

URBIS

EAST WALKER STREET

Compliance Assessment Report

173-179 WALKER STREET
& 11-17 HAMPDEN STREET,
NORTH SYDNEY



1. NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2013 (NSLEP 2013)

Table 1: NSLEP 2013 Compliance Table.

Provision	Compliance	Comment
Zone R4 High Density Residential 1 Objectives of zone: <ul style="list-style-type: none"> To provide for the housing needs of the community within a high density residential environment. To provide a variety of housing types within a high density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To encourage the development of sites for high density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area. To ensure that a reasonably high level of residential amenity is achieved and maintained. 	✓	<p>The Planning Proposal will facilitate future high density residential development on the site which will provide for the housing needs of the community.</p> <p>A variety of housing typologies is envisaged.</p> <p>The concept scheme and test fits confirm that the building envelopes are capable of achieving compliance with SEPP65 and which is evident that a high level of residential amenity can be achieved on site and maintained on surrounding sites.</p> <p>The proposed DCP building envelope controls include specific provisions to ensure that any future building envelope is sympathetic to the surrounding heritage items.</p>
3 Permitted with consent Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Entertainment facilities; Home-based child care; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops ; Oyster aquaculture Places of public worship; Recreation areas; Residential flat buildings ; Respite day care centres; Roads; Semi-detached dwellings; Shop top housing	✓	<p>Future development on the site will include a neighbourhood shop and residential flat buildings. These land uses are permitted with consent in the R4 High Density Residential zone.</p>
Clause 4.3 Height of buildings The maximum building height under the current NSLEP 2013 is 12m.	See comment	<p>This Planning Proposal seeks to amend the NSLEP 2013 <i>Height of Buildings Map</i> to provide a maximum building height of RL133.</p>

Provision	Compliance	Comment
Clause 4.4 Floor Space Ratio No FSR applies to the site.	See comment	<p>The concept building envelopes comply with the height of buildings.</p> <p>This Planning Proposal seeks to amend the NSLEP 2013 <i>Floor Space Ratio Map</i> to provide a maximum of 6.1:1.</p> <p>The concept building envelopes comply with the proposed FSR control.</p>
Clause 5.10 Heritage Conservation (1) Objectives The objectives of this clause are as follows: <ul style="list-style-type: none"> a) to conserve the environmental heritage of North Sydney, b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, c) to conserve archaeological sites, d) to conserve Aboriginal objects and Aboriginal places of heritage significance. 	✓	<p>The East Walker Street Precinct does not contain any heritage listed items. The Precinct is not located in a heritage conservation area. There are heritage items to the immediate north of and north-west of the Precinct, including:</p> <ul style="list-style-type: none"> • Item 996 Stone Wall within the Walker Street and Hampden Street road reserve; • Items 984-987 Heritage listed dwelling houses at 144-150 Walker Street; and • Items 840-846 Heritage listed Victorian Terraces at 2-14 Hampden Street. <p>The concept proposal is sympathetic to nearby heritage items.</p>
Clause 6.3 Building heights and massing (1) The objectives of this clause are as follows: <ul style="list-style-type: none"> (a) (Repealed) (b) to promote a height and massing that has no adverse impact on land in Zone RE1 Public Recreation in the North Sydney Centre or land identified as "Special Area" on the North Sydney Centre Map or on the land known as the Don Bank Museum at 6 Napier Street, North Sydney, (c) to minimise overshadowing of, and loss of solar access to, land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone RE1 Public 	✓	<p><i>*This clause applies to land within the North Sydney Centre and therefore does not explicitly apply to the Precinct.</i></p> <p>The sun access plane projecting from Doris Fitton Park has guided the proposed building envelope and heights within the Precinct.</p> <p>The proposal will not result in any additional overshadowing to public open space in North Sydney CBD, east of the Warringah Freeway or to Doris Fitton Park.</p> <p>The shadow diagrams prepared by SJB and attached at Appendix A, confirm that overshadowing and loss of solar access to the adjacent residential zone is minimised.</p> <p>Further detailed solar analysis studies would be undertaken at the DA stage and individual buildings would be modelled to ensure a reasonable</p>

