

DCP 2013: Part B - General Provisions - B1: Advertising and Signage			
DCP Objective	Development Provisions	Proposed	Complies
1	a) Signs primarily identifying products or services are not acceptable, even where relating to products or services available on that site.	No such signage proposed. Only standard building/business identification signage proposed.	Yes
	b) Signage is not permitted outside property boundaries except where mounted upon buildings and clear of pedestrians and road traffic. No signage is permitted upon light or power poles or upon the nature strip (the area between the property boundary and constructed roadway). Limited directional signage and "A" frame signage may separately be approved by Council under the Roads Act 1993 or section 68 of the Local Government Act 1993.	No such signage proposed. Only standard building/business identification signage proposed.	Yes
	c) An on-building 'chalkboard' sign, for the purpose of describing services or goods for sale which vary on a regular basis generally should not be any larger than 1.5m ² , and should contain a sign written heading indicating the premises to which it refers.	No such signage proposed. Only standard building/business identification signage proposed.	Yes
	d) On-premise signs should not project above or to the side of building facades	The proposed building/business identification signage is proposed on the front awning. Whilst projecting forward of the main building façade, the signage blends in with the awning and overall building design. The signage is also conservative in size so as to create no adverse impact on the streetscape or amenity of the area. As a result, the signage is considered to be	No, but acceptable.

		acceptable and is consistent with the objectives of the DCP.	
2	a) Where there is potential for light spill from signage in a non-residential zone adjoining or adjacent to residential development, illuminated signage is to be fitted with a time switch to dim by 50% or turn off the light by 11pm each night, depending on the nature of the development.	No adverse light spillage will occur from the signage, which is minor in size. Conditions will reinforce illumination management.	Yes

DCP 2013: Part B - General Provisions - B2: Environmental Management

DCP Objective	Development Provisions	Proposed	Complies
3	a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.	Applicant has provided a suitable sized waste storage area in line with a waste collection company. A private collection arrangement will also be utilised and conditioned, to ensure appropriate management of waste.	Yes
Cut and Fill Regrading			
4	a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building).	Cut and fill >1m proposed but is to be largely contained within external walls of the building/basement car park footprint.	Yes
5	a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m.	To be conditioned.	Yes
	b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high: <ul style="list-style-type: none"> – be a maximum combined height of 1.8m above existing property boundary level; 	Where proposed, side fencing will be 1.8m. Parts of the building are built on the boundary and up to a height of approx. 6m (due to the existing cut onsite). There are no	Yes

	<ul style="list-style-type: none"> – be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less; – the fence component has openings which make it not less than 25% transparent; and – provide a 3m x 3m splay for corner sites, and – provide a 900mm x 900mm splay for vehicle driveway entrances. 	opening on such areas or screening will be used, which ensures privacy is retained to neighbours. Panel joints and cascading landscaping will also be used to break up the bulk of the relevant wall sections.	
6	<p>a) Significant land reforming proposals where >10% gross site area or >1.0ha is to have surface levels changed by more than 5m or where earthworks exceed an average of 10,000m³ per ha shall:</p> <ul style="list-style-type: none"> – identify the impact of the proposed land reforming on the environment, landscape, – visual character and amenity, natural watercourses, riparian vegetation, topographical features of the environment and public infrastructure; – demonstrate compliance with the provisions of Council's AUS-SPEC design specification; – assess the impacts and benefits of the proposal to all impacted persons and the general public; – provide measures to compensate for and minimise any net adverse impacts. 	No significant land reforming proposed other than the standard practice of excavating the basement car park level.	Yes
	b) The use of high earthworks batters should be avoided.	None proposed.	N/A
	c) Preliminary plans indicating the final landform are required to be submitted with any master plan or subdivision application.	No subdivision is proposed that creates Torrens/vacant lots, to which the clause applies.	N/A

	d) The subdivision should be designed to fit the topography rather than altering the topography to fit the subdivision.	No subdivision is proposed that creates Torrens/vacant lots, to which the clause applies.	N/A
Environmental Management Areas, Buffers & Tree Management			
7-14	Environmental management areas, buffers and tree management.	No significant tree removal proposed. No other environmental management or buffer requirements triggered/needed.	Yes

DCP 2013: Part B- General Provisions- B4: Transport, Traffic Management, Access and Car Parking

DCP Objective	Development Provisions	Proposed	Complies
Road Hierarchy			
23	a) New direct accesses from a development to arterial and distributor roads is not permitted. Routes should differ in alignment and design standard according to the volume and type of traffic they are intended to carry, the desirable traffic speed, and other factors.	No new direct access to arterial or distributor road proposed.	Yes
	b) Existing direct accesses from a development to arterial and distributor roads are rationalised or removed where practical.	There are no access points to an arterial or distributor road.	Yes
	c) Vehicle driveway crossings are minimal in number and width (while being adequate for the nature of the development), and positioned: <ul style="list-style-type: none"> - to avoid driveways near intersections and road bends, and - to minimise streetscapes dominated by driveways and garage doors, and - to maximise on-street parking. 	The site comprises two lots with two different frontages. In theory, if both lots were developed individually, two driveways would be required. In this case, the applicant has provided no driveway access of William Street and two driveways off Church Street. The dominance of the driveways on Church Street have also been reduced via separation and landscaping. Based on the above, the DCP	Yes

