

**Attachment 2 – Auburn Local Environmental Plan 2010 compliance table**

Clause	Yes	No	N/A	Comment
<b>Part 2 Permitted or prohibited development</b>				
<b>Zone B6 Enterprise Corridor</b>				
<p><b>1 Objectives of zone</b></p> <p>To promote businesses along main roads and to encourage a mix of compatible uses.</p> <p>To provide a range of employment uses (including business, office, retail and light industrial uses).</p> <p>To maintain the economic strength of centres by limiting retailing activity.</p> <p>To provide for residential uses, but only as part of a mixed use development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal provides for business activity within the Parramatta Road corridor and is a permissible land use. No retail or residential uses are proposed. As such the subject development is considered to be compatible with the objectives of the B6 zone.</p>
<p><b>2 Permitted without consent</b></p> <p>Nil</p> <p><b>3 Permitted with consent</b></p> <p>Building identification signs; Bulky goods premises, Business identification signs; Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; <b>Hotel or motel accommodation</b>; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Highway service</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is defined as <i>Hotel or motel accommodation</i> which is permitted with consent in the B6 zone.</p> <p>Hotel and motel accommodation is defined as <i>a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short term accommodation on a commercial basis and that:</i></p> <p><i>(a) comprises rooms or self-contained suites, and</i></p> <p><i>(b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,</i></p> <p><i>but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.</i></p> <p><i>Note. Hotel or motel accommodation is a type of tourist and visitor accommodation".</i></p> <p>The proposed development is consistent with the definition in the LEP.</p>

Clause	Yes	No	N/A	Comment
centres; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.				
<b>Part 4 Principal development standards</b>				
<b>4.1 Minimum subdivision lot size</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No subdivision proposed.
<p><b>4.3 Height of buildings</b></p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:</p> <p>(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,</p> <p>(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A height limit of 27 m applies to the subject proposal pursuant to clause 4.3(2A).</p> <p>The building has a maximum height of 27 metres (at the lift overrun) which complies with the standard.</p>
<p><b>4.4 Floor space ratio</b></p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:</p> <p>(a) for sites less than 1,300 square metres—0.75:1,</p> <p>(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,</p> <p>(c) for sites that are 1,800 square metres or greater—0.85:1.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is for hotel or motel accommodation and as such, an FSR of 3:1 applies pursuant to clause 4.4(2B)(b).</p> <p>The gross floor area is 3896.9 m<sup>2</sup> or 2.93:1 which complies with the standard.</p>

Clause	Yes	No	N/A	Comment
<p>(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:</p> <p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p> <p><b>(b) 3:1 for office premises and hotel or motel accommodation.</b></p> <p>(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:</p> <p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p> <p>(b) 2:1 for office premises and hotel or motel accommodation.</p> <p>(2D) Despite subclause (2), the maximum floor space ratio for retail premises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is 1.5:1.</p>				
<p><b>4.6 Exceptions to development standards</b></p> <p>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal complies with all applicable development standards.
<b>Part 5 Miscellaneous provisions</b>				
<p><b>5.3 Development near zone boundaries</b></p> <p>(2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No part of the site is within the relevant distance of a boundary between 2 zones.
<p><b>5.4 Controls relating to miscellaneous permissible uses</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No miscellaneous permissible uses are included in the proposal.
<p><b>5.6 Architectural roof features</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
<p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.</p>				<p>The proposal does not exceed the height limit set out at clause 4.3.</p>
<p><b>5.8 Conversion of fire alarms</b></p> <p>(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.</p> <p>(2) The following development may be carried out, but only with development consent:</p> <p>(a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,</p> <p>(b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,</p> <p>(c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p>The proposal does not involve conversion of any fire alarm system.</p>
<p><b>5.10 Heritage conservation</b></p> <p><b>(2) Requirement for consent</b></p> <p>Development consent is required for any of the following:</p> <p>(a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,</p> <p style="padding-left: 20px;">(i) a heritage item.</p> <p style="padding-left: 20px;">(ii) An Aboriginal object.</p> <p style="padding-left: 20px;">(iii) A building, work, relic or tree within a heritage conservation area.</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect,</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p>The proposal does not involve the demolition, alteration, movement, or disturbance of any heritage item.</p>

