

Attachment B:**Part E6: Kensington and Kingsford Town Centres Development Control Plan 2020**

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
PART A			
2.	Urban Design and Place-Making		
2.1	Guiding Principals		
	<p>Development within the Kensington and Kingsford town centres must align with the following urban design and place making principles which are derived from the K2K Planning Strategy and community input:</p> <ul style="list-style-type: none">• Provide quality affordable housing to meet local housing needs, particularly for key workers, essential workers and students• Reinforce boulevard character along Anzac Parade by strengthening the built form edge and adding greenery• Achieve a dominant typology of diverse mid-rise, mixed-use buildings throughout the town centres• Provide taller, slender landmark buildings at identified strategic node sites in conjunction with the delivery of substantial public benefits established through a design excellence process• Protect the heritage significance of heritage items, contributory buildings and/or heritage conservation areas located within the town centres and adjoining areas• Give priority to people walking, cycling and using public transport• Achieve a sensitive transition in relation to recently constructed development and surrounding established lower scaled residential neighbourhoods• Create a positive street level environment through built form that allows solar amenity, permeability and maintains human scale	<p>The proposed development provides a mixed-use development comprising a combination of retail, office, indoor recreation, and student accommodation uses. The provision of twin share, studio and accessible rooms shall ensure a mixture of accommodation types. The proposed built form is largely consistent with the provisions of the Kensington and Kingsford DCP with particular regards to overall storey heights, with minor deviations from the upper level setbacks to street frontages and reduced street wall heights. The proposal is not considered to detrimentally impact upon the heritage significance of surrounding heritage items and has incorporated the contributory building facades as a part of the design.</p>	Complies.

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	<ul style="list-style-type: none"> • Ensure that new infill development respects the fine-grain character of contributory buildings • Establish building setback controls which provide for the creation of wider footpaths and street tree planting • Achieve urban design, place and architectural excellence, including best practice environmental design • Provide active street frontages throughout the town centres • Encourage precinct-scale benefits across all node sites that contributes to the unique character of each town centre; and • Achieve innovative place-led solutions for local hydrology and resilience. 		
3.	Desired Future Character		
4.	Design Excellence		
	<p>(a) All new development involving the construction of a new building or external alterations to an existing building is to meet the requirements of Clause 6.11 of the RLEP 2012 relating to design excellence. Buildings are to be designed to achieve at least 5-star green star performance as a component for achieving design excellence on strategic node sites</p> <p>(b) DAs involving the construction of a new building on the following strategic node sites are subject to an architectural design competition in accordance with Clause 6.21 of RLEP 2012:</p> <ul style="list-style-type: none"> • Todman Square Precinct • Kingsford Midtown Precinct • Kingsford Junction Precinct <p>(c) Prior to lodgement of DAs for strategic node sites, the architectural design competition process is to be undertaken in accordance with Council's "Architectural Competition Policy" adopted 10 December 2019</p>	<p>The proposal is identified as a part of a strategic node site and has completed a design competition prior to DA lodgement.</p> <p>The application was referred to Council's Design Excellence Advisory Panel who raised some concerns with the proposal, including the bicycle storage, waste management, landscaping, and street activation.</p> <p><i>See Key Issues for further comment.</i></p>	Acceptable.

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	<p>(d) For DAs at strategic node sites that successfully demonstrate design excellence, the consent authority may consider the following:</p> <ul style="list-style-type: none"> (i) additional building height and FSR in accordance with the RLEP 2012 Additional Heights and Additional FSR maps; and (ii) exclusion of social infrastructure floor space provided on the site from the total gross floor area calculation, subject to the social infrastructure floor space being dedicated to Council. 		
5.	Floor Space Ratio		
	<p>(a) The maximum FSR that can be achieved on a site is shown on the RLEP 2012 FSR Map. An alternative FSR is applicable in accordance with the RLEP 2012 Alternative FSR Map where the proponent makes an offer to enter into a VPA for either a monetary contribution or the delivery of Community Infrastructure in accordance with the Community Infrastructure Contributions Plan (see Part D for details on Community Infrastructure Contribution)</p> <p>(b) In relation to the Kensington Town centre where an existing FSR Map does not apply, the Alternative FSR Map is applicable for the purposes of calculating the Community Infrastructure contribution referred to in clause (a) for any floor space above the existing height maximum control shown on the RLEP 2012 Height Map</p> <p>(c) A minimum non-residential FSR of 1:1 is to be provided at each strategic node site within the Todman Square, Kingsford Midtown and Kingsford Junction Precincts, in accordance with Clause 4.4 of the RLEP 2012</p> <p>(d) Non-residential floor space must be designed to be accessible, useable and functional for the purposes of</p>	<p>A letter of offer to enter into a VPA for the purpose of community infrastructure has been submitted.</p> <p>Subject to the alternative FSR provisions, the site benefits from a FSR of 5:1, which is increased to 5.5:1 under the bonus afforded to co-living developments in the Housing SEPP 2021</p> <p>The proposed development shall have a maximum FSR of 5.5:1.</p> <p>A non-residential FSR of 1:1 is applicable to the subject site and has been provisioned through the incorporation of retail, commercial office, and indoor recreation spaces within lower levels of the development.</p>	Complies.

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	commercial, business, entertainment and retail activities and the like		
6.	Built Form		
	<p><i>Lot Amalgamation</i></p> <p>(a) A minimum street frontage of 20m is to be provided for each development site along Anzac Parade and Gardeners Road</p> <p>(b) When development/redevelopment/amalgamation is proposed, sites between and adjacent to developable properties are not to be limited in their future development potential</p> <p>(c) Where a development proposal results in an isolated site, the applicant must demonstrate that negotiations between the owners of the lots have commenced prior to the lodgement of the DA to avoid the creation of an isolated site. The following information is to be included with the DA:</p> <ul style="list-style-type: none"> (i) evidence of written offer (s) made to the owner of the isolated site* and any responses received (ii) schematic diagrams demonstrating how the isolated site is capable of being redeveloped in accordance with relevant provisions of the RLEP 2012 and this DCP to achieve an appropriate urban form for the location, and an acceptable level of amenity (iii) schematic diagrams showing how the isolated site could potentially be integrated into the development site in the future in accordance with relevant provisions of the RLEP 2012 and this DCP to achieve a coherent built form outcome for the block. <p>(d) Where lot consolidation cannot be achieved to comply with the maximum envelopes in the block diagrams, alternative designs may be considered where the proposal exhibits design excellence and can demonstrate</p>	<p>The site frontage shall be approximately 38m at the Anzac Parade Street frontage.</p> <p>The two properties to the north of the subject site are also identified also as a part of key strategic node site K6 which contains an alternate building envelope and 9 storey height anticipated for the site and a standalone frontage of approximately 25m, which does not necessitate the amalgamation of the subject site.</p> <p>All other sites within the precinct are bordered by road reserves and would not be isolated by the subject proposal in terms of future development potential.</p>	Complies.