		provision has been suitably addressed.	
Parking Provision			
24	<p>a) Off-street Parking is provided in accordance with Table 3.</p> <p>Dwellings require 1 space.</p> <p>Pharmacy require 1 space per 30m².</p> <p>Kiosk/café require 1 space per 6m² service floor area where not located in a commercial zone.</p> <p>Medical require 3 spaces per consultant and 1 space per 2 staff.</p>	<p>1 x dwelling proposed = 1 space</p> <p>48.04m² pharmacy proposed (Tenancy 3). 48.04/30 = 1.6 spaces</p> <p>6.56m² kiosk (Tenancy 1) proposed but none of which is serviced floor area. No formal dining/service area proposed and to be reinforced via conditions. There are a couple of informal concrete planter/seats where a person could sit and have a coffee but they are not large enough etc to warrant any parking demand. Furthermore, the kiosk is more for use by the occupants and/or possible takeaway coffees for people in the area (not a specific destination café). At most, a 1 space for the operator would be required.</p> <p>In terms of the medical components, the following applies:</p> <p>Tenancy 2 (Pathology) has 2 consultants. 2 x 3 spaces = 6 spaces.</p> <p>Tenancy 4 (GP clinic) has 10 consultants and 6 staff = 33 spaces.</p> <p>Tenancy 5 (skin clinic) has 2 consultants and 2 staff = 7 spaces.</p> <p>Tenancy 6 (staff area) does not trigger any</p>	Yes, based on 60-70% consultant occupancy rate.

		<p>parking. It is technically the staff area for Tenancy 4 = 0 spaces.</p> <p>Tenancy 7 (pathology lab) has 6 staff = 3 spaces.</p> <p>Tenancy 8 (GP/specialist) has 2 consultants and 2 staff = 7 spaces.</p> <p>Tenancy 9 (physio) has 4 consultants and 2 staff = 13 spaces.</p> <p>Total required is 1 (dwelling) + 1.6 (pharmacy) + 1 (kiosk) + 69 (medical uses) = 72.6 (rounds to 73 spaces).</p> <p>The above calculations are based on all the medical consultants being onsite at one time. The applicant has advised this will not be the case. In particular, it is common for a medical consultant to only work say 3 days. The applicant and Traffic consultants suggest a more accurate figure will be that consultants/the health services facility will operate at 60-70% occupancy. When the 60-70% occupancy rate is applied to relevant consultant numbers (Note: staff numbers are assumed to remain at 100% and the 60-70% occupancy does not apply to the non-medical uses like the pharmacy, kiosk and dwelling) - the revised parking calculations are as follows:</p>	
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		<p>Tenancy 2 (Pathology) has 2 consultants. 2 x 3 spaces @ 100% = 6 spaces.</p> <p>Tenancy 4 (GP clinic) has 10 consultants @ 70% and 6 staff = 24 spaces.</p> <p>Tenancy 5 (skin clinic) has 2 consultants @ 60% and 2 staff = 4.6 spaces.</p> <p>Tenancy 7 (pathology lab) has 6 staff @ 100% = 3 spaces.</p> <p>Tenancy 8 (GP/specialist) has 2 consultants @ 60% occupancy and 2 staff = 4.6 spaces.</p> <p>Tenancy 9 (physio) has 4 consultants @ 100% and 2 staff = 13 spaces.</p> <p>Total required is 1 (dwelling) + 1.6 (pharmacy) + 1 (kiosk) + 55.2 (medical uses) = 58.8 (rounds to 59 spaces). Given it is unlikely that the physio will also operate at 100%, the minor one (1) space shortfall is acceptable. For example, if the physio operated at 70%, it would only need 10 spaces, instead of 13 spaces.</p> <p>Conditions will be used to reinforce the 60-70% occupancy rate and above figures. Furthermore, conditioning consultant and staff ratio numbers for medical centres is</p>	
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		common practice at Council.	
	b) Where a proposed development does not fall within any of the listed definitions, the provision of on-site parking shall be supported by a parking demand study.	The proposed uses exist within the DCP. Nonetheless, the applicant has presented amended parking calculations based on a reduced occupancy rate. Council staff have reviewed the rates by the applicant and have also undertaken calculations based on the DCP. Overall, the parking proposed is considered to meet the development requirements but on the proviso of a 60-70% consultant occupancy rate. It is considered that the 60-70% occupancy and associated parking can be managed via conditions of consent.	Yes
	c) Where a proposed development falls within more than one category Council will require the total parking provision for each category.	Refer to comments on 24(a) above.	Yes
26	<p>a) On street parking, for the purposes of car parking calculations will not be included unless it can be demonstrated that:</p> <ul style="list-style-type: none"> - there is adequate on street space to accommodate peak and acute parking demands of the area; - parking can be provided without compromising road safety or garbage collection accessibility; - parking can be provided without jeopardising road function; and - that streetscape improvement works, such as landscaped bays and street trees are provided to contribute to the streetscape. 	Whilst on street parking has not been relied upon for parking calculations, it is noted that substantial on street parking exists within Grant Street, approx. 70m from the development site. Furthermore, time lapse aerial imagery indicates that the parking in Grant Street is often not fully utilised.	Yes

