Appendix A Consideration of Sydney DCP

Consideration of Sydney DCP – Section 3 – General provisions

Clause	Provision	Compliance
3.1 Public Domain Elements		
3.1.1 Streets, lanes and footpaths		
3.1.1.1(1)	New streets, lanes and footpaths are to be constructed in accordance with the Sydney Streets Design Code.	No new streets are proposed.
3.1.1.1(3)	Street trees are to be provided in accordance with the Street Tree Master Plan	New street trees are proposed in accordance with the Street Tree Master Plan.
3.1.1.1(4)	Street furniture is to be consistent with the Sydney Streets Design Code and relevant Council public domain plans.	Any new street furniture will meet Council requirements.
3.1.4 Public open space		
3.1.4(16)	Where land use zoning permits, buildings that directly adjoin public open space are to contain predominantly active uses for the full extent of the ground floor (where practicable).	The Site is zoned for residential uses. The 17-31 Cowper Street building does not include an active ground floor frontage, but 3 story terraces overlook the adjoining MJ Doherty Reserve providing for passive surveillance. The ground floor of the proposed building at 2A-2D Wentworth Park Road includes a community facility, activating the frontage to Wentworth Park.
3.2 Defining the public domain		
3.2.1 Improving the public domain		
3.2.1.1(1)	Overshadowing effects of new buildings on publicly accessible open space are to be minimised between the hours of 9am to 3pm on 21 June.	No overshadowing of MJ Doherty Reserve.
3.2.1.1(2)	Shadow diagrams are to be submitted with the development application and indicate the existing condition and proposed shadows at 9am, 12 noon and 2pm on 14 April and 21 June.	Shadow diagrams to be provided in accordance with Council's requirements.
3.2.1.2(1)	Buildings are not to impede views from the public domain to highly utilized public places, parks, heritage buildings and monuments including public statues, sculptures and art.	No views from public parks to other public spaces will be impeded. Key view lines are currently along streets.
3.2.1.2(2)	Development is to improve public views to parks, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in	The proposal will enhance views along streets to public open space, with building envelopes and setbacks framing views to Wentworth Park, and

Clause	Provision	Compliance
	parks are to be maintained.	providing a strong urban presence to MJ Doherty Reserve. The proposed built form may impact on low level sky views from MJ Doherty Reserve and a small area of Wentworth Park. Sky views from MJ Doherty Reserve will continue to be available to the north, south and south west across existing low density buildings maintaining the outlook and amenity for the park. Extensive sky views will continue to be available from Wentworth Park.
	3.2.2 Addressing the public domain	
3.2.2(1)	Buildings are to be designed to positively address the street.	The building positively addresses the street, with active frontages or terrace style dwellings addressing areas of public open space. The proposal comprises a variety of building forms and materials enhancing the streetscape.
3.2.2(2)	Buildings are to be designed to maximise the number of entries, visible internal uses at ground level, and include high quality finishes and public art to enhance the public domain.	• The proposal enhances the public domain through the location of terrace style dwellings within individual entries fronting MJ Doherty Reserve and a community use overlooking Wentworth Park. Main building entries to apartments are also located to face Cowper Street. This approach maximises entries and visible internal uses at the ground level. • Finishes are to be varied and of a high quality and enhance the public domain.
3.2.2(4)	Ground floor tenancies and building entry lobbies on sites not flood affected are to: a) have entries at the same level as the adjacent footpath or public domain b) have finished floor levels between 0-1.0m above or below the adjacent footpath or public domain entry c) provide opportunities for direct surveillance of the adjacent street or public domain at maximum intervals of 6m d) be elevated up to 1.0m above ground level for privacy for ground floor residential uses.	• Typically, lobby floor levels are 1.2m above the adjunct street level in order to achieve the flood level.
3.2.2(6)	Basement parking areas and structures must not protrude more than 1.0m above the level of the adjacent street or public domain. Where they are visible, basement structures and vent grills are to be integrated into the building and landscape design. Ventilation grills are to block views into basement areas and, in appropriate locations, be screened by landscaping in garden beds with a minimum soil plan depth of 1m.	Basements will not be visible from the public domain. Exhaust air will go up to the roof, and intake grilles integrated within the façade facing a secondary street or laneway.

Clause	Provision	Compliance
3.2.2(7)	Residential developments: a) are to have a street address and provide a direct line of sight from a street to the principal common building entry or entries. Where a development comprises a number of buildings with a variety of orientations, a major part of the overall development is to face the street b) are to be designed and laid out so that every 6m a dwelling, communal space or other high use space provides opportunities for direct surveillance of the adjacent street or public domain, and c) are to provide individual entries directly from the street to any ground floor dwellings next to the street.	• The main residential entries are from Cowper Street with direct access and line of sight from the street to the building entry. • Good surveillance has been incorporated into the design with clear access points and residential terraces / non-residential uses facing the adjacent open space. • Dwellings are located at regular intervals overlooking the street at the ground or first floor. • The terrace style dwellings have individual entries from the street.
3.2.2(8)	Lanes are to be fronted by entries to dwellings, retail and/or commercial uses where practicable.	The laneway is to be used for waste and bicycle entry. However the laneway is fronted by apartments from the level 1 and above, including with balconies overlooking the street.
3.2.2(9)	Align breaks between buildings with nearby streets, lanes and pedestrian links to enable view connections.	Not applicable, a break between the buildings is provided by the existing laneway.
	3.2.7 Reflectivity	
3.2.7(2)	Generally, light reflectivity from building materials used on facades must not exceed 20%.	To be addressed at DA stage.
	3.2.8 External lighting	
3.2.8(3)	External light fixtures are to be integrated with the architecture of the building.	To be addressed at DA stage.
3.2.8(4)	The visual effects of external lighting must contribute to the character of the building, surrounds and skyline.	To be addressed at DA stage.
3.2.8(5)	The external lighting system must be energy efficient and subject to appropriate times of operation.	To be addressed at DA stage.
3.2.8(6)	External lighting must not reduce the amenity of residents in the locality.	To be addressed at DA stage.
3.2.8(7)	Eternal lighting must not negatively impact areas of habitat for local fauna.	To be addressed at DA stage.
3.2.8(8)	External lighting must minimise the light spill into the night sky.	To be addressed at DA stage.
3.2.8(9)	LED down lighting is preferred over up lighting to minimise light pollution.	To be addressed at DA stage.

Clause	Provision	Compliance
3.2.8(10)	The following decorative lighting techniques are inappropriate: a) bud-lights and similar festoon lighting on buildings which detract from the architectural qualities of the building; b) broad floodlighting of facades from large light sources located separate to the building, c) up lighting of flag poles and banner poles.	To be addressed at DA stage.
3.5 Urban ecology		
3.5.1 Biodiversity		
3.5.1(1)	Development is to be consistent with the Street Tree Master Plan, Park Tree Management Plans and the Landscape Code.	A Concept Landscape Plan has been prepared having regard for these guidelines.
3.5.1(2)	Existing habitat features including cliff lines, rocky outcrops, waterbodies, trees, shrubs and groundcover vegetation are to be retained.	NA
3.5.1(3)	New habitat features including trees, shrubs and groundcover vegetation, waterbodies, rockeries and green roofs and walls are to be included, wherever possible.	NA
3.5.1(4)	Landscaping is to comprise a mix of locally indigenous tree, shrub and groundcover species as outlined in City's Landscape Code. Where this is not possible it is preferred that plants native to Australia are used.	A Concept Landscape Plan has been prepared having regard for the Landscape Code. This would be further detailed at DA stage.
3.5.1(5)	Shrubs are to be densely planted and trees are to be well-spaced, as outlined in the City's Landscape Code.	A Concept Landscape Plan has been prepared having regard for the Landscape Code.
3.5.2 Urban vegetation		
3.5.2(1)	Development applications are to include a Landscape Plan, except where they are for single dwellings, terraces and dual occupancies.	A Concept Landscape Plan has been provided.
3.5.2(2)	Provide at least 15% canopy coverage of a site within 10 years from the completion of development.	The proposal exceeds this requirements by providing for 18.1% canopy cover within the Site, with this increasing to 21.3% when including rooftop canopy cover.
3.5.2(3)	Appropriate plant species are to be selected for the site conditions with consideration given to trees providing shade in summer and allowing sunlight in winter, or to provide habitat. Appropriate tree species include any tree (excluding noxious weed trees) that are not	This is addressed in the Concept Landscape Plan and would be further detailed at DA stage.

