APPENDIX F

An assessment of the proposal against Sutherland Shire Development Control Plan 2015.

Sutherland Shire DCP 2015		
Chapter 24 – B3 Commercial Core Sutherland		
REQUIRED	**PROPOSAL**	**COMPLIANCE**
4.2 Streetscape and Built Form		
Cl 1. Development must comply with the relevant building envelope where shown on Sutherland Potential Built Form Plan, and with the design guidelines for specific sites where shown.	Complies with the exception of north west tower.	No, see discussion in "Assessment" Section of this report.
Cl.3 Where the Potential Built Form Plan identifies a pedestrian arcade, public walkway or other public thoroughfare through a development site, the minimum width is to be 6m.	A 3.5m side boundary setback, which incorporates a pedestrian link along the western boundary of the site is provided. The remaining width of the link is to be provided on the adjoining site (No 808 OPH) when it is redeveloped in the future, in accordance with SSDCP2015.	Yes
Cl.4 Development must be designed and sited so that it addresses the street and must have a clearly identifiable entry.	Pedestrian access for the commercial component is provided off Eton Street, and a residential component is provided off Boyle St. Pedestrians are directed to the entry points through the curved edges of the building. Eton Street is the logical location for the commercial entry point, being more proximal to the surrounding civic uses.	Yes
Cl.5 Development should acknowledge the established rhythm and scale of existing shopfronts/small lot subdivisions in vertical façade proportions.	Although a building of this scale is foreign it its current context, the volume is broken into separate "tower" elements, with upper levels reducing in floor plate helping to reduce the perception of massing and scale. The 2 storey street wall covered by a continuous awning to allows the building to respect the established commercial context and pedestrian scale of surrounding development.	Yes
Cl.6 The building form must be articulated to avoid large expanses of unbroken wall and to visually reduce bulk.	No large expanses of unbroken walls are proposed.	Yes

Cl7. Where development has two or more road frontages, vehicular access shall be from the lowest order road. Vehicular access is to be from a rear lane where such is provided.	All vehicular access is proposed from Mccubbens lane, with the exception of the non-commercial entry, which is provided from Boyle St.	Acceptable, refer to "Assessment"section of this report for further discussion.
Cl.8 Highly reflective materials are not acceptable for roof or wall cladding.	Building comprises grey/white painted render and zinc cladding on walls and concrete roof. The reflectivity rating of the zinc cladding falls within the acceptable range.	Yes
Cl.9 Where a basement carpark extends above the NGL, it is to be designed to ensure that podiums and vehicular entries does not dominate the overall design of the building or streetscape. Driveway walls adjacent to the entrance of a basement car park are to be treated so that the appearance is consistent with the external finish of the building.	The basement level does not extend above existing/natural ground. Basement parking entry will be screened by a decorative door, to allow the opening to present seamlessly to the Boyle Street elevation.	Yes
Cl.10 Development should contribute to a comfortable pedestrian environment with improvement to signage, lighting, planting, awning cover and seating where appropriate.	The development will improve pedestrian amenity by providing a continuous awning which is not currently present on the site. The pedestrian link on the western boundary is also proposed to be widened, and upgraded with lighting, street furniture, planting, and paving. Public works are proposed which will be detailed in a future road frontage works application.	Yes
Cl.13 Residential flat building, shop top housing, commercial premises or industrial development must include the replacement of existing local distribution power lines and other utilities with subsurface utilities and the provision of new street lighting to meet the requirements of the Public Domain Design Manual.	A condition of consent has been recommended which requires the undergrounding of power lines to form part of the future road frontage works application.	Yes, subject to condition.
5. Design Guidelines for Specific Sites		
Site 6: Amalgamated site comprising lots at A1, 1-3 and 5-7 Boyle St.		
Cl. 1 Development on this site should maintain the existing pedestrian accessway from Boyle St to Mccubbens Lane and hence to Flora Street.	A 3.5m setback to the building which accommodates a pedestrian accessway is proposed.	Yes