	b) On street parking is provided in accordance with AS2890.5.	None proposed or required.	N/A
27	a) On street parking will not be permitted unless it can be demonstrated that: <ul style="list-style-type: none"> - parking does not detract from the streetscape; and - that streetscape improvement works, such as landscaped bays and street trees are provided. 	None proposed or required.	N/A
Parking Layout			
28	a) Visitor and customer parking shall be located so that it is easily accessible from the street.	Parking area is identifiable and easily accessible from Church Street. A lighting system will also be utilised to further aid customers in knowing whether spaces exist within the basement car park.	Yes
	b) Internal signage (including pavement markings) should assist customers and visitors to find parking and circulate efficiently and safely through a car park.	Standard line marking etc will be conditioned.	Yes
	c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> - it is stacked parking in the driveway; or - it can be demonstrated that improvements to the open space provided will result; and - the spaces are screened (densely landscaped or similar) from the street by a landscaping with a minimum width of 3.0m for the entire length of the parking area. 	Compliant basement parking area proposed.	Yes
	d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking and AS 2890.6 - Off-street parking for individuals with a	The parking design and layout is capable of compliance with the relevant standards.	Yes

	disability and AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.		
	<p>e) Stack or tandem parking spaces will not be included in assessment of parking provision except where:</p> <ul style="list-style-type: none"> - the spaces are surplus to that required; - in motor showrooms; - for home business; - for exhibition homes; - in car repair stations; - staff parking spaces are separately identified and delineated; - it is visitor parking associated with a dual occupancy multi dwelling and/or terrace housing, directly in front of the garage with a minimum depth of 5.5m. 	No stack or tandem parking proposed.	N/A
29	a) Parking is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking, AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities, AS 1428 - Design for access and mobility and AS 2890.6 - Off-street parking for individuals with a disability.	The parking design and layout is capable of compliance with the relevant standards. Three (3) disabled parking spaces shown.	Yes
30	a) Bicycle and motorcycle parking shall be considered for all developments.	A suitable amount of compliant bicycle parking has been provided. There is also an opportunity for motorcycles to use regular car spaces.	Yes
	b) Bicycle parking areas shall be designed generally in accordance with the principles of AS2890.3 - Parking facilities - Bicycle parking facilities.	Two suitable sized bicycle parking areas have been provided (one in each basement parking area). No specific motorcycle parking area proposed but they can use regular car spaces.	Yes
	c) Motorcycle parking areas shall be 1.2m (wide) x 2.5m (long).	Refer to comment on 30(b) above. Regular car parking spaces exceed	N/A

Redevelopment of Heritage Items - Conservation Incentives			
31	<p>a) Council will consider discounting (i.e. exclude from calculations) the floor space of the heritage building/item when determining the total number of parking spaces to be provided on site. This will be considered in line with clause 5.10 of PMH LEP 2011, which requires the variation to be considered in the context of a heritage conservation management plan. This will only apply if Council is satisfied that the conservation of the heritage item is dependent upon Council making that exclusion. If applicants intend to seek such consideration, a detailed parking analysis of the site is to be submitted with the development application.</p>	<p>The site does not contain any known heritage item or site. Conservation incentives not initiated.</p>	N/A
Section 7.11 Development Contributions			
32	<p>a) Section 7.11 of the <i>Environmental Planning and Assessment Act 1979</i> permits Council, at its discretion, to accept a monetary contribution in lieu of on-site parking where it is considered impractical or undesirable to provide parking facilities on the site of the proposed development. Generally, contributions will not be accepted for the total amount of parking to be provided and will only be accepted in the commercial areas of Port Macquarie, Gordon Street, Laurieton, North Haven and Wauchope, as identified in Council's Contribution Plan 1993, as amended. Contribution rates are indexed (CPI) each quarter with variations in the contribution rate for each area. Applicants are advised to consult Council's staff at the time of preparing the DA application should a</p>	<p>The development does not rely on s7.11 parking contributions.</p>	N/A

	contribution for parking be proposed.		
Landscaping of Parking Areas			
33	a) Landscaping areas shall be provided in the form of large tree planting, understorey plantings, mulch areas, mounding, lawns and the like	Basement parking provided - car park landscaping requirements not triggered. It is noted that the applicant has incorporated landscaping into the basement entry design.	N/A
	b) Landscaping areas shall be used throughout the car park and on the perimeters of the property where it addresses the public domain.	Refer to comment on 33(a) above.	N/A
	c) Garden beds shall be a minimum of 3m in width between car parking areas and street boundaries.	Refer to comment on 33(a) above.	N/A
34	a) All plantings on public lands are to be selected from Council's Indigenous Street and Open Space Planting List from the relevant vegetation community adjacent to the Development.	Conditions will be used to cover landscaping on public lands and ensure compliance with the DCP.	Yes
	b) Trees are to be grown and installed in accordance with AS 2303:2015 <i>Tree Stock for Landscape Use</i> and Council's AUS-SPEC design specifications.	Conditions will be used to cover landscaping on public lands and ensure compliance with the DCP.	Yes
	Surface Finishes		
35	<p>a) All parking and manoeuvring areas shall be constructed with a coarse base of sufficient depth to suit the amount of traffic generated by the development, as determined by Council. It shall be sealed with either bitumen, asphaltic concrete, concrete or interlocking pavers.</p> <p>Preliminary details of construction materials for access and car parking areas shall be submitted with the development application. Detailed plans shall be</p>	The basement car parking surface will comprise concrete.	Yes