Provision	Compliance	Comment
<p>Recreation or land that is located outside the North Sydney Centre,</p> <p>(d) to promote scale and massing that provides for pedestrian comfort in relation to protection from the weather, solar access, human scale and visual dominance,</p> <p>(e) to encourage the consolidation of sites for the provision of high grade commercial space.</p> <p>(3) The consent authority may grant development consent to development on land in the North Sydney Centre that would exceed the maximum height of buildings shown for the land on the Height of Buildings Map if the consent authority is satisfied that any increase in overshadowing between 9 am and 3 pm from the March equinox to the September equinox (inclusive) will not result in any private open space, or window to a habitable room, located outside the North Sydney Centre receiving:</p> <p>(a) if it received 2 hours or more of direct sunlight immediately before the commencement of North Sydney Local Environmental Plan 2013 (Amendment No 23)—less than 2 hours of direct sunlight, or</p> <p>(b) if it received less than 2 hours of direct sunlight immediately before the commencement of North Sydney Local Environmental Plan 2013 (Amendment No 23)—less direct sunlight than it did immediately before that commencement.</p> <p>(5) In determining whether to grant development consent for development on land to which this Division applies, the consent authority must consider the following:</p> <p>(a) the likely impact of the proposed development on the scale, form and massing of the locality, the natural environment and neighbouring</p>	<p>✓</p> <p>✓</p> <p>See comment</p>	<p>degree of solar access and amenity is retained to adjoining properties.</p> <p>The proposed incentive provisions seek to encourage site consolidation which will facilitate high density, high amenity residential development.</p> <p>The proposed building envelopes are compatible with the height, bulk and scale of buildings within the immediate visual catchment of the Precinct.</p> <p>The built form responds to the characteristics of the site through the provision of front and rear setbacks, street wall heights, podium setbacks and the stepping of the built form to retain solar access to Doris Fitton Park and view corridors from west to east.</p> <p>The materials, finishes and the landscaped treatment within the front setback is envisaged to reflect the heritage characteristics within the visual catchment, providing for a modern yet sympathetic urban design outcome.</p>

Provision	Compliance	Comment
<p>development and, in particular, the lower scale development adjoining the North Sydney Centre,</p> <p>(b) whether the proposed development preserves significant view lines and vistas,</p> <p>(c) whether the proposed development enhances the streetscape in relation to scale, materials and external treatments.</p>	<p>✓</p> <p>✓</p>	
<p>6.12 Residential flat buildings</p> <p>(1) The objective of this clause is to ensure that dwelling houses or dual occupancies will not be left isolated on sites that are not reasonably capable of development for residential flat buildings.</p> <p>(2) This clause applies to land in Zone R4 High Density Residential.</p> <p>(3) Development consent must not be granted for development for the purposes of a residential flat building if the development will result in a single dwelling house or dual occupancy being located on adjoining land in Zone R4 High Density Residential unless:</p> <p>(a) the adjoining land is at least 900 square metres, or</p> <p>(b) the consent authority is satisfied that the adjoining land is land on which development may be carried out for the purposes of a residential flat building.</p>	<p>✓</p>	<p>As outlined in the Site Isolation Report prepared by Urbis (Appendix J) Redevelopment of 173-179 Walker Street in its own right, would not result in the isolation of 11-17 Hampden Street. These landholdings combine to achieve a site area of 1,610m². This is well in excess of the 900m² benchmark. If the two Hampden Street sites are developed independently of each other, they will be below the 900m² benchmark. However, this fact merely means that envelope testing etc is necessary. This work has been carried out by SJB and is attached to the Site Isolation Report.</p> <p>In short, envelope testing has confirmed that both the Walker Street properties and Hampden Street properties can feasibly achieve orderly and economic development under the current applicable planning controls, without amalgamation.</p>
Proposed amendments to NSLEP		
<p>6.20 East Walker Street Precinct</p> <p>(1) This clause applies to land that is identified as "Area 1" on the Special Provisions Map and comprises the land in:</p> <ul style="list-style-type: none"> ○ 173 Walker Street (SP 11082) ○ 175 Walker Street (SP 86752) ○ 177 Walker Street (SP 9808) ○ 179 Walker Street (SP 64615) ○ 11 Hampden Street (Lot 1 DP119732) 	<p>See comment</p>	<p>This Planning Proposal proposes to include this additional local provision to incentivise amalgamation.</p> <p>Any future development application would comply with this clause if</p> <ul style="list-style-type: none"> • all lots within "Area 1" (otherwise referred to as the East Walker Street Precinct) where amalgamated; and