Cl.2 The pedestrian way should have a minimum width of 6 metres.	A 6m pedestrian way, shared over the subject site and the adjoining site at No. 808 Old Prince Hwy, is proposed as detailed in the site specific plan for the site within the DCP.	Yes
Cl.3 To improve pedestrian access through Muston Lane and Mccubbens lane a 2m building setback from the southern side of Mccubbens Lane is required to widen the Pedestrian access way. Muston Lane and Mccubbens Lane will be shared ways.	A 2m building setback is proposed to Mccubbens Lane.	Yes
6. Amalgamation Requirements		
Cl.1 Development of land identified on the Sutherland Amalgamation Map as subject to an amalgamation requirement, is to follow the identified amalgamation pattern.	Proposal includes all land identified for amalgamation in *Site 6: Amalgamated site comprising lots at 1A, 1-3 and 5-7 Boyle St.*	Yes
Cl.2 Lots must be of sufficient width to accommodate development. A site of minimum width of 20m is appropriate for larger scale centre development.	The subject site is 48.76m wide.	Yes
7. Street Setbacks		
Cl.1 Unless specifically identified in the Sutherland Potential Built Form Plan, Sutherland "Specific Site" guidelines, or a clause, the first two storeys of new development must have a nil setback to the street, with a wall height of 8-10m to an active street frontage.	Nil setback proposed to Boyle Street and Eton Street for first two storeys. 2m setback provided for first two storeys at Mccubbens Lane frontage consistent with "specific site" design guidelines.	Yes
Cl.2. New development of greater than two storeys shall have a two storey wall height (8-10m) to an active frontage, and a minimum setback of 4m for the upper storeys, above the two storey wall height. * Note: Diagram on page 30 suggests balconies can project 2.5m into 4m setback zone.	Two storey active frontage is Eton Street, Boyle Street proposed, which includes retail/office uses. Two storey wall height to Mccubbens Lane (semi-active frontage). Above the two storeys, proposal provides min. 4m setback with the exception of the following: • Level 2 balcony balustrade associated with unit 202, 203 and	Yes No, but acceptable. Refer discussion in "Assessment" section of report.

	204 is setback 1m from Eton and Boyle St; • A portion of corner units (203, 303, 403, 503, 603, 703 and 802) at a 3m setback; • Articulation bands at a 3.8m setback.	
8. Landscape		
Cl.1 Existing street trees in good health are to be retained and protected. A minimum street tree planning rate is set at one indigenous canopy tree that will attain a minimum mature height of 6m to be planted at a maximum spacing of 5m planted at least 1m from kerb or footpath.	Street trees are present on Boyle and Eton Street. No trees are required to be removed as part of the proposal.	Yes
Cl.2 Where planting is proposed on podiums, rooftops or within planter boxes, the spaces to be planted must be designed and constructed to contain a minimum of 600mm soil depth. Landscaping on podium levels and planter boxes should be accessible for gardener access.	Amended architectural and landscape plans indicate variable depths across podium levels for planting. The majority of planters are 660mm, 800mm or 1m in depth. Some of the smaller width planters on level 02 are 350mm in depth, where only groundcovers are proposed. The depths are suitable for the planting proposed. Landscaping is accessible.	No, however generally compliant, minor variations are reasonable.
Cl.3 Where planting is proposed on rooftops or within planter boxes, the space to be planted must be designed and constructed to contain a minimum soil depth of: • 450mm for grass and ground covers • 600mm for shrubs • 900mm for small trees • 1200mm for large trees	The revised Architectural drawings demonstrate appropriate sized areas across podium levels for planting. The Landscape plans have been updated to reflect this.	Yes
Cl.4 Where trees are proposed on roofs or planter boxes, an area of 3m x 3m per tree must be provided.	2 x planter beds containing two trees each (with understorey plants) are proposed at 0.9m x 6m on the common open terrace on level 7. Despite the dimension shortfall the proposed planter beds of this have a soil volume capable of supporting the Dracaena draco	No, but acceptable.