	prepared for the construction certificate by a practising qualified Civil Engineer.		
	b) In special cases (e.g. where traffic volumes are very low) Council may consider the use of consolidated unsealed gravel pavement for car parks. However, this should not be assumed and will need to be justified by the applicant at the Development Application stage.	Not relevant. Sealed surface proposed.	N/A
	Drainage		
36	a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface.	Basement car park proposed with suitable internal stormwater measures to ensure no concentrations of water runoff.	Yes
	b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature.	Stormwater will pass through onsite detention, ensuring it is not discharged direct to kerb. Requirements to be reinforced via conditions of consent.	Yes
37	a) Car parking areas should be drained to swales, bio retention, rain gardens and infiltration areas.	Basement car park proposed.	N/A
	Loading Bays		
38	a) Off street commercial vehicle facilities are provided in accordance with AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.	Deliveries to and from the site are expected to occur mostly from small vehicles such as cars, utes and vans. All of which will be able to access and use parking within the basement. Deliveries by larger trucks is unlikely/sporadic and not of a level to justify a specific space. The basement car park will also have an excess of spaces when operating at 60-70% consultant occupancy rate. This will aid deliveries	Yes

		vehicles to find a space onsite. The car park and delivery situation has also been reviewed and accepted by Council's Engineering Section.	
	<p>b) Loading bays should be provided in accordance with the following requirements;</p> <ul style="list-style-type: none"> – Minimum dimensions to be 3.5m wide x 6m long. (This may increase according to the size and type of vehicle). – Vertical clearance shall be a minimum of 5m. – Adequate provision shall be made on-site for the loading, unloading and manoeuvring of delivery vehicles in an area separate from any customer car parking area. – A limited number of 'employee only' car parking spaces may be combined with loading facilities. – Loading areas shall be designed to accommodate appropriate turning paths for the maximum design vehicle using the site. – Vehicles are to be capable of manoeuvring in and out of docks without causing conflict with other street or on-site traffic. – Vehicles are to stand wholly within the site during such operations. 	Refer to comment on 38(a). Suitable areas exist onsite for loading and unloading associated with the development.	Yes
	c) Industrial development shall provide adequate heavy vehicle access to building entries, or alternatively, external bays located appropriately for goods distribution.	Development is not an industrial use.	N/A
	d) For external bays, one bay is required for 500m ² of floor space or 1000m ² of site area.	Refer to comment on 38(a). Suitable areas exist onsite for loading and unloading	Yes

		associated with the development.	
	e) Commercial development having a floor space less than 500m ² need not provide a loading bay.	Commercial components onsite do not exceed 500m ² . therefore, loading requirements for the development will make use of standard parking spaces.	Yes
	f) Other commercial development shall provide one loading bay for the first 1,000m ² floor space and one additional bay for each additional 2,000m ² .	Refer to comment on 38(e) above.	N/A
	g) If parcel pickup facilities are provided on-site they shall be located so as to avoid conflict with general traffic flow within parking areas. Parcel pickup lanes shall be separate from through traffic lanes in major shopping developments.	Development does not provide or require a parcel pick up area.	N/A
39	a) The location and design of loading bays should integrate into the overall design of the building and car parking areas.	Refer to comments on 38(a). Most loading is likely to occur onsite, within the basement car park. Any external loading/unloading from larger vehicles/the street is likely to be sporadic. Some delivery vehicles may choose to park on William Street. However, this will be subject to availability of on street parking and is likely to be limited to relatively standard hours of operation.	Yes
	b) Where visible from the public domain, loading bays are located behind the building.	Loading within the basement will not be visible from public areas.	Yes
	c) Where loading bays are located close to a sensitive land use, adequate visual and acoustic screening is provided.	Refer to comments on 38(a). Most loading is likely to occur onsite, within the basement car park - away from sensitive receivers. Any external	Yes

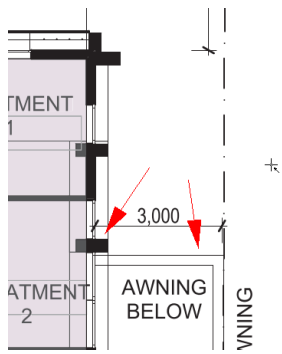
		<p>loading/unloading from larger vehicles/the street is likely to be sporadic.</p> <p>Some delivery vehicles may choose to park on William Street. However, this will be subject to availability of on street parking and is likely to be limited to when the facility is open (Note: hours of operation for the facility do not extend into the later hours of the night or early hours of the morning).</p>	
Traffic Generating Development			
41	a) Traffic Generating Development as defined under SEPP (Infrastructure) 2007 is referred to Roads and Maritime Services. (Refer to Clause 104 and Schedule 3 of the SEPP).	Development is not traffic generating development. Refer to the comments on the updated SEPP in the main assessment report.	N/A