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	consistency with the relevant objectives of the block controls (Part B).		
	<p>Building Heights</p> <p>(a) The maximum height that can be achieved on a site is shown on the RLEP 2012 Height Map. An alternative maximum height is applicable in accordance with the RLEP 2012 Alternative Height Map where the proponent makes an offer to enter into a VPA for either a monetary contribution or the delivery of Community Infrastructure in accordance with the Community Infrastructure Contributions Plan. (see Part D for details on Community Infrastructure Contribution)</p> <p>(b) The maximum number of storeys on a site is to comply with the following:</p> <ul style="list-style-type: none"> i) on sites with a maximum of 16m – 4 storeys ii) on sites with a maximum of 19m – 5 storeys iii) on sites with a maximum of 31m – 9 storeys iv) on sites with a maximum 57m – 17 storeys v) on sites with a maximum 60m – 18 storeys 	<p>A Letter of Offer has been submitted to enter into a VPA for the provision of Community Infrastructure in accordance with the CIC Plan. As such, the site is subject to an alternative building height up to a maximum of to 54m along Anzac Parade and 19m along Houston Lane.</p> <p>The site has also been subject to a design competition and as a result a further 6m height bonus is afforded in under Clause 6.21 of the LEP, resulting in a maximum height of 60m along Anzac Parade and 25m along Houston Lane.</p> <p>The proposed development shall have a maximum height of 61.88m which relates to lift overrun. Roof top structures in the form of the plant screening and access stair also breach the maximum 60m height limit. However, the variation relates to the roof top structures only, with the proposed development a maximum of eighteen (18) storeys in accordance with the control.</p>	<p>Does not comply.</p> <p><i>See Key Issues and Clause 4.6 for further discussion.</i></p>
	<p>Street Walls</p> <p>(a) Buildings must be designed with a street wall height of 4 storeys</p> <p>(b) On sites with contributory buildings, the consent authority may consider a variation to the four-storey street wall height requirement of between 2 and 6 storeys if the design:</p>	<p>The proposed development shall have a street wall of two (2) and three (3) storeys in height. However, the variation in street wall height is considered appropriate in order to further articulate</p>	<p>Acceptable.</p> <p><i>See Key Issues and for further discussion.</i></p>

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	<ul style="list-style-type: none"> (i) results in an improvement to the contributory building in accordance with established heritage principles to avoid facadism (ii) meets the objectives of this clause and exhibits design excellence (iii) retains contributory or heritage elements; and (iv) provides a transition to neighbouring sites. <p>Note 1: Street wall height can be established via podiums, datum lines or other design elements.</p> <p>Note 2: See Part A Section 9 for further requirements for heritage items and contributory buildings.</p>	street façades, enable the adaptive reuse of contributory buildings and the reduced height will improve the interface with lower density properties further to the west along Houston Lane.	
	<p>Building Setbacks</p> <ul style="list-style-type: none"> (a) DAs are to comply with the minimum ground floor and upper level setbacks illustrated in the relevant block diagrams in Part B (b) Development that results in an exposed party wall on an adjoining building is to incorporate architectural or vertical landscape treatment to improve visual amenity 	The proposal is considered to be largely consistent with the required setbacks under Block K6 in Part B, with a minor variation to the minimum setback to Anzac Parade, Strachan Street and Houston lane, which do not comprise the amenity of adjoining properties.	<p>Acceptable.</p> <p>See Key Issues and for further discussion.</p>
	<p>Building Depth</p> <ul style="list-style-type: none"> (a) The residential component of development fronting Anzac Parade and Gardeners Road is to have a maximum building depth of 22m including balconies. <p>Note 1: Building depth refers to the dimension measured from the front to the back of a building's floorplate. It has a significant influence on building circulation and configuration and impacts upon internal residential amenity such as access to light and air. For residential development, narrower building depths generally have a greater potential to achieve optimal natural ventilation and solar access than deeper floor plates.</p>	The maximum depth of the building shall be 16-18m.	<p>Complies.</p> <p>See Key Issues for further discussion.</p>

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7.	Through Site Links/Mid-Block Connections		
	<p>(a) Through site links and mid-block connections are to be provided in accordance with the relevant block diagram in Part B</p> <p>(b) Where new site links or variations are proposed, the consent authority is to consider the need for and desirability of the links or connections having regard to the objectives of this section</p> <p>(c) Through site links and mid-block connections are to have an easement for public access on title or covenant on title unless identified for dedication to Council</p> <p>(d) Through-site links/ mid-block links are to be designed to:</p> <ul style="list-style-type: none"> (i) have a minimum width of 6m, and a clear height of at least 6m (ii) be direct and publicly accessible 24 hours a day (iii) allow visibility along the length of the link and be open to the sky as much as is practicable (iv) be easily identified by users and have a public character (v) include signage advising of the publicly accessible status of the link and the places to which it connects (vi) be clearly distinguished from vehicle accessways (vii) align with breaks between buildings so that views are extended and there is less sense of enclosure (viii) provide active edges and opportunities for natural surveillance (ix) include materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant (x) ensure no structures (for example, electricity substations, carpark exhaust vents, swimming pools etc) are 	<p>A pedestrian through-site link or mid-block connection is not identified for the subject site.</p>	<p>N/A.</p>

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	<p>constructed in the through-site link; and</p> <p>(xi) include landscaping to assist in guiding people along the link while enabling long sightlines.</p> <p>(e) Through-site links are only to pass through or under a building where:</p> <p>(i) the building's height is greater than 3 storeys; and</p> <p>(ii) the maximum distance of the link under any structure is 18m</p>		
8.	Laneway/Shared Way Zoned		
	<p>(a) Laneways and shared zones are to be provided in accordance with the relevant block diagram (see Part B)</p> <p>(b) Laneways are to be a minimum of 6 metres wide (for larger developments, a carriageway width greater than 6 metres may be required) and shall provide landscaping, lighting and high quality materials and finishes and opportunities for art to enhance the pedestrian environment</p> <p>(c) Buildings that front lanes shall be articulated to create visual interest and shall incorporate passive surveillance by orienting windows and balconies onto the lane</p> <p>(d) Ground floor uses fronting lanes shall incorporate openings onto the lane so as to contribute to the enjoyment and activation of the lane including outdoor dining</p> <p>(e) Applicants are to negotiate Rights of carriageway with adjoining property owners where required for access.</p>	<p>Improvements to the rear laneway are provided along the western boundary in accordance with the provisions of the Block 21 diagram and further embellishments are anticipated as a part of the VPA. Vehicular Access to the rear loading zone and carpark is provided in accordance with the block plan. Landscaping and pedestrian access has also been provided to promote future activation of the laneway.</p>	Complies.
9.	Heritage Conservation		
	<p><u>New development adjacent to heritage items and contributory buildings:</u></p> <p>(a) Development adjacent to heritage items and contributory buildings (infill development) should:</p> <p>(i) Be designed to respect the historic scale, proportions and articulation of adjacent contributory built forms, including heights, solid to void ratios and alignments of street awnings</p>	<p>The subject site contains contributory items located on the corner of Anzac Parade and Strachan Street. Each of these items have been adaptively reused as a part of the podium façade and was supported by the design excellence panel.</p> <p>The application was also referred to Council's</p>	Complies.