Clause	Provision	Compliance
	prone to drop fruit, seedpods, gumnuts, branches, sap and or bark.	
3.5.2(4)	Locally indigenous species are to be used where possible and in accordance with the City's Landscape Code.	A Concept Landscape Plan has been prepared having regard for the Landscape Code.
3.5.2(5)	Understorey plantings comprising locally-indigenous shrubs and groundcovers are encouraged.	This is addressed in the Landscape Plan.
3.6 Ecologically sustainable development		
3.6.3 Photovoltaic solar panels		
3.6.3(1)	The use, location and placement of photovoltaic solar panels is to take into account the potential permissible building form on adjacent properties.	Photovoltaic cells to be located on the rooftop. This will be further addressed at the DA stage.
3.5.6(2)	Where possible proposals for new buildings, alterations and additions and major tree plantings are to maintain solar access to existing photovoltaic solar panels having regard to the performance, efficiency, economic viability and reasonableness of their location.	Photovoltaic cells don't appear to be located on adjacent developments.
3.6.5 Materials and building components		
3.6.5(1)	Paints and floor coverings with low levels of volatile organic compounds (VOC) and low formaldehyde wood products are to be used where possible.	To be addressed at DA stage.
3.6.5(2)	Where possible, use building materials, fittings and finishes that: a) have been recycled b) are made from or incorporate recycled materials, and c) have been certified as sustainable or 'environmentally friendly' by a recognised third party certification scheme.	To be addressed at DA stage.
3.6.5(3)	Design building components, including the structural framing, roofing and facade cladding for longevity, adaptation, disassembly, re-use and recycling.	To be addressed at DA stage.
3.6.5(4)	Reduce the amount of materials used in the construction of a building wherever possible. Examples of potential methods include: a) exposing structures to reduce the use of floor, ceiling and wall cladding and finishes b) naturally ventilating buildings to reduce ductwork	To be addressed at DA stage.

Clause	Provision	Compliance
	c) providing waterless urinals to reduce piping and water use d) using prefabricated components for internal fit outs, and e) providing only one bathroom for every two bedrooms in residential developments.	
3.7 Water and flood management		
3.7.1 Site specific flood study		
3.7.1(1)	When required by Clause 7.15 of Sydney LEP 2012, a site-specific flood study is to be prepared.	A flood certificate has been prepared identifying the relevant flood planning levels.
3.7.2 Drainage and stormwater management		
3.7.2(1)	A local drainage management plan is required for development on sites off 1,800sqm or more.	Both the North Site and South Site are less than 1,800sqm. However, a stormwater management plan is being prepared which address local drainage.
3.7.2(2)	The Local Drainage Management Plan is to address: a) the hydrology of the locality and its relationship to the drainage system; the distribution of soil types and the scope for on-site infiltration b) any expected rise in ground water level due to development c) the role of the principal landscape components on the site for water conservation and on-site detention d) the scope for on-site stormwater detention and retention, including collection of water for re-use e) how any detrimental impacts on the existing natural hydrology and water quality are proposed to be minimised f) how pedestrian safety is to be ensured, and g) integration of drainage management responses and open space areas.	As above.
3.7.2(3)	A suitably qualified engineer with experience in drainage design is to assess the site drainage requirements for the proposed development, and prepare the required local drainage management plan in accordance with the provisions of this DCP.	As above.
3.7.2(5)	Drainage systems are to be designed so that a) on a site with an area less than or equal to 1,000sqm:	This is addressed in the stormwater management plan.

Clause	Provision	Compliance
	(i) stormwater flows up to the 20% annual exceedance probability event are conveyed by a minor drainage system, and (ii) stormwater flows above the 20% annual exceedance probability event are conveyed by a major drainage system; b) on a site with an area greater than 1,000sqm: (i) stormwater flows up to the 5% annual exceedance probability event are conveyed by a minor drainage system, and (ii) stormwater flows above the 5% annual exceedance probability event are conveyed by a major drainage system.	
3.7.2(6)	The development proposal must demonstrate how the major drainage system addresses any site-specific conditions and connects to the downstream drainage system.	This is addressed in the stormwater management plan.
3.7.2(7)	Major drainage systems are to be designed so that ensures that public safety is not compromised.	This is addressed in the stormwater management plan.
3.7.2(8)	Minor flows from a development site are not to be discharged to the kerb if direct connection to an existing stormwater pipe is available, unless it can be demonstrated there is sufficient capacity within the existing gutter and the flow velocity and depth within the gutter will remain below 400mm.	This is addressed in the stormwater management plan.
3.7.2(9)	Where the proposed development is located on a floodplain, high level overflows are permitted for roof drainage systems where the overflow is set above the 1% annual exceedance probability level.	This is addressed in the stormwater management plan.
3.7.2(10)	Connection to existing stormwater infrastructure are not to reduce the capacity of that infrastructure by more than 10%. The development proposal is to show the level of impact on the existing stormwater infrastructure as a result of the proposed new connection.	This is addressed in the stormwater management plan.
3.7.2(11)	The post development run-off from impermeable surfaces (such as roofs, driveways and paved areas) is to be managed by stormwater source measures that: a) contain frequent low-magnitude flows; b) maintain the natural balance between run off and infiltration c) remove some pollutants prior to discharge into receiving waters	This is addressed in the stormwater management plan.

Clause	Provision	Compliance
	d) prevent nuisance flows from affecting adjacent properties, and e) enable appropriate use of rainwater and stormwater.	
3.7.2(12)	Post-development stormwater volumes during an average rainfall year are to be: a) 70% of the volume if no measures were applied to reduce stormwater volume, or b) the equivalent volume generated if the site were 50% pervious, whichever results in the greater volume of detention required.	This is addressed in the stormwater management plan.
3.7.2(13)	Stormwater detention devices are to be designed to ensure that the overflow and flowpath have sufficient capacity during all design rainfall events, discharge to the public stormwater system without affecting adjoining properties, and are free of obstructions, such as fences.	This is addressed in the stormwater management plan.
3.7.2(14)	Where filtration and bio-retention devices are proposed, they are to be designed to capture and provide temporary storage for stormwater.	This is addressed in the stormwater management plan.
	3.7.3 Stormwater quality	
3.7.3(1)	Development of a site greater than 1,000sqm must undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below: a) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90% b) reduce the baseline annual pollutant load for total suspended solids by 85% c) reduce the baseline annual pollutant load for total phosphorous by 65%, and d) reduce the baseline annual pollutant load for total nitrogen by 45%.	Stormwater quality targets are addressed in the Stormwater Management Plan.
3.7.3(2)	The stormwater quality assessment is to be prepared by a suitably qualified engineer with experience in water sensitive urban design (WSUD) and include: a) modelling of pollutant load standards with an industry standard water quality model b) the design of WSUD measures used to achieve the post-development pollutant load standards, and c) maintenance schedules of any proposed WSUD measure that requires maintenance or full replacement including the likely	This is addressed in the stormwater management plan.