Provision	Compliance	Comment
<ul style="list-style-type: none"> ○ 15 Hampden Street (Lot 1 DP591516) ○ 17 Hampden Street (Lot 2 DP591516) <p>(2) Despite Clause 4.3(2) and Clause 4.4(2), if all lots within "Area 1" are amalgamated, the consent authority may grant development consent to the erection of a building on land to which this clause applies, if the building:</p> <ul style="list-style-type: none"> (a) will not exceed a height of RL 148; and (b) will not exceed a floor space ratio of 6.7:1. <p>(3) Despite subclause (2), development to which this clause applies must not result in a net increase in overshadowing to Doris Fitton Park between 12pm - 2pm.</p> <p>(4) The consent authority must not grant development consent under this clause unless it is satisfied that there will be adequate provision for social and community infrastructure.</p>		<ul style="list-style-type: none"> • the maximum height of a building does not exceed RL148; and • the maximum FSR does not exceed 6.7:1; and • there is no additional overshadowing to Doris Fitton Park between 12pm-2pm; and • where adequate social and community infrastructure is provided. <p>Reference Scheme 2 of the SJB Urban Design Report includes a concept building envelope which complies with this clause.</p>



2. SEPP 65 & ADG SUMMARY ASSESSMENT

1.1 SEPP 65/ADG Requirements: Reference Scheme 1

Objective No.	Objective	Complies														
	Design criteria	Yes	No	Notes												
SEPP65/ADG REQUIREMENTS																
3D-1	Communal open space has a minimum area equal to 25% of the site	•		Communal open spaces provided at ground level (does not include landscaping along Walker Street) and on rooftop spaces. A minimum requirement of: • 585m ² for Site A • 403m ² for Site B The scheme provides: • 1,086m ² for Site A • 560m ² for Site B												
3E-1	Deep soil zones are to meet the following minimum requirements. <table><tr><th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr><tr><td>Less than 650m²</td><td>–</td><td rowspan="4">7%</td></tr><tr><td>650m² – 1,500m²</td><td>3m</td></tr><tr><td>Greater than 1,500m²</td><td>6m</td></tr><tr><td>Greater than 1,500m² with significant existing cover</td><td>6m</td></tr></table>	Site area	Minimum dimensions	Deep soil zone (% of site area)	Less than 650m ²	–	7%	650m ² – 1,500m ²	3m	Greater than 1,500m ²	6m	Greater than 1,500m ² with significant existing cover	6m	•		Deep soil zone provided at ground level, with a minimum requirement of: • 164m ² for Site A • 113m ² for Site B The scheme provides: • 725m ² for Site A • 308m ² for Site B
Site area	Minimum dimensions	Deep soil zone (% of site area)														
Less than 650m ²	–	7%														
650m ² – 1,500m ²	3m															
Greater than 1,500m ²	6m															
Greater than 1,500m ² with significant existing cover	6m															

Objective No.	Objective	Complies														
	Design criteria Design guidance	Yes	No	Notes												
3F-1	<p>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy</p> <p>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <table><tr><th>Building Height</th><th>Habitable Room and Balconies</th><th>Non Habitable</th></tr><tr><td>Up to 12 (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table>	Building Height	Habitable Room and Balconies	Non Habitable	Up to 12 (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	<ul style="list-style-type: none">		Able to comply, refer to plans on page 65-67 of the Urban Design Report
Building Height	Habitable Room and Balconies	Non Habitable														
Up to 12 (4 storeys)	6m	3m														
Up to 25m (5-8 storeys)	9m	4.5m														
Over 25m (9+ storeys)	12m	6m														
4A-1	<p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas</p>	<ul style="list-style-type: none">		Building envelopes can be made to comply, refer to page 61 of the Urban Design Report												
4B-3	<p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed</p>	<ul style="list-style-type: none">		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report												

1.2 SEPP 65/ADG Requirements: Reference Scheme 1

Objective No.	Objective Design criteria Design guidance	Complies		
		Yes	No	Notes
4C-1	Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	•		Can be made to comply, the envelope assumes a floor to floor height of 3.1m
	Minimum ceiling height for apartment and mixed use buildings			
	Habitable rooms			
	Non-habitable rooms			
	For 2 storey apartments			
	Attic spaces			
4D-1	If located in mixed use areas	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report