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	<ul style="list-style-type: none"> (ii) Incorporate podiums and framed overlays that reference the principle influence line of historic streetscapes, and are cohesive with the established street frontage (iii) Be designed to incorporate setbacks which retain the profile and massing of exposed side elevations to retained contributory built forms (iv) Ensure new street elevations maintain the vertical articulation and segmented character if historic building groups which provide variety to the streetscape and sense of human scale, and avoid unrelated horizontally emphasised articulation (v) Provide contemporary new signage that compliments the character of the contributory buildings and (vi) Ensure that new finishes to side elevations should not detract from street front detailing and finishes. (b) Development should maintain and reinstate the emphasis of street corners and cross routes through reinforcement of historic height lines remaining at, and adjacent to intersections. 	Heritage Planner who raised no objection to the proposed development subject to recommended conditions of consent. See Assessment report and further attachment for detailed comments.	
PART B			
10.	Block Controls		
10.3	Block by Block Controls – Other Sites		
	<ul style="list-style-type: none"> (a) Development must be consistent with the relevant block envelope controls including heights, setbacks, street walls, mid-block links and laneways (b) Built form within 'Flexible Zones' is to be designed to comply with the maximum building height in the RLEP 2012, objectives of this clause and the requirements of the ADG to achieve transition to adjoining lower scale development. 	The subject site is identified as being within Block K6 of the Block controls. The proposed development provides minor variations to the building envelope stipulated in Block K6. However, the proposed built form is considered an appropriate response to the site and is largely	<p>Acceptable.</p> <p><i>See Key Issues and for further discussion.</i></p>

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		consistent with the building envelope specified.							
PART C									
11.	Housing Mix								
	<p>(a) Development is to comprise a mix of apartment types, where gardens, adaptability and accessibility are more easily achievable for elderly people, families with children, or people living with disabilities</p> <p>(b) At least 20% of the total number of dwellings (to the nearest whole number of dwellings) within a development are to be self-contained studio dwellings or one-bedroom dwellings, or both</p> <p>(c) At least 20% of the total number of dwellings (to the nearest whole number of dwellings) within a development are to be 3 or more-bedroom dwellings and</p> <p>(d) Family friendly apartments of 3 bedrooms or more are to be located on the lower four floors of the building.</p>	<p>The proposed development incorporates student accommodation development, which is not subject to housing mix controls.</p>	N/A.						
12.	Floor to Ceiling Heights								
	<p>(a) Minimum floor to ceiling heights are to be provided for all development in accordance with the following requirements:</p> <table><tr><th>Ground Floor</th><th>First Floor</th><th>Upper Floors</th></tr><tr><td>3.5m</td><td>3.3m</td><td>2.7m</td></tr></table>	Ground Floor	First Floor	Upper Floors	3.5m	3.3m	2.7m	<p>The retail component at the Ground Floor level provides 3.6m internal ceiling heights. The First Floor level, comprising commercial office space and communal areas with a ceiling height of 4.3m. The Second Floor level, comprising the indoor recreation facility and residential accommodation has a ceiling height of 3.2m</p> <p>Levels 3 to 17 provides floor-to-floor heights of 2.7m which shall accommodate internal ceiling heights in accordance with the DCP.</p>	Complies.
Ground Floor	First Floor	Upper Floors							
3.5m	3.3m	2.7m							

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13.	Solar and Daylight Access		
	<p>(a) Solar access is to be provided in accordance with the recommendations of PART 4 of the Apartment Design Guide (ADG)</p> <p>(b) Buildings must ensure that areas of private or public open space are oriented to achieve the recommended level of solar amenity as per the ADG</p> <p>(c) In relation to student accommodation or boarding house proposals:</p> <ul style="list-style-type: none"> (i) the design is to ensure that at least 60% of rooms achieve solar access during mid-winter for sites that have a north-south orientation (ii) common spaces such as lounge rooms or communal study areas are designed with a northerly aspect where possible (iii) atriums or slots in the façade are to be considered to maximise solar access to rooms. 	<p>The proposed development shall receive solar access in accordance with the minimum requirements under the DCP, with 90% of the apartments achieving a minimum of 2 hours of direct solar access in midwinter.</p> <p>Communal courtyards and the roof terrace are afforded with solar access from multiple aspects throughout mid-winter.</p>	Complies.
14.	Acoustic Privacy		
	<p><u>Residential uses</u></p> <p>(a) All new development is to be constructed to achieve the following acoustic amenity criteria for the residential component of the building in accordance with Australian Standard AS2107:2016 based on an acoustic report specified in clauses d) and k). For the purposes of this clause, the residential component includes dwellings situated within shop top housing, mixed use buildings, or occupancies in student housing, boarding houses, serviced apartments, hotel and motel accommodation.</p> <p>(b) In naturally ventilated spaces for the residential component, the repeatable maximum Leq (1hour) should not exceed: i) 35 dB(A) between 10.00 pm and 7.00 am in sleeping areas when the windows are closed; ii) 40 dB(A) in sleeping areas when windows are open (24 hours); iii) 45 dB(A) in living areas (24 hours) when the windows are closed, and iv) 50 dB(A) in living</p>	<p>The application was referred to Council's Environmental Health Officer who has provided a series of recommended conditions to ensure that the acoustic requirements of the development are achieved. The recommendations are related to the acoustic measures implemented within the indoor recreation facility and communal areas to mitigate impacts to surrounding receivers.</p>	Complies, subject to conditions.

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	<p>areas (24 hours) when the windows are open.</p> <p>(c) Where natural ventilation cannot achieve the limits listed in clause b) the development is to include mechanical ventilation, air conditioning or other complying means of ventilation (in accordance with the ventilation requirements of the Building Code of Australia and Australian Standard AS 1668.2-2012), when doors and windows are shut. In such circumstances the repeatable maximum Leq (1hour) with the alternative ventilation operating should not exceed:</p> <ul style="list-style-type: none"> (i) 38 dB(A) between 10.00 pm and 7.00 am in sleeping areas; (ii) 46 dB(A) in living areas (24 hours); (iii) 45 dB(A) in sleeping areas between 7.00 am and 10.00 pm. <p>(d) Notwithstanding the general noise criteria for environmental noise set out in clauses b) and c) for habitable rooms in the residential component of the proposed development is to incorporate noise control measures to ensure the standard LA10 Condition imposed by Liquor & Gaming NSW is satisfied inside those occupied spaces with doors and windows closed and the alternative ventilation is operating as follows:</p> <ul style="list-style-type: none"> (i) The cumulative LA10* from licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) by more than 5 dB between 7am and midnight. (ii) The cumulative LA10* from licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8 kHz inclusive) between midnight and 7am. (iii) The noise from licensed premises shall be inaudible in any habitable room of any 		