DCP 2013: Part B - General Provisions - B5: Social Impact Assessment and Crime Prevention			
DCP Objective	Development Provisions	Proposed	Complies
Social Impact Assessment			
42	a) A social impact assessment shall be submitted in accordance with the Council's Social Impact Assessment Policy.	The development triggers the need for a social impact comment under the Policy. The applicant has provided a comment on social impact in the application. Overall, the development will have a positive benefit by providing ongoing employment of local health care professionals and staff as well as providing medical services to the local community, in an appropriately designed/scaled building.	Yes
Crime Prevention			
43	a) The development addresses the generic principles of crime prevention: <ul style="list-style-type: none"> – Casual surveillance and sightlines; – Land use mix and activity generators; – Definition of use and ownership; – Basic exterior building design; – Lighting; – Way-finding; and – Predictable routes and entrapment locations; – as described in the Crime Prevention Through Environmental Design (CPTED) principles. 	<p>Safety, security and crime prevention – The proposed development will be unlikely to create any adverse concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area.</p> <p>The development will provide a level of natural surveillance over the site/area via openings, staff/people onsite, mixed uses generating activity etc. The high profile location will also ensure surveillance of the site by the public to further deter anti-social criminal activity.</p>	Yes

		<p>Access points are legible and building features (ie awning, planter boxes) define the public/private space.</p> <p>The strata will ensure management is in place for long term maintenance of repairs, graffiti, cleaning and a sense of ownership. Whilst the dwelling provides a further presence after hours.</p> <p>Lighting, CCTV, alarms, restricted electronic access measures and management procedures can also be installed retrospectively by the owner for further security.</p>	
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Whilst the following Part C does not apply to health services facilities, it does contain provisions that are likely to apply to the more predominant residential flat building developments occurring in the area and the housing component. Key provisions relating to built form and associated compliance have been shown for context only.

DCP 2013: PART C - Development Specific Provisions - C2: Residential Flat Development, Tourist and Visitor Accommodation, and Mixed Use Development			
DCP Objective	Development Provisions	Proposed	Complies
Streetscape and Front Setback			
59	a) In an established street, the primary setback should be within 20% of the average setback of the adjoining buildings in a R1 General Residential zone.	Not an R1 zone.	N/A
	b) A minimum setback of 3.0m is required from all street frontages in a R3 Medium Density Residential and R4 High-Density Residential zone.	Except for some minor wall articulation and a light weight awning entry feature (see screenshot below), the development is setback 3m+ from the	No, but acceptable.

		<p>William and Church Street frontages.</p>  <p>The articulation creates no adverse impact on streetscape whilst improving the overall façade of the building. It is also noted that similar awning features exist on other buildings within close proximity and along William Street (ie 67 & 76-80 William Street all contain similar awning entry features to the boundary).</p>	
	c) Where tourist accommodation is proposed a maximum setback of 9 metres is permitted to allow for a swimming pool within the front setback.	Not relevant.	N/A
Side and Rear Setbacks			
61	<p>a) The following setbacks (Refer Error! Reference source not found.) apply to all sites, except where the side boundary is a secondary street frontage:</p> <ul style="list-style-type: none"> Buildings should be set back a 	<p>Except for the basement levels and some sections of the ground floor, the majority of the development is setback 1.5m+. The first floor through to the top fourth floor are predominately 3m.</p>	No, but acceptable/consistent.

	<p>minimum of 1.5m from side boundaries, for a maximum of 75% of the building depth.</p> <ul style="list-style-type: none"> – Windows in side walls should be set back 3m from side boundaries. – Where the site is adjacent to an existing strata-titled building, buildings should be set back a minimum of 3m from side boundaries. 	Lack of windows/openings, articulated design, screening, landscaping and translucent glass are used to break up the bulk and provide privacy to neighbour properties.	
	b) Side walls adjacent to existing strata-titled buildings should be articulated and modulated to respond to the existing buildings.	Articulation and modulation provided to side boundaries. Joints and cascading landscape has been utilised where the development is built to the boundary.	Yes
	c) A minimum rear setback of 6.0m from the building and sub basements is required.	The development does not have a rear boundary.	N/A
63	a) Party wall development can occur only with the agreement and consent of the adjoining property owner. Exposed party walls should be finished in a quality comparable to front facade finishes	Works are contained within the site. Should the applicant wish to use a neighbouring property for access during construction, owners consent will be required - civil matter.	N/A
Deep Soil Zone (only applicable to non-SEPP 65 buildings)			
66	a) Deep soils zones are to meet the minimum requirements set out in Error!	Deep soil zone provisions do not apply to health services facilities. Nonetheless, an approx. 20m ² , 3m+	N/A

