ATTACHMENT 10 - Holroyd Development Control Plan 2013 Assessment

Requirement	Yes	No	N/A	Comments
PART A GENERAL CONTROLS				
2.1 Road design and construction **Subdivision & new roads** **C5.** Where the land is zoned for the purpose of a proposed new road, Council shall not consent to a subdivision of land of which the proposed road forms part unless the subdivision makes provision for the opening of a road in reasonable conformity with the proposed road. **C6.** Subdivision involving new roads shall conform to any site specific development controls for the area, showing the road network which satisfies projected district and regional travel. **C7.** If Relocation of services is required, it will be at the subdivider's expense. Council will also require reconstruction of such works where the Engineer deems this necessary in respect to existing facilities.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The subject site includes land zoned SP2 for public road. The proposed subdivision layout facilitates the dedication of this portion of SP2 zoned land to Council, upon its construction as Main Lane. It is acknowledged that the SP2 zoned laneway configuration deviates from the schematic laneway location in the HDCP 2013. The laneway location and layout is however consistent with the alignment of the SP2 zoned land in the HELP 2013. In this instance, it is considered appropriate for the zoning of the land to take precedent over the DCP alignment. Conditions of consent have been recommended to facilitate the dedication of the SP2 zoned land to Council. Conditions of consent have also been recommended to ensure that the existing culvert is diverted and realigned under the proposed Main Lane.

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2.2 Road geometry and intersections **C1.** Construct all works in accordance with Council's Vehicular Crossing Policy. **C2.** Construct a plain concrete (not patterned or coloured) vehicle crossing at each vehicle entrance/exit to the property, to specifications found in Council's Vehicular Crossing Policy. **C4.** Fully reinstate the road shoulder adjoining newly constructed vehicular crossings to the satisfaction and/or requirements of Council's Engineer. **C5.** For safety reasons, access to a property from a public road must clearly avoid items such as sewer vents, service poles, existing trees, street construction, light standards, telecommunications areas, stormwater pits, pedestrian crossings, pram ramps and the like, transformer units and the like which may be located in the footway area, unless the applicant is able to make arrangements for the relocation of equipment not owned by Council at no expense to Council. **C6.** Maintain pedestrian safety by minimising potential pedestrian and vehicular conflicts through: • Limiting the width and number of vehicle access points, • ensuring clear site lines at pedestrian and vehicle crossings, • utilising traffic calming devices, and • separating and clearly distinguishing between pedestrian and vehicular accessways. **C7.** Ensure adequate separation distances between vehicular entries and street intersections. For corner allotments, vehicular crossings must be no closer than 6 metres from the tangent point of the kerb at the intersection. **C8.** Optimise the opportunities for active street frontages and streetscape design by: • making vehicle access points as narrow as possible • consolidating vehicle access within sites under single body corporate ownership • locating car park entry and access from secondary streets and lanes. **C9.** Where not already provided, splay corners are to be dedicated in road reserves at intersections as follows: • Commercial subdivision 4m x 4m **C11.** For development in R3, R4 and business zones, reconstruction of kerb and gutter where it is in poor condition will be required. **C12.** Where kerb and guttering are damaged during construction/demolition, Council requires them to be fully reconstructed in accordance with Council's Engineer's requirements and at no cost to Council.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	Standard conditions of consent have been recommended by Council's Development Engineers to ensure that proposed roads and laneways are constructed in accordance with the relevant standards, including the construction of vehicular crossings and pram ramps. The proposed vehicular entry point to the site off Merrylands Road is located greater than 6m from the tangent point, as is the left-out only access to McFarlane Street. A condition of consent has been recommended requiring the dedication of land for the purpose of splay corners. Standard conditions of consent have been recommended to manage damage deposits for damage to Council assets during the construction process. Standard conditions of consent have also been recommended to manage the reconstruction of kerb and gutter that may be damaged during the constriction works.
2.5 Concrete Footpath Paving and 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(s) and in specific locations consist of the following widths: Business zones (except where a contribution towards public domain improvements is required) - 2.5 metres	☒	☐	☐	Conditions of consent have been recommended to require the construction of footpaths.
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 road intersections is required.	☒	☐	☐	Kerb ramps are identified in the proposed plans.

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.

Residential			
Dwellings in mixed use development in B4 Mixed Use zone (including shop top housing)	Bedroom per dwelling: Studio / 1 bedroom	0.8	1
	2 bedroom	1	1.2
	3 bedroom	1	1.2
	4+ bedroom	1.2	1.5
	Visitor / dwelling	0.2	0.2

Retail & Commercial			
Use	**Measure**	**Minimum Spaces Required**	**Maximum Spaces Required**
Commercial (including retail premises, business premises and office premises) - B4 zone	Ground Floor Leasable GFA	1 per 50m²	1 per 15m²
	Above Ground Floor Leasable GFA		

Community Uses			
Child Care Centres/Kindergartens/After school care facilities	per children	1 per four	n/a
	per employee (only required for child care cetres located in the R2 zone)	1 per two	

Bicycle Parking

USE/LOCATION	MEASURE	MINIMUM SPACES	MAXIMUM SPACES
Ground floor - business zones	GLFA: Employee	1 per 300m²	Unlimited
	GLFA:Visitor	1 per 2500m²	
All first- floor business zones and all other commercial floors	GLFA: Employee	1 per 200m²	
	GLFA:Visitor	1 per 750m²	
Residential Flat Buildings	Unit:		
	Studio	None	
	1 bedroom	0.5	
	2 bedroom	0.5	
	3+bedrooms	0.5	
	+Visitors per unit	0.1	

C2. Parking rates for commercial and other non-residential land uses may be provided off-site with payment of a local parking contribution where a Section 94 development contributions plan makes provision for such contributions.

C3. Notwithstanding the above provision, a minimum parking rate of 20% and maximum of 70% must be provided on-site.

☐	☒	☐
☐	☐	☒
☐	☐	☒

Total commercial (including retail, excluding child care centre) = 8,411m2

Minimum = 169 spaces
Maximum = 561 spaces

The development provides a total of 93 commercial/retail car parking spaces, a deficit from the minimum requirement of 76 spaces.

In this regard, it is noted that the ADG requirement for residential and visitor spaces is 603 spaces and 158 spaces, respectively. The development is proposing a total of 671 residential spaces and 157 visitor spaces.

In terms of the required number of spaces in each basement, the following has been calculated:

Basement 1:
329 residential spaces
86 visitor spaces
15 child care centre
125 commercial spaces

Basement 2:
275 residential
73 visitor
44 commercial spaces

The proposed carparking spaces are allocated as follows:

Basement 1 (Northern wing)
Residential – 343 spaces
Visitor – 86 spaces
Commercial (incl. retail) – 93 spaces
Child care centre – 15 spaces

Basement 2 (Southern wing)
Residential – 328 spaces
Visitor – 71 spaces

A condition of consent has been recommended to amend the car parking allocation, to provide the following spaces per basement:

Basement 1 (Northern wing)
Residential – 329 spaces
Visitor – 86 spaces
Commercial (incl. retail) – 107 spaces
Child care centre – 15 spaces

Basement 2:
275 residential
73 visitor
51 commercial spaces

				This results in a cumulative deficit of 11 commercial car parking spaces, noting this comprises a deficit of 18 spaces in Basement 1 with a surplus of 7 spaces in Basement 2. The deficit of 11 commercial spaces is supported by Council. It is noted that the residential and visitor parking provided complies with the car parking requirements of the ADG. The child care centre parking provided complies with the HDCP 2013.
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. Ensure compliance with Table D3.5 (Carparking spaces for people with a disability) of the Disability (Access to Premises — Buildings) Standards 2009 Act, and AS/NZS 2890. 6 - Off-street carparking for people with disabilities.	☒	☐	☐	Disabled parking has been provided.
6.2 Site Contamination and Land Filling **C1.** Council may require investigation of existing site contamination levels prior to the approval of new building works on the site. **C2.** New building works may need to demonstrate the geotechnical stability of sub-surface conditions prior to Council issuing a Construction Certificate. Contact Council's Engineers for further information.	☒ ☒	☐ ☐	☐ ☐	The issue of site contamination was assessed as part of the previous DA2016/127, which was accompanied by a Phase 2 Contamination Assessment. This assessment identified the need for site remediation and a Remediation Action Plan (RAP) was prepared by DLA Environmental Services. The application has been accompanied by correspondence prepared by ieaustralia (dated 23 March 2020) advising: EI conducted a review of the RAP and confirm the RAP remains relevant in relation to the current proposed development and does not require an update of the remediation strategy, A Site Validation Report will be prepared once all remedial works and validation have been completed as required under the RAP. The remediation work required for the site comprises Category 2 works, for which development consent is not required. Conditions of consent been recommended to ensure that evidence that the site has been suitably remediated, in accordance with the RAP.
6.4 Erosion and Sediment Control Plan **C1.** All Development Applications must have an ESCP where the proposal has, or could have the potential to involve: a) the disturbance of the soil surface including that which arises from clearing, levelling, shaping, filling, excavation and/or placement of fill thereon; or b) any changes in the rate and/or volume of runoff entering, directly or indirectly, to any waters or flow over any land.	☒	☐	☐	A standard condition has been recommended to address the implementation of erosion and sediment control measures prior to commencement of any works.