	tree species proposed to be planted in this location.	
Cl.5 Appropriate paving must be provided to driveways, walkways, entries, fire egress points and the like.	Paving is provided throughout the development to service all of these uses.	Yes
9. Active Frontages		
Cl. 1 Active frontages at footpath level are to be provided in accordance with Sutherland Centre Active Frontage Map.	The *Active Street Fronts map* indicates Boyle and Eton Street as a "Required active street frontage" and Mccubbens Lane as a "Semi Active Street Frontage". The design proposes to activate Boyle and Eton Street with glass- front retail uses at a nil setback.	Yes
Cl. 2 Active frontages must be at footpath level along the full length of the building frontage.	Boyle Street and Eton Street are provided with active frontages along the full length of each frontage, with the exception of the driveway ramp to the basement. See further discussion in "Assessment" section regarding the basement access.	Yes
Cl.3 Places indicated on the map as semi active are locations where active commercial premises or retail frontages are required but need not be continuous.	Retail tenancy 04 (north-west corner) is oriented toward Mccubbens Lane and provided with a total 5m setback to the lane. The design lends itself to a potential future use as a café with outdoor dining. The location will draw pedestrians through Mccubbens Lane and the pedestrian link, and is a reasonable response.	Yes
Cl.4 Vehicle entrances and service areas are not be located in active street frontages.	Driveway access from the Boyle Steet active frontage is provided in response to Council's request.	No, but acceptable. See further discussion in "Assessment" section regarding the basement access.
Cl.5 Continuous awnings must be provided along shopfronts and active street frontages. Awnings are to be designed to maintain street canopy trees that form part of the landscape character of the locality.	A 3m wide awning provided over Eton Street and Boyle Street shopfronts.	Yes
Cl.6 Shop fronts are to be glazed to ensure visual interest, provide borrowed light and surveillance to the street.	All shop fronts are fully glazed.	Yes
10. Side and Rear Setbacks		
Cl.1 Unless specifically identified in the Sutherland Potential Built	Setbacks are identified in "Specific Site" guidelines.	Yes

Form Plan, Sutherland "Specific Site" guidelines or a clause, a nil setback to side and rear boundaries is permitted.		
Cl.2 Where an active street frontage is required on the Active Street Front Map, nil boundary setbacks are required for all ground floor uses to allow for the provision of continuous awnings over public footpaths.	Nil setback provided on Boyle St and Eton St active frontages.	Yes
Cl.3 Building separation for residential uses should be in accordance with SEPP65 and the Apartment Design Guide.	Provided. Refer separate compliance table in Appendix #.	Yes
11. Building and Site Layout		
Cl. 1 New Development shall incorporate passive solar building design, including the optimisation of sunlight access and the minimisation of heat loss and energy consumption, to avoid the need for artificial heating and cooling.	The dwellings comply with the sunlight access requirements contained in the ADG, which also seek to achieve this aim. The retail and office components have been designed to optimise sunlight and daylight access through the provision of extensive glazing.	Yes
Cl.2 All loading, unloading and manoeuvring of vehicles shall take place within the curtilage of the site, and vehicles are to enter and exit the site from a rear laneway wherever possible and in a forward direction at all times.	Loading dock has been provided to allow on site loading and unloading. Service vehicles need to reverse into the loading dock. The reverse manoeuvre is acceptable, given vehicles will be entering the site from a rear laneway, and will avoid disruptions and conflicts on the main road network. Waste collection is considered in detail in the "assessment" section of this report.	Yes
Cl. 3 Loading areas shall be located to avoid on-street loading and be freely available for use at all times.	Loading bay will encourage off street loading and a condition of consent has been recommended to ensure it is available for use at all times.	Yes
Cl. 4 Non-residential and residential land uses in the same development shall be sited and designed to not adversely affect the residential amenity of building occupants.	Residential and non-residential land uses are provided on separate levels, and the parking is also allocated on different basement levels. The pedestrian access points are separate and well defined, with the commercial component access point from Eton St, and residential from Boyle St.	Yes

