for cars, pedestrians, and the multiple uses.	Yes
C4	Residential entries must be secure where access (e.g.) lifts are shared between commercial and residential uses.	The residential entries are separate to commercial uses.	N/A
C5	Multiple cores which access above ground uses are to be provided where the site frontage is over 30m.	The site frontages are greater than 30m, and multiple cores for the separate uses are provided.	Yes
2.4	Vehicle Access		
	Refer to Part M, <i>Section 10.3 – Access Network</i> of the HDCP.		N/A
2.5	Parking		
C3	No on-site parking is to be directly visible from an active or main street frontage.	On-site parking is not visible from the public domain.	Yes
C5	Natural ventilation is to be facilitated to basement and sub-basement car parking areas wherever possible and with regards to flooding issues.	The proposed basements are mechanically ventilated.	Yes
C12	Private car parking for shop top housing must be clearly identified and separated from regular	The proposed residential and commercial car parking spaces are	Yes

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No.	Required/Permitted		Provided	Comply
	business car parking.		separated.	
C13	Visitor parking shall be clearly identified and may not be stacked parking.		The proposed visitor parking is not proposed to be stacked parking.	Yes
3	Design and Building Amenity			
3.1	Safety and Security			
	Safety and security of the proposed development has been maintained to an acceptable level.			Yes
3.2	Façade Design and Building Materials			
	The proposed development responds to the desired streetscape character and is of an acceptable appearance as viewed from the public domain.			Yes
3.3	Laneway and Arcade Design			
	Refer to Part M, <i>Section 10.3 – Access Network</i> of the HDCP.			N/A
3.4	Shop Fronts			
C1	Solid roller shutters, either internal or external, that block out or obscure windows or entrances, are not permitted.		Solid roller shutters are not proposed.	N/A
C2	Security bars are not permitted.		Security bars are not proposed.	N/A
C6	All street frontage windows located at ground floor level are to be clear of glazing.		Standard condition of consent.	Yes, with Condition
3.5	Daylight Access			
C11	Developments shall ensure that access to daylight is maintained to private open spaces and habitable rooms of existing and proposed surrounding buildings, so as to comply with this DCP.		Refer to comments below reproduced from Part B, <i>Clause 1.8 – Sunlight Access</i> of the HDCP.	Yes
	*Part B, Clause 1.8 – Sunlight Access of the HDCP			
	C6	The shadow effect from a proposed development on existing adjacent dwellings must be such that a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June) is to be provided to at least one main living area of existing dwellings.	Solar access to adjoining properties has been maintained in accordance with the standards identified within Part B, <i>Clause 1.8 – Sunlight Access</i> of the HDCP.	Yes
	C7	The living rooms and private open spaces for at least 70% of dwellings within a residential flat development shall receive a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June).		
	C8	A minimum of 50% of the required private open space areas of the proposed dwellings and any adjacent dwellings shall have access to 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June)		
	C11	Proposed development should endeavour not to overshadow any existing solar panel on adjacent properties.		
3.6	Visual + Acoustic Privacy			
	*Refer to ADG Assessment under <i>Sections 3F – Visual Privacy</i> and <i>4H – Acoustic Privacy</i> .			N/A
3.7	Managing External Noise and Vibration			
C1	Development proposal within 60m of a railway line and/or adjacent Classified Road must provide a report, to be submitted with the development application, demonstrating compliance with the relevant Australian Standard. - Pitt Street		The site is identified as being adjacent to a road, Pitt Street, which requires an acoustic / vibration report to be submitted. An acoustic report has been submitted, which has been reviewed by Council's Environmental Health Officer to be acceptable.	Yes