Objective No.	Objective	Complies																	
	Design criteria Design guidance	Yes	No	Notes															
SEPP65/ADG REQUIREMENTS																			
4D-1	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report															
4D-3.1	Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report															
4D-3.2	Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report															
4D-3.3	Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report															
4E-1	All apartments are required to have primary balconies as follows: <table border="1"><thead><tr><th>Dwelling Type</th><th>Minimum Area</th><th>Minimum Depth</th></tr></thead><tbody><tr><td>Studio Apartments</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartments</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartments</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartments</td><td>12m²</td><td>2.4m</td></tr></tbody></table> The minimum balcony depth to be counted as contributing to the balcony area is 1m	Dwelling Type	Minimum Area	Minimum Depth	Studio Apartments	4m²	-	1 bedroom apartments	8m²	2m	2 bedroom apartments	10m²	2m	3+ bedroom apartments	12m²	2.4m	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report
Dwelling Type	Minimum Area	Minimum Depth																	
Studio Apartments	4m²	-																	
1 bedroom apartments	8m²	2m																	
2 bedroom apartments	10m²	2m																	
3+ bedroom apartments	12m²	2.4m																	
4F-1.1	The maximum number of apartments off a circulation core on a single level is eight	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report															
4F-1.2	For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	•		Can be made to comply, refer to plans on page 65-67 of the Urban Design Report															

1.4 SEPP 65/ADG Requirements: Reference Scheme 1

Objective No.	Objective Design criteria Design guidance	Complies		
		Yes	No	Notes
4K-1	A range of apartment types and sizes is provided to cater for different household types now and into the future	•		Can be made to comply. The scheme has an apartment mix of: Site A – · Studio: 0% · 1 bed: 27% · 2 bed: 31% · 3 bed: 42% Site B – · Studio: 0% · 1 bed: 31% · 2 bed: 41% · 3 bed: 28%
4O-2	Landscape design contributes to the streetscape and amenity	•		· Able to comply, refer to plans on page 50-53 of the Urban Design Report

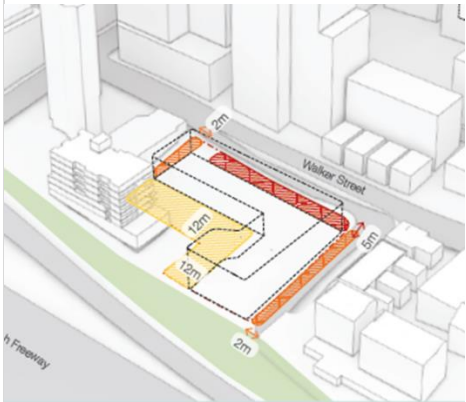
3. NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013 (NSDCP 2013)


Table 2: North Sydney DCP Compliance Table

Provision	Compliance	Comment
1.2 SOCIAL AMENITY		
1.2.1 Population Mix <p>P1 Developments should aim to achieve a dwelling yield that is generally consistent with Council's <i>Residential Development Strategy</i> (2009)¹, being approximately:</p> <p>90m² gross site area per apartment within a residential flat building</p> <p>P3 Despite P2 above, no more than 55% of all dwellings must comprise a combination of both studio and 1-bedroom dwellings.</p> <p>P4 Residential flat buildings containing 20 or more dwellings should provide a mix of dwelling sizes.</p> <ul style="list-style-type: none"> ○ Studio: 10-20% ○ 1 bedroom: 25-35% ○ 2 bedroom: 35-45% ○ 3 bedroom+: 10-20% 	<p>See comment</p> <p>✓</p> <p>✓</p>	<p>Residential yield will be provided in accordance with the FSR permitted on the site under clause 4.4 of the NSLEP 2013.</p> <p>No more than 55% of dwellings will be 1 bedroom.</p> <p>A dwelling mix will be provided in accordance with P4.</p>
1.2.2 Maintaining residential accommodation <p>P1 Development, whether it comprises new buildings or alterations/additions to existing buildings, should ensure that the existing residential density on site is not reduced</p>	✓	<p>The Planning Proposal will have the effect of increasing residential dwellings within the Precinct from 45 dwellings to 230-300 dwellings.</p>
1.3 ENVIRONMENTAL CRITERIA		
1.3.1 Topography <p>P1 Development should not result in the ground level (finished) being greater than 500mm above or below ground level (existing).</p> <p>P3 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.</p>	<p>See comment</p> <p>✓</p>	<p>The Precinct significantly slopes from the south west to the north east, resulting in an 8m variance between the Walker Streetscape and the eastern boundary of the site.</p> <p>The ground level will be raised so that it is level with the respective street frontages.</p> <p>Rock outcrops and sandstone retaining walls do not require removal</p>