7.3 Stormwater Drainage – Technical **On Site Detention** **C5.** On-site detention systems shall be provided for all new developments, except for single dwellings, extensions, additions and improvements on existing single residential lots. The design and construction of an on-site detention system shall be in accordance with Council's On-site Stormwater Detention Policy. Note: Council's On-site Stormwater Detention Policy is based on the guidelines developed by the Upper Parramatta River Catchment Trust. **C7.** Any agreement, covenant or similar instrument which would otherwise prohibit or restrict an on-site detention system required by this DCP, does not apply. **C8.** Fully documented On-Site Detention (OSD) drawings, prepared by a suitably qualified person, shall be submitted with the development application, along with a completed Holroyd City Council On-Site Detention drawing submission checklist. **C9.** Upon completion of a site stormwater drainage system and prior to occupation of the development, a suitably qualified and registered engineering consultant must certify that the stormwater system has been constructed and can be maintained in accordance with the approved design. **C10.** Where an on-site detention system is required, a restriction on use of land and positive covenant shall be registered on the title of the subject property, requiring that the on-site detention system constructed on the site: (i) not be altered, unless approved by Council; and (ii)be maintained in good working order. **General** **C13.** Development shall not take place on any land unless arrangements satisfactory to the Council have been made for the carrying out of drainage works, on or for the land.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Council's Development Engineer has reviewed the proposed stormwater design and standard engineering conditions of consent have been recommended to address the provision of OSD.
7.4 Easements **C1.** All easements required within a site (other than those required only for the purposes of strata plan subdivision) shall be created pursuant to Section 88B of the Conveyancing Act, subject to the approval of Council. Council shall be joined as a party whose consent is required for any amendments to easements for rights of carriageway, utility services, inter-allotment drainage and the like, but not nominated as a beneficiary.	☒	☐	☐	Standard conditions of consent have been recommended to address the creation of easements.
8. Flood Prone Land **C7.** Where Council's flood mapping indicates that the land may potentially be affected by flooding, at the discretion of Council's engineering staff and dependent upon the nature of the development proposed, a development application must be accompanied by a local flood study confirming: • the extent and nature of any flooding of the site and/or adjoining land and adjacent properties; and • the proposed development will not increase flood levels, velocities or depths.	☒	☐	☐	The site is affected by the 1% Annual Exceedance Probability (AEP) flood and is identified as a flood control lot. The habitable floor levels of the development have been designed at a minimum 500mm above the surrounding flood level and the non-habitable floor levels have been designed at a minimum 150mm above the flood level. Conditions of consent have been recommended by Council's Development Engineers to ensure the development complies with the flooding requirements.

9.0 Managing External Road Noise and Vibration **C1.** Ensure an acoustic/vibration report is provided as a part of the planning documentation for development proposals adjacent to a Classified Road* and certain unclassified roads (as described below**), or within 60 metres of a railway line. **C2.** Development proposal within 60 metres of any railway line and/or adjacent to a Classified Road* and certain unclassified roads (as described below**), must provide a report, to be submitted with the development application, demonstrating that the development will comply with the following criteria. The report shall be prepared by an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/or grade membership of the Australian Acoustical Society (MAAS). **C3.** In the report, demonstrate that the development will comply with requirements for vibration and noise levels identified in the NSW DP&I's Development Near Rail Corridors And Busy Roads – Interim Guideline (and Rail Infrastructure Corporation Interim Guideline for Applicants, Consideration of Rail Noise and Vibration in the Planning Process, if necessary). **C4.** Prior to issuing of an Occupation Certificate, a noise compliance report shall be submitted to the Principal Certifying Authority (PCA) confirming that new building(s) comply with the noise criteria following. The C5. The report shall be prepared by an acoustic consultant, other than the consultant responsible for the preliminary/design report, having the technical eligibility criteria required for membership of the AAAC and/or grade membership of MAAS.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	An Acoustic Report has been submitted and reviewed by Council's Environmental Health Unit and standard conditions of consent have been recommended.

10. Safety and Security **C1.** A site management plan and formal crime risk assessment (Safer by Design Evaluation) involving the NSW Police Service may be required for large developments which, in Council's opinion, would create a crime risk. **C2.** Design new development to reduce the attractiveness of crime by minimising, removing or concealing crime opportunities. The design of development should increase the possibility of detection, challenge and apprehension of persons engaged in crime. **C3.** Incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas. **C4.** Minimise opportunities for crime through suitable access control. Use physical or symbolic barriers to attract, channel and/or restrict the movement of people. Use landscaping and/or physical elements to direct people to destinations, identify where people can and cannot go and restrict access to high crime risk areas such as carparks. **C5.** Incorporate design elements in public spaces that reflect local character and local values associated with open space, and thus contribute to a sense of community ownership of public spaces. Encouraging people to gather in public spaces through appropriate design techniques, helps to nurture a sense of responsibility for the use and condition of a place. **C6.** Clearly define the boundaries between public and private spaces as a method of territorial reinforcement. Methods other than gates, fences and enclosures are encouraged. **C7.** When incorporating crime prevention measures in the design of new buildings and spaces, apply subtle design techniques to blend into façades and places, and to be sympathetic with the quality of the streetscape. **C8.** Provide non-slip pavement surfaces for public pedestrian areas within developments as well as communal accessways within multi- unit developments.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The development has been accompanied by a CPTED Analysis report. The design of the proposed development is considered to facilitate good passive surveillance of the street, by providing active uses on the ground floor of the buildings. The building entries are easily identifiable and a standard condition of consent has been recommended requiring street numbering to be clearly identifiable. A condition of consent has been recommended to require the provision of lighting to the development. A condition of consent, consistent with recommendations made by the NSW Police has been recommended, requiring the installation of CCTV, prior to the issue of an OC.
11.1 Site Waste Minimisation and Management Plan **C1.** All applications for development, as listed above under Objective 03 i) to vii), shall be accompanied by a Site Waste Minimisation and Management Plan (SWMMP).	☒	☐	☐	The application has been accompanied by a WMP which has been reviewed and supported by Council's Waste Management Officer.
11.3 Residential Land Use Waste Management **C9.** In multi- storey buildings containing more than three storeys, provide a system for the transportation of garbage from each floor level to the Garbage and Recycling Room(s). This may be a garbage chute system. Where such facilities are utilised, provide space on each floor for storage of recyclables, preferably adjacent to the lift well. Because, ongoing management is a significant issue, provide detail in the Development Application.	☒	☐	☐	The application has been accompanied by a WMP which complies with this requirement.

11.4 Shops, Offices and Restaurants **Multi-Level Buildings (Shops, Offices and Restaurants)** **C4.** Provide a building of Class 5 or 6 (for office or retail) containing more than three storeys with an acceptable method for transporting waste from each level to a Garbage and Recycling Room. This could be a goods lift, a chute system (designed in accordance with Appendix F), or some other means, provided that direct and convenient internal access is available to all levels and tenants. Where such facilities are utilised, space must be provided per floor for temporary storage of waste material and recyclables. Ongoing management is a significant issue – detail is required in the Development Application.	☒	☐	☐	The application has been accompanied by a WMP which has been reviewed and supported by Council's Waste Management Officer.
12. Services **C1.** Ensure the design, construction and location of utility services conform to Council's stormwater standards and the specific standards of the relevant servicing authority. **C2.** Design should take into account existing services to avoid any unnecessary alterations or diversions. **C3.** Where possible, coordinate compatible public utility services in common trenching to minimise cost. **C4.** Reform areas affected by construction works to appropriate grades, covered with 100mm of topsoil and then grassed.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Standard conditions of consent have been recommended to address the provision of utility services.

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<table>
<tr><th>Requirement</th><th>Yes</th><th>No</th><th>N/A</th><th>Comments</th></tr>
<tr><td colspan="5">PART C COMMERCIAL, SHOP TOP HOUSING AND MIXED USE DEVELOPMENT CONTROLS</td></tr>
<tr><td>1.1 Lot Size and Frontage

C1. The minimum lot frontage for development within Zone B2 Local Centre, Zone B4 Mixed Use and Zone B5 Business Development and Zone B6 Enterprise Corridor shall be, unless otherwise stated as site specific controls in this DCP:
• up to three storeys- 20 metres.
• 4 - 8 storeys- 26 metres.
• 9 storeys and greater- 32 metres.</td><td>☒</td><td>☐</td><td>☐</td><td>The site maintains a lot frontage in excess of 32 metres.</td></tr>
<tr><td>1.2 Site coverage, floor area and building use

Site Coverage
C1. There is no minimum site coverage controls for commercial or shop top housing development, unless otherwise stated as site specific controls within this DCP.

Building Use
C7. Residential dwellings are not permitted at ground floor within Zone B2 Local Centre and Zone B4 Mixed Use.</td><td>☐

☒</td><td>☐

☐</td><td>☒

☐</td><td>No site coverage applicable.

No residential dwellings are proposed on the ground floor of Buildings A to E.</td></tr>
<tr><td>1.3 Building Height

C1. The minimum floor to ceiling height for a floor in a commercial building, or the commercial component of a building shall be as follows:
<table><tr><th>Floor</th><th>Min Floor to Ceiling height</th></tr><tr><td>Ground Floor</td><td>3.5m</td></tr><tr><td>First Floor- regardless of use</td><td>3.3m</td></tr><tr><td>All other floors</td><td>2.7m</td></tr></table></td><td>☒</td><td>☐</td><td>☐</td><td>The commercial floors maintain minimum floor to ceiling heights of 3.5m on the ground floor and 3.3m on the first floor.</td></tr>
</table>

1.5 Landscape and Open Space **C1.** Landscaped area is not required in business zones, unless where site specific controls within this DCP requires otherwise. **C3.** Planting and public domain works shall be in accordance with Council's Landscape Masterplan, where available. **C4.** Planting and pavement treatments along the street frontage are to maintain the landscape character of the locality. Integrating the development with adjoining properties by using plant species appropriate to the scale of the streetscape is required. **C5.** Developments are to contribute to streetscape character and public domain amenity by: i) relating landscape design to the desired proportions and character of the streetscape ii) using planting and landscape elements appropriate to the scale of the development iii) selecting appropriate indigenous species in accordance with Council's preference. iv) mediating between and visually softening the bulk of large development for the person on the street. Deep Soil zones **C6.** Where there is limited capacity for water infiltration, stormwater treatment measures are to be integrated with the design of the buildings. **Communal Open Space- Residential Uses** **C7.** Communal open space is to comprise a minimum of 25% of the site area for each development.	☒ ☐	☐ ☐	☐ ☒	The development includes landscape and public domain works which enhance the public domain and the communal open space areas of the development. Communal open space has been provided in accordance with the ADG.
2.1 Rear Laneways and Private Accessways **C1.** Where buildings have access to existing laneways, vehicular access must be provided from the laneway. **C2.** Laneways and private accessways shall be clear, direct and shall allow access for pedestrians at all times. **C3.** Signage shall be provided that indicates the public accessibility of lanes and rear accessways and the street to which the lane connects. **C4.** Laneways shall be visually appealing, which may be achieved through building design or the provision of public art. **C5.** All laneway shall be 8m in width, unless specified otherwise.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed extension of Main Lane will form the access point to the two proposed basements. Conditions of consent have been recommended to ensure that appropriate signage is provided and to ensure that public domain works are undertaken to create a visually appealing acessway. Main Lane maintains a minimum width of 9m to 9.5m.