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No.	Required/Permitted	Provided	Comply
		subject to conditions.	
3.8	Awnings		
	*Refer to Part M, <i>Section 10.6 – Built Form Controls</i> of the HDCP.		N/A
3.9	Apartment Layout		
	*Refer to ADG Assessment under <i>Section 4D – Apartment Size and Layout</i> .		N/A
3.10	Flexibility and Adaptability – Residential Mix		
	*Refer to Part M, <i>Section 7.4 – Adaptable Housing</i> of the HDCP.		N/A
3.11	Corner Buildings		
	*Refer to Part M, <i>Section 7.5 – Cover Buildings</i> of the HDCP.		N/A
3.12	Ground Floor Apartments		
	In accordance with <i>Clause 6.10 – Ground Floor Development in Zones B2 and B4</i> of the HLEP, ground floor apartments are not permitted, and are not proposed.		N/A
3.13	Internal Circulation & Storage for Residential Uses		
	*Refer to ADG Assessment under <i>Sections 4F – Common Circulation and Spaces</i> and <i>4G – Storage</i> .		N/A
3.14	Balconies		
	*Refer to ADG Assessment under <i>Section 4E – Private Open Space and Balconies</i> .		N/A
3.15	Natural Ventilation		
	*Refer to ADG Assessment under <i>Section 4B – Natural Ventilation</i> .		N/A
3.16	Roof Design		
C1	Roof forms and styles shall reflect and relate to the scale and context of the building and character of the street.	The proposed roof form reflects and relates to the context and desired future scale and character of the locality.	Yes
3.17	Maintenance		
	*Refer to ADG Assessment under <i>Section 4X – Building Maintenance</i> .		N/A
3.18	Waste Management		
	The waste management arrangements have been reviewed by Council's Waste Project Officer to be acceptable, subject to conditions.		Yes
4	Environmental		
4.1	Wind Mitigation		
C1	A wind effects report shall be submitted with development applications for buildings 41m or greater in height and for other buildings as required by Council.	A wind effects report has been submitted, which found that pedestrian comfort and safety can be impacted within the communal areas around the subject development. Subsequently, recommendations to address the potential wind effects have been provided, and wind tunnel testing recommended to be undertaken at a later detailed design stage.	Yes, with Condition
5	General		
5.1	Public Art		
C1	Public Art is encouraged to be provided within the business centres, in accordance with Council's Public Art Policy 2012-2015.	A condition shall be imposed on any consent issued, requiring a public arts plan to be developed to reflect the Merrylands Station & McFarlane Street Precinct.	Yes, with Condition
C2	Public Art provided shall develop the cultural identity of the community and reflect the culture of the community.		
C3	Artworks shall be integrated into the design of buildings and the landscape.		
5.2	Signage		
	Signage is not proposed as a part of this application.		N/A
5.3	Hours of Operation		
C1	Hours of operation (customer trading) for commercial development are listed in the table	Use of the proposed commercial premises is not proposed as a part of	N/A

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No.	Required/Permitted	Provided	Comply
	below and are based on the street in which the primary premises entries are accessed from. - Merrylands – 24 hours (McFarlane Street and Pitt Street)	this application.	
6	Large Store / Mall Development		
	Large store / mall development is not proposed as a part of this application.		N/A
7	Residential Mix for Business Zoned Land		
	*Refer to ADG Assessment under Section 4K – Apartment Mix.		N/A
8	Operational Management		
C1	In the case of a proposed intensification of use within a building, the number of staff, patrons or customers on to a premises, will be limited by the number of car parking spaces provided in the initial development of that component of the buildings/site.	Intensification of use within a building is not proposed as a part of this application.	N/A
9	Environmental Health		
	Use of the proposed commercial premises is not proposed as a part of this application.		N/A
10	Amusement Machines and Centres		
	Amusement machines and centres are not proposed as a part of this application.		N/A
Part H – Heritage and Conservation Controls			
	The subject site is not heritage listed, is not located within a heritage conservation area, and is not located within the vicinity of any heritage items.		N/A
Part M – Merrylands Centre Controls			
3	Public Domain		
3.1	Roads and Circulation	The subject development is outside the area identified as requiring new roads and laneways.	N/A
3.2	Pedestrian and Bicycle Network Required footpaths, new pedestrian access and crossings and bicycle access. - Footpaths – McFarlane Street and Pitt Street	The proposed development maintains footpaths to McFarlane Street and Pitt Street.	Yes
3.3	Landscaping and Open Space Swale, public open space and deep soil required for the site. - Planting on Structures - Existing and Proposed Street Tree Planting – McFarlane Street and Pitt Street	The proposed development incorporates planting on structures and maintains existing and proposes street tree planting to McFarlane Street and Pitt Street.	Yes
3.4	Indicative Street Sections	Street sections have not been identified for the subject site.	N/A
4	Building Envelope		
4.1	Site Amalgamation and Minimum Frontage		
	*Refer to Part M, Section 10.4 – Site Amalgamation of the HDCP.		N/A
4.2	Building and Ceiling Height		
	*Refer to Part M, Section 10.6 – Built Form Controls of the HDCP.		N/A
4.3	Street Setbacks, Road Widening and Street Frontage Heights		
	*Refer to Part M, Section 10.6 – Built Form Controls of the HDCP.		N/A
4.4	Building Depth and Length		
	*Refer to Part M, Section 10.6 – Built Form Controls of the HDCP.		N/A
4.5	Setbacks and Separation		
	*Refer to Part M, Section 10.6 – Built Form Controls of the HDCP for setbacks and ADG Assessment under Section 3F – Visual Privacy for building separation.		N/A
4.6	Active Frontage, Street Address and Building Use		
C1	Provide active frontages at street level, orienting to laneways and public places, as identified in Figure 9. - Active Street Frontage Required – McFarlane Street and Pitt Street	The proposed development incorporates active street frontages to McFarlane Street and Pitt Street, and outdoor dining is proposed to McFarlane Street.	Yes