Clause	Provision	Compliance
	recycling or disposal location of any wastes that may be generated.	
	3.7.5 Water re-use, recycling and harvesting	
3.7.5(3)	Development proposals that seek to re-use water runoff from paved surfaces for irrigation and wash down purposes are to incorporate measures into the design of the development that will treat the water to ensure that it is fit for this purpose. These measures are to clean the water to exclude contaminants such as litter, sediment and oil.	To be addressed at DA stage.
	3.8 Subdivision, strata subdivision, and consolidation	
	3.8.1 General provisions	
3.8.1(2)	The strata titling of commercial and industrial development and affordable housing is discouraged.	Not relevant. The social housing will not be strata titled.
3.8.1(3)	Within a strata or community title subdivision, parking spaces and spaces used for other purposes for example, storage, that are associated with an individual unit are to be included in the same strata allotment as the unit.	To be addressed at DA stage.
3.8.1(4)	Visitor car spaces and loading spaces are to be designated as common property in a strata subdivision.	To be addressed at DA stage.
3.8.1(5)	Landscaping, communal open space, access areas, service areas and directory board signage, where not part of an individual unit in a strata subdivision, are to be designated as common property.	To be addressed at DA stage.
	3.9 Heritage	
	3.9.1 Heritage impact statements	
3.9.1(1)	A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting: a) heritage items identified in the Sydney LEP 2012, b) properties within a Heritage Conservation Area identified in Sydney LEP 2012.	Heritage impact statement has been prepared to support this Planning Proposal.
	3.9.5 Heritage items	
3.9.5(4)	Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:	Adjacent street trees are listed as a local heritage item and are proposed to be retained. No significant views will be impacted by the proposed development.

Clause	Provision	Compliance
	b) retaining original and significant landscaping (including planting with direct links or association with the heritage item d) retaining and respecting significant views to and from the heritage item.	
	3.9.6 Heritage conservation areas	
3.9.6(1)	Development within a heritage conservation area is to be compatible with the surrounding built form and urban pattern by addressing the heritage conservation area statement of significance and responding sympathetically to: a) topography and landscape b) views to and from the site c) significant subdivision patterns and layout, and front and side setbacks d) the type, siting, form, height, bulk, roofscape, scale, materials and details of adjoining or nearby contributory buildings e) the interface between the public domain and building alignments and property boundaries, and f) colour schemes that have a hue and tonal relationship with traditional colour schemes.	The Site is proposed to be removed from the heritage conservation area. This would have negligible impact on the conservation area given the Site's location on the outer edges of the conservation area where the qualities and architectural values of the conservation area are not as evident as within the central core and due to the strong relationship of the Site with the adjacent recently developed Bay Street site. The removal of the Site from the conservation area is discussed in detail in the heritage impact statement.
3.9.6(2)	New infill buildings and alterations and additions to existing buildings in a heritage conservation area are not to be designed as a copy or replica of other buildings in the area, but are to complement the character of the heritage conservation area by sympathetically responding to the matters identified in (1)(a) to (e) above.	The Site is proposed to be removed from the heritage conservation area. However, the buildings will complement the local character of the heritage conservation area. This is discussed further in the heritage impact statement.
3.9.6(3)	Infill development is not to include garages and car access to the front elevation of the development where these are not characteristic of the area.	Car park access is provided from a secondary street.
3.9.6(4)	Development within a heritage conservation area is to be consistent with policy guidelines contained in the Heritage Inventory Assessment Report for the individual conservation area.	The Site is proposed to be removed from the heritage conservation area. However, these matters are discussed further in the heritage impact statement.
	3.9.8 Neutral and appropriate infill buildings	
3.9.8(1)	Demolition of neutral buildings will only be considered where it can be demonstrated that:	The restoration of the building is not being considered as the increased yield of occupancies

Clause	Provision	Compliance
	a) restoration of the building is not reasonable, and b) the replacement building will not compromise the heritage significance of the heritage conservation area.	as a result of full redevelopment will provide a greater amenity to the community. The site is proposed to be removed from the heritage conservation area. Further detail is included in the heritage impact statement.
	Where demolition of a neutral building is allowed, a photographic record of the building may be required to be submitted to the City.	This will be addressed at DA stage, where required.
	Solar collector or photovoltaic panels may be located on buildings in a heritage conservation area. Where solar collector or photovoltaic panels are proposed on the principal roof plane of a contributory building in a heritage conservation area, the panels are to be removable, parallel to the pitch of roof and preferably integrated with the roof. The panels must make minimal intrusive change to significant roof fabric.	This will be addressed at DA stage, where required.
	The following elements of streets, lanes, parks and other areas of the public domain are to be retained if they contribute to the heritage significance of the heritage conservation area: stone kerbing, guttering and paving.	There is stone kerbing located along Mitchell Lane East within the study area. This is to be retained it contributes to the heritage significance of the heritage conservation area.
3.11 Transport and parking		
3.11.1 Managing transport demand		
3.11.1(1)	A Transport Impact Study is required to address the potential impact of the development on surrounding movement systems where the proposed development is more than 25 dwellings.	A transport impact assessment has been prepared by ARUP.
3.11.1(3)	A Transport Access Guide and a strategy for the future availability of the Guide to residents, employees and visitors of a development.	This will be addressed at the DA stage.
3.11.2 Car share scheme parking spaces		
3.11.2(2)	The minimum number of on-site parking spaces to be made available for car share scheme vehicles is to be provided according to the following rates: Category B – 1 per 60 car spaces provided.	The proposal includes less than 50 car parking spaces there no car share spaces are required.
3.11.3 Bike parking and associated facilities		
3.11.3(1)	All development is to provide on-site bike parking designed in accordance with the relevant Australian Standards for the design criteria of bike parking	This will be achieved and addressed at DA stage.

Clause	Provision	Compliance
	facilities.	
3.11.3(2)	Bike parking spaces for new developments are to be provided in accordance with the rates set out below except where: an apartment in a residential building has a basement storage area on title that is large enough to accommodate a bike and is no smaller than a Class 1 bike locker, then additional bike parking for that apartment is not required. • Residents 1 per dwelling (Class 1 bike lockers) • Visitors 1 per 10 dwellings (Class 3 bike rails)	The proposal meets the requirements for bike parking as set out below. **2A-2D Wentworth Park Road** • Resident Bike parking required: 35 • Resident bike parking provided: 22 bike lockers / 14 bikes on 7xdouble racks within the basement. • Visitor bike parking required: 3 • Visitor bike parking with be provided within common space at ground level, to be identified at DA stage. **17-31 Cowper Street** • Resident bike parking required: 39 • Resident bike parking provided: 27 bike lockers / 12 basement storage units which can accommodate a bike (total 39) • Visitor bike parking required: 3-4 • Visitor bike parking with be provided within common space at ground level, to be identified at DA stage.
3.11.3(5)	A safe path of travel from bike parking areas to entry/exit points is to be marked.	Able to comply.
3.11.3(6)	Access to bike parking areas are to be: a) a minimum of 1.8m wide to allow a pedestrian and a person on a bike to pass each other and may be shared with vehicles within buildings and at entries to buildings) b) accessible via a ramp c) clearly identified by signage, and d) accessible via appropriate security or intercom systems.	The proposal includes a 1.2m stair with 0.4m adjacent wheeling ramp. This provides an appropriate level of access given the scale of the development.
3.11.3(7)	Bike parking for visitors is to be provided in an accessible on-grade location near a major public entrance to the development and is to be signposted.	This will be addressed at DA stage and incorporated within common space at ground level.
	3.11.4 Vehicle parking	
3.11.4(2)	For residential buildings, car parking spaces are to be allocated to dwelling units in accordance with parking rates in the Sydney LEP and are to be a part lot to a dwelling unit in a strata plan so that they remain connected to the dwelling.	The proposal complies with the maximum car parking rates in the Sydney LEP. **2A-2D Wentworth Park Road** Maximum allowable spaces: 23 Car parking provided: Zero car parking spaces **17-31 Cowper Street** Maximum allowable spaces: 33