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2.2 Pedestrian Access **C1.** The site and its planning is to be utilised to optimise accessibility to the development. **C2.** The design of developments shall comply with Disability (Access to buildings- Premise Buildings) Standards 2010. **C3.** Design buildings to comply with Australian Standards (SS1428 Parts 1 & 2) Design for Access and mobility). **C4.** Direct and unimpeded access from the car parking area to all residential units and commercial uses within a development shall be provided. **C5.** Main building entry points should be clearly visible from primary street frontages, well lit, legible and enhanced through building design and treatment. **C6.** Access to public areas of buildings shall not have unnecessary barriers or obstructions including uneven and slippery surfaces, steep stairs and ramps, narrow doorways, paths and corridors etc. **C7.** Developments must provide continuous paths of travel from all public roads and spaces as well as unimpeded internal access. **C8.** Public accessible spaces including access ways, entry paths and lobbies must use durable, no slip materials, tactile surfaces and contrasting colours.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	A standard condition of consent has been recommended to ensure that the development provides access in accordance with the relevant AS. The proposed building entries are easily identifiable from the street and access to the public areas of the development do not have unnecessary barriers or obstructions. Having regard to Eat Street, a condition of consent has been recommended requiring the delineation of this area as a predominantly pedestrian space, through the use of surface treatment and a reduced speed limit.
2.3 Building Entries **C1.** Equal accessibility is to be ensured for all, in both residential and commercial uses. **C2.** The main entrance of buildings must be accessible for all members of the community. **C3.** Separate entries from the street are to be provided for cars, pedestrians, multiple uses (commercial and residential) and ground floor apartments. **C4.** Residential entries must be secure where access (e.g. lifts) is shared between commercial and residential uses. **C5.** Multiple cores which access above ground uses are to be provided where the site frontage is over 30m. **C6**. Dwellings off communal open space should have direct private entries. **C7.** Entries and associate circulation space are to be designed of an adequate size to allow movement of furniture. **C8.** Commercial development should include adequate areas for pedestrian movement, free from advertising or "overflow" retail structures. **C9.** Appropriate materials and treatments such as slip resistant materials, tactile surfaces and contrasting colours are to be used at building entries to ensure legibility and safety for all users.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	Equitable access has been provided for all building users and separate entries are provided from the street for commercial and retail land uses on the ground floor. No residential development is proposed on the ground floor. Multiple lift cores are provided for access.
2.4 Vehicle Access **C1.** Driveways shall be provided from laneways (existing or proposed), private accessways and secondary streets where possible. **C2.** If a building has access to a rear lane, side street or rights of way, the loading and unloading facilities and service access shall be provided from that lane. **C3.** The location of vehicular access shall consider existing services (power, drainage etc) and street trees.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Two driveways to each of the proposed basements are provided off Main Lane. Loading and unloading bays are proposed off Main Lane. The proposed access points have no impact on existing services or street trees.

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2.5 Parking				
C3. No on-site parking is to be directly visible from an active or main street frontage.	☒	☐	☐	All proposed car parking is provided in the basement and is not visible from the street. The basement car park designs ensure pedestrian amenity and safety and direct access is provided from the parking to the lobbies. Accessible visitor spaces have been provided and a condition of consent requiring the marking of visitor spacing is recommended.
C4. Parking areas shall be designed to ensure pedestrian amenity and safety.	☒	☐	☐	
C5. Natural ventilation is to be facilitated to basement and sub-basement car parking areas wherever possible and with regard to any flooding issues.	☒	☐	☐	
C7. Safe and secure access is to be provided from on site parking for building users, including direct access from parking to lobbies	☒	☐	☐	
C10. Required visitor spaces must be capable of being accessed by visitors with a disability.	☒	☐	☐	
C13. Visitor parking shall be clearly identified and may not be stacked parking.	☒	☐	☐	
3.1 Safety and Security				
C1. Boundaries between private and public spaces should be defined and strengthened through building form and/or design elements.	☒	☐	☐	The development has been accompanied by a CPTED Analysis report.
C2. Casual surveillance of spaces is to be achieved through active frontages, street address and creating casual views of common internal areas (i.e. lobbies and foyers, hallways, recreation areas and carparks).	☒	☐	☐	The design of the proposed development is considered to facilitate good passive surveillance of the street, by providing active uses on the ground floor of the buildings. The building entries are easily identifiable and a standard condition of consent has been recommended requiring street numbering to be clearly identifiable. A condition of consent has been recommended to require the provision of lighting to the development. A condition of consent, consistent with recommendations made by the NSW Police has been recommended, requiring the installation of CCTV, prior to the issue of an OC.
C3. Visible, functional and safe building entries are to be provided using the following: street address, clear lines of sight, separate entries for commercial and residential uses, direct entries to ground floor dwellings, direct and well lit routes from carparks and lift lobbies to all floors within the development.	☒	☐	☐	
C4. Building entries should be placed in visually prominent locations and be easily identifiable with numbering.	☒	☐	☐	
C5. Blind or dark alcoves near lifts and stairwells, at the entrance and within carparks along corridors and walkways are not permitted.	☒	☐	☐	
C6. Adequate lighting shall be provided within a development, such as pedestrian routes and accessways, common areas and communal open space, car parking areas, all entries and under awnings. Timers and motion sensors may be implemented where appropriate to reduce energy consumption.	☒	☐	☐	
C7. Illumination in carparks and building entrances should draw attention to the spaces to increase perceived safety.	☒	☐	☐	
C8. Landscaping should avoid opportunities for concealment. Landscape treatment such as low plantings or trees with a clean trunk to 2m are encouraged.	☒	☐	☐	
C9. The design of roads and location of street furniture must ensure adequate sight lines for drivers.	☒	☐	☐	
C10. Paving and other walkway treatments shall be designed and maintained to prevent trip hazards.	☒	☐	☐	
C12. Provide security access controls to buildings where appropriate.	☒	☐	☐	
C13. Large scale retail and commercial development and mixed use developments shall provide a safety by design assessment in accordance with CPTED principles from a qualified consultant.	☒	☐	☐	

3.2 Façade Design and Building Materials **C1.** Provide a street address to each building. **C2.** Facade proportions and vertical and horizontal emphasis shall be appropriate to the scale of development and its interaction with the streetscape. Vertical emphasis shall be incorporated above awnings. **C3.** Express vertical elements within the façade rather than floor levels. **C4.** Blank walls and large expanses of one material shall be avoided. **C5**. External walls should be constructed of high quality and durable materials and finishes that are appropriate for the scale of development. Materials with 'self cleaning' attributes shall be used. **C6.** Maximise the use of glazing to active frontages. **C7.** Building walls addressing the street should be articulated and fragmented to add interest and to avoid bulky appearance. **C8.** Buildings located on corner sites are to be articulated to address each street frontage. **C9.** Building finishes should not result in causing glare that creates a nuisance and hazard for pedestrians and motorists in the centre. Generally reflective and glazed finishes are discouraged above the first floor **C10.** Balconies and terraces should be provided to overlook the street and public domain and shall be integrated into the design of the facade. **C11.** Façade designs shall reflect the orientation of the site using elements such as shading devices, light shelves and bay windows as environmental controls, depending on the facade orientation. **C12.** All walls to the street shall be articulated by either/or windows, verandahs, balconies or blade walls. Such 'articulation' elements may be forward of the required building line up to a maximum of 600mm. **C13.** The design of plant rooms and lift overruns is to be integrated into the overall architecture of the building. **C14.** Building services, such as drainage pipes shall be coordinated and integrated with overall façade and balcony design. **C15.** In mixed use and shop top housing development, distinguish residential entries from commercial/retail entries. **C16.** Security grills, ventilation louvres and carpark entry doors shall be integrated with the design of the overall facade. **C17.** Security devices fitted to building entrances and windows shall be transparent to allow for natural surveillance. **C18.** New buildings should express the existing underlying subdivision pattern (i.e. designing fine grain shop fronts, where the existing subdivision is fine grain). **C20.** The ground floor level must have active uses facing streets and public open spaces.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed development provides well articulated facades which address the street through a mix of vertical and horizontal features, including windows, projecting and receding walls, balconies, framed elements and a mix of materials and colours, to provide visual variation. The mix of material utlised contributes to articulating the building and reducing the visual bulk and scale of the development. The SEE submitted with the application provides: *The underlying design methodology for the elevations are to break each building volume up into smaller masses in order to provide greater articulation, separation and variety.* *These component masses become a series of taller and slender elements on each building that reduce the apparent horizontal scale of the development.* *The development is also divided horizontally through the podium base to create an upper and lower form. This design expression contributes towards defining the street edge and distinguish the non-residential use at ground level from the residential levels above.* *This division is further highlighted with a change in materiality and character expression,* *with the unifying material language of the podium creates an identity to the development within its uses.* *Furthermore, the residential entries are defined by breaks within the façade with half arches to create identity along the street.* *The materials and finishes to be used will be consistent with that existing in the area while also being contemporary in character.* *The proposed balconies represent an extension of internal living areas and the development provides an interface with the public domain in a visually prominent locations.*

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3.3 Laneway and Arcade Design **C1.** The design of laneways and buildings adjacent shall incorporate safer by design principles and promote a safe environment through: i) defining private and public space, ii) ensuring clear lines of sight between from one end of the laneway to the other, iii) eliminating spaces that enable hiding or that do not have direct visual access, iv) ensure overlooking and surveillance through balcony and window location, v) provide suitable lighting to all entrances and locations of parking from the laneway. vi) North/south Laneways shall be clear and direct throughways for pedestrians vii) Public access to laneways shall be provided at all times, unless otherwise stipulated by Council. **C2.** A high standard of facade design is required to create articulation for buildings addressing laneways. **C3.** Opportunities for public art and design in laneways should be explored in order to create visual interest and vibrancy.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed Main Lane and Eat Street laneways have been designed to incorporate safer by design principles. The alignment of the laneways provides clear sight lines from one end of the laneway to the other and there are balconies which overlook the Main Lane laneway. Standard conditions of consent have been recommended to address the lighting of the laneways. The building facades have been designed to address the laneway to enhance the opportunity for passive surveillance. The proposed landscaping also enhances the visual interest and vibrancy of both Eat Street and Main Lane.
3.4 Shopfronts **Security** **C1.** Solid roller shutters, either internal or external, that block out or obscure windows or entrances, are not permitted. **C2.** Security Bars are not permitted. **C3.** The boarding/bricking up of shopfronts is not permitted. **C4.** The following security measures are acceptable: • Open grille (concertina) security devices- where they are unobtrusive, discreet in design and colour and open in nature. • Transparent grille shutter security devices- where located behind the shopfront. **Design** **C6.** All street frontage windows located at ground floor level are to be clear of glazing. **C7.** Street numbers shall be located on shopfronts and awnings, and shall be clearly visible from the street. **C8.** New shopfronts shall be constructed of materials that are consistent with the existing building and streetscape.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	A condition of consent has been recommended requiring separate approvals to be obtained for the use of the commercial/retail tenancies. It is noted that no roller shutters or security bars are proposed to any of the shopfronts under this application. All ground floor windows are clear. A standard condition of consent has been imposed to address the provision of street numbers. The proposed shopfront materials are consistent with the town centre setting of the site and complement the existing streetscape.
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.	☐	☐	☒	The development achieves the solar access requirements of the ADG.