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No.	Required/Permitted	Provided	Comply
	- Outdoor Dining Encouraged – McFarlane Street		
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. - Street Address – Reyes Lane	The proposed development incorporates a street address to Reyes Lane.	Yes
4.7	Landscaping and Open Space		
	*Refer to Part M, Section 3.3 – <i>Landscaping and Open Space</i> of the HDCP.		N/A
5	Neil Street Precinct Controls		
	The proposed development is not located with the Neil Street Precinct.		N/A
6	Movement		
	*Refer to Part M, Section 10.3 – <i>Access Network</i> of the HDCP.		N/A
7	Design and Building Amenity		
7.1	Laneway and Arcade Design		
	*Refer to Part M, Section 10.3 – <i>Access Network</i> of the HDCP.		N/A
7.2	Managing External Noise and Vibration		
C1	Development proposal within 60m of the southern western railway line and/or adjacent to Neil Street or Pitt Street must provide a report, to be submitted with the development application, demonstrating compliance with the relevant Australian Standard.	The site is identified as being adjacent to a road, Pitt Street, which requires an acoustic / vibration report to be submitted. An acoustic report has been submitted, which has been reviewed by Council's Environmental Health Officer to be acceptable, subject to conditions.	Yes
7.3	Awnings		
	*Refer to Part M, Section 10.6 – <i>Built Form Controls</i> of the HDCP.		N/A
7.4	Adaptable Housing		
C1	Provide a total of 20% of dwellings as adaptable housing by ensuring that: - A minimum of 10% of all apartments within a development comply with AS4299-1995 Adaptable House Class A. - A minimum of 10% of all apartments within a development comply with AS4299-199 Adaptable House Class C.	The proposed development is required to maintain 20 units as adaptable. All independent living units (self-contained dwellings) are proposed to be adaptable units.	Yes
7.5	Corner Buildings		
C2	Corners identified in Figure 6 shall be emphasised through architectural design and materials.	The proposed development emphasises the corner of McFarlane Street and Pitt through architectural design and choice of materials.	Yes
8	Environmental		
8.1	Flood and Stormwater Management		
	Flood Affected Site – Stormwater Overflow	Council's Development Engineer has reviewed the submitted stormwater plans, and identifies the design is acceptable, subject to conditions.	Yes
9	General		
9.1	Public Art		
C1	Public Art is encouraged to be provided within the centre, in accordance with Council's Public Art Policy 2012-2015.	A condition shall be imposed on any consent issued, requiring a public arts plan to be developed to reflect the Merrylands Station & McFarlane Street Precinct.	Yes, with Condition
9.2	Interim Development		
	Interim development is not proposed as a part of this application.		N/A
10	Merrylands Station & McFarlane Street Precinct		
10.1	Preliminaries		
	The subject site is situated within the area denoted as the Merrylands Station & McFarlane		Yes