12. Shop Top Housing and Residential Flat Buildings		
The clause 12 SSDCP2015 controls replicate the ADG requirements. This section appears intended for developments where SEPP65 does not apply. ADG considerations as they relate to the subject development is detailed in Appendix # of this report.		
13. Adaptable Housing		
Cl 1. All new shop top housing must provide dwellings designed in accordance with the Australian *Adaptable Housing Standard (AS4299)* to Class C Certification at the following rates: • Developments of 6 or more dwellings – 20% adaptable (8 dwellings).	Eight dwellings are required to be adaptable, and have been illustrated at units 206, 306, 405,406, 407,505, 506, 507. Each unit is provided with an adaptable parking space on the basement 03 or 04 level.	Yes
Cl 4. An applicant will need to demonstrate compliance with the adaptable housing provisions. This may include a report prepared by an appropriately qualified person submitted with the development application.	An Access Assessment Report prepared by BCA Logic (5th September 2018) has been submitted to Council which specifies how the proposal has addressed Councils DCP, the Australian Standards, and the NCC.	Yes
Cl.5 The design of adaptable dwellings must be integrated into the development with the use of consistent materials and finishes.	The dwellings are within the development, and are indistinguishable from non-adaptable units.	Yes
13. Liveable housing		
Cl 1. In addition to complying with the adaptable housing rates in clause 1 above, all new residential flat buildings must provide 'livable dwellings (i.e., dwellings designed to Silver Standard *Livable Housing Design Guidelines*) at the following rates: • Developments of 6 or more dwellings –10% of dwellings (4 dwellings)	Four apartments are required to be livable, and have been provided at units 605, 606, 607 and 801. Each unit has been provided with a livable parking space in basement level 03 or 04.	Yes
Cl.3 Dwellings provided in accordance with Clause 1 must incorporate the following *Livable Housing Design Guidelines*: • An accessible continuous path of travel from the street entrance and/or parking area to dwelling entrance. • At least one level entrance into the dwelling. • Internal doors and corridors width that	Adaptation plans have been provided which demonstrate that livable dwellings are capable of compliance.	Yes

facilitate comfortable and unimpeded movement between spaces. • A toilet on the ground (or entry) level that provides easy access. • Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date. • A continuous handrail on one side of any stairway where there is a rise of more than one metre.		
Cl.4 On-site car parking spaces shall be in accordance with Australian Standard – AS 2890.1 (as amended) and Australian Standard – AS 2890.6.	Livable dwellings have been allocated wider parking spaces and are capable of complying with the AS. A condition of consent is recommended to ensure the design is constructed and certified as compliant with the silver standard livable housing guidelines.	Yes
Cl.5 Where proposed, all 'livable' dwellings must be clearly identified on the submitted DA plans.	Liveable dwellings are clearly identified on the architectural plans.	Yes
13. Visual and Acoustic Privacy		
Cl 1. Locate, orientate and design new development to ensure adequate visual privacy between buildings and adjacent private open space.	Setbacks between windows and balconies is provided in accordance with the ADG to ensure visual privacy is achieved. The building benefits from three street frontages, and generous setbacks, particularly to the 20m tower element which will allow residents to use their private spaces without being overlooked.	Yes
Cl 2. Use building design to increase privacy without compromising access to light and air.	Balconies are positioned at the building corners, and offset to neighbouring windows to maximise privacy.	Yes
Cl.3 All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters must be designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened.	A condition of consent has been recommended to ensure acoustic attenuation of plant and equipment is imposed to ensure the proposal does not exceed the Project Specific Noise level when measured at the most affected point on or within any residential property boundary.	Yes
Cl.4	The proposal is identified as affected by rail noise on the road and rail noise buffer map.	Yes