Clause	Provision	Compliance
		Car spaces provided: 30
3.11.4(3)	All visitor spaces are to be grouped together in the most convenient locations relative to car parking area entrances, pedestrian lifts and access points and are to be separately marked and clearly sign-posted.	To be confirmed at DA stage.
3.11.4.(4)	Development applications are to indicate how visitor parking is to be accessed, including arrangements for access into a secure area if proposed.	To be confirmed at DA stage.
3.11.4(5)	New developments are to achieve high quality ground level relationships between the buildings and all public domain interfaces even where this will result in inefficient basement car parking layouts including: spilt basement levels or additional excavation.	Compliant, car parking is provided within two basement levels.
3.11.4(6)	Where a residential development proposes less than the maximum number of car parking spaces permissible under Sydney LEP, the reduction in the number of spaces should be shared proportionally between resident parking spaces and visitor parking spaces.	To be addressed at DA stage.
	3.11.5 Car parks under the public domain	
3.11.5(1)	Underground car parks are not permitted under public domain areas required for dedication to Council, except for tunnels that connect two or more car park areas as this reduces the number of vehicular entry and exits at the street level.	The basement is located within the site boundaries.
	If site constraints result in a car park being located under a public street or lane, the following criteria will apply: a) only common areas such as circulation space or unallocated visitor parking spaces are to be located below the street or lane; and b) ownership of the street or lane by the City shall be in stratum above the water-proofing membrane, and to a minimum depth of 1m for clearance for services as measured from the road levels approved by Council.	Not applicable.
	3.11.6 Service vehicle parking	
3.11.6(1)	Separate parking spaces for service vehicles are to be provided in accordance with Schedule 7 Transport, parking and access, and are not to be shared with parking provided for any other	No service vehicle spaces provided. This is appropriate given the scale of the individual developments and the site constraints.

Clause	Provision	Compliance
	purpose. Service vehicle parking spaces, including spaces for bike couriers are to be: a) located near vehicle entry points and near lifts b) clearly designated and signposted for service vehicles only c) screened from the street where possible, d) located completely within the boundary of the site, clear of parked vehicles; and clear of through traffic.	
3.11.6(2)	Parking spaces for service vehicles are not to be used for other purposes such as storage of goods and equipment.	Not relevant.
	3.11.7 Motorbike parking	
3.11.7(1)	Parking spaces for motorbikes are to be included in the allocation of car parking and provided according to parking rates in Schedule 7 Transport, parking and access. (1 for every 12 car parking spaces provided)	Two spaces are required within the 17-31 Cowper Street development and can be incorporated in basement car park.
	3.11.9 Accessible parking	
3.11.9(1)	Accessible car parking spaces for people with a mobility impairment are to be included in the allocation of car parking for a development and provided in accordance with the rates specified in Schedule 7 Transport, parking and access. • One accessible car parking space is to be provided for every adaptable residential unit. • One space for every 20 car parking spaces or part thereof is to be allocated as accessible visitor parking.	This will be achieved and addressed at the DA stage.
3.11.9(3)	For residential development, accessible car parking spaces are to be allocated to adaptable units, or as visitor parking. Accessible car parking spaces allocated to adaptable dwelling units are to form part of the lot of the associated adaptable unit in the strata plan.	This will be achieved, and addressed at DA stage.
	3.11.10 Vehicle access for developments greater than 1000sqm GFA	
3.11.10(1)	For developments equal to or greater than 1,000sqm GFA, vehicle access to a site is to be located so the safety of those using the access and the street	The proposed access is compliant.

Clause	Provision	Compliance
	is not likely to be compromised. Further details on the specific requirements for driveway location are included in this section of the DCP. This includes being more than 10m from a uncontrolled intersection.	
	3.11.11 Vehicle access and footpaths	
3.11.11(3)	Car parks are to be designed so that vehicles do not queue or reverse across pedestrian crossings or footpaths.	Compliant
3.11.11(4)	Parking and driveway crossovers are to be designed to minimise impact on existing street trees and to maximise opportunities for new street tree plantings.	Compliant, the driveway access is located from a secondary street and will not impact existing street plantings.
3.11.11(5)	Walking routes through car parks with more than 150 car spaces are to be clearly delineated with appropriate markings, pedestrian crossings and signposting.	Not applicable
3.11.11(6)	Vehicular access is to be designed to give priority to pedestrians and cyclists by continuing the type of footpath material and grade.	The proposal can comply. This will be addressed at DA stage.
3.11.11(7)	Wherever practicable, vehicle access and egress is to be a single crossing with a maximum width of 3.6m over the footpath, and perpendicular to the kerb alignment as shown in Figure 3.21 Vehicle crossing layout.	Vehicle access is provided as a dual crossing, avoiding the need for separate entry and exit.
3.11.11(10)	Where possible adjoining developments are to share or amalgamate vehicle entry and exit points. Internal on-site signal equipment is to be used to allow shared access.	Not applicable as car parking is only provided on one of the two sites.
3.11.11(12)	Where rear lane access is achievable, car parking is to be designed to be accessed from the rear lane only.	Car parking access is provided from a secondary street (Wentworth Street). This is compliant with 3.11.11(13) – below.
3.11.11(13)	Where vehicular access to parking is not accessed from the laneway it is to be located on a secondary street.	Compliant – access is via a secondary street.
3.11.11(15)	Service vehicle access is to be combined with parking access and provided in accordance with other controls for vehicular access in this DCP.	Service vehicle access is not provided to the basement and will be accommodated on street. This is appropriate given the scale of the individual developments.
	3.11.13 Design and location of waste collection points and loading areas	
3.11.13(1)	Waste collection and loading is to be in accordance with the City of Sydney's Guidelines for Waste Management in New Developments	Waste collection is located at grade within a dedicated collection area.

Clause	Provision	Compliance
	and accommodated wholly within new development in order of preference: e) in the building's basement f) at grade within the building in a dedicated collection or loading bay, g) at grade and off street within a safe vehicular circulation system where in all cases vehicles will enter and exit the premises in a forward direction. Consideration will only be given to less preferable options if the consent authority is satisfied the preferred options are unreasonable.	
3.11.13(2)	The waste collection and loading point is to be designed to: a) allow waste collection and loading operations to occur on a level surface away from vehicle ramps, and b) provide sufficient side and vertical clearance to allow the lifting arc for automated bin lifters to remain clear of any walls or ceilings and all ducts, pipes and other services.	Waste collection areas are located away from the basement entrance.
3.11.13(3)	Vehicle access for collection and loading will provide for: a) a 9.25m Council garbage truck and a small rigid delivery vehicle b) minimum vertical clearance of 4.0 metres clear of all ducts, pipes and other services, depending on the gradient of the access and the type of collection vehicle c) collection vehicles to be able to enter and exit the premises in a forward direction. Where a vehicle turntable is necessary to meet this requirement, it is to have a capacity of 30 tonnes d) maximum grades of 1:20 for the first 6m from the street, then a maximum of 1:8 with a transition of 1:12 for 4m at the lower end e) a minimum driveway width of 3.6m f) a minimum turning circle radius of 10.5m.	Not applicable. Collection will be from the street, given the small scale of the individual developments.
	3.11.14 Parking area design	
3.11.14(2)	Vehicle ramps must not be visible from the public domain and are to be located inside the building.	The basement vehicle ramp is to be located within the building.
3.11.14(3)	Car parking areas are to:	The proposal can comply. To be further addressed at DA stage.