Clause	Yes	No	N/A	Comment						
<p>that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,</p> <p>(e) erecting a building on land:</p> <p style="padding-left: 20px;">(i) on which a heritage item is located or that is within a heritage conservation area or,</p> <p style="padding-left: 20px;">(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land on which a heritage</p> <p style="padding-left: 20px;">(i) on which a heritage item is located or that is within a heritage conservation area or,</p> <p style="padding-left: 20px;">(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p>										
<p><b>(5) Heritage impact assessment</b></p> <p>The consent authority may, before granting consent to any development on land:</p> <p>(a) on which a heritage item is situated, or</p> <p>(b) within a heritage conservation area, or</p> <p>(c) within the vicinity of land referred to in paragraph (a) or (b), require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is adjacent to Auburn North Public School which is an item of local heritage significance. A heritage impact statement was submitted with the application and reviewed by Council's heritage consultant. The proposed development will not have any adverse impacts on the significance of the adjacent heritage item.</p>						
<b>Part 6 Additional local provisions</b>										
<p><b>6.1 Acid sulfate soils</b></p> <p>(1) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <table border="1" data-bbox="248 1745 727 1911"> <thead> <tr> <th data-bbox="248 1745 354 1780">Class</th> <th data-bbox="354 1745 727 1780">Works of land</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 1780 354 1822">1</td> <td data-bbox="354 1780 727 1822">Any works</td> </tr> <tr> <td data-bbox="248 1822 354 1911">2</td> <td data-bbox="354 1822 727 1911">Works below the natural ground surface. Works by which the watertable is</td> </tr> </tbody> </table>	Class	Works of land	1	Any works	2	Works below the natural ground surface. Works by which the watertable is	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is subject to class 5 acid sulfate soils.</p> <p>Class 5 soils are general acceptable to undertake significant excavation without the need for further studies or management plans to manage Acid Sulfate issues during construction.</p> <p>The level of excavation for the proposed basement is RL 10.0.</p>
Class	Works of land									
1	Any works									
2	Works below the natural ground surface. Works by which the watertable is									

Clause		Yes	No	N/A	Comment
	likely to be lowered.				As such an Acid Sulfate Soils management plan is not required.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.				
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.				
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(2) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(3) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:</p> <p>(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and</p> <p>(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(4) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation,</p>					

Clause	Yes	No	N/A	Comment
<p>construction of access ways or the supply of power):</p> <p>(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,</p> <p>(b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),</p> <p>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</p> <p>(5) Despite subclause (2), development consent is not required under this clause to carry out any works if:</p> <p>(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or</p> <p>(b) the works are likely to lower the watertable.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>6.2 Earthworks</b></p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A significant amount of excavation will be undertaken to facilitate construction of the basement car park.</p> <p>Standard conditions are to be imposed to ensure that excavated material is disposed of appropriately.</p> <p>Conditions will also be imposed to require that Council be notified of any unexpected finds.</p> <p>The site is not identified as a potential archaeological site.</p> <p>There are no waterways or</p>

Clause	Yes	No	N/A	Comment
<p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> <p><b>Note.</b> The <i>National Parks and Wildlife Act 1974</i>, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.</p>				environmentally sensitive areas in vicinity of the site.
<p><b>6.3 Flood planning</b></p> <p>(1) This clause applies to:</p> <p>a) land that is shown as "Flood planning area" on the Flood Planning Map, and</p> <p>b) other land at or below the flood planning level.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not identified as being flood prone in the maps accompanying the ALEP 2010.
<p><b>6.4 Foreshore building line</b></p> <p>(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not identified as being below the Foreshore Building Line.
<p><b>6.5 Essential Services</b></p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The listed services are currently available to the site.</p> <p>Conditions are recommended to be imposed regarding alteration/augmentation of services to be carried out in accordance with the requirements of the relevant service provider.</p>