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	<p>residential premises between the hours of midnight and 7am</p> <p>(iv) For this clause, the LA10* can be taken as the average maximum deflection of the noise level emitted from the licensed premises.</p> <p>(e) For the purpose of acoustic assessment with respect to clauses a), b) c) and d) the assessment must identify the noise environment for the site as a result of the existing situation (including any business operations that include outdoor areas for use by patrons, and/or the provision of music entertainment) and noise generated by commercial premises within the mixed use building (this may involve consideration of potential uses if the commercial use is unknown at the time of the application for the mixed-use building).</p> <p>(f) All development is to be designed to minimise noise transition between apartments by adopting general noise concepts of:</p> <p>(i) locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms next to living rooms, bedrooms with bedrooms</p> <p>(ii) locating bedrooms away from busy roads and other existing or potential noise sources</p> <p>(iii) using storage or circulation zones within the apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; and</p> <p>(iv) minimising the amount of party (shared) walls with other apartments.</p> <p>(g) Noise transmission is to be reduced from common corridors by providing seals at entry doors</p> <p>(h) Conflicts between noise, outlook and views are to be resolved using design measures such as double glazing, operable screening and ventilation</p>		

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	<p>taking into account noise targets for habitable rooms as identified in clauses b) c) and d) above are assessed inside the rooms with doors and windows closed and ventilation operating.</p> <p>(i) The design of the building is to address the requirements of clause d) with respect to noise from licensed premises and noise/vibration from mechanical plant and ventilation ducts associated with plant and equipment (including kitchen exhausts) serving the commercial spaces.</p> <p>(j) The design of new buildings or substantial alterations to existing buildings are to take into account the following noise conditions that would apply to each commercial tenancy in the development:</p> <p>(i) Noise from commercial plant and the use of the premises when assessed as in LAeq, 15 minute must not exceed the LA90, 15 minute background noise level by more the 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises when in use.</p> <p>(ii) Noise from the provision of entertainment and patron noise when assessed as an LA10* enters any residential use through and internal to internal transmission path is not to exceed the existing internal LA90, 15 minute level in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed within a habitable room at any affected residential use within the mixed use development between the hours of 7am and midnight, and is to be inaudible between midnight and 7am.</p> <p>(iii) For any gymnasiums or similar facilities in mixed use development the above noise</p>		

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	<p>conditions would apply noting that the noise limits include the creation of noise as a result of any vibration induced into the building structure is to be inaudible in any residence between the hours of 10pm and 7am the following day.</p> <p>(iv) The noise limits in this clause applies with doors and windows closed and mechanical ventilation operating.</p> <p>(k) A noise and vibration assessment report, prepared by an appropriately qualified acoustical consultant/engineer, is to be submitted with DAs for new buildings or substantial alterations to existing buildings that include residential units or occupancies in student housing, boarding houses, serviced apartments, hotel and motel accommodation and any other sensitive land uses, addressing appropriate measures to minimise potential future noise and vibration impacts permissible in the B2 Local Centre Zone including amplified music associated with restaurants, small bars and cafes, noise from light rail movements. This assessment is to:</p> <p>(i) be prepared having regard to the NSW Environmental Protection Authority's Noise Policy for Industry, the DECC (EPA) Assessing Vibration, a Technical Guideline, and relevant Australian Standards pertaining to noise measurements and the noise conditions identified above</p> <p>(ii) incorporate an assessment of external noise sources and internal noise sources (such as mechanical ventilation) with respect to the criteria specified in b), c) and d); and</p> <p>(iii) detail the design measures needed to achieve the required internal acoustic amenity specified in b), c) and d).</p>		

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	<p><i>Note: The noise and vibration assessment report prepared at the DA stage will identify a noise design base for the entire mixed use building and would become the benchmark for subsequent assessments of the entire mixed use building (or existing buildings subject to substantial alterations) and would become the benchmark for subsequent acoustic assessments. Any individual Das for commercial occupation within the mixed-use building or the altered existing building for an accompanying acoustic assessment is required to rely on the acoustic benchmark described above.</i></p> <p>(iv) To maintain the intent of the acoustic objectives, prior to the issue of a Construction Certificate or an Occupation Certificate, a certificate of acoustic compliance confirming compliance with the specified noise limits referred to above and the noise design base for the mixed use building or alterations to existing buildings is to be submitted to Council.</p>		
	<p><u>Commercial Uses</u></p> <p>(l) The assessment for consideration of the future development within the town centre is to also consider an external noise external target of 70 dB(A) for general noise and an L10* level of 80 dB(A)/ 88 dB(C) when assessed at 1 metre from the future development, noting that future venues where entertainment is to be provided will be subject to the standard LA10 Condition in relation to the operation of those premises.</p> <p>(m) The site and building layout for new development in the town centre is to maximise acoustic privacy by providing adequate building separation within the development and from neighbouring buildings (refer 3.1.6: Building Separation).</p> <p><i>Note 1: The noise and vibration report prepared at the DA stage will identify a noise design base for the entire mixed</i></p>	<p>As above, the application was referred to Council's Environmental Health Officer who has imposed a series of conditions to ensure compliance with the relevant noise criteria.</p>	<p>Complies.</p>