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No.	Required/Permitted	Provided	Comply
	Street Precinct.		
10.2	Urban Context Analysis		
10.2.1	Movement		
P1	Encourage the primary movement corridors around the centre along Merrylands Road, Treves Street, Neil Street and Pitt Street with Merrylands Road to be a primary pedestrian route.	The proposed development does not inhibit movement in the Merrylands Station & McFarlane Street Precinct.	Yes
P2	Establish a pedestrian focus along McFarlane Street with particular emphasis on the proposed new Civic Square.	The proposed development compliments the pedestrian focus of McFarlane Street.	Yes
P3	Create secondary connection points extending south from Merrylands Road through the Centre to neighbouring residential areas.	The proposed development does not extend south of Merrylands Road.	N/A
P4	Extent the existing laneway network in the Centre and around the proposed Civic Square to improve permeability through the Centre. Refer to Figure 2.	The laneway network surrounding the subject site is existing.	N/A
10.2.2	Open Space		
P1	Create a new Civic Square as the primary public open space for the Centre.	The proposed development does not extend to the area identified as the site of a new Civic Square.	N/A
P2	Reinforce the green streetscape character of McFarlane Street, Merrylands Road, Memorial Avenue, Pitt Street, and Neil Street.	The proposed development reinforces the green streetscape character of McFarlane Street. Council's Tree Management Officer has reviewed the submitted landscape plan, and identifies the application can be supported, subject to conditions.	Yes
P3	Establish a secondary green link through north-south laneways, between Merrylands Road and McFarlane Street. Refer to Figure 3. - Reyes Lane	The proposed development seeks to establish a secondary green link through the north-south laneway, Reyes Lane.	Yes
10.2.3	Access Network		
P1	Merrylands Road to remain the primary retail street of the Centre.	The proposed development does not extend to Merrylands Road.	N/A
P2	McFarlane Street to be the 'Eat Street' of Merrylands, reinforced by a pedestrian-friendly character, interface with the Stockland Mall and linking Merrylands Road via the proposed Civic Square and laneway network.	The proposed development reinforces McFarlane Street to be the 'Eat Street' of Merrylands	Yes
P3	Treves Street and Pitt Street to serve as the secondary retail streets, intersection with Merrylands Road and McFarlane Street. Refer to Figure 4.	The proposed development reinforces Pitt Street as a secondary retail street.	Yes
10.2.4	Height & Density		
P1	Maintain a transition of height from the Precinct to the surrounding residential neighbourhoods.	The proposed development adheres to the Height and Density Principles of Figure 5.	Yes
P2	Focus height and density around strategic sites such as Merrylands Road / Pitt Street location and the landmark Civic Square. Refer to Figure 5.		
10.3	Access Network		
10.3.1	Street Network		
C1	Provide new laneways in accordance with Figure 6.	The subject development is outside the area identified as requiring new laneways.	N/A
C2	Existing laneways are to be widened in accordance with Figure 6. - Reyes Lane – 8m	The property boundaries are designed to be adjusted, and land dedicated to Council, such that the	Yes

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	- Short Lane – 8m	laneways be widened to 8m, with 4m provided from the centreline to the proposed property boundaries.	
C3	Vehicular access to buildings fronting Merrylands Road and McFarlane Street must be provided via laneways. Refer to Figure 7. - Reyes Lane / Short Lane	Vehicular access is maintained to Reyes Lane and Short Lane.	N/A
C4	Lanes are not to be covered, but awnings may be permitted on buildings facing lanes up to a maximum of 30% of each frontage.	Awnings are proposed to the entire frontage of Reyes Lane and Short Lane.	No, but Acceptable on Merit
C5	Widening of Merrylands Road – 0.5m on either side.	The proposed development does not extend to Merrylands Road.	N/A
10.3.2	Connectivity		
C1	Provide new arcades in accordance with Figure 6.	The subject development is outside the area identified as requiring new arcades.	N/A
C2	The arcade must: - Have a minimum width of 15m and height of 4m. - Provide a clear sight-line from one end to the other for surveillance and accessibility, in mid-block locations. - Be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night.		
C3	Public use of through-site connection should be available at least between 7.00am to 7.00pm daily.		
C4	Connections through foyers and shops are encouraged.		
10.4	Site Amalgamation		
C1	Site amalgamation for the purposes of development shall be determined in accordance with Figure 9 and Table 1. - Lot 1, DP 501597 – 215 Pitt Street - Lot 2, DP 501597 – 215 Pitt Street - Lot 2, DP 537031 – 229-239 Pitt Street - Lot J, DP 10354 – 229-239 Pitt Street - Lot 1, DP 1079960 – 229-239 Pitt Street	The proposed development seeks to amalgamate all lots, except for Lot 1, DP 501597, related to 215 Pitt Street, Merrylands. The subject lot is owned by Cumberland City Council, and conversations with Council's Strategic Planning Officer has confirmed the reference to Lot 1, DP 501597 within this clause has been imposed in error.	Yes
C2	Sites must not be created that are physically unable to reasonably develop a building that achieves the maximum building height controls contained in Holroyd LEP 2013.	The subject site and surrounding sites can reasonably develop a building that achieves the maximum building height controls contained in the HLEP.	Yes
10.5	Built Form		
	No controls noted.	Noted.	N/A
10.6	Built Form Controls		
10.6.1	Building Height		
C1	Sites with the following maximum building height under Clause 4.3 of Holroyd LEP 2013 should comply with the maximum number of storeys in Figure 10 and Table 1 (excluding basement car parking) - 86m / 26 storeys	The proposed development is maintained to 24 storeys.	Yes
C2	Each storey shall comprise a minimum floor to ceiling height as defined in the NSW Department of Planning's <i>Apartment Design Guidelines, July 2015</i> .	*Refer to the ADG Assessment under <i>Section 4C – Ceiling Heights</i> for floor to ceiling heights.	N/A