	<p>Reference source not found. below. For a site of 650m²-1,500m² deep soil zones should be min 3m dimension and 7% of the site area.</p>	dimensioned deep soil zone is provided on the Church Street frontage. There is also an approx. 70m ² , lesser dimensioned section along the western boundary. Both areas equate to approx. 90m ² , which represent 7% of the site area. The outcome of a partially lesser dimensioned but acceptable area is considered acceptable.	
	b) Deep soil zones are to be contiguous across sites and within blocks.	Deep soil zone provisions do not apply to health services facilities. Refer to comment on Clause 66(a) above.	N/A
67	a) Deep soil zones should accommodate existing advanced trees and allow for advanced tree planting.	Whilst not applicable to health services facilities, the deep soil zone on Church Street can accommodate an advanced tree.	N/A
68	a) Deep soil zones should be integrated into the stormwater management measures for the development and the site.	Provision not utilised.	N/A
Energy Conservation and Solar Access (only applicable to non-SEPP 65 buildings)			
69	a) Where practical, sunlight to the principal area of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22.	The north orientation of the site and adjoining lots ensures that suitable solar access is retained.	Yes
	b) Where practical, buildings should not	The north orientation of the site and adjoining	Yes

	reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.	lots ensures that suitable solar access is retained.	
70	a) Apartments are to provide an internal clothes drying space to discourage the use of mechanical clothes drying.	The dwelling contains sufficient outdoor space to accommodate clothes drying facilities.	Yes
Landscaping (only applicable to non-SEPP 65 buildings)			
71	a) Plans for the design and planting of open space areas should be submitted with the development application.	Landscaping plan provided showing treatments both onsite and in the public domain.	Yes
72	a) Existing vegetation is to be retained and habitat and ecology enhanced where practical.	No substantial existing vegetation exists onsite.	N/A
73	a) Street trees are to be provided along the full frontage/s of the site, generally at a rate of 1 per 20m interval, in accordance with Council's <i>Indigenous Street and Open Space Planting List</i> .	There are existing Norfolk Pines in William Street to be retained. A landscape blister is proposed in Church Street, compliant with Council's design requirements.	Yes
Private Open Space (only applicable to non-SEPP 65 buildings)			
74	a) All dwellings at ground floor level are encouraged to have a total minimum area of 15m ² in one area with minimum dimension of 3m:	Whilst not on ground level, the proposed dwelling has over 15m ² private open space with a minimum dimension of 3m etc.	Yes

	<ul style="list-style-type: none"> – have a maximum grade of 5%; and – be directly accessible from a ground floor living area. 		
	b) Private open space may include clothes drying and garbage storage areas.	The dwelling contains sufficient outdoor space to accommodate clothes drying facilities and waste storage.	Yes
75	<p>a) Dwellings located on or above the first floor are to have balconies with a minimum clear, unobstructed area and width according to apartment type as follows:</p> <ul style="list-style-type: none"> – Studio - 4m² – 1 bedroom - 8m², minimum 2m wide – 2 bedroom - 10m², minimum 2m wide – 3+ bedroom - 12m², minimum 2.4m wide 	The proposed 5 bedroom dwelling has over 12m ² of open space with dimensions exceeding 2.4m.	Yes
76	a) Communal open space and private open spaces are separated by landscaping, fencing or some other means that indicates the change between public and private realm.	Communal and private open spaces are separated/on different levels.	Yes
Fences and Walls			
77	<p>a) Solid front fences built on or near boundaries should be:</p> <ul style="list-style-type: none"> – setback 1.0m from the front boundary; – suitably landscaped to 	No front fences proposed.	N/A

	<p>reduce visual impact, and.</p> <ul style="list-style-type: none"> – provide a 3m x 3m splay for corner sites. 		
	<p>b) Front fences proposed to be more than 1.2m high should:</p> <ul style="list-style-type: none"> – be a maximum of 1.8m in height, above existing front property boundary level and either: <ul style="list-style-type: none"> ○ include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or ○ be erected up to the front boundary for maximum lengths of 6.0m or 50% of the street frontage, whichever is less; and ○ have openings which make it not less than 25% transparent; ○ provide a 3m x 3m splay for corner sites, and ○ provide a 900mm x 	No front fences proposed.	N/A

	900mm splay for vehicle driveway entrances.		
Acoustic Privacy			
79	a) Buildings are designed so that: <ul style="list-style-type: none"> – busy noisy areas within the apartment face the street; and – quiet areas face the rear or side of the lot. – bedrooms have line of sight separation of minimum 3m from parking areas, streets and shared driveways. 	Openings either face the streets or have measures to maintain acoustic privacy (ie limited hours of operation, screening, separation etc).	Yes
	b) Openings of adjacent dwellings should be separated by a distance of at least 6m.	The top floor dwelling is separated from adjacent dwellings by more than 6m (Note: vertical separation).	Yes
80	a) Uses are to be coupled internally and between apartments i.e. noisy internal and noisy external spaces should be placed together. Refer to Error! Reference source not found. below.	The dwelling is located on a separate level to the health services facility. The health services facility also has restricted conservative hours to ensure no impact.	Yes
Visual Privacy (only applicable to non-SEPP 65 buildings)			
81	a) Direct views between living area windows of adjacent dwellings should be screened where: <ul style="list-style-type: none"> – ground and first floor windows are within a 9m radius from any part of the 	The development will utilise a mixture of screening, translucent glass, placement of uses/openings near non sensitive adjacent areas (ie adjoining a driveway), landscaping and separation to ensure privacy.	Yes