3.6 Visual + Acoustic Privacy				
Visual Privacy				
C1. New development shall be located and oriented to maximise visual privacy between buildings on site and adjacent buildings by: i) providing adequate building separation and setbacks in accordance with Section 4.5, ii) utilising the site layout to increase building separation by orienting buildings on narrow sites to the front and rear of the lot, thereby utilising the street width and rear garden depth to increase the separation distance.	☒	☐	☐	The development provides building separation distances in accordance with the ADG, with the exception of some units. A condition of consent has been recommended for these units to provide privacy screens to balconies, so as to mitigate any overlooking impacts.
C2. Detailed site and building design elements are to be used to increase privacy without compromising access to light and air. Design detailing may include: i) offsetting windows of apartments in new development and adjacent development windows, ii) recessing balconies and/or vertical fins between adjacent balconies, iii) using solid or semi-solid balustrades to balconies, iv) using louvres or screen panels to windows and/or balconies, v) providing appropriate fencing, vi) providing vegetation as a screen between spaces, vii) incorporating planter boxes into walls or balustrades to increase the visual separation between areas, viii) utilising pergolas or shading devises to limit overlooking of lower apartments or private open space, ix) providing appropriate fencing.	☒	☐	☐	
C3. Building layouts are to be designed such that direct overlooking of rooms and private open spaces is minimised in apartments by: i) locating balconies to screen other balconies and any ground level private open space ii) separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms iii) changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space	☒	☐	☐	
C4. Landscaping shall be designed to provide screening and filtering for control of privacy and to reduce overlooking of dwellings.	☒	☐	☐	
Acoustic Privacy				
C5. Building siting and layout shall be designed to maximise the potential for acoustic privacy. This shall be achieved through: i) providing adequate building separation and setbacks in accordance with Section 4.5 and, ii) ensuring vertical and horizontal separation between conflicting uses generating different levels of noise.	☒	☐	☐	The application has been accompanied by an Acoustic Report which has been reviewed by Council's EHU team and conditions of consent have been recommended to address the issue of acoustic privacy for the development.
C6. Apartments shall be arranged within a development to minimise noise transition by: i) Locating busy, noise areas next to each other and quieter areas next to each other (i.e. bedrooms with bedrooms and service areas like kitchen, bathroom, and laundries together). ii) Using storage or circulation zones within an apartment to buffer noise from adjacent dwellings, mechanical services or corridors and lobby areas, minimizing the amount of party (shared) walls with other dwellings. iii) Using service areas/corridors to buffer 'quiet' areas such as bedrooms from noise generators including traffic, railway line, service and loading vehicle entries. iv) minimising the amount of party (shared) walls with other dwellings/apartments.	☒	☐	☐	

3.7 Managing External Noise and Vibration				
C1. Development proposals within 60m of a railway line and/or adjacent Classified Road must provide a report, to be submitted with the development application, demonstrating that the development will comply with the following criteria.	☒	☐	☐	The application has been accompanied by an Acoustic Report, which has been reviewed by Council's EHU team and conditions of consent have been recommended to address the issue of acoustic privacy for the development, including a condition requiring the submission of a noise compliance report prior to the issue of OC.
C2. The following Australian Standards are to be complied with: i) AS 1055-1997 Acoustics - Description and Measurement of Environmental Noise. ii) AS 1259-1990 Acoustics – Sound Level Meters Part 2 Integrating – Averaging. iii) AS 1633-1985 Acoustics - Glossary of Terms and Related Symbols. iv) AS 2107-2000 Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors.	☒	☐	☐	
C3. The report shall be prepared by an acoustic consultant having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/ or grade membership of the Australian Acoustical Society (MAAS).	☒	☐	☐	
C4. Prior to the issues of an Occupation Certificate, a noise compliance report shall be submitted to the Principal Certifying Authority (PCA) confirming that the building/s comply with the noise criteria following. The report shall be prepared by an acoustic consultant, other than the consultant responsible for the preliminary/design report, having the technical eligibility criteria required for membership of the Association of Australian Acoustical Consultants (AAAC) and/ or grad membership of the Australian Acoustical Society (MAAS).	☒	☐	☐	
3.8 Awnings				
C1. Continuous awnings are required to be provided to all active street frontages (except laneways).	☒	☐	☐	The design of the development includes the provision of awnings along the street frontages. These design features have been considered as part of the Design Excellence Panel referral and are considered suitable for the site.
C2. Awnings generally: i) Should be flat, ii) must be 3m deep, iii) be setback from the kerb a minimum of 600mm, iv) have a minimum soffit height of 3.2m-3.3m, v) have slim vertical facias and/or eaves not to exceed 300mm.	☒	☐	☐	
C3. Awnings are permitted on laneways where active frontages are required and shall be retractable and only used in hours of operation.	☒	☐	☐	
C4. Colonnades are generally not permitted except only for building facades that address open space areas.	☒	☐	☐	
C5. Awnings should be provided in modules to match building frontages.	☒	☐	☐	
C6. Awnings on street corner buildings shall wrap around corners.	☒	☐	☐	
C7. Cantilevered awnings from the buildings shall have a minimum soffit height of 3.2m – 3.3m.	☒	☐	☐	
C8. Do not break a continuous run of awnings.	☒	☐	☐	
C9. Canvas blinds along the street edge are not permitted.	☒	☐	☐	
C10. Awnings are to be located over all building entries to indicate entry points.	☒	☐	☐	

3.9 Apartment Layout				
C1. No part of any residential unit shall be more than 8m from the glassline.	☒	☐	☐	The proposed units achieve the minimum internal floor areas, relative to the number of bedrooms and the units achieve the required dimensions, having regard to maximum depth, kitchen location and room layouts. The balconies of the units proposed are accessible from a living space and the development achieves the ventilation and solar access requirements in the ADG.
C2. Single aspect apartments are to have a maximum depth of 8m from the glassline.	☒	☐	☐	
C3. The back of the kitchen shall be no more than 8m from a window.	☒	☐	☐	
C4. The width of any apartment is to be no less than 4.5m (4.3m internally).	☒	☐	☐	
C5. Residential apartments are to have the following minimum internal floor areas: i) Studio - 40m2 ii) 1 bedroom - 50m2 iii) 2 bedroom - 70m2 iv) 3 bedroom - 95m2 v) 4 bedroom - 120m2	☒	☐	☐	
C7. Apartment layouts shall be designed to be resilient over time through accommodating the following: i) a variety of furniture arrangements, ii) a range of activities and privacy levels between different spaces within the apartment, iii) flexible room sizes, proportions or open plans, iv) ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.	☒	☐	☐	
C8. Apartment layouts shall be designed to respond to the natural environment and optimise site opportunities by: i) orienting main living spaces toward the primary outlook and aspect and away from neighbouring noise sources or windows, ii) locating main living spaces adjacent to main private open space, iii) locating habitable rooms, and where possible kitchens and bathrooms, on the external face of the buildings thereby maximises the number of rooms with windows, iv) maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight, for example by providing corner apartments, cross-over or crossthrough apartments, split-level or maisonette apartments and shallow, single-aspect apartments.	☒	☐	☐	
C9. Avoid locating kitchens as part of the main circulation spaces of an apartment, such as a hallway or entry space.	☒	☐	☐	

3.10 Flexibility and Adaptability – Residential Mix				
C1. Design commercial uses to permit adaptation and flexibility for future development.	☒	☐	☐	The development has been designed to facilitate flexibility and adaptability of the uses proposed. The retail tenancies provide a mix of tenancy sizes to accommodate a range of retail and commercial uses (subject to future approvals). These tenancies also provide higher floor to ceiling heights to facilitate adaptability of the spaces in the future. The residential units are of a size and configuration so as to facilitate a range of furniture layouts. The development provides multiple entries to enhance movement and mobility within the site. The proposal includes 20% adaptable units. The proposal does exceed the minimum 20% requirement for studio/1 bedroom units and a justification for this variation is provided in the body of this Report and in the discussion at Part 7 of this assessment table. The variation is supported by Council.
C2. Building configurations should provide multiple entries and circulation cores, especially in larger buildings over 15 m long by adopting the following: i) Thin building cross sections which are suitable for residential or commercial uses, ii) A mix of apartment types, iii) Higher ceiling heights on the ground and first floors, iv) Separate entries for ground floor uses and upper levels, and v) Sliding and/or moveable wall systems.	☒	☐	☐	
C3. Apartment layouts are required to facilitate the change of use of rooms, including the provision of: i) Windows in all habitable rooms and to a maximum number of non-habitable rooms, and ii) Adequate room sizes or open-plan apartments that enable a variety of furniture layout opportunities, iii) dual master-bedroom apartments, which can support two independent adults living together or a live/work situation,	☒	☐	☐	
C4. Structural systems are required to support changes in future building use or configuration including: i) A structural grid that accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; ii) The alignment of structural walls, columns and services cores between floor levels; iii) Minimising internal structural walls; iv) Higher floor to floor dimensions on the ground floor and possibly the first floor; and v) Knock out panels between two adjacent apartments to allow future amalgamation.	☒	☐	☐	
C5. Facilitate accessibility and adaptability of developments by: i) Optimising the amount accessible retail, commercial, communal space; ii) Maximising the number of accessible apartments; and iii) Providing adequate pedestrian access and mobility in the development.	☒	☐	☐	
C6. Unless otherwise stated in Part M of this DCP, adaptable housing shall be provided in accordance with Part B of this DCP.	☒	☐	☐	
C7. Robust building configurations are to be provided, which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long, for example by: i) thin building cross sections, which are suitable for residential or commercial uses, ii) a mix of apartment types, iii) higher ceilings on the ground floor and first floor, iv) separate entries for the ground floor level and the upper levels, v) sliding and/or movable wall systems.	☒	☐	☐	
C8. All commercial/retail components of mixed use buildings comply with AS1428-2001.	☒	☐	☐	
C9. Pre- and post-adaptive designs are required to be submitted at DA stage to demonstrate compliance with the relevant sections of the checklist provided in Appendix A of AS 4299-1995.	☒	☐	☐	
Apartment Mix **C10.** A variety of apartment types between studio, one, two, three and three plus bedroom apartments shall be provided in each development.	☒	☐	☐	
C11. Studios and 1 bedroom apartments are not to exceed 20% of the total apartment mix within each development..	☐	☒	☐	