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	<p><i>use building and would become the benchmark for subsequent acoustic assessments of that building.</i></p> <p><i>Note 2: To maintain the intent of the acoustic objectives prior to the issue of a Construction Certificate or an Occupation Certificate there will be a requirement for a certificate of acoustic compliance confirming compliance with the specified noise limits referred to above and the noise design base for the mixed use building.</i></p>		
15.	Natural Ventilation		
	<p>(a) All buildings are to be designed to comply with the Apartment Design Guide (SEPP 65) to maximise opportunities for natural ventilation and sunlight by providing a combination of:</p> <ul style="list-style-type: none"> - corner apartments - dual aspect apartments - shallow, single-aspect apartments - openable windows and doors - other ventilation devices <p>(b) Window placement, size, glazing selection and orientation are to maximise opportunities for cross ventilation, taking advantage of prevailing breezes;</p> <p>(c) Internal corridors, lobbies, communal circulation spaces and communal areas shall incorporate adequate natural ventilation;</p> <p>(d) Basements levels including spaces used for storage, garbage areas or commercial activities, are to be designed to include natural ventilation;</p> <p>(e) Apartment depth is to be limited to maximise the opportunity for cross ventilation and airflow.</p>	<p>The proposal provides operable windows to all accommodation rooms and will meet the intent of internal ventilation requirements.</p>	Complies.
16.	Articulation and Modulation		
	<p>(a) All buildings are to provide articulation by incorporating a variety of window openings, balcony types, balustrades, fins, blade walls, parapets, sun-shade devices and louvres to add visual depth to the façade;</p>	<p>The proposed building facades are considered to incorporate articulation through a combination of recessed and protruding elements, the use of green walls and</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>(b) The design of buildings are to avoid large areas of blank walls. Where blank walls are unavoidable, they must be treated and articulated to achieve an appropriate presentation to the public domain;</p> <p>(c) Ground floor shopfronts must demonstrate 'fine grained' articulation by dividing the façade into discreet bays or sections;</p> <p>(d) Entries to business premises should be clearly defined and distinguished from entries to residential components;</p> <p>(e) Specific architectural response to articulation and modulation is to be provided at key node sites through the architectural competition process;</p> <p>(f) Building articulation should be sympathetic and complementary to the adjoining built form;</p> <p>(g) Corner buildings are to be expressed by giving visual prominence to parts of the façade (eg a change in building articulation, material or colour, roof expression or increased height). Corner buildings should be designed to add variety and interest to the street and present each frontage as a main street.</p>	landscaping features, and architectural framing.	
17.	Materials and Finishes		
	<p>(a) External walls are to be constructed of high quality and durable materials and finishes. Materials that may be subject to corrosion, susceptible to degradation or high maintenance costs are to be avoided;</p> <p>(b) Architectural treatment of street facades is to clearly define a base, middle and top sections of a building so as to divide the mass of the building;</p> <p>(c) A combination of finishes, colours and materials are to be used to articulate building facades;</p> <p>(d) Design windows that can be cleaned from inside the building; and</p> <p>(e) For sites adjoining heritage and contributory buildings, materials and finishes are to allow for their clear interpretation.</p>	The proposed development provides a variety of materials and finishes to articulate the building facades. The proposed colours, materials, and finishes are supported by Council's Design Excellence Advisory Panel.	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
18.	Awnings		
	<p>(a) Continuous pedestrian shelter must be provided to Anzac Parade, Gardeners Road and secondary streets by elements including awnings, posted verandas, colonnades or cantilevered building mass</p> <p>(b) The design of new awnings should complement the design of adjoining awnings and complement the building façade</p> <p>(c) Awnings are to be carefully located and set back to avoid obstructing vehicle sightlines, traffic signals, intersections, pedestrian crossings and other critical road infrastructure.</p> <p>(d) Awnings should wrap around corners where a building is sited on a street corner</p> <p>(e) Awning dimensions for buildings fronting Anzac Parade, secondary streets off Anzac Parade, and Gardeners Road are to provide:</p> <ul style="list-style-type: none"> - a minimum width of 3m - a minimum soffit height of 3.5m and no higher than 4.2m above the footpath - a minimum 1 metre setback from the kerb - a low profile, with slim vertical facias or eaves, generally not exceeding 300mm <p>(f) In relation to laneways, awnings: - must be well designed to provide shelter for entrances and should relate to the ground floor building uses such as outdoor dining; - are to be cantilevered with no posts (with a retractable arm); - must allow for a minimum 1.8m path of travel along the building edge.</p>	<p>A continuous awning shall be provided along the frontage of Anzac Parade and Strachan Street, through the retention of the contributory heritage facade. Accordingly, the retention of the existing awning will not impact street tree locations on the primary or secondary street frontage, which are located within setback zones or traffic islands.</p> <p>The existing awning is 3.4m above footpath level in accordance with the control and will retain a low profile design.</p>	Complies.
19.	Active Street Frontages		
	<p>(a) Required active frontages are to be provided in accordance with RLEP 2012 (Clause 6.20) Active frontages Map</p> <p>(b) Preferred active frontages are to be provided in accordance with Part B – Block Controls of this DCP c)</p>	<p>The proposed development provides an active street frontage along Anzac Parade and Strachan Street as required by the control. The Ground Floor level of</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>(c) A minimum of 80% of the street frontage on Anzac Parade is to incorporate transparent glazing on the ground floor façade</p> <p>(d) The ground floor is to maximise entries or display windows and provide at least 1 pedestrian opening per 5m of facade on Anzac Parade or secondary streets and wrapping shopfronts around corners</p> <p>(e) The ground floor of uses fronting lane ways must provide a continuous retail frontage with at least 1 pedestrian entry or door per 10m of façade</p> <p>(f) The ground floor of uses fronting mid-block links/arcades must provide at least one 1 pedestrian entry or door per 15m of façade</p> <p>(g) A minimum of 50% of a blank wall (larger than 10m²) visible from the public domain must incorporate greenery and/or public art</p> <p>(h) Entrances to internally oriented shopping or commercial arcades and the arcades themselves, must be a minimum of 6m wide</p> <p>(i) Solid non-transparent roller shutters are discouraged. Where security grills or screens are required, they are to be installed at least 1m behind the glazing line and of lattice design with an openness to allow viewing of the interior and internal lighting to spill onto the footpath</p> <p>(j) Incorporate outdoor dining wherever possible in accordance with Part D12, Footpath Dining and Trading of DCP 2013.</p>	<p>the development fronting Anzac Parade and Strachan Street is fully glazed for the retail portion of the premises. Entrances to retail units are provided along both frontages, with a central pedestrian access entrance also accommodated for each tenancy.</p> <p>Houston lane has also been provided with landscape features and pedestrian access to assist in facilitating future laneway activation.</p>	
20.	Landscape Area		
	<p>(a) The total landscaped area to be provided on a site is to be at least 100% of the total site area, spread throughout the site and building as shown in Figure 16.</p> <p>(b) Landscaped open space requirements of Chapter C2 (Medium Density Residential) do not apply to land within the Kingsford and Kensington Town Centres other than clauses 2.2.2 and</p>	<p>The proposed development provides a total landscape area of 100% of the site, through the implementation of deep soil zones, planting on structure and green walls. 16% of the provision is allocated to green walls.</p>	Acceptable.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>2.3 relating to deep soil areas and private and communal open space.</p> <p>(c) Landscaping must be suitable to the building orientation aspect, wind and other relevant environmental factors.</p> <p>(d) A minimum of 40% of the total gross landscaped area including communal open space is to include areas with sufficient soil depth and structure to accommodate mature trees and planting. A combination of trees, shrubs and ground cover is encouraged to make the landscaping more attractive and long lasting.</p> <p>(e) A minimum of 25% of the ground plane and share-ways are to be landscaped sufficient in size and dimensions to accommodate trees and significant planting.</p> <p>(f) Green walls can only contribute up to 20% of the total gross landscaped area and will be assessed on the merits of the proposal in terms of quality of green infrastructure and verification from a qualified landscape architect.</p> <p>(g) Roof tops can only contribute up to 30% of the total gross landscape area and the area is to be designed to maximise visibility of planting from the public domain. Rooftops may include communal food farms and food production areas.</p> <p>(h) Technical, structural and ongoing maintenance arrangements of proposed roof top gardens and green walls are to be documented by a qualified landscape architect and incorporated into the development proposal.</p> <p>(i) The area dedicated to roof top solar (PV infrastructure) is not to be counted as part of the total gross landscape area.</p> <p>(j) Where green roofs and green walls are provided, these shall comply with requirements contained in Chapter B4 (clause 4).</p> <p>(k) Despite the provision of a green wall, all facades are to meet design excellence requirements including</p>	<p>Deep soil areas are limited to 1%, due to a lack of onsite through site links, the need from ground level activation and a 1:1 commercial FSR provision. Notwithstanding mature tree planting has been accommodated within communal terrace areas to offset limited areas available at-grade. In addition, substantial planting zones are also accommodated within the Strachan Street verge and traffic islands to provide adequate landscaping within the public domain.</p> <p>The proposed response is considered acceptable in context of a commercial node site, which is also not the subject of ADG provisions.</p>	