Residential development adjacent to a rail corridor or a busy road as identified on the Road and Rail Noise Buffer Map should be sited and designed to include noise and vibration attenuation measures to minimise noise and vibration impacts.	A Rail Noise and Vibration Assessment (Day Design, 4 September 2018) has been submitted. Given the distance from the train line to the closest façade of the building, and the amount of the train pass-by's expected on the train line, the level of noise emission is such that no specific acoustic measures are necessary to meet the internal noise criteria to comply with the acceptable limits.	
14. Safety and security		
Cl 1. The design of development is to incorporate *Crime Prevention Through Environmental Design(CPTD)* principles.	The proposal will increase activity, passive surveillance and lightspill on all three street frontages, the through-block pedestrian link, and on Mccubbens lane by activating these spaces with glazed facades and active uses. A condition of consent which requires specific safety measures be implemented, as recommended by the NSW Police advice, has also been recommended.	Yes
15. Parking		
Cl 1. Car parking shall be provided in accordance with the following : <u>Residential</u> • Minimum 1 space per dwelling • Maximum 2 spaces • No visitor parking Min. 42 spaces, Max 84 spaces required. <u>Retail/Office</u> Business/Retail Premises: 1 space per $30m^2$ GFA. $1896.5m^2/30m^2$= 63 spaces required.	<u>Residential parking</u> B4: 39 residential spaces B3: 38 residential spaces Total= 77 spaces <u>Commercial parking</u> B2: 35 commercial spaces B1: 28 commercial spaces Total= 63 spaces	Yes
Cl. 4 In addition to the car parking requirements, motorcycle parking shall be provided at a rate of 1 motorcycle space per 25 car spaces or part thereof.	6 spaces required 9 spaces provided on level B2 and B3.	Yes
Cl.5	14 bike spaces required, and have been provided in a cage	Yes

In addition to the car parking requirements, bicycle parking space must be provided at the rate of 1 space per 10 car parking spaces for first 200 car spaces. In addition, 1 unisex shower is required per 10 employees.	on level B1. Bike racks which accommodate an additional 10 bike parking spaces are provided within the through block pedestrian link. Four showers are provided for the use of cyclists. One adjacent to the bike store on basement level 01, one on the retail level and two on the commercial level. The volume of showers is suitable for the future expected employees.	
16. Waste Management Requirements.		
Cl.16.2.1 For the residential components of shop top housing and mixed use developments, provision for waste management, including storage areas, separation of waste from recyclables, collection areas and the like must be in accordance with Sutherland Shire Council's "Waste Collection Policy for Multi-Unit Dwellings and Residential Flat Buildings".	Waste Generation per dwelling: General Waste= 120L/week Recycling=120L/week Total no. bins required=42 (21 waste & 21 recycling). 21 waste & 21 recycling bins provided=42 bins in total. Garbage room/ bulky waste room provided on Basement 03 level. Bin lift provided which permits access from basement to loading dock for collection.	Yes
Cl.16.3.1 A waste storage area is to be provided for all developments to store bins for general waste and recyclables. The area must have sufficient space for the storage of garbage, recycling, and green waste generated by the development.	Commercial waste storage area provided on Basement 02 level. Area accommodates 27 waste bins and 19 recycling bins.	Yes
Cl.16.3.3 The location of waste and recycling facilities must not detract from the amenity of the development and the character of the streetscape.	Bin areas are discreetly located in the basement, and collected from a bin holding area located in the loading dock.	Yes
Cl.16.3.4 The location of waste and recycling facilities must not impact on car parking or landscaping requirements of the development.	Carparking and landscaping is not affected by the bin areas.	Yes
Cl.16.3.5 Waste and Recycling Facilities must be designed to prevent litter and contamination of the stormwater drainage system.	The bin storage areas are confined to the basement. The stormwater drainage system will be unaffected by the bin storage area.	Yes
Cl16.3.6 Developments must be designed so that bins do not need to be wheeled more than 75m.	The bin lift located in the bin room which is directly connected to the loading bay limits the distance required to deliver bins for collection.	Yes

Cl.16.3.9 Where a private waste contractor is required to service a development. The site and driveway must be designed to accommodate waste collection vehicles used by the private contractor.	Loading bay is capable of servicing an 8.8m long MRV private waste vehicle.	Yes
Cl16.3.10 It is preferable for waste trucks to enter the site in a forward direction, but it is permitted for wast trucks to reverse onto a site where design and site conditions make it safe to do so.	The rear lane access, provides a circumstance where low volumes of traffic are expected. Here it would be safe for a MRV to reverse into the loading bay.	Yes
Cl16.3.13 Developments in centres with rear lane servicing access can locate waste storage areas in enclosed spaces at ground level for rear lane waste collection.	Bin collection point contained within loading bay.	Yes