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3.11 Corner Buildings **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.	☒	☐	☐	The corner buildings, i.e. Buildings B and C have been designed to address both corners through the provision of active street frontages at the ground level and building articulation through the use of horizontal and vertical design elements that wrap around the building, to link the two frontages.
3.13 Internal Circulation & Storage for Residential Uses **Internal circulation** **C1.** Where apartments are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor is to be limited to eight. **C2.** Better apartment layouts are to be supported by designing buildings with multiple cores which: i) increase the number of entries along a street, ii) increase the number of vertical circulation points, iii) give more articulation to the facade, iv) limit the number of units off a circulation core on a single level **C3.** Amenity and safety in circulation spaces is to be increased by: i) providing generous corridor widths and ceiling heights, particularly in lobbies, outside lifts and apartment entry doors ii) providing appropriate levels of lighting, including the use of natural daylight, where possible, iii) minimising corridor lengths to give short, clear sight lines, iv) avoiding tight corners, v) providing legible signage noting apartment numbers, common areas and general directional finding, vi) providing adequate ventilation. **Storage** **C6.** In addition to kitchen cupboards and bedroom wardrobes, accessible storage facilities shall be provided at the following rates as a minimum: i) Studio apartments 6m2 , ii) One bedroom apartments 6m2 , iii) Two bedroom apartments 8m2 , and iv) Three plus bedroom apartments 10m2 . **C12.** Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Suitable entry points are provided for all buildings, with separate residential and commercial lobbies provided and direct access provided to the ground floor tenancies. It is noted that the SCCPP raised a concern with respect to the width of the residential lobby of Building C, the Applicant has amended the design of this lobby to increase the width from 1.8, to 3.35m to enhance the space. The lobbies are considered to be designed and proportioned to ensure adequate natural ventilation, lighting, corridor length and the amenity and safety of residents/tenants and visitors. Storage has been provided in accordance with the ADG requirements.

3.14 Balconies				
C1. Each apartment shall have a minimum of at least one primary balcony.	☒	☐	☐	Each residential unit is provided with a balcony and the balconies are compliant with the ADG area and dimension requirements. Balconies of all units are accessible via a living area.
C2. Primary balconies are to have a minimum depth of 2.4m and a minimum area of $10m^2$.	☐	☐	☒	
C3. Primary balconies are be: i) located adjacent to the main living areas, such as living room, dining room, kitchen to extend the dwelling living space, ii) sufficiently large and well proportioned to be functional and promote indoor / outdoor living. A dining table and two to four chairs should fit on the majority of balconies in any development. Consider supplying a tap and gas point.	☒	☐	☐	
C7. Balconies are to be detailed and designed in response to the local climate and context, thereby increasing their usefulness. This may be achieved by: i) locating balconies facing predominantly north, east or west to provide solar access, ii) utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind, iii) providing balconies with operable screens, Juliet balconies or operable walls / sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions—along rail corridors, on busy roads or in tower buildings, iv) choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy,	☒	☐	☐	The balconies are site responsive and have been designed to maximise solar access.
C11. Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include: i) Detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the apartment's interior, especially at night, and ii) Detailing balustrades and providing screening from the public, for example, for a person seated looking a view, clothes drying areas, bicycle storage or air conditioning units.	☒	☐	☐	Balustrades have been designed to facilitate visual privacy.
C13. Provide drying cupboards within balconies.	☒	☐	☐	A condition of consent has been recommended to address the provision of drying cupboards within balconies.
3.15 Natural Ventilation				
C1. Where possible, orient buildings and apartments to maximise prevailing breezes.	☒	☐	☐	The development achieves compliance with the ADG requirements for ventilation of residential units.
C2. Building and apartment depth, as required Part B or Part M shall be achieved.	☒	☐	☐	
C3. 80% of all dwellings within a residential apartment building should be cross ventilated.	☒	☐	☐	
C4. 25% of kitchens within a development must have direct access to natural ventilation.	☒	☐	☐	
C5. Ensure each dwelling can be naturally ventilated through the appropriate siting and layout of the rooms.	☒	☐	☐	
C6. Locate window and door openings to facilitate cross ventilation.	☒	☐	☐	
C7. Arrange windows, doorways and other openings to allow free internal air movements.	☒	☐	☐	
C8. Double loaded corridors in apartment buildings are limited to 8 dwellings per floor, unless these are cross-over apartments in which case the maximum number of dwellings shall not be more than 12.	☒	☐	☐	

3.16 Roof Design **C1.** Roof forms and styles shall reflect and related to the scale and context of the building and character of the street. Pitched roofs (i.e. Roof forms copying elements of single family homes) are discouraged and will not be permitted in the following circumstances: i) Where a pitched roof design does not relate to the existing urban context, ii) Where a pitched roof increases the visual bulkiness of a proposed building. B **C2.** Incorporate roof top elements such as lift overruns, service plants and other visually intrusive service elements and infrastructure into the design of the roof. **C3.** Where flat roofs are proposed, lift overruns, rooftop plant and machinery should be obscured from view by parapets or be incorporated within rooftop activities/features. **C4.** Wherever possible provide landscaped and shaded areas on roofs (i.e. roof gardens). **C5.** Minimise the bulk and mass of roofs and the potential for overshadowing from roofs. **C6.** Roof design is to respond to the orientation of the site through using eaves and skillion roofs to respond to sun access. **C7.** Roofs may be articulated, or broken down its massing on large buildings, in order to minimise the apparent bulk or to relate to a context of smaller building forms.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed building design incorporates a contemporary roof design, which has been considered as part of the Design Excellence process. The lift overruns and communal rooftop space have been designed so as not to cause adverse impacts on the skyline.
3.18 Waste Management **C1.** Integrate waste management processes in all stages of development. **C2.** Source separation facilities (e.g. waste bays) should be provided on building sites so that different materials may be easily separated during construction and demolition. This will maximise the potential for reuse/recycling during demolition and construction works. **C3.** Garbage/recycling storage areas must be located so as to be easily serviced and not cause any negative impacts in terms of visual appearance, noise or smell, to residents, adjoining properties or to the street. Storage areas for bins are to be located away from the front of the development in a location with a practical distance from the final collection point. **C5.** All dwellings shall be provided with a waste cupboard or the like of a sufficient size to hold a day's waste. **C6.** Ventilation stacks should be utilised wherever possible (and necessary) to vent shops and basements. **C7.** A waste management plan must be submitted with any development application and approved prior to development approval.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The application has been accompanied by a WMP which has been reviewed by Council's Waste Management Officer who has deemed the waste arrangements for the site to be suitable.
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. The report shall be prepared by a suitably qualified engineer and shall: i) Be based on wind tunnel testing, which compare analyses the current wind conditions and the wind conditions created by the proposed building, ii) Report the impacts of wind on the pedestrian environment at the footpath level within the site and the public domain, iii) Provide design solutions to minimise the impact of wind on the public and private domain, iv) Demonstrate that the proposed building and solutions are consistent with the provisions of this DCP.	☒	☐	☐	The application has been accompanied by an Environmental Wind Tunnel Study, prepared by SLR which relevantly recommends the implementation of landscaping and screening on podium levels and rooftop communal areas.

7. Residential Mix for Business Zoned Land **C1.** Mixed use developments and shop top housing shall provide a variety of residential unit mix and layouts within each residential development. **C2.** A mix of residential unit accommodation shall be provided, involving no less than 10% of either: studio/one bedroom, two-bedroom, three-bedroom units. Minimum net unit area as follows: • Minimum studio size of 40m2 • One bedroom unit size 50m2 • Two bedroom unit size 70m2 • Three bedroom unit size 95m2 **C3.** Studios and one bedroom units are not to be greater than 20% of the total mix within each development. **C4.** The applicant will be required to demonstrate that a studio unit can be combined with other units for form large units.	☒ ☐ ☐ ☒	☐ ☒ ☒ ☐	☐ ☐ ☐ ☐	A total of 790 residential units are proposed, with the following unit mix: • 129 x Studios (16.3%) • 264 x 1 Bedroom Unit (33.4%) • 379 x 2 Bedroom Unit (48.0%) • 18 x 3 Bedroom Unit (2.28%) A total of 50% of the units proposed comprise studio/1 bedroom units. This is 30% over the maximum 20%. Having regard to this variation, the application has been accompanied by an Economic Impact Assessment (EIA) prepared by AEC Group Pty Ltd, which relevantly provides: *As at the date of the 2016 Census, the median age of residents in Merrylands was 32 years of age, aligning with the broader Cumberland LGA.* *Both Merrylands and Cumberland LGA have a younger median age than Greater Sydney (36 years of age) and New South Wales (38 years of age).* *Historically, the age structure of Merrylands has closely aligned with the Cumberland LGA, with a large proportion of the population aged between 0 years and 39 years (representing approximately 62.5% of the population as at 2018).* *Population forecasts suggest residents (between the ages of 20-29) will still remain one of the dominant age cohorts in Merrylands (representing some 17.8% as at 2018) over the coming decades to 2036. Whilst we note population forecasts are expected to decrease for this age cohort (projected at 17.5% in 2036), the increasing disposition of residents delaying having children or deciding altogether to not have children may also impact the next largest cohort (residents aged between 30-39) in terms of dwelling requirement (potentially leading to a preference for smaller more practical and affordable studio and 1 bedroom apartments for example).* *Further, anecdotal evidence suggests the primary buyer category for studio and 1-bedroom apartments is typically younger/first home buyers between the ages of 20-29. This would indicate the*

				likely increasing demand for smaller, more affordable dwellings including studio/1-bedroom housing particularly within close proximity to amenities and transportation links. *According to the ABS (Census of Population and Housing 2016), Merrylands comprised some 9,975 households in 2016 (13.8%) of the 72,157 households recorded in the Cumberland LGA. Family households represent the largest proportion in Merrylands at 71.8%, comparatively similar as compared with Cumberland LGA at 73.3% and Parramatta LGA at 71.2%.* *However, lone person households in Merrylands represent the second largest proportion of the population at 19.2%, which we note is higher than both Cumberland and Parramatta LGAs (albeit not by a significant margin).* *In accordance with the draft Cumberland 2030 Local Strategic Planning Statement, Merrylands is noted as the largest centre within the Cumberland LGA and that Council believes that Merrylands has the potential to be defined as a strategic centre in the District hierarchy, based on the range of services and potential to expand to provide additional housing.* *Analysis of Department of Planning, Industry and Environment (DPIE) household projections and implied dwelling requirements, it can be observed that Lone Person households are projected to show the largest increase at 2.4% from 2011 to 2036.* The above is consistent with the findings of the Cumberland City Council Housing Needs Analysis (February 2020), which has informed the preparation of the Cumberland Local Housing Strategy (2020) (LHS). The Housing Needs Analysis states that "there is growing demand in Cumberland for one to two bedroom housing suitable for lone person households. It is expected that there will be an increase in number of lone person households over 20 years especially around the areas convenient to travel, along the train line corridor".