Clause	Provision	Compliance
	a) be well lit, visible, and avoid hidden and enclosed areas to allow for casual surveillance b) include, mirrors or similar devices where hidden and enclosed areas such as staircases and lift lobbies cannot be avoided c) be well ventilated and provide natural rather than mechanical ventilation where practicable, and d) be subordinate in appearance to the main building.	
3.11.14(4)	Car parking spaces are not to be located in areas used for the manoeuvring of service vehicles.	Service vehicle access to the car park is not provided.
3.12 Accessible design		
3.12.1 General provision		
3.12.1(1)	All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements; and Disability Discrimination Act 1992. Complex developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.	To be addressed at DA stage.
3.12.1(2)	The provision of equitable access is to have minimal impact on the significant fabric and setting of heritage items and of contributory buildings within heritage conservation areas; and be reversible.	Not applicable.
3.12.1(3)	Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available.	Not applicable.
3.12.1(4)	Encroachment onto public land to achieve access requirements is generally not permitted except when: a) access by other means will result in a substantial loss of original fabric of a heritage-listed property impacting on the heritage significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available, or b) the proposal involves a significant public building where equitable access is highly	Encroachment onto public land to achieve access requirements will not be required.

Clause	Provision	Compliance
	desirable and there are no alternative access options available.	
3.12.1(5)	Access for pedestrians and vehicles are to be separated.	Access points are separated.
3.12.1(6)	Access arrangements are to be: c) integral with the overall building and landscape design and not appear as 'add-on' elements or as of secondary importance d) as direct as possible, and e) designed so that a person does not need to summon help.	Access arrangements have been integrated into the building design to provide direct and safe access.
3.12.1(7)	Required egress routes in residential development are to allow for safe escape for persons with a disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments.	To be addressed at DA stage.
	3.12.2 Adaptable dwelling mix	
3.12.2(1)	Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes.	Adaptable dwellings will be identified at the DA stage
3.12.2(2)	Adaptable dwellings are to be provided in all new development at the following rates: • 0-7 dwellings: nil • 8-14 dwellings: 1 dwelling • 15-21 dwellings: 2 dwelling • 21-30 dwellings: 3 dwelling • 30 or more dwellings: 15% of total dwellings	Adaptable dwellings will be identified at the DA stage
	3.13 Social and environmental responsibilities	
	3.13.1 Crime prevention through environmental design	
3.13.1(1)	Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space.	Active space and/or apartment balconies and windows are located to overlook the street, adjacent parks and communal open spaces.
3.13.1(3)	Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment.	Blind corners and recesses have been minimized from the design.
3.13.1(4)	Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development. Where practicable lift lobbies,	Building entries are clearly visible from the street. Lobbies are partially visible from the street.

Clause	Provision	Compliance
	stairwells, hallways and corridors should be visible from the public domain.	
3.13.1(5)	Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night.	Residential lobbies and the non-residential floor space is visible from the public domain.
3.13.1(6)	Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.	Compliant.
3.13.1(7)	Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.	Compliant. This will be further addressed at the DA stage.
3.13.1(8)	Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.	To be addressed at DA stage.
	3.13.3 Social impact	
3.13.3(1)	A social impact assessment report is required for development applications for new social housing of 20 or more units.	This will be provided at DA stage, if required.
	3.14 Waste	
	3.14.1 Waste and recycling management plan	
3.14.1(1)	A waste and recycling management plan is to be submitted with the Development Application and will be used to assess and monitor the management of waste and recycling during construction and operational phases of the proposed development. The Waste and Recycling Management Plan is to be consistent with the City of Sydney Guidelines for Waste Management in New Developments.	An Operational Waste Management Plan has been prepared. A Waste Management Plan to address the demolition and construction waste will be prepared at DA stage.
	3.14.2 Construction and demolition waste	
3.14.2(1)	The Waste and Recycling Management Plan is to address construction and demolition waste to the requirements outlined in this section of	To be addressed at DA stage.

Clause	Provision	Compliance
	the DCP, including measures to reuse or recycle at least 80% of construction and demolition waste, either on site or diverted for reuse and recycling with receipts sufficient to demonstrate the target will be achieved.	
	3.14.3 Collection and minimization of waste during occupation	
3.14.3(1)	The Waste and Recycling Management Plan is to address the generation of waste from the occupants of the development and include: (a) plans and drawings of the proposed development that show: (i) the location and space allocated to the waste and recycling management systems; (ii) the nominated waste collection point/s for the site; and (iii) identify the path of access for users and collection vehicles. (b) details of the on-going management of the storage and collection of waste and recycling, including responsibility for cleaning, transfer of bins between storage areas and collection points, maintenance of signage, and security of storage areas; and (c) where appropriate to the nature of the development, a summary document for tenants and residents to inform them of waste and recycling management arrangements.	This is addressed in the Waste Management Plan, with key recommendations incorporated into the reference design scheme.
3.14.3(3)	Development is to include sufficient space in kitchens to separate food waste collection or compostable material for composting or worm farming.	To be addressed at DA stage.
3.14.3(4)	Development is to include a separate space in a room or screened area for the storage and management of bulky waste (this can include furniture, mattresses and stripout waste) and problem waste (this can include light bulbs and electronic waste) for recycling collection.	A bulky waste area has been provided within each development.
	3.16 Signage and advertisments	
	3.16.1 Signage strategy	
3.16.1(1)	A signage strategy is to be prepared for all signage applications: a) in a heritage conservation area or involving heritage item b) on sites that are strata titled or contain more than four business premises, or c) seeking variations to the requirements of this section. Further requirements are outlined in Section 3.16.11.	To be addressed at DA stage.

Clause	Provision	Compliance
3.16.3 General requirements for signage		
3.16.2(1)	Signage is to be compatible with the architecture, materials, finishes and colours of the building and the streetscape.	To be addressed at DA stage.
3.16.2(1)	Signage attached to a building is to be positioned in locations or on panels in between any architectural elements (such as awnings, windows, doors and parapet lines). Signs are not to conceal or detract from integral architectural features or cover any mechanical ventilation systems.	To be addressed at DA stage.
3.16.2(2)	Signage is to be installed and secured in accordance with relevant Australian Standards.	To be addressed at DA stage.
3.16.2(3)	Signage that will detract from the amenity or visual quality of heritage items, heritage conservation areas, open space areas, waterways or residential areas is not permitted.	To be addressed at DA stage.
3.16.2(4)	Signage should not create unacceptable visual clutter taking into account existing signs, neighbouring buildings, the streetscape and the cumulative effect of signs.	To be addressed at DA stage.
3.16.2(5)	Signs should allow the main facades of buildings from the first floor to the rooftop or parapet to be uncluttered and generally free of signage.	To be addressed at DA stage.
3.16.2(11)	Signage is not to contain reflective materials, colours and finishes.	To be addressed at DA stage.
3.16.5 Building identification signage		
3.16.5.1(1)	building identification signs should be located at or near the major pedestrian entry to a building and be designed to fit within the architectural elements of a building.	To be addressed at DA stage.