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10.6.2	Design Excellence Provisions		
C1	Design excellence applies to land boundary by a heavy black line on the Design Excellence Map. Refer to Figure 11.	The subject site is identified on the Design Excellence Map.	Yes
C2	The Cumberland Design Excellence Guidelines provides criteria and procedures that must be followed for developments seeking an incentive bonus in building height of up to an additional 10% and additional floor space ratio of up to 0.5:1.	*Refer to the HLEP Assessment under <i>Clause 6.11 – Design Excellence</i> .	N/A
10.6.3	Primary Frontage Requirements		
C1	The minimum site frontage width for new developments is 20 metres for 3 storey buildings.	The proposed development is maintained to 24 storeys.	N/A
10.6.4	Primary Frontage Requirements		
C1	New developments are to maintain setbacks to the street in accordance with Figure 12. - McFarlane Street, Pitt Street, Reyes Lane and Short Lane – 0m Setback	The following setbacks are proposed: - McFarlane Street – 0m setback. - Pitt Street – 0m setback. - Reyes Lane – 2.8m to 6.5m setback. - Short Lane – 1.2m setback. *Refer to commentary in report.	No, but Acceptable on Merit
10.6.5	Street Wall Heights		
C1	Street wall heights of buildings (podium) shall be 3 storeys.	The proposed development maintains a street wall height to Pitt Street of 3 storeys.	Yes
C2	The 3 storey street wall height applies to a site's primary frontage.	Noted.	Noted
C3	Where a site has a frontage to a laneway, a maximum two storey street wall height is to be maintained. Refer to Figure 13.	The proposed development maintains a 3 storey street wall height to Reyes Lane and Short Lane. *Refer to commentary in report.	No, but Acceptable on Merit
10.6.6	Upper Level Street Setbacks		
C1	All buildings above 3 storeys in height are to display a uniform 4m setback above the street wall. Refer to Figure 13.	The following upper level street setbacks are proposed: - McFarlane Street – 4.2m. - Pitt Street – 4.5m. *Refer to commentary in report.	No, but Acceptable on Merit
10.6.7	Solar Access to Civic Square		
C1	Solar access must be maintained to a minimum of 50% of the Civic Square are between the hours of 11.00am and 1.00pm on the 21 st June.	To propose development does not overshadow the area identified as the site of a new Civic Square.	N/A
10.6.8	Floor Plates Above Podium		
C1	Where office premises are proposed, all points on an office floor above podium should be no more than 15m from a source of daylight.	The proposed development maintains all commercial space below the podium.	N/A
C2	The maximum horizontal length of any building above the podium shall not exceed 50m.	The maximum horizontal length of the building above the podium is 39 metres.	Yes
10.6.9	Awnings and Colonnades		
	Awnings		
C1	Awnings are to be provided to the full extent of the street frontage of buildings in locations nominated in Figure 14. - McFarlane Street and Pitt Street	Awnings have been designed to the full extent of both McFarlane Street and Pitt Street.	Yes
C2	Awnings along Merrylands and McFarlane Street	The awning to McFarlane Street is	Yes

Attachment 8

Holroyd Development Control Plan 2013 Compliance Assessment

Holroyd Development Control Plan 2013			
No.	Required/Permitted	Provided	Comply
	shall be a minimum 2.5m deep.	designed to be 3 metres deep.	
C3	Awnings if provided on laneways shall be retractable and only to be used in hours of operation.	The proposed awnings to Reyes Lane and Short Lane are designed to be fixed structures.	No, but Acceptable on Merit
	Colonnades		
C1	Provide colonnade/active frontage where shown in Figure 14.	The subject development is outside the area identified as requiring colonnades.	N/A
C2	Provide colonnades with a preferred minimum soffit height of 4m.		
C3	Provide under colonnade lighting to create a safe pedestrian environment and night.		
C4	Colonnade shall have a minimum width to height ratio of 1.5:1.		
C5	To activate the public domain, active ground level uses are required along the colonnade.		
C6	Locate columns of colonnades along build-to lines, to reinforce the character of the public open space.		
C7	Ensure the colonnade heights and depths are continuous along the length of the open space and are consistent with the neighbouring sites.		