				The LHS further expands this point, stating "the Cumberland LGA is projected to experience growth in lone person households in 2036, increasing from 17.1% to 19.5%. Couples without children will comprise a similar proportion of the population as in 2016, representing 19.3% of households in the Cumberland LGA". The EIA further states *given the proposal by Coronation to substantially increase the amount of studio and 1 bedroom dwellings per their concept plan, it could be considered the project may be supplying a meaningful amount of stock towards the largest projected growing cohort (based on percentage increase) within the LGA.* Having regard to the Cumberland LHS and the EIA submitted with the application, it is apparent that there is projected demand for one bedroom/studio units and 2 bedroom units in the Cumberland LGA. Merrylands is identified in the LHS as a proposed Strategic Centre. Given the demographic statistics and the proposed status of Merrylands as a Strategic Centre and the proximity of the site to public transport, the proposed proportion of one bedroom/studio units is considered acceptable, in that it is consistent with the Cumberland LHS.

ATTACHMENT 10 - Holroyd Development Control Plan 2013 Assessment

Requirement	Yes	No	N/A	Comments
PART I CHILD CARE CENTRE CONTROLS				
1. Size, Density and Location **C3.** If the proposed child care centre is to be located in a building consisting of more than one level, the child care centre component must be located on the ground floor of the buildings with office and storage space permitted on the upper level. Note: Council encourages the use of single storey buildings for child care centres. **C4.** The minimum site frontage for a child care centre is 20 metres. **C5.** Child care centres must be located at least 300m from hazardous industries, LP gas sites, mobile telephone base stations and towers, and are safe from any other environmental health hazards, such as high lead levels, or proximity to cooling tower drift in high rise building areas. **C6.** The siting of child care centres must adhere to locational guidelines under current NSW Office of Environment and Heritage (OEH) instruments, such as SEPP 33 Hazardous and Offensive Developments, with particular regard to exclusion distances from hazardous industries. **C8.** Child care centres shall not be located having frontage to an arterial or sub-arterial road (see Appendix 1). **C9.** Child care centres are generally considered to be unsuitable on roads identified in Appendix 2. Special consideration shall first be given to the prevailing traffic conditions for a child care centre proposed on these roads.	☐ ☒ ☒ ☒ ☐ ☐	☒ ☐ ☐ ☐ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	The proposed child care centre is located on Level 1 of Building B, as the Ground Level is occupied by commercial and retail tenancies. The child care centre is across a single level and has direct access from the basement, where there are 15 allocated car parking spaces and a dedicated child care drop off area on the first basement level. The site maintains a frontage of greater than 20 metres. The child care centre is not located in proximity to any hazardous industries or other environmental health hazards. Merrylands Road is identified in Appendix 1. The child care centre is located above street level on Level 1 of Building B and gains access directly from the first level of basement parking, with designated child care centre parking and a drop off area with direct access to the child care centre lift lobby. Having regard to child safety, the internal access to the child care centre is considered a positive in ensuring that parents and children access the centre securely. Having regard to acoustic impacts, the application has been accompanied by an Acoustic Report which has considered the acoustic impacts of Merrylands Road on the development. Conditions of consent have been recommended by Council's EHU team. Having regard to the safety of children and traffic and acoustic impacts, the proposed departure from the control is considered acceptable.
2. Vehicular Access **C1.** Separate entries and exits to the site shall be provided. The design of such driveways shall ensure that inbound and outbound vehicles are separated and that vehicles enter and leave the site in a forward direction. **C3.** All applications are to be supported by a Traffic and Parking Report prepared by a suitably qualified person addressing the above issues to Council's satisfaction.	☒ ☒	☐ ☐	☐ ☐	The child care centre is across a single level and has direct access from the basement, where there are 15 allocated car parking spaces and a dedicated child care drop off area on the first basement level.

3. Acoustic and Visual Privacy **C1.** An acoustic assessment must be completed by a suitably qualified person and is to address, but not limited to the following: • Identification of sensitive noise receivers to be potentially impacted. • Analysis of the existing acoustic environment at the receiver locations. Measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW DECC Industrial Noise Policy. • Identification of all noise that is likely to emanate from the child care centre and the subsequent prediction of resulted noise at the identified sensitive receiver locations from the operations of the premises. Where appropriate, the prediction procedures should be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation. • Details of any acoustic control measures that will be incorporated into the proposal; • The prevention of a sense of enclosure; and • The background noise testing component of the assessment is to be carried out over a minimum of five (5) days if the proposed child care centre is located near a railway line, major road or other source which can potentially create noise above normal background level.	☒	☐	☐	The application has been accompanied by an Acoustic Report and conditions of consent have been recommended to address acoustic issues. Further, a condition of consent has been recommended requiring the lodgement of a separate DA for the use of the centre. As part of this DA, the operational matters relating to the use of the centre, including a noise management plan. The car parking spaces for the child care centre are located within the basement for the development and mechanical ventilation has been managed through recommended conditions of consent.
C2. A Noise Management Plan shall accompany the development application. This should, as a minimum, provide details of child to staff ratios, noise control measures of children while in outdoor play areas and seasonal play times.	☐	☐	☒	
C5. Where the site is likely to be affected by heavy traffic or rail noise, the child care centre should be designed to locate playrooms, sleep rooms and playgrounds away from the noise source and reduce the impact of noise by barriers such as solid fencing and window glazing. Sites on main or arterial roads should be avoided.	☐	☐	☒	
C7. Due to the potential generation of noise, if the proposed child care centre is to incorporate basement level car parking, details of mechanical ventilation are to be included in the application.	☒	☐	☐	

4. Indoor Spaces				
C1. In addition to the requirements under the relevant legislation, the design of indoor floor spaces within child care centres shall take into account the following factors: a) Clear and unobstructed lines of site to all areas within the child care centre shall be provided at all times; b) Where achievable, windows of indoor play areas are to be located with a northern orientation and should receive at least three hours of sunlight between the hours of 9am and 3pm on June 21; c) For locations where a northern orientation for indoor play areas is not achievable, they should be located where they will receive a minimum of 3 hours of sunlight, where possible;	☒	☐	☐	The application has demonstrated that the proposed indoor play area can accommodate a maximum of 60 children. A condition of consent has been recommended requiring the lodgement of a separate DA for the use of the centre. As part of this DA, the operational matters relating to indoor spaces will be assessed.
C2. In addition to the requirements under the relevant legislation, indoor space shall include the following facilities within the child care centre: a) Where a separate kitchen is provided, the kitchen should have a door, half gate or other barrier to prevent unsupervised entry by children into the kitchen. b) Garbage storage and recycling facilities.	☐	☐	☒	
C3. Children's toilets are to be located so they are directly accessible to children's indoor and outdoor play spaces.	☐	☐	☒	
C4. Food preparation areas are to be constructed and provided in accordance with the relevant sections of the Australia/New Zealand Food Standards Code, specifically AS4674-2004 Design, Construction and Fit Out of Food Premises, Food Standard Code 3.2.3 and conditions outlined in Children (Education and Care Services) Supplementary Provisions Regulation 2012 Part 3 – Facilities and Equipment Requirements.	☐	☐	☒	
C5. Applications must include a floor plan of the kitchen area.	☐	☐	☒	
C6. Power points in indoor play areas should be at a height which is unreachable by children or covered with a child safe cover.	☐	☐	☒	
C7. Plans are to show the number of children each room is proposed to accommodate to ensure staffing levels are sufficient for proper supervision.	☐	☐	☒	

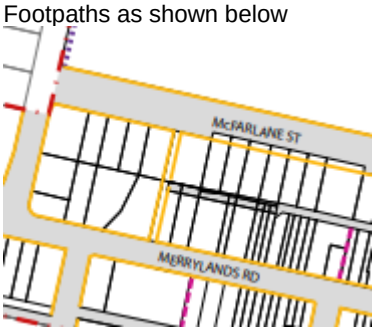
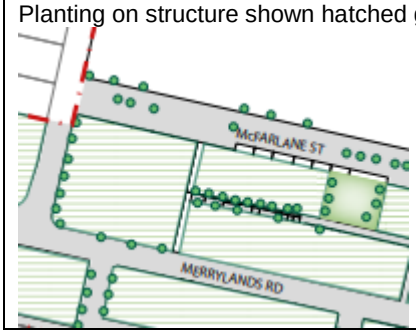
5. Outdoor Spaces **C1.** Minimum standards of usable outdoor space per child that is exclusively for the use of children is to be provided, in accordance with the latest Children's Services regulations. Plans must demonstrate that they meet this requirement. **C2.** Outdoor spaces are to provide a variety of experiences through the provision of different spaces within the outdoor area. These different areas are to be: a) Open areas for activities such as running; b) Quiet areas and formal quiet areas; and c) Active areas. **Transitional Areas** a) A transitional area between the building and the play area supporting space for both indoor and outdoor activities is to be provided. It is space additionally required for the building and the playground and may only be included as either the outdoor or indoor space requirement, not both. It may comprise of a verandah; b) The roof area of the transitional area must be a minimum of 4 meters in width to ensure sufficient activity zones with access space around them; c) The transitional area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall; d) The transitional area must be designed in a manner that utilises natural temperature controlling measures, including cross ventilation.	☒ ☒	☐ ☐	☐ ☐	The application has demonstrated that the child care centre is capable of providing outdoor space for a maximum of 60 children and a condition of consent has been recommended requiring the lodgement of a separate DA for the use of the centre. The documentation submitted has demonstrated that a transitional area can be provided between the building and play area.