Consideration of Sydney DCP – Section 4.2 – Residential flat, non-residential and mixed use

Clause	Provision	Compliance
4.2.1 Building height		
4.2.1.1 Height in storeys and street frontage height in storeys		
4.2.1.1(1)	Development must not exceed the maximum number of storeys as shown in the Building height in storeys map.	The site is identified as 2 storeys on the building height in storeys map. To proposal is for development up to 8 storeys. A draft DCP

Clause	Provision	Compliance
		amendment has been prepared to amend the height in storeys under the DCP.
4.2.1.1(2)	The maximum may only be achieved where it can be demonstrated that the proposed development: a) reinforces the neighbourhood character b) is consistent with the scale and form of surrounding buildings in heritage conservation areas, and c) does not detract from the character and significance of the existing building.	The proposal appropriately responds to surrounding scale and character. In particular the building height and character responds to the adjacent recent development along Cowper Street. The three storey terrace style dwellings adjacent to MJ Doherty Reserve respond to the lower density context and the exiting terrace building typology in the vicinity.
4.2.1.1(4)	Where the Street frontage height of buildings map does not indicate the maximum height, the maximum street frontage height must generally be consistent with the street frontage height in storeys of adjacent buildings, or the predominant street frontage height in storeys in the vicinity of the proposed building.	The street wall adjacent to the site on Cowper Street ranges from five to nine storeys. The proposed eight storey street wall appropriately responds to this context. The street wall adjacent to MJ Doherty Reserve is two storeys, with an additional level above an upper level setback. This responds to the low rise context of surrounding development. Site specific built form controls are proposed to be included in the DCP amendment.
4.2.1.1(5)	Height of buildings and the street frontage height in storeys should not match anomalous tall neighbouring buildings that are inconsistent with the neighbourhood.	The street frontage height has responded to the prevailing street wall height in the surrounding area.
	4.2.1.2 Height in storeys and street frontage height in storeys	
4.2.1.2(1)	Habitable rooms in multi-unit residential development and mixed use development are to have a minimum floor to ceiling height of 2.7m (requiring a floor to floor height of 3.1m).	Floor to floor heights are a minimum of 3.2m.
	4.2.2 Building setbacks	
	3.2.2.1 Setbacks	
4.2.2.1(1)	Where no setback or alignment is shown on the Building Setback and Alignment map, the setback and alignment must be consistent with adjoining buildings. When the setback or alignment varies, either the adjacent or average front setback or alignment is to be adopted.	No setback or alignment applies to this site. Surrounding development typically has a zero street setback. The proposal predominantly adopts a zero lot setback with larger setbacks along Cowper Street to accommodate existing street trees, and to provide adequate separation to adjacent apartments. Dwellings facing MJ Doherty Reserve adopt a front setback generally consistent with surrounding low rise terrace house development.

Clause	Provision	Compliance
		Site specific built form controls are proposed to be included in the DCP amendment.
4.2.2.1(2)	Underground parking structures, balconies and bay windows may encroach into the front setback by a maximum of 1m.	The proposal is generally compliant.
4.2.2.1(3)	The rear setback and alignment is to be consistent with adjoining buildings. When the setback or alignment varies, either the adjacent or average rear setback or alignment is to be adopted.	Not relevant.
4.2.2.1(4)	In areas where corner buildings are typically built to the street boundary on one or more frontages, new development on a corner may also build to the street boundary.	Not relevant.
4.2.2.1(5)	Where the site boundary includes a splay at the corner, the building is to be built to the boundary of the splay at ground level.	Not relevant.
	4.2.2.2 Setbacks above the street frontage height	
4.2.2.2(1)	Setbacks above the street frontage height are to be included where: a) adjacent buildings include upper level setbacks, and b) new development is adjacent to a heritage item to reduce visual impact and to respect the heritage item.	An upper level setback is provided adjacent to MJ Doherty Reserve to reduce scale adjacent to the park. Upper level setbacks are not required elsewhere as the building height does not exceed the predominant street wall height.
4.2.2.2(2)	A setback above the street frontage height is to be a minimum of 3m for residential above non-residential and for residential above residential.	An upper level setback above the street frontage has been provided adjacent to the park.
4.2.2.2(3)	Where the setback area incorporates screening or similar structures, the design of the screens or structures is to be secondary to the street wall of the building. For example, a secondary structure or screen should be visually recessed or setback at least 300mm from the street wall.	Not relevant.
	4.2.3 Amenity	
	4.2.3.1 Solar access	
4.2.3.1(1)	Development applications are to include diagrams in plan and elevation that show solar access to proposed apartments and the shadow impact on neighbouring development at hourly intervals between 9am, 12 noon and 3pm on 22 March and 21 June. In some cases, Council may require hourly intervals.	Shadow diagrams to be provided in the urban design study.

Clause	Provision	Compliance
4.2.3.1(2)	Proposed apartments in a development and neighbouring developments must achieve a minimum of 2 hours direct sunlight between 9am and 3pm on 21 June onto at least 1sqm of living room windows and a minimum 50% of the required minimum area of private open space area. *Note: this provision relates to at least 70% of the apartments in a development (in accordance with the requirements of the NSW Apartment Design Guide).*	Approximately 80% of dwellings achieve >2hrs for both buildings (4 out of 5 apartments)
4.2.3.1(3)	New development must not create any additional overshadowing onto a neighbouring dwelling where that dwelling currently receives less than 2 hours direct sunlight to habitable rooms and 50% of the private open space between 9am and 3pm on 21 June.	Additional impact on adjacent dwellings would be minimal.
4.2.3.3 Internal common areas		
4.2.3.3(1)	Internal common areas, corridors and lift lobbies are to have access to daylight and an outlook.	Compliant.
4.2.3.3(2)	Provide modulation and adequate dimensions to common corridors to give a feeling of spaciousness. Common corridors must also be designed to maximise safety and security.	Compliant.
4.2.3.3(3)	Common corridors are to be at least 2m wide in front of lifts.	Compliant.
4.2.3.4 Design features to manage solar access		
4.2.3.4(1)	Fixed shading devices are not to substantially restrict access to natural daylight or outlook.	To be demonstrated at DA stage.
4.2.3.4(2)	Extensive glazing that is unprotected from mid-summer sunlight is to be avoided and reliance upon high performance tinting or glazing as a mid-summer sun control device is not appropriate.	To be demonstrated at DA stage.
4.2.3.4(3)	Landscaping is to be carefully considered and may include: a) wide canopied deciduous trees, vines and pergolas to the north of a building to provide shade, reduce glare during summer months and allow sunlight through winter, and b) deciduous vegetation to the west and east of buildings to reduce glare, heat intake and the effects of prevailing winds.	This has been addressed in the Landscape Plan.
4.2.3.5 Landscaping		

Clause	Provision	Compliance
4.2.3.5(1)	For new development, submit a landscape plan prepared by a suitably qualified landscape architect with the development application that shows the: a) planting schedule with numbers and species of plants including botanical and common names; b) number and name including botanical and common names of mature trees on site; c) type, levels and detail of paving, fencing, retaining walls and other details of external areas of the site; and d) response to other requirements of this provision.	A Concept Landscape Plan is being prepared.
4.2.3.5(3)	All development proposals are to be designed to minimise the impact on significant trees on site, street trees and trees on adjoining land.	The proposal complies with all significant street trees being retained.
4.2.3.5(4)	Landscaping is to give preference to species with low water needs, including native plant species, and trees and shrubs are to be selected and located to manage sun and wind impacts.	To be addressed in Concept Landscape Plan.
4.2.3.6 Deep soil		
4.2.3.6(1)	The minimum amount of deep soil is to be 10% of the site area	The proposal provides for 8.4% of the site as deep soil.
4.2.3.6(2)	For lots greater than 1,000sqm, the deep soil area is to be consolidated with a minimum dimension of 10m.	Deep soil has been accommodated within areas with a minimum dimension of 3m where possible.
4.2.3.6(3)	All remaining deep soil areas are to have a minimum dimension of 3m.	Deep soil has been accommodated within areas with a minimum dimension of 3m where possible.
4.2.3.6(4)	Where site conditions allow, the deep soil is to be consolidated as one area to assist with the ease of drainage and allow for effective deep soil planting.	Deep soils is accommodated on the peripheries of the site.
4.2.3.7 Private open space and balconies		
4.2.3.7(1)	Private open space may be in the form of courtyards, decks and balconies and is to be provided for at least 75% of dwellings in a development.	Private open space provided to all dwellings.
4.2.3.7(2)	Private open space is to have a north west to north east aspect where practicable.	Compliant.
4.2.3.7(3)	Private open space is to be directly accessible from the living area of the dwelling and capable of serving as an extension of the living area.	Compliant.