Provision	Compliance	Comment
P4 Excavation should not occur within 1m of any property boundary	✓	Excavation will not occur within 1m of any property outside of the Precinct.
P5 The depth of soil around buildings must be sufficient to sustain trees as well as shrubs and smaller scale gardens.	✓	12m rear setbacks allow for dedicated deep soil zones.
1.3.6 Views	✓	A VIA has been undertaken by Richard Lamb which confirms that the proposed amendments to the LEP in relation to maximum building height is suitable for the Precinct and that iconic and highly valued views will remain unimpacted.
P1 Development should be designed such that views from streets and other public places, as identified in the relevant area character statement (refer to Part C of the DCP), are not unreasonably obstructed.		
P2 Development should be designed to maximise the sharing of views from surrounding properties and public places.	✓	Any future building envelope proposed within the precinct, in accordance with the proposed LEP and DCP controls, must be designed in such a way as to promote view sharing from the residential properties to the west of Walker Street.
P3 Ensure that existing and proposed dwellings will have an outlook onto trees and sky.	✓	Any future development application will be subject to assessment against the tenacity principles.
P4 Where a proposal is likely to adversely affect views from either private or public land, Council will give consideration to the Land and Environment Court's Planning Principle for view sharing established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140. The Planning Principle is available to view on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec).	✓	
1.3.7 Solar access	✓	Solar access will comply with the requirements of ADG. Refer to SEPP65 assessment.
P2 Despite P1 above, living rooms and private open spaces for at least 70% of dwellings within a residential flat building should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).		
1.3.8 Acoustic privacy	✓	The site is located amongst other residential land uses. ADG compliant separation distances will assist in providing acoustic privacy within any future development. Acoustic treatment will be provided to window affected by traffic noise.
1.3.10 Visual privacy	✓	As illustrated in the SJB Report provided in Appendix A , the building envelopes have been designed to achieve compliance with ADG separation distances. Refer to SEPP65 assessment.
Building Separation		
P1 Provide visual separation between any non-residential use and dwellings.		
P2 Residential flat buildings are to provide adequate separation between habitable		

[illegible]

Provision	Compliance	Comment
<p>P2 – 1.5m with a building height plane commencing at 3.5m above ground level</p> <p>P3 Despite P2 above, Council may grant consent to a development with a 0m setback to a side boundary. However, Council must not grant consent, unless the applicant has satisfactorily addressed the questions identified in the Land and Environment Court Planning Principle —Building to the side boundary in residential areas established in <i>Galea v Marrickville Council</i> [2003] NSWLEC 113.</p> <p>P4. Side setbacks should match those on adjoining properties or setbacks identified in the character statement.</p> <p>Rear</p> <p>P5 Provide rear building setbacks that match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement.</p> <p>P6 Despite P5 above, buildings within the R4 – High Density Residential zone must be setback a minimum of 1.5m from the rear boundary</p>	<p>See comment</p> <p>✓</p> <p>✓</p> <p>✓</p>	<ul style="list-style-type: none"> - nil internal side setbacks, nil setback to the eastern edge of Hampden Street - 2m side setback to the southern edge of Walker Street  <p>The relevant Planning Principle will be addressed at the DA stage, if required.</p> <p>Buildings within the Hampden Street Neighbourhood are characterised by nil setbacks. This includes 88 Berry Street and the properties at 2-14 Hampden Street.</p> <p>The proposed amendments include a 12m rear DCP setback control. This exceeds the standard DCP provision for residential flat buildings in the R4 zone.</p>
<p>1.4.7 Form, massing & scale</p> <p>P5 Facades of buildings which face any public street should not be dominated by large expanses of glass (i.e. facades should incorporate smaller door and window openings, so that glass does not dominate the façade).</p> <p>P7 Residential flat buildings should use a pitched roof form to reflect the prevailing roof typology or that identified in the relevant area character statement</p>	<p>✓</p> <p>✓</p>	<p>As illustrated on the CGI's submitted with the Planning Proposal, the envisaged design does not include large expanses of glass on the façade.</p> <p>The proposed roof form will reflect the prevailing character of the area. This includes landscaped, communal rooftop areas.</p>
<p>1.4.8 Built form character</p> <p>Residential Flat Buildings</p> <p>P8 Building facades should be modulated in plan and elevation and articulated to reduce the appearance of the building's bulk and to</p>	<p>✓</p>	<p>Building facade will be modulated in line with the stepped and articulated nature of the building, providing for greater visual interest.</p> <p>Refer to the CGI images submitted with the Planning Proposal.</p>