6. Landscaping				
C1. A detailed landscape plan prepared by a suitably qualified landscape professional should be submitted with all development applications for child care centres and should demonstrate the following: a) Separation of outdoor space into active quiet areas; b) Proposed planting, with a variety of trees and plants to be used which create visual interest for children, and can provide shading where appropriate; c) Locations of play equipment; d) Separation of outdoor space according to age ranges, including the locations of lower fencing or other structures which divide the outdoor spaces; and e) Outdoor spaces which include a variety of surfaces such as grass, soft porous paving and the like. Note: Surfaces should comply with Australian Standard 4422 – Playground Surfacing.	☒	☐	☐	The application has been accompanied by a Landscape Plan which includes details of the outdoor play area. It is acknowledged that the use of the centre will form part of a future DA, at which stage a detailed assessment of the outdoor play area and the concurrence of the DET will be undertaken.
C2. Landscaping and fencing should be designed to provide a noise barrier and privacy screen for adjoining residents.	☐	☐	☒	
C3. Minimum soil depths for outdoor space and planted areas above basement parking in residential areas should be a minimum of 600mm.	☐	☐	☒	
C4. The minimum depth of sandpits is 600mm with adequate drainage and shade (refer to www. kidsafensw.org for further construction guidelines).	☐	☐	☒	
C5. Outdoor play equipment is to comply with Australian Standards, including but not exclusive to, the following: • AS 4685.1: 2004 Pt 1 General safety requirements and test methods; • AS 4685.2: 2004 Pt 2 Particular safety requirements and test methods for swings; • AS 4685.3: 2004 Pt 3 Particular safety requirements and test methods for slides; • AS 4685.4: 2004 Pt 4 Particular safety requirements and test methods for runways; • AS 4685.5: 2004 Pt 5 Particular safety requirements and test methods for runways; • AS 4685.6: 2004 Pt 6 Particular safety requirements for rocking equipment;	☐	☐	☒	

7. Fencing **C1.** Outdoor space is required to be fenced on all sides with a height of at least 1.8m, be accessible from the street and have regard to: a) The safety and security of children; b) The prevention of children climbing over, under, or through fences and leaving the premises unsupervised; c) The prevention of those from outside the centre to access the site through climbing over, under or through fencing; d) The integration with building design and proposed materials and colour scheme; e) The integration of existing and proposed landscaping with fencing; and f) The prevention of a sense of enclosure.	☐	☐	☒	The outdoor play area is a simulated area which will be subject to concurrence from the DET, as part of a future DA for the use.
C2. Acoustic fences should not be higher than 2m. If a fence higher than 2m is unavoidable it must be contained within the development site with a 1.8m traditional lapped and capped boundary fence and the remaining height to be of thick, transparent perspex to ensure any views are maintained.	☐	☐	☒	
C3. Taller fences must terminate to the rear of the development. Any fence 1.8m in height shall terminate 1m behind the front façade.	☐	☐	☒	
C4. A series of barriers in the form of child proof gates are to be provided at the entry to the premises. This may include a gate on the front boundary and gate into the reception area to provide a catchment area.	☐	☐	☒	
8. Fire Safety and Emergencies **C1.** An evacuation plan complying with AS3745-2002 Emergency Control Organisation and Procedures for Buildings, Structures and Workplaces shall be submitted as part of the Development Application. The emergency evacuation should consider: a) The mobility of children and how this is to be accommodated during an evacuation; b) The location of a safe congregation area away from the evacuated building, busy roads, other hazards and the evacuation points of other residents or tenants within the building or surrounding buildings; c) Where the child care centre is part of a larger building or complex, that the emergency evacuation plan is complementary and consistent with other emergency evacuation plans in place; and d) The supervision of children during the evacuation and at the safe congregation area, with regard to the capacity of the child care centre and the child to staff ratios	☐	☐	☒	The use of the child care centre will be subject to a future DA which will address operational matters, including the provision of an Evacuation Plan.

9. Accessibility **C1.** All new child care centres, building conversions and additions to existing premises shall comply with the minimum access requirements outlined in Part D3 of the Building Code of Australia and AS 1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work. Details are to be included on plans to be submitted with the application for development consent. **C2.** The building must provide a continuous path of travel from the street and or parking area into and within every room and outdoor area used by staff and children. **C3.** Appropriate measures, such as pavement and landscaping treatment, are required to separate pedestrian and vehicular access and direct them accordingly. **C4.** Hard paved surfaces are to be provided for all access paths.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The child care centre is proposed within a mixed use building and there is a designated drop off and pick up zone within the basement carpark, which provides direct secure access via a lift to the child care centre on Level 1 of Building B.

ATTACHMENT 10 - Holroyd Development Control Plan 2013 Assessment

Requirement	Yes	No	N/A	Comments
PART M MERRYLANDS CENTRE CONTROLS				
3.1 Roads and Circulation **Laneways (public)** Extension of Main Lane 	☐	☒	☐	It is acknowledged that the SP2 zoned laneway configuration deviates from the schematic laneway location in the HDCP 2013. The laneway location and layout is however consistent with the alignment of the SP2 zoned land in the HLEP 2013. In this instance, it is considered appropriate for the zoning of the land to take precedent over the DCP alignment. The northern portion of laneway (i.e. proposed 'Eat Street') has been shifted further west in order to better facilitate a more regular building envelope for Building A. The proposed alignment is consistent with the laneway configuration approved previously under DA2016/127 and has been assessed by Council's Development and Traffic Engineers to be deemed acceptable.
3.2 Pedestrian and Bicycle Network Footpaths as shown below 	☒	☐	☐	A condition of consent requiring the construction of footpaths has been recommended.
3.3 Landscaping and Open Space Planting on structure shown hatched green 	☒	☐	☐	The development incorporates planting on the structures as well as public domain landscape works, as identified in the Landscape Plans which accompany the application.

<table>
<tr>
<td>4.2 Building and Ceiling Height

C1. Maximum permitted building height in storeys* shall be in accordance with the table below.
<table>
<tr><th colspan="2">Permitted Height (storeys)</th></tr>
<tr><th>Height (m)</th><th>storeys</th></tr>
<tr><td>10</td><td>1</td></tr>
<tr><td>12.5</td><td>2</td></tr>
<tr><td>14</td><td>3</td></tr>
<tr><td>17</td><td>4</td></tr>
<tr><td>20</td><td>5</td></tr>
<tr><td>23</td><td>6</td></tr>
<tr><td>26</td><td>7</td></tr>
<tr><td>29</td><td>8</td></tr>
<tr><td>32</td><td>9</td></tr>
<tr><td>38</td><td>11</td></tr>
<tr><td>41</td><td>12</td></tr>
<tr><td>50</td><td>15</td></tr>
<tr><td>53</td><td>16</td></tr>
<tr><td>65</td><td>20</td></tr>
</table>
</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>Building height is consistent with the HELP 2013 building height controls, refer to discussion in HELP 2013 section of this Report.</td>
</tr>
<tr>
<td>C3. Each storey shall have the following minimum floor to ceiling heights:
• Ground floor- 3.5m
• First floor (regardless of use)- 3.3m
• All other floors- 2.7m</td>
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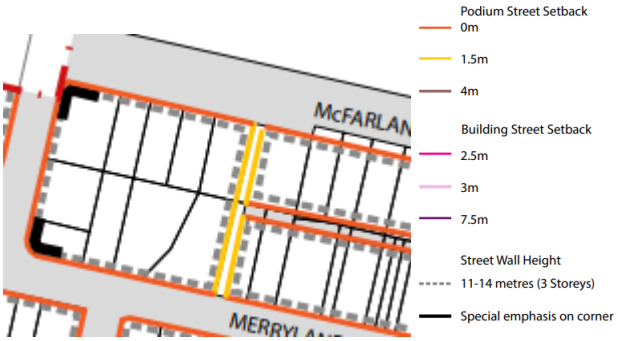
<td>☐</td>
<td>☐</td>
<td>Floor to ceiling heights have been provided consistent with the ADG and NCC.</td>
</tr>
</table>

<table>
<tr>
<td>4.3 Street setbacks, road widening and street frontage heights

C1. Street setbacks in accordance with Figure 6 are required for redevelopment.
 

C2. 0.5m road widening is required for both sides of Merrylands Road in accordance with Figure 2.
C6. Street wall height of buildings (podium) shall be 3 storeys, with a minimum height of 11m and maximum height of 14m.
C7. Upper level (above street wall)street frontage setbacks for Merrylands Road, McFarlane Street and Pitt Street will be based on storey height, in accordance with the table below and Figure 7:
<table>
<tr><th>Storeys</th><th>Street frontage setback (m)</th></tr>
<tr><td>4-8</td><td>4</td></tr>
<tr><td>9-12</td><td>5</td></tr>
<tr><td>13-20</td><td>6</td></tr>
</table>
C9. Minor projections into the street setback will be accepted for sites where 0m setback is required, in accordance with the table below:
<table>
<tr><th>Permitted projection</th><th>Permitted length of projection</th></tr>
<tr><td>Awnings</td><td>3.0m</td></tr>
<tr><td>Awnings (laneways)</td><td>Maximum 1.5m</td></tr>
<tr><td>Balconies (above 3rd storey)</td><td>600mm</td></tr>
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<td>Street setbacks are provided in accordance with the requirements.

The Plan of Subdivision identified the 0.5m wide road widening along the Merrylands Road frontage.

The proposed building setbacks to Merrylands Road of Buildings C, D and E range from 4.27m to 4.86m from Level 3 and above.

This variation is considered acceptable as the development maintains a consistent frontage to Merrylands Road and the development presents a built form which is of a scale that enhances the amenity of the streetscape.
Awnings are provided along the 0m setbacks to McFarlane Street, Treves Street and Merrylands Road.</td>
</tr>
<tr>
<td>4.4 Building Depth and Length

C1. There is no maximum building depth requirement for floors used as commercial premises.
C2. The maximum permissible building plan depth for residential accommodation is 18m.
C3. The maximum permissible building envelope depth for residential accommodation is 22m.
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.
C6. The maximum horizontal length of any building above the podium shall not exceed 50m.
C7. All residential and mixed use developments shall be, or substantially contain, dual aspect apartments.</td>
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<td>Building depths have been designed in accordance with the ADG requirements for residential units and where possible, dual aspect apartments have been incorporated.</td>
</tr>
</table>

4.5 Setbacks and Separation

C1. Where the street setback is 0m, a continuous built edge shall be provided up to the 3rd storey, regardless of use.