Clause	Provision	Compliance
4.2.3.7(4)	Private open space for ground floor dwellings is to be located at the ground level where possible, with a maximum gradient of 1 in 20.	Compliant.
4.2.3.7(5)	Up to 25% of dwellings in a development may have 'juliet' balconies only or a floor to ceiling window to living rooms with a balustrade to the window.	No dwellings have Juliet balconies only.
4.2.3.7(6)	Private open space is to have the following minimum consolidated area and dimensions for all dwelling sizes within a development: a) ground level dwellings: 25sqm with a minimum dimension of 4m, and b) upper level units: 10sqm with a minimum dimension of 2m.	• Private open space for the ground floor terraces is located at the rear of the dwellings. • Area for balconies are typically 8sqm to 10sqm, ensuring an appropriate level of amenity for future residents.
4.2.3.7	Balconies are to have external finishes to walls, floor and ceilings.	Balconies will have external finishes. To be addressed at DA stage.
4.2.3.7	A planting bed adjacent to the street boundary is to be provided for all ground floor dwellings. Where a level courtyard is not possible, a deck or split level courtyard is to have a levelled area with a minimum dimension of 2m.	The Landscape Plan identifies planting within the front setback for the ground floor dwellings. Private open space to be located at the rear of ground floor dwellings. The responds to the design and layout of terrace housing in the surrounding area.
4.2.3.8 Common open space		
4.2.3.8(1)	Provide an area of common open space under common title that is at least 25% of the total site area and has a minimum dimension of 6m. The calculation of the required area of common open space is to exclude driveways, parking areas, essential access paths such as fire escape routes, indoor gymnasiums and outdoor clothes drying areas.	The proposal exceeds this requirement with 35% of the area of each site provided as communal open space.
4.2.3.8(2)	The common open space is to be located and designed to achieve good amenity for the dwellings in terms of solar access, natural air flow and ventilation, and outlook. At least 30% of the required common open space area is to receive 2 hours of direct sunlight between 9am and 3pm on 21 June.	The rooftop comment open space can achieve these requirements.
4.2.3.8(3)	Common open space may be located on elevated gardens or roof tops provided that the area and overall design can be used for the recreation and amenity needs of residents.	Noted.
4.2.3.8(4)	Roof top areas designed for use as recreation facilities are to have a high standard of finish and design. The design of exterior private open spaces such as roof top gardens must address	This has been addressed in the Landscape Plan and will be further addressed at DA stage.

Clause	Provision	Compliance
	visual and acoustic privacy, safety, security and wind effects.	
4.2.3.8(5)	Common open space is to be located and designed to: a) be seen from the street between buildings b) have a northerly aspect where possible c) be additional to public and common thoroughfares d) be clearly demarcated as a private area for use by residents only e) include passive surveillance from adjacent internal living areas or pathways f) provide for active and passive recreation needs of all residents, and g) provide soft landscaping.	Common open space is located predominantly as rooftop space with the concept design and proposed landscaping including in the Landscape Plan.
4.2.3.8(6)	Unpaved soft landscaped area must comprise a minimum of 50% of the total area of common open space.	Indicative landscaping has been identified which includes extensive soft landscaping, and this can be further addressed at DA stage.
4.2.3.8(7)	The minimum consolidated area of common open space will only be permitted above the ground level where: a) a location at ground level is not possible due to conditions of the site b) the proposed common open space will provide a similar level of amenity as a common open space at ground level, and c) there will be no significant impact on surrounding properties in respect to the loss of privacy.	Common open space is predominantly located on the rooftop as a result of site constraints.
4.2.3.9 Ventilation		
4.2.3.9(2)	Natural cross ventilation in dwelling units is to be achieved by having window openings facing different directions where possible. For single facing apartments, the depth of the apartment is to be less than the width of its external face to encourage good ventilation.	The proposal is compliant. Detailed advice on cross ventilation will be provided in the Urban Design Report.
4.2.3.9(3)	Dwelling units must not solely rely on lightwells or building setbacks enclosed on three sides by other buildings for natural ventilation.	Not relevant.
4.2.3.10 Outlook		
4.2.3.10(1)	Provide a pleasant outlook, as distinct from views, from all apartments.	Compliant.
4.2.3.10(2)	Views and outlooks from existing residential development should be considered in the site planning and massing of new development.	The proposal has responded to the surrounding context including views and outlook be provide an appropriate scale and building setbacks.
4.2.3.11 Acoustic privacy		

Clause	Provision	Compliance
4.2.3.11(2)	Where necessary, a residential development is to include acoustic measures to reduce the impact of noise from existing or planned external sources (for example busy roads, adjoining industries, live music venues and public parks and plazas in which people may congregate or host live music or events).	Acoustic assessment has been prepared by White Noise.
4.2.3.11(5)	The repeatable maximum LAeq (1 hour) for residential buildings and serviced apartments must not exceed the following levels: a) for closed windows and doors: i. 35dB for bedrooms (10pm-7am), and ii. 45dB for main living areas (24 hours). b) for open windows and doors: i. 45dB for bedrooms (10pm-7am), and ii. 55dB for main living areas (24 hours).	Acoustic assessment confirms that relevant criteria can be achieved through standard attenuation measures.
4.2.3.11(6)	These levels are to include the combined measured level of noise from both external sources and the ventilation system operating normally.	This is addressed in the acoustic assessment.
4.2.3.11(7)	To limit the transmission of noise to and between dwellings, all floors are to have a weighted standardised impact sound level (L'nT,w) less than or equal to 55 where the floor separates a habitable room and another habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like.	This is addressed in the acoustic assessment.
4.2.3.11(8)	The overall design and layout of dwellings, where appropriate, is to include: a) a limit on window size and number where oriented towards an intrusive noise source b) seals at entry doors to reduce noise transmission from common corridors or outside the building c) minimisation of the number of shared walls with other dwelling units d) storage, circulation areas, and non habitable rooms to buffer noise from external sources; e) double or acoustic glazing, and f) operable acoustic screens to balconies.	This is addressed in the acoustic report, and will be further considered at the DA stage.
4.2.3.12 Flexible housing and dwelling mix		

Clause	Provision	Compliance
	Developments that propose more than 20 dwellings are to provide a mix of dwellings consistent with the following mix: a) Studio: 5-10% b) 1 bedroom: 10-30% c) 2 bedroom: 40-75% d) 3+ bedroom: 10-100% The maximum percentage of 1 bedroom dwellings may be increased above 30% provided that the numbers of studio dwellings and 1 bedroom dwellings combined does not exceed 40% of the total dwellings proposed.	**2A-2D Wentworth Park Road** The proposed dwelling mix reflects LAHC's social housing needs for the local area, as follows: • Studio – 2 (6%) • 1 bed – 26 (74%) • 2 bed – 7 (20%) **17-31 Cowper Street** The proposed dwelling mix is compliant with the DCP, as follows: • 1 bed – 14 (36%) • 2 bed – 20 (51%) • 3 bed – 5 (13%)
	New development is to demonstrate that internal designs allow adaptation to different uses over time by: a) showing internal walls that can be easily removed b) locating services where they will not impede the future conversion of the unit into a different configuration c) incorporating, in at least 10% of dwellings in a development, the opportunity for parts of a dwelling to be separately or independently occupied, for example, dual key apartments without reducing the total percentage of any dwelling types below the minimum percentages defined in (1) above.	To be addressed at DA stage.
	4.2.3.14 Apartments with setback bedrooms	
4.2.3.14(1)	The total number of apartments with setback bedrooms cannot exceed 10 per cent of the units in a building. (Note: additional controls on setback bedrooms are included in 4.2.3.14)	Not applicable, setback bedrooms are not proposed.
	4.2.4 Fine grain, architectural diversity and articulation	
4.2.4(1)	The maximum street frontage length of an individual building is: a) 65m on streets with a width greater than or equal to 18m wide, and b) 40m on streets with a width less than 18m wide (refer to Figure 4.27).	Compliant. Street frontage lengths are less than 40m.
4.2.4(2)	Where the street frontage of the building exceeds the maximum length identified in provision (1), it is to be broken into two or	Not relevant.