	<p>window of the adjacent dwelling;</p> <ul style="list-style-type: none"> – other floor windows are within a 12m radius; – direct views from living rooms of dwellings into the principal area of private open space of other dwellings should be screened or obscured where they are within a 12m radius. 		
	<p>b) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):</p> <ul style="list-style-type: none"> – 1.8m high fence or wall between ground-floor level windows or between a dwelling and open space; – Screening that has 25% openings (max), is permanently fixed and is made of durable materials. 	Screening measures utilised.	Yes
	<p>c) A window in a dwelling(s) should have a privacy screen if:</p> <ul style="list-style-type: none"> – It is a window in a habitable room, other than a bedroom, that 	The windows in the dwelling are well separated from any boundary/adjoining residence.	Yes

	<p>has a floor level of more than 1m above ground level (existing), and</p> <ul style="list-style-type: none"> – The wall in which the window is located has a setback of less than 3 metres from a side or rear boundary, and – The window has a sill height of less than 1.5m. 		
	<p>d) A balcony, deck, patio, pergola, terrace or veranda should have a privacy screen if it:</p> <ul style="list-style-type: none"> – Has a setback of less than 3m from a side or rear boundary, and – Has a floor area more than 3m², and – Has a floor level more than 1 metre above ground level (existing). 	The balconies in the dwelling are well separated from any boundary/adjoining residence.	Yes
Roof Form			
87	a) Lift over-runs and service plants should be integrated within roof structures.	Such components are integrated into the roof design.	Yes
	b) Outdoor recreation areas on flat roofs should be landscaped and incorporate shade structures and wind screens to encourage use.	Roof top open space contains landscaping and covered areas.	Yes
	c) Outdoor roof areas should be	Rooftop area is orientated towards Church Street with	Yes

	oriented to the street.	minor elements to William Street and the side boundaries.	
	d) Roof design should generate an interesting skyline and be visually interesting when viewed from adjoining developments.	Roof design contains suitable articulation, material changes and landscaping to create visual interest, when viewed from neighbouring properties.	Yes
Facade Composition and Articulation			
88	a) Facade composition should: <ul style="list-style-type: none"> – be designed with a balance of horizontal and vertical elements; – respond to environmental and energy needs, such as sun shading, light shelves and bay windows; – incorporate wind mitigation; – reflect the uses within the buildings. – include a combination of the following design elements: <ul style="list-style-type: none"> ○ defined base, middle and top levels; ○ a mixture of window types; ○ variation in floor height (particularly at lower levels); ○ balustrade detail that reflects the type and 	All facades of the building contain articulation, material changes, step design, terraces, landscaping etc. The end outcome is a well presented building.	Yes

	<ul style="list-style-type: none"> location of the balcony; ○ setting back the top levels of the building; ○ street level features that reinforce the human scale; and ○ balconies, awnings and recesses that create shadowing. 		
Entries and Corridors (only applicable to non-SEPP 65 buildings)			
89	a) Entrances should be clearly identifiable from street level.	The main entrance to William Street is identifiable from the street.	Yes
	b) Entries should provide a clear line of transition between the public street, the shared private circulation spaces and the residential apartments.	<p>The William Street frontage contains an open forecourt space that directs people to the main foyer.</p> <p>There is no pedestrian entrance off Church Street, which is the main vehicle entry point. An internal lift takes people from the basement car park to the main foyer.</p>	Yes
	c) Entries should provide clear line of sight between one circulation space and the next.	Clear line of sight provided to main entry points.	Yes
	d) Entries should avoid ambiguous and public accessible small spaces in entry areas.	The main entry points are clear and accessible.	Yes
	e) Entries should be sheltered and well lit.	An awning provides shelter off William Street and lighting can	Yes

		be employed to ensure areas are well lit.	
	f) Entries and circulation spaces should be sized appropriately to encourage adequate area for the movement of furniture.	The entry and main foyer are wide and open to allow adequate area for movement.	Yes
	g) Lobby widths should be a minimum of 1.8m wide and 3.0m high.	Lobby areas exceeds 1.8m in width and has a large void that extends to the second floor (over 3m in height).	Yes
	h) Lobby lengths should be minimised and avoid tight corners.	Lobby area is wide and open.	Yes
	i) Longer lobbies should be articulated by: <ul style="list-style-type: none"> – changing the direction or width of a corridor; – using a series of foyer areas; – providing windows along or at the end of corridor. 	Not relevant - lobby area is not excessive in length.	N/A
Balconies (only applicable to non-SEPP 65 buildings)			
90	a) A minimum of one balcony (including enclosed balcony or terrace) is to be provided per apartment.	Compliant balcony area provided to the dwelling.	Yes
	b) The main balcony is to be directly accessible from the living area.	Compliant balcony area provided to the dwelling.	Yes
	c) The balconies should be designed to take advantage of favourable climatic conditions.	Compliant balcony area provided to the dwelling.	Yes
	d) Balconies and balustrades should be designed to balance views out	Compliant balcony area and balustrades provided.	Yes