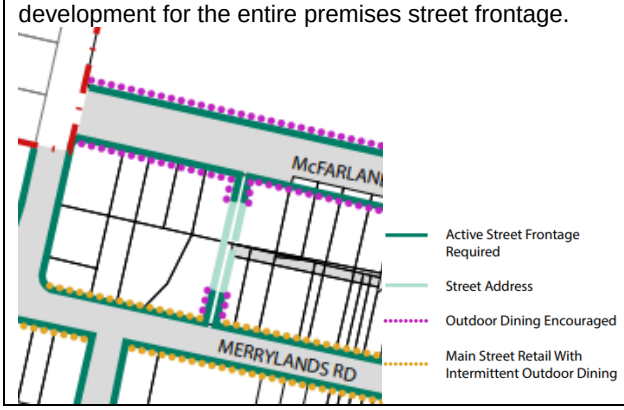
C5. Minimum setbacks to side boundaries shall be provided in accordance with the table below:

Building uses	Storeys	Side setbacks
Non habitable rooms and commercial with no windows	1-3 storeys	0 metres
	4-8 storeys	3 metres
	9-20 storeys	6 metres
Habitable rooms/balconies	4 storeys	6 metres
	5-8 storeys	9 metres
	9-20 storeys	12 metres
Habitable rooms/balconies and non habitable rooms	4 storeys	4.5 metres
	5-8 storeys	6.5 metres
	9-20 storeys	9 metres

C8. Minimum separation between upper levels (above podium) on one site.

Building uses	Storeys	Side Separation
Non habitable rooms (including commercial)	4-8 storeys	6 metres
	9-20 storeys	12 metres
Habitable rooms/balconies	4 storeys	12 metres
	5-8 storeys	18 metres
	9-20 storeys	24 metres
Habitable rooms/balconies and non habitable rooms	4 storeys	9 metres
	5-8 storeys	12 metres
	9-20 storeys	18 metres

☒	☐	☐	A continuous edge is provided up to the second storey, which achieves a 3rd storey wall height, due to increased floor to ceiling heights of the two floors.
☐	☒	☐	The development provides compliant side setback distances to the eastern property boundary from Building A, with a minimum of 12m provided across all levels of the development. Compliant side setback distances are provided from Building E to the eastern property boundary, with the exception of Levels 3 to 7 which provide an 11m building setback to the eastern property boundary. This non-compliance is considered minimal, given that the non-compliance applies to a small portion of the eastern building façade of Building E, noting that the majority of the façade complies with the 12m side setback.
☐	☐	☒	Building separation has been applied in accordance with the ADG requirements, refer to the ADG discussion in this Report.

4.6 Active Frontages, Street Address and Building Use				
Active Frontages				
C1. Provide Active frontages at street level, orientating onto streets, laneways and public places, as identified on Figure 9.	☒	☐	☐	Active frontages are provided to the site's frontages to Merrylands Road, McFarlane Street and Treves Street through the retail and commercial ground floor tenancies proposed. The street frontages of these tenancies have used transparent glazing and have limited the use of blank or solid walls. These tenancies will be subject to future approvals. The location of fire escapes, service doors and plant equipment have been minimised on these frontages.
C2. Active frontages consist of the following: i) Shopfront ii) Food and Drink premises such as Restaurant or Café iii) Entrance to public buildings or commercial building foyers iv) Customer service areas and receptions (where visible from the street)	☒	☐	☐	
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.	☒	☐	☐	
C4. Restaurants, cafes and the like are to consider providing openable shop fronts.	☒	☐	☐	
C5. Active frontages located on Merrylands Road (to Addlestone Street) and McFarlane Street should aim to provide at least 10-14 separate tenancy entries per 100m.	☒	☐	☐	
C6. Large developments shall provide multiple entrances.	☒	☐	☐	
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.	☒	☐	☐	
C8. The ground floor level of active frontages shall be at the same level as the footpath, unless otherwise required by this plan.	☒	☐	☐	
C9. The location of fire escapes, service doors, plant equipment and the like are to be minimised on active streets.	☒	☐	☐	
Street Address				
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.	☒	☐	☐	Entries and lobbies are provided at the ground level with direct pedestrian access to the ground floor retail and commercial tenancies provided. Residential units are located above the ground and first floor, while retail and commercial uses are proposed on the ground level.
C11. Direct pedestrian access off the primary street front shall be provided.	☐	☐	☒	
C12. Direct 'front door' access to residential units is encouraged.	☒	☐	☐	
C13. Open space should be oriented to overlook pedestrian access points.	☒	☐	☐	
C14. Blank walls or dark or obscured glass is not permitted.	☒	☐	☐	
Building Use				
C15. Retail and commercial uses are to be located on at the ground floor level for all development within the B4 zone.	☒	☐	☐	
C16. Residential development is not permitted to be located at the ground floor level of any development within the B4 zone.	☒	☐	☐	
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.	☒	☐	☐	
				

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4.7 Landscaping and Open Space **Public Open Space** C1. Public open spaces for passive recreation and for overland flow paths shall be provide as identified in Figure 4. **Streetscape planting and public domain works** C2. Streetscape planting shall be provided in accordance with Figure 4. C3. Planting and public domain works shall be in accordance with Council's Landscape Masterplan. Deep Soil zones C4. Deep soil zones shall be provided in accordance with Figure 4. No deep soil on site.	☒ ☒ ☒ ☐	☐ ☐ ☐ ☐	☐ ☐ ☐ ☒	Landscaping and public domain works are proposed in accordance with the Landscape Plans. No deep soil area is provided on the site.
10.3.1 Street Network **C1.** Provide new laneways in accordance with Figure 6. **C2.** Existing laneways are to be widened in accordance with Figure 6. **C3.** Vehicular access to buildings fronting Merrylands Road and McFarlane Street must be provided via laneways (Refer Figure 7). **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. **C5.** Widening of Merrylands Road – 0.5m on either side.	☐ ☒ ☒ ☐ ☒	☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☐	Refer to discussion above regarding configuration of laneway. Minimum 9m Main Lane extension carriageway width to be provided in accordance with Figure 6. Vehicular access to the development to be provided via two basement entry points off Main Lane. No awnings proposed on the laneway. Road widening identified on Proposed Plan of Subdivision.
10.4 Site Amalgamation **C1.** Site amalgamation for the purposes of development shall be determined in accordance with Figure 9 and Table 1. **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 proposal includes the amalgamation of the lots in accordance with Figure 9 and does not result in the creation of any adjoining sites that are unable to be reasonably developed in the future.
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). **C2.** Each storey shall comprise a minimum floor to ceiling height as defined in the NSW Department of Planning's Apartment Design Guidelines, July 2015.	☒ ☒	☐ ☐	☐ ☐	The development has been designed having regard to the maximum building heights of the HELP 2013. Where there is a building height exceedance, Clause 4.6 and Clause 5.6 of the HELP 2013 have been applied – refer to discussion in body of Report.

10.6.2 Design Excellence Provisions **C1.** Design excellence applies to land bounded by a heavy black line on the Design Excellence Map. Refer Figure 11. **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.	☒	☐	☐	On 6 August 2020, the Cumberland DEP granted a Design Excellence Certificate in accordance with the provisions of Clause 6.11(4)(a) of the HLEP 2013. The Certificate has been granted, subject to the inclusion of conditions of consent relating to amendments to the utility, size and character of the communal open space areas and the use of Eat Street as a primarily pedestrian space. A copy of the Design Excellence Certificate is attached at Attachment 7 of this Report for the consideration of the Panel.
10.6.3 Primary Frontage Requirements C1. The minimum site frontage width for new developments is 20 metres for 3 storey buildings.	☒	☐	☐	The site maintains a frontage in excess of 20m.
10.6.4 Building Setbacks C1. New developments are to maintain setbacks to the street in accordance with Figure 12.  	☒	☐	☐	The development provides a 0m setback to the site's frontages and a minimum 1.5m setback to the laneway.

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10.6.5 Street Wall Heights C1. Street wall heights of buildings (podium) shall be 3 storeys. C2. The 3-storey street wall height applies to a site's primary frontage. C3. Where a site has frontage to a laneway, a maximum two storey street wall height is to be maintained. Refer Figure 13.	☐ ☒ ☐	☒ ☐ ☒	☐ ☐ ☐	Whilst the street wall comprises 2 storeys for the site's primary frontages and 1storey to the laneway, the street wall heights are generally achieved. The 2 storey wall height achieves a minimum 11m and the 1 storey wall height achieves a minimum 7.5m wall height, just under the minimum 8m height required. Despite the variation from this control, the development is considered satisfactory as it maintains the objectives of the control, in that the development presents building heights at the street level that are at a human scale and it provides a degree of prominence to the street level by establishing a clear presence for retail and it increases the visibility, marketability and utility of ground floor space.
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 Figure 13.	☐	☒	☐	For those parts of Buildings A to E above the street wall, a uniform 4m setback is not provided. Rather, the setback to the street varies from between 4.05m-5.06m along Treves Street, 4.16m-4.29m, along McFarlane Street and 4.27m-4.86m along Merrylands Road. Whilst this setback is greater than 4m, it results in the development maintaining an acceptable appearance when viewed from the street.
10.6.8 Floor Plates Above Podium C2. The maximum horizontal length of any building above the podium shall not exceed 50m.	☒	☐	☐	The horizontal length of Buildings A to E above the podium are within 50m.

10.6.9 Awnings and Colonnades **Awnings** C1. Awnings are to be provided to the full extent of the street frontage of buildings in the locations nominated in Figure 14. C2. Awnings along Merrylands and McFarlane Street shall be minimum 2.5m deep. C3. Awnings if provided on laneways shall be retractable and only to be used in hours of operation.  	☒	☐	☐	Awnings are proposed along the full frontages of the site to McFarlane Street, Treves Street and Merrylands Road. The awnings along Merrylands Road and McFarlane Street have been designed to achieve a minimum 2.5m depth.