Clause	Provision	Compliance
	more buildings each with different architectural characters to the street or public domain.	
4.2.4(3)	Each building facade is to be articulated into smaller elements at a scale or grain that reflects: a) the use of the building and the various components of the building b) the location of the building, or that part of the building relative to pedestrian or outdoor recreation activity, and c) the details and building elements including building entries, ground floor, lower floors, top floor and roof.	The reference design scheme outlines a highly articulated façade. The long façades of each building facing Cowper Street and Mitchell Lane are articulated into three main vertical elements. Further articulation is provided through brickworks and window openings. Further detail of the façade articulation would be provided at DA stage.
4.2.4(4)	Any two buildings are required to be separated by full height breaks consistent with the building separation provisions of the RFDC or as per below whichever is greater. Where the lower of the two buildings is (refer to Figure 4.28): a) up to 3 storeys, the break is to be at least 4m wide b) 4 storeys and above, the break is to have a width of 1m for each storey of the lower building. For example, where a 7 storey building must be separated from a 12 storey building, a minimum 7m separation is to be provided.	The separation distance across the laneway between the two buildings is 6.1m.
4.2.4(6)	Generally street block development is to provide at least two full height breaks between buildings to enable low level air flow and visual connections between the street and courtyards. Where possible, breaks between buildings are to be aligned with streets and lanes in the surrounding area.	Not relevant.
4.2.4(9)	Any part of a building less than 35m high and in excess of 40m long must be designed with at least two distinct building components, each of which is to: a) have its own architectural character; b) not exceed 25m in length with a preferred length of less than 20m.	Not relevant.
4.2.4(9)	Groups of dwellings served by the same vertical circulation lift or stair are to be designed as a distinct 'building component'. Generally for buildings up to 8 storeys high, these groups must not exceed 25 dwellings per core.	Compliant.
4.2.4(10)	Buildings less than or equal to 40m in length, may have a single architectural character	The buildings are less than 40 metres in length. The façade has been designed to be highly

Clause	Provision	Compliance
	provided that the facade elements establish a 'fine grain' articulation.	articulated to establish a fine grain. This is addressed in detail in the Urban Design Report.
4.2.5 Types of development		
4.2.5.2 Courtyard buildings and perimeter street block buildings		
4.2.5.2(1)	Where the courtyard is private and does not facilitate a publicly accessible through-site link, the space is to have a visual connection to the public domain through entrances and breaks in the building.	Not relevant.
4.2.5.4 Residential uses on the ground and first floor		
4.2.5.4(1)	Ground floor residential uses are to be provided with a minimum of: a) 3m primary building setback, except where a zero lot line has been established by existing adjacent development b) 4m setback from the site boundary to the glass line enclosing an internal space at the ground and first floor, and c) 3m wide deep soil landscape setback as a private front garden. The garden may be located up to 1m above the street level.	Reduced front setback has been provided consistent with surrounding development. Ground floor private open space is provided at the rear of dwellings, consistent with the terrace building typology in the surrounding area.
4.2.5.4(2)	Ground floor private open space facing the street is to be provided as a deck up to 2m deep.	Ground floor private open space provided at rear of dwellings, consistent with the terrace building typology in the surrounding area.
4.2.5.4(3)	Ground floor level is to be a maximum of 1.0m above the adjacent public domain level. On a sloping site step the ground floor levels to maintain an optimal relationship to the street for each dwelling.	Ground floor level is typically no greater than 1m above the street.
4.2.5.4(4)	Sills or opaque treatments to ground floor windows are to be a minimum of 0.8m above ground floor level to provide privacy.	To be confirmed at DA stage.
4.2.5.4(5)	Ground floor dwellings that face the street are to have individual entries to the street.	Compliant. Ground floor dwellings have individual street entrances.
4.2.5.4(6)	Balustrades to ground floor decks are to be predominantly open, with preference for contemporary steel palisade types.	To be confirmed at DA stage.
4.2.5.4(7)	A predominantly open contemporary steel palisade fence up to a maximum of 1.2m high may be located on the site boundary.	To be confirmed at DA stage.
4.2.5.4(8)	Minimise the size of first floor balconies where possible, to ensure adequate light reaches ground floor living areas.	Compliant.
4.2.6 Waste and recycling management		

Clause	Provision	Compliance
	4.2.6.1 General provision	
4.2.6.1(1)	Comply with the City of Sydney's Guidelines for Waste Management in New Developments.	An Operational Waste Management Plan has been prepared which addresses the City of Sydney's Guidelines. This has informed the waste provision in the reference design scheme design.
	4.2.6.2 Residential flat buildings and serviced apartments	
4.2.6.2(1)	A space is to be provided inside each dwelling for separate storage of at least two day's volume of general waste, recyclables and compostable material.	To be addressed at DA stage.
4.2.6.2(2)	Provide a centralised waste and recycling storage area(s) near the collection point with capacity to store all waste and recycling likely to be generated in the building in the period between normal collection times.	Central waste and recycling storage area identified to meet this requirement.
4.2.6.2(3)	Provide a separate space such as a room or screened area (in a designated area or room in or attached to the waste and recycling storage area) for the storage and recycling of bulky waste, textile waste and problem waste for collection.	Bulky waste storage area identified.
4.2.6.2(4)	The maximum walking distance from any entrance of a residential dwelling to the waste and recycling storage area is not to exceed 30 metres (lift travel distance not included) and should be located close to lifts and/or stairwells.	The proposal is able to comply.
4.2.6.2(5)	Space for composting and worm farming is to be available for all residents in a communal facility or in small private courtyards. Composting facilities are to be sited on an unpaved area with soil depth of at least 300mm.	To be addressed at DA stage.
4.2.6.2(7)	If a chute system is used in buildings with nine or less storeys, a waste chute is required plus space for recycling bins within chute rooms (at least two 240L recycling MGB per six residences serviced by that chute). A second recycling chute can be provided but is not required.	The proposal addresses this requirement.
4.2.6.2(8)	A chute room is required on each habitable floor that has a chute system. The chute room is to be designed in accordance with Section B in the Guidelines for Waste Management in New Developments.	To proposal addresses this requirement.

Clause	Provision	Compliance
4.2.6.2(9)	Minimise noise from the operation of the waste and recycling management system to residential units by: a) locating chutes away from habitable rooms, and b) provide acoustic insulation to the waste service facilities or residential units adjacent to or above chutes, waste storage facilities, chute discharge, waste compaction equipment and waste collection vehicle access points.	Able to comply. To be addressed at DA stage.
4.2.7 Heating and cooling infrastructure		
4.2.7(1)	For building maintenance and to future proof residential buildings to enable infrastructure upgrades, heating and cooling infrastructure is to be consolidated into a centralised basement location and near the street frontage where possible.	Able to comply. To be addressed at DA stage.
4.2.8 Letterboxes		
4.2.8(1)	Provide individual letterboxes where ground floor residential flat building units have direct access to the street.	Able to comply. To be addressed at DA stage.
4.2.8(2)	Provide a mailbox structure that meets the relevant Australia Post requirements. The mailbox structure is to be located close to the major street entry to the site. All letterboxes are to be lockable.	Able to comply. To be addressed at DA stage.