Provision	Compliance	Comment
express the elements of the building's architecture.		
1.4.12 Colours and materials P2 Natural colours and muted and earth tones should be used for major areas of the building, such as walls and roof, with stronger colours restricted to smaller features, such as window frames, doors and decorative features.	✓	Final colours and materials will be subject to assessment at DA stage. It is envisaged that this would include sandstone and soft natural hues that complement the surrounding heritage character of the area. 
1.4.13 Balconies – Apartments P1 Apartments must be provided with at least one balcony with a minimum depth of 2m and a minimum area of 8m ²	✓	All apartments will comply with the minimum requirements of the ADG.
1.5 QUALITY URBAN ENVIRONMENT		
1.5.3 Safety and security P1 Maximise views of the street and dwelling entries and communal areas within the development (from dwelling entries, windows and balconies).	✓	The proposal will increase casual surveillance of the streetscape through the orientation and placement of balconies, expansive landscape streets and the café which includes a spill out area, activating the streetscape.
1.5.4 Vehicular Access & Car Parking P1. Comply with the parking requirements within Part B: Section 10 – Car parking and transport P2 All parking associated with multi dwelling housing and residential flat buildings must be provided underground (i.e. within a basement). P6 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.	✓ ✓ ✓	The reference scheme provides for 203-229 car parking spaces which is well below the maximum permitted within the DCP. Refer to Traffic Impact Assessment Report (Appendix F). Basement parking is proposed. All vehicles will be able to enter and exit in a forward direction.
1.5.5 Site Coverage P1 Maximum site coverage: 45%	See comment	The proposed DCP building envelope has an approximate site coverage of 50% for the precinct. This is consistent with other residential flat buildings in the

Provision	Compliance	Comment
		immediate area. The site outperforms the requirements for deep soil planting.
1.5.6 Landscape Area P1 minimum landscaped area and maximum un-built upon areas are: Landscape (min) - 40% Un-built upon area (max) – 15%		Site landscaping will be provided in accordance with the requirements of the ADG.
1.5.7 Excavation P4 Consent must not be granted to a development for the purposes of multi dwelling housing or residential flat buildings in any residential zone, where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area. P5 Where practical, a) A minimum of 50% of the un-excavated area should be located at the rear of the site. b) A minimum of 30% of the unexcavated area should be located within the front setback c) A minimum 1.5m wide strip of landscaped area should be located along at least one site boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits. P6 Basement car parks where permitted, must not extend to the full width of a site.	<div style="text-align: center;">✓</div> <div style="text-align: center;">✓</div> <div style="text-align: center;">✓</div> <div style="text-align: center;">✓</div>	<p>Excavation will not exceed 70% of the site area</p> <p>The reference schemes confirm that a substantial deep soil zone is capable of being achieved with the rear setback area.</p> <p>Basement location and excavation details will be subject to assessment at the DA stage.</p> <p>The reference scheme provides for landscaping at a width of 5m along Walker Street boundary, 2m along Hampden Street and 12m at the rear boundary, outperforming the requirements of this provision.</p> <p>Final layout of basement parking will be subject to final lot amalgamation and detailed design.</p>
1.5.8 Landscaping P2 Retain existing trees wherever practical	See comment	Existing trees will be removed and replaced with new street trees consistent with the landscaping nature of the locality.
1.5.13 Garbage storage P1 On-site garbage storage areas must be provided which are capable of accommodating at least the number of garbage and recycling bins indicated in Table B-1.10. No. of garbage bins required: 1 x 240 litre bin / 4 dws or part thereof	✓	Sufficient space is provided in the basement to accommodate the required garbage rooms.