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>building articulation and modulation specified in section 16 of this section of the DCP.</p> <p>(l) In addition to the requirements of Part B4 (Landscaping and Biodiversity), all DAs for sites within the Kensington and Kingsford town centres must submit a landscape plan addressing the following requirements:</p> <ul style="list-style-type: none"> (i) quantity of landscaping provided on site; (ii) scaled drawings of all areas; (iii) how landscaping would complement the architectural style of building and assists in its presentation to the streetscape and high visibility; (iv) rainwater harvesting and other irrigation methods proposed; (v) full construction details of soil profile, method of attachment to the building, and drainage/waterproofing; and (vi) engineering certification confirming building can withstand planting and associated structures. <p>Note 1 'Ground plane' refers to spaces between buildings on the ground level providing for landscaping, pedestrian access and physical connections to the street.</p> <p>Note 2: 'Gross Landscape Area' refers to the sum of all landscaped areas within a development and may include (but is not limited to) ground plane, gardens, outdoor terraces, planter boxes, sky gardens, roof terraces, and green walls.</p>		
21.	Transport, Traffic, Parking & Access		
	<p>(a) Vehicle parking within the Kensington and Kingsford town centres is to be provided in accordance with the rates outlined in the tables below. Parking requirements for all other development types not specified in the table below are contained in section 3.2 Vehicle Parking Rates (of Chapter B7)</p> <p>(b) Where practical, parking access and/or loading is to be provided from</p>	<p>The application was referred to Council's Development Engineer. See detailed comments further in Attachment D.</p> <p>The student accommodation component is not required to provide onsite parking.</p>	<p>Complies, subject to condition.</p>

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>secondary streets (rather than directly off Anzac Parade or gardeners Road), set back at least 6m from the intersection or the rear lane</p> <p>(c) Basement carpark access must comply with the requirements of B8: Water Management</p> <p>(d) Parking access and/or loading areas are to be designed as recessive components of the elevation so as to minimise the visual impact</p> <p>(e) Parking is to be accommodated underground where possible</p> <p>(f) Sub-basement car parking is to be no more than 1.2m above existing ground level;</p> <p>(g) Provide flexible hardstand area for the purposes of bicycle maintenance and repairs</p> <p>(h) Where a variation to the DCP Car Parking rates is sought, the proponent shall respond directly to Control i), 3.3 Exceptions to Parking Rates of the DCP 2013</p> <p>(i) A Green Travel Plan is required to accompany all DAs for new buildings and substantial alterations to existing buildings. The Green Travel Plans is to set out:</p> <p>(i) Future travel mode share targets, specifically a reduction in car driver mode share ii)</p> <p>(ii) Travel demand management strategies to encourage sustainable travel iii)</p> <p>(iii) Initiatives to implement and monitor travel measures such as car share and bike share; and iii)</p> <p>(iv) alignment with Control i), 3.3 Exceptions to Parking Rates of this DCP.</p> <p>(j) Car share spaces are to be provided in accordance with Part B7: 2.2 (Car Share) of this DCP</p> <p>(k) All DAs are to provide electric charging stations in an accessible location on site.</p>	<p>Notwithstanding, commercial facilities within the development are required to provide 8 spaces for restaurants and cafes and 5 spaces for business premises. This would require a total parking provision of 13 spaces, which has been provided as a part of internal parking area with car stacker systems and disabled parking secured via conditions. The minor reduction to the 13 space minimum is not considered unwarranted in the context of the minimum commercial floor area provision and the public transportation context of the site.</p> <p>The proposal is also required to provide for 57 motorcycle parking spaces, which will be secured via deferred commencement consent conditions.</p> <p>The proposal was accompanied by a green travel plan and has included 90 bicycle storage racks in accordance with DCP controls. End of trip facilities have also been provided within the basement for active transport users of the residential accommodation and business uses.</p>	