	of the building while affording adequate privacy to the residents of the apartment.		
91	a) Balconies should include sunscreens, pergolas, shutters and operable walls.	Compliant awning and landscaping used on balcony areas.	Yes
	b) Balconies should be recessed to provide shadowing to the facade of the building to create visual interest and articulation.	Compliant awning and landscaping used on balcony areas.	Yes
	c) Solid balustrades are discouraged but may be considered where it is demonstrated that outlook and privacy is achieved and that there is sufficient articulation or visual interest in the building facade to accommodate the solid element.	A mixture of balustrade materials and heights provided to ensure articulation and visual interest.	Yes
Laundries and Clothes Drying Facilities			
92	a) Secure open air clothes drying facilities that: <ul style="list-style-type: none"> – are easily accessible; – are screened from the public domain and communal open spaces; and – have a high degree of solar access. 	Area exists on the roof top area for compliant open air facilities.	Yes
Mailboxes			
93	a) Mailboxes should be integrated into building design and sighted to ensure accessibility and security.	Accessible and secure mailbox area provided within the main foyer. Area also exists outside for an external mailbox area (if needed).	Yes

Site Storage (only applicable to non-SEPP 65 buildings)			
95	a) Accessible storage facilities provided as part of the basement or garage area should be secure and only accessible to the unit tenant.	A small storage area is provided in the basement. However, the majority of storage is to be contained within the generous individual tenancies.	Yes
	b) One dedicated bike storage space should be provided per dwelling as part of the basement, garage area or dwelling area.	Bike storage provided in the basement and room exists within the dwelling.	Yes
Utilities			
96	a) Compatible public utility services are to be co-ordinated in common trenching in order to minimise excavations for underground services.	Can be conditioned. Details assessed at construction certificate stage.	Yes
	b) Above ground utility infrastructure such as substations, inspection cabinets are to be integrated into the design of the building or complementary to the building design in terms of colour, materials and design.	Area exists onsite to incorporate infrastructure within garden beds or the building design.	Yes
	c) The site and the individual dwellings are to be numbered for easy identification by visitors and emergency personnel.	Can be conditioned.	Yes
	d) Common aerials and satellite dishes, with signal amplifiers are	Can be conditioned.	Yes

	provided as appropriate.		
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DCP 2013: Part D - Locality Specific Provisions - D2 Port Macquarie East: D2-1 East Port Neighbourhood

DCP Objective	Development Provisions	Proposed	Complies
Precinct Structure Plans			
211	a) Development is generally in accordance with the precinct structure plans shown in the previous section	The development is consistent with the precinct plan, which promotes mixed use type development along this stretch of William Street.	Yes
Lot Size and Frontage			
212	a) The minimum lot width for residential apartment buildings is: 18 metres where: <ul style="list-style-type: none"> the proposed building height is not greater than 14.5 metres and minimum side setbacks are satisfied, or the site has multiple street frontages, or requirements for on-site parking, setbacks, separation and deep soil can be achieved, OR 22 metres	The site has multiple street frontages and lot widths exceed 18m.	Yes
Building Height			
213	General		
	a) Buildings do not exceed the maximum height of buildings shown in the local environmental plan maps.	Variation to height proposed and acceptable - refer to comment son Section 4.3 and 4.6 in the LEP 2011 section of the assessment report.	No, but acceptable.
	b) Development from 2 to 10 Burrawan Street and from 5 to 9 Pacific Drive	Not applicable to the subject site.	N/A
	c) Where buildings exceed three storeys, the upper storey is set back from the front facade of the building by three metres.	Top levels are setback from William and Church Street.	Yes
Streetscape and Front Setbacks			
214	a) Northern side of Clarence Street, east of Munster Street	Not applicable to the subject site.	N/A

	<ul style="list-style-type: none"> – Setback to Clarence Street is 3 metres. 		
	b) Southern side of Clarence Street, between Munster and School Streets <ul style="list-style-type: none"> – A zero street setback is provided 	Not applicable to the subject site.	N/A
	c) Southern side of William Street, between Murray and Grant Streets <ul style="list-style-type: none"> – Setback to William Street is 2 metres. 	Not applicable to the subject site.	N/A
	d) Development from 2 to 10 Burrawan Street <ul style="list-style-type: none"> – For lots with dual frontage to Burrawan and Windmill Streets, buildings are to address Burrawan Street as their primary frontage. 	Not applicable to the subject site.	N/A
	e) Development from 5 to 9 Pacific Drive <ul style="list-style-type: none"> – Setback to Pacific Drive is a minimum of 6 metres. 	Not applicable to the subject site.	N/A
Side and Rear Setbacks			
215	a) Party wall development is to be used along the south side of Clarence Street where within the Town Beach Precinct.	Not applicable to the subject site.	N/A
	b) Party wall development is not appropriate in other areas within the East Port Neighbourhood.	Only parts of the lower levels of the building are built near the boundary. A full height party wall is not proposed, which is what the provision is aimed at.	N/A
	c) Where there is a zone change at the rear of the site to the R1 General Residential Zone, any storey above 11.5 metres in height is set back a further 3 metres from the rear boundary.	Not applicable to the subject site.	N/A