Provision	Compliance	Comment
No. of recycling bins required: 1 x 140 litre bin / 2 dws or part thereof; or 1 x 240 litre bin / 4 dwellings or part thereof		
1.5.14 Site facilities P2 Provide a lockable mailbox, for each dwelling, close to the main pedestrian entry to the dwelling or building.	✓	Mailboxes will be provided within the pedestrian entrances off Walker Street and Hampden Street.
10.2 PARKING PROVISION		
10.2.1 Quantity Requirements P1 Provide on-site car parking, including visitor parking at the maximum rates stated in Table B-10.1. <u>Maximum Parking Rate</u> Studio, 1-2 bedrooms 1 per/dw 3 or more bedrooms 1.5 per/dw Visitor 0.25 per/dw	✓	The reference scheme provides for 203-229 car parking spaces which is well below the maximum permitted within the DCP. Refer to Traffic Impact Assessment Report (Appendix F).
SECTION 12 – ACCESS		
NSDCP includes provisions requiring development meet the minimum requirements of the Building Code of Australia (BCA) and relevant Australian Standards	✓	A future development application will be assessed in regards to the relevant BCA and accessibility requirements applicable to the proposed use.
SECTION 13 – HERITAGE AND CONSERVATION		
With regard to development in the vicinity of heritage items development is required to: <ul style="list-style-type: none">- Respect and respond to the curtilage, setbacks, form, scale and style of the heritage item in the design and siting of new work. Maintain significant public domain views to and from the heritage item.- Ensure compatibility with the orientation and alignment of the heritage item.- Provide an adequate area around the heritage item to allow for its interpretation.- Retain original or significant landscape features that are associated with the	✓	The site is not identified as a heritage item, nor is it located in a heritage conservation area. There are however several heritage items located within proximity to the Precinct, including the stone retaining wall dissecting Walker Street, which runs parallel to the western boundary. Other heritage items include a group of late nineteenth century houses at 144-158 Walker Street to the north west of the subject site and a row of terrace houses on the northern side of Hampden Street, at 2-14 Hampden Street. A Heritage Impact Assessment has been carried out by Weird Phillips. It is established that the Planning Proposal does not result in unacceptable heritage impacts.

Provision	Compliance	Comment
heritage item or that contribute to its setting.		
PART C – CHARACTER STATEMENTS (Section 2 – North Sydney Planning Area)		
2.4 Hampden Neighbourhood		
2.4.1 Significant elements		
<p>Views</p> <p>P4 The following views and vistas are to be preserved and where possible enhanced:</p> <p>(a) Maintain views of Kirribilli and the Harbour from Walker Street.</p> <p>(b) Strong vista along Walker Street to southern part of CBD.</p> <p>Identity / Icons</p> <p>P5 North Sydney Club</p> <p>P6 Warringah Expressway, a major arterial thoroughfare.</p> <p>P7 Sandstone wall in the middle of Walker Street</p> <p>Streetscape</p> <p>P8 Tree lined streets with grassed verges and concrete footpaths.</p> <p>P9 Split level streets to Hampden Street.</p> <p>P10 Landscaped medians on Hampden Street.</p> <p>P11 Double rail timber fences on Hampden Street.</p> <p>P12 Low front fences of brick or masonry on Walker Street.</p> <p>P13 Residential flat buildings are setback from the boundary and aligned with the street frontage.</p> <p>Public transport</p> <p>P14 Development to take advantage of reasonable proximity to high levels of public bus and train services.</p> <p>P15 Public transport, cycling and walking are the main forms of public transport.</p>		<p>Views</p> <p>P4 Views are maintained from Walker Street and to the southern part of CBD.</p> <p>Identity / Icons</p> <p>P5 Noted</p> <p>P6 Noted</p> <p>P7 Sandstone wall retained</p> <p>Streetscape</p> <p>P8 Character of streets are improved to be treelined with grassed verges in line with desired character</p> <p>P9 Split level Hampden Street retained</p> <p>P10 Landscaped median on Hampden retained</p> <p>P11/12 Street frontages to include inviting and green open space in keeping with broader character of precinct and the Landscape plans in the proposal</p> <p>P13 Buildings are set back from boundary and aligned with street frontage</p> <p>Public Transport</p> <p>P14 Takes advantage of public bus and train services</p> <p>P15 Public transport is the main form of transport</p>
2.4.2 Desired Future Character Diversity		<p>P1 Modern multi-level residential flat buildings that have form</p> <p>P2 Hampden terraces are retained</p>