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<i>Note 1: Any provision of parking above the maximum requirements will be counted towards gross floor area.</i>		
22.	Sustainability		
	<p>(a) All buildings must achieve a minimum green star certification rating of 5 or equivalent (other recognised rating tools)</p> <p>(b) DAs for strategic node sites must be designed to achieve a GBCA exceeding Five-Star Green Star Design as Built with a sustainability strategy giving priority to the following innovations: -</p> <ul style="list-style-type: none"> - Waste collection (e.g. Automated underground waste) - Renewable energy opportunities - Water harvesting and re-use - Vertical and Roof Greening - Buildings shall incorporate passive design strategies in addition to materials which have less embodied energy, reducing operational energy and focussing on on-going well being of occupants <p>(c) All development must address the requirements of Part B3- Ecologically Sustainable Development of this DCP</p> <p>(d) Applications for new commercial office development premises and hotel/motel accommodation with a floor area of 1,000m² or more must achieve a minimum NABERS 6- star Energy and NABERS 5-star or 6-star Water rating</p> <p>(e) All development must provide 1 electric vehicle charging point per 5 parking spaces where onsite parking is provided.</p> <p>(f) All development must address the requirements of B6 Recycling and Waste Management</p> <p>(g) All new buildings are to provide a space for storage and sorting of problem waste such as E-waste, clothing, and hazardous waste.</p> <p>(h) All new development (other than alterations and additions, or development that is minor or ancillary in nature) is to incorporate a localised automated waste collection system in accordance with Council's Automated</p>	<p>The application is supported by a 5 Star Green Star commitment, NABERS certificate and NCC Section J assessment. Standard consent conditions have also been included to the consent to secure sustainable commitments.</p> <p>A condition of consent shall be imposed to ensure electric charging points are provided at a ratio of 1 per 5 spaces.</p> <p>An area has been provided within the loading dock for the storage and sorting of e-waste, clothing, and hazardous waste.</p> <p>An automated waste collection system has been accommodated at-grade within the ground level loading dock.</p>	Complies, subject to conditions.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	Collection System Guidelines.		
23.	Water Management		
	<p>(a) DAs must address Part B8 – Water Management of the Randwick DCP 2013 in relation to water conservation, groundwater and flooding and Water Sensitive Urban Design</p> <p>(b) In addition to requirements of Part B8, applications for basement level/s must include:</p> <ul style="list-style-type: none"> (i) detailed designs by a qualified hydrological or structural engineer for a water-proof retention system (fully-tanked structure) with adequate provision for future fluctuations of water table variation of at least +/- 1 metre; and (ii) certification from a second qualified hydrological engineer experienced in the design of structures below a water table that the design of the groundwater management system will not have any adverse effects on surrounding property or infrastructure. 	<p>The application was referred to Council's Development Engineer who has recommended consent conditions in relation to water management.</p>	Complies, subject to condition.
	<p>Flooding</p> <p>(a) Building design is to facilitate adaptation to different commercial and retail uses, as well as the integration of flooding solutions into the built form, resulting in a floor-to-floor ground floor height between 4.5m and 6m.</p>	<p>The design was reviewed by Council's Development Engineer who did not raise concern with the adopted flood planning levels.</p>	Complies.
24.	Aircraft Operations		
	<p>(a) DAs involving the use of cranes during construction and light poles must ensure compliance with Clause. 6.8 of the RLEP 2012 in relation to Airport Operations</p> <p>(b) Applications for new buildings and cranes during construction must meet the requirements of Part F3 - Sydney Airport Planning and Noise Impacts of the Randwick DCP 2013</p> <p>(c) Applications for development that exceed 51m AHD at Kingsford will be subject to an assessment process</p>	<p>The application was referred to Sydney Airport Corporation who raised no objection to the proposed development. Conditions of consent shall be imposed in relation to any controlled activities and the requirements of Sydney Airport.</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>under the Airports (Protection of Airspace) Regulations, 1996.*</p> <p>*Note: <i>Proposals that penetrate prescribed airspace above 51m AHD may affect the safety of existing and future air transport operations at Sydney Airport and as such may not be approved under the Airports (Protection of Airspace) Regulations, 1996.</i></p> <p><i>Further information can be obtained from the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications, the agency responsible for development approvals that constitute “controlled activities” (under the Airports Act 1996) affecting Sydney Airport.</i></p>		
26.	Student Accommodation		
	<p>a) A design report that demonstrates compliance with the minimum amenity standards under the AHSEPP and where improvements to these standards have been incorporated into the development in order to achieve a higher standard of living amenity for occupants e.g. size of communal living areas, ceiling heights, bedroom width.</p> <p>b) How the built form relates to the desired local character and surrounding context including relationship to heritage or contributory buildings (Refer to Part B Block controls), delivery of high quality built form design and public/private domain interface at the ground level</p> <p>c) How the development delivers improved sustainability, natural cross ventilation and sunlight, passive thermal design reducing reliance on technology and operation costs and waste management</p> <p>d) Communal living areas with a minimum area of 20m² or 1.25m² per resident, whichever is greater and a minimum dimension of 3m</p> <p>e) A Management Plan in Accordance with the Management Plan Template</p>	<p>Refer to assessment of Housing SEPP 2021 for co-living housing below. There were no non-compliances identified in relation to amenity standards.</p> <p>Built form is generally consistent with storey height anticipated under the block controls and has adaptively reused contributory building facades along Anzac parade within the podium.</p> <p>Natural ventilation afforded to all accommodation rooms. Further, approximately 90% of rooms will receive more than 2 hours of sunlight. The development will also satisfy Green star, NABERS and NCC Section J performance criteria and will incorporate an automated waste management system.</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>in Part B of this DCP addressing the following additional requirements:</p> <ul style="list-style-type: none"> i. Maximum number of students to be accommodated at any one time ii. Provision for at-call contact details of a suitably responsible contact person for response 24 hours a day iii. On site security arrangements iv. A schedule detailing furnishings for sleeping rooms v. Cleaning and maintenance arrangements vi. Ongoing operational arrangements to minimise and manage noise transmission to adjoining properties vii. Management and staffing arrangements and overview of each role's key responsibilities viii. Measures to ensure ongoing workability of emergency systems including lighting and smoke detectors, sprinkler systems, and air conditioning ix. Placement and composition of furnishing and fittings to achieve the appropriate fire safety requirements x. Measures to ensure how premises are to be regularly checked to ensure fire safety including that all required exits and egress paths are clear and free of locks and obstructions xi. Provision of information on community and education services, including health, counselling and cultural services xii. House rules regarding occupancy and behaviour of students and visitors xiii. Critical Incident Management and Emergency & Evacuation Procedures xiv. Management procedures over holiday periods. <p>f) DAs for boarding houses and student accommodation must submit an Acoustic Report prepared by a suitably qualified acoustic consultant in accordance with the requirements</p>	<p>Communal living area will exceed the minimum area, with multiple recreation zones provided throughout the proposal.</p> <p>Operational management plan and Acoustic report reviewed and supported by Council's Environmental Health and Building regulation teams.</p> <p>Traffic impact assessment and green travel plan was reviewed and supported by Council's Development Engineer.</p>	

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>of section 15 Part C of this DCP addressing:</p> <ul style="list-style-type: none"> i. Potential noise sources from the operation of the development including any outdoor communal areas, mechanical plant and equipment and kitchen exhaust systems ii. Desirable acoustics performance criteria addressing potential external night time noise activities including outdoor dining, cafes, restaurants, small bars, outdoor performances and live music; iii. Mitigation measures such as appropriate sound proofing construction and management practices to achieve the relevant noise criteria (refer to section 15 Part C of this DCP) <p>g) DAs for boarding houses (including student accommodation) incorporating 20 or more bedrooms are to be supported by a Traffic and Transport Report prepared by a suitably qualified person, addressing as a minimum the following:</p> <ul style="list-style-type: none"> • the prevailing traffic conditions - ingress and egress arrangements • waste collection • the likely impact of the proposed development on existing traffic flows and the surrounding street system • pedestrian and traffic safety • an assessment on-site parking provision for students, staff and business operations • the recommendations of a site specific Green Travel Plan (as required under Section 22 Part C of this DCP) outlining initiatives to encourage active transports options and shared use of vehicles for students, employees and other visitors to the site. 		