Provision	Compliance	Comment
<p>P1 A mixture of modern multi-level residential flat buildings with older low rise residential flat buildings.</p> <p>P2 Retention of the 2-3 storey original attached dwelling houses on Hampden Street.</p> <p>Accessibility and permeability</p> <p>P3 Pedestrian walk along the western side of Warringah Expressway accessed from Hampden Street.</p>		<p>P3 Capable of incorporating western walkway if it eventuates.</p>
<p>2.4.3 Desired Built Form</p> <p>Form, scale and massing</p> <p>P1 Early and original residential buildings complement the topography to maintain views and easy access.</p> <p>P2 Ground floors may not relate to street level due to topography of the area, with high sandstone retaining walls at ground level.</p> <p>P3 Generally a maximum of 2 storeys on Hampden Street.</p> <p>Setbacks</p> <p>P4 Maintain existing setbacks from property boundary along the eastern side of Walker Street and the northern side of Berry Street.</p> <p>Fences</p> <p>P5 Low fences (max 800mm)</p> <p>P6 Small picket fences above sandstone bases</p> <p>Car parking</p> <p>P7 Located off-street and below ground for all residential flat buildings and multi dwelling housing.</p> <p>P8 Located on-street parking for all heritage listed attached dwellings.</p> <p>P9 Short term on-street meter parking.</p> <p>P10 Existing sandstone retaining walls on street frontages must not be breached to accommodate garages or car parking spaces.</p> <p>Streetscape</p> <p>P11 Heritage features such as Walker Street and Hampden Street sandstone walls.</p> <p>P12 Substantial gardens within front setback area.</p>		<p>P1 A mix of new and original residential buildings complement the topography</p> <p>P2 Noted</p> <p>P3 Two storey terraces on Hampden retained and street wall height fronting Hampden aligns with those two storey terraces to maintain the character</p> <p>P4 The noted setbacks are maintained</p> <p>P5 Noted</p> <p>P6 Noted</p> <p>P7 Parking located off street and below ground</p> <p>P8 On street parking retained</p> <p>P9 Metered parking retained</p> <p>P10 Noted</p> <p>P11 Heritage features retained</p> <p>P12 Gardens front Walker and Hampden</p> <p>P13 Steps and pathways on Walker and Hampden maintained</p> <p>P14 Landscaping is included in front gardens/private open space</p> <p>P15 Tree lined streets and mature vegetation on medians is retained.</p> <p>P16 Noise minimisation on Warringah Fwy fronting elevations can be incorporated</p>

Provision	Compliance	Comment
<p>P13 Steps and pathways along Walker and Hampden Streets are maintained.</p> <p>P14 Landscaping in front gardens/private open space.</p> <p>P15 Tree lined streets and mature vegetation on median enhances area.</p> <p>Noise</p> <p>P16 Elevations of buildings fronting the Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).</p>		
<p>2.4.4 East Walker Street Precinct Controls</p> <p>Where there is an inconsistency between the East Walker Street Precinct Controls and the Hampden Neighbourhood Controls, the East Walker Street Precinct Controls prevail.</p> <p>Front Setbacks</p> <p>P17 – 5m to Walker Street</p> <p>P18 – 2m to Hampden Street</p> <p>Side Setbacks</p> <p>P19 – Nil Side setbacks, up to RL82</p> <p>Rear Setbacks</p> <p>P20 – 12m for Walker Street properties</p> <p>P21 – 12m for Hampden Street properties</p> <p>Street wall height (podium)</p> <p>P23 – A street wall height of up to 3 storeys for the Hampden Street properties</p> <p>P24 – Nil street wall height for the Walker Street properties</p> <p>Upper level podium setbacks</p> <p>P25 – A 3m upper level podium setback</p>	✓	<p>As outlined in response to 2.4, the proposed setback provisions ensure that the Hampden Neighbourhood Character is maintained with close consideration and incorporation of the desired streetscape, built form and vegetation, open space character.</p> <p>All future DA's will comply with the specific controls applicable to the Precinct.</p>