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
PART D			
27.	Solar Access – Public Open Space		
	<p>(a) New buildings and alterations and additions to existing buildings are to be designed to ensure that the following locations shown on Figures 17a and 17b are not overshadowed by more than 10% in mid-winter (June 22nd) between the hours of 12noon and 2pm:</p> <ul style="list-style-type: none"> – Kensington Public School – Duke St Plaza – Bowral St Plaza – Uni Lodge Plaza – Addison St Plaza – Kokoda Park – Todman Ave Plaza – Meeks St Plaza – Borrodale Road widening – Town Square Plaza – Market Site corner – Triangle site corner – Dacey Gardens <p>(b) New buildings and alterations to existing buildings are to retain solar access to a minimum of 50% of the site area of key public places identified in a) and shown on Figures 17a and 17b for a minimum of 3 hours in mid-winter (June 22nd).</p>	The subject site is not in the vicinity of protected public spaces identified by the DCP.	N/A.
28.	Wind Flow		
	<p>(a) DAs are to include a Wind Impact Assessment for new buildings over nine (9) storeys in height. The findings of the Wind Impact Assessment are to provide design solutions to minimise the impact of wind on the public and private domain</p> <p>(b) Development must not create a ground level environment where additional generated wind speeds exceed:</p> <ul style="list-style-type: none"> (i) 10 metres per second for active frontages along Anzac Parade and (ii) 16 metres per second for all other streets <p>(c) Buildings over 9 storeys are to incorporate design features that</p>	The application was supported by a Wind Impact Assessment which concludes that the proposed development shall have minimal effect on the local wind environment and shall not result in any significant impact upon pedestrian comfort or safety, with wind conditions acceptable for pedestrian standing or walking.	Acceptable.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>ameliorate existing adverse wind conditions so that the above criteria is achieved</p> <p>(d) Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments</p> <p>(e) Balconies are to be designed to minimise wind impacts and maximise usability and comfort through recessed balconies, operable screens, pergolas and shutters</p> <p>(f) Balconies must be recessed on buildings over 45m in height.</p>		
29.	Public Art		
	<p>(a) Public Art is to be generally be consistent with Council's Public Art Strategy</p> <p>(b) All sites with frontages greater than 12 metres and corner sites, must incorporate artistic elements into the built form such as creative paving, window treatments, canopy design, balustrading, signage and wayfinding, lighting to assist illumination levels after dark and the promotion of active uses in the public spaces</p> <p>(c) In addition to clause 29(b) site specific public art is to be provided on identified sites, plazas and mid-block links as per the block by block controls in Part B of this DCP</p> <p>(d) Public art is to be located in areas which offer the public a free and unobstructed visual experience of the work</p> <p>(e) Incorporate creative lighting, decorative elements and/or murals in laneways, share ways and pedestrian links</p> <p>(f) Submit an Arts Statement which identifies the reasons for the chosen themes, and their interpretation into specific treatments with the DA.</p>	<p>The proposed façade fronting Anzac Parade incorporates a series of contributory architectural features and artistic elements in the form of the bay windows, awnings, and brickwork.</p>	Complies.
30.	Affordable Housing		
	<p>(a) All development within the 'Kensington and Kingsford Town Centres Affordable Housing Contributions Area' (Figure 18) must contribute towards the provision of affordable housing based on the following rates:</p>	<p>A letter of offer has been provided by the Applicant which agrees to enter into a VPA for the provision of an affordable housing</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/ Conditioned)									
	<p>Table – Affordable Housing Contributions</p> <table><tr><th>Date of DA lodgement</th><th>Percentage of residential gross floor area to be dedicated towards affordable housing</th><th>Equivalent Monetary contribution *</th></tr><tr><td>From 13 August 2020 up to and including 13 August 2022</td><td>3%</td><td>\$324.38/sqm</td></tr><tr><td>After 13 August 2022</td><td>5%</td><td>\$540.62/sqm</td></tr></table> <p>* where less than whole unit is provided</p> <p>(b) Affordable Housing contributions are to be provided in accordance with the Affordable Housing Plan 2019 for the Kensington and Kingsford Town Centres</p> <p>(c) The affordable housing contribution rate is to apply to the residential gross floor area component of the development</p> <p>(d) Contributions towards affordable housing are to be provided through a dedication of completed units with any remainder paid as a monetary contribution in accordance with the affordable housing contributions table referred to in clause a).</p> <p>*Note the Affordable Housing Contributions Area corresponds to the B2 Local Centre Zone boundary.</p>	Date of DA lodgement	Percentage of residential gross floor area to be dedicated towards affordable housing	Equivalent Monetary contribution *	From 13 August 2020 up to and including 13 August 2022	3%	\$324.38/sqm	After 13 August 2022	5%	\$540.62/sqm	<p>monetary contribution. Appropriate conditions of consent shall be imposed for the provision of affordable housing contributions.</p>	
Date of DA lodgement	Percentage of residential gross floor area to be dedicated towards affordable housing	Equivalent Monetary contribution *										
From 13 August 2020 up to and including 13 August 2022	3%	\$324.38/sqm										
After 13 August 2022	5%	\$540.62/sqm										
31.	Community Infrastructure											
	<p>(a) In accordance with Clause 6.17 of the RLEP 2012 an alternative building height and additional floor space ratio may be achievable where Council and the proponent of the DA have agreed to or entered into a planning agreement for the basis of paying the Community Infrastructure Charge</p> <p>(b) The delivery of Community Infrastructure is to be carried out in accordance with the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019.</p> <p>Note 1: Community Infrastructure Charge Community infrastructure is identified in the Schedule of community Infrastructure within the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2020. It includes development for the purposes of recreation areas, recreation facilities,</p>	<p>A letter of offer has been provided by the Applicant which agrees to enter into a VPA for the provision of community infrastructure contributions. The offer identifies that work-in-kind shall be provided. Appropriate conditions of consent shall be imposed for the provision of community infrastructure.</p>	<p>Complies.</p>									

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<p>public roads, community facilities and drainage.</p> <p>In order for this community infrastructure to be provided, the following types of community infrastructure contributions will be considered:</p> <ul style="list-style-type: none"> • A monetary contribution (Community Infrastructure Charge); or • Dedication of land or property; or • Carrying out works; or • A combination of all the above. <p>The Community Infrastructure Charge is set out in the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019. A voluntary planning agreement is the means by which the Community Infrastructure will be delivered on a given site.</p>		
32.	Public Domain and Landscape		
	<p>(a) Development within the public domain is to be consistent with Figures 17a and 17b: The Public Domain Strategy.</p> <p>(b) DAs for new buildings and substantial alterations and additions to more than 50% of the existing floor area are to be accompanied by a Public Domain Plan that demonstrates consistency with the public domain objectives within this DCP and addresses the following:</p> <ul style="list-style-type: none"> (i) street levels (ii) interface between the public and private domains, including levels (iii) detail of the entire adjoining streets (iv) collection, flow and treatment of stormwater (v) paving and other hard surfaces (vi) street trees and other vegetation – Randwick Street Tree Master Plan (vii) lighting (viii) safety (ix) seating and other furniture (x) stairs and other methods of managing gradient change (xi) refuse bins (xii) signage, including interpretation and wayfinding signage 	<p>The proposed involves the upgrading of the public domain including new street trees, footpaths and laneway improvements in accordance with the requirements. Detailed specifications of the works will be undertaken in consultation with Council.</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/Conditioned)
	<ul style="list-style-type: none"> (xiii) public art (xiv) water sensitive urban design (WSUD) such as landscaped swales to improve the quality of water entering the ground (xv) through site links and shared zones (c) Street trees are to be provided in accordance with the Randwick Street Tree Master Plan and the Light Rail Urban Design Guidelines. (d) Development adjacent to lanes should provide for: <ul style="list-style-type: none"> (i) Active ground floor uses to encourage pedestrian activity (ii) Adequate setbacks from sensitive land uses such as residential and schools (iii) Adequate lighting to address safety (iv) Design solutions that maintain public access at all times regardless of mobility impairments (v) Business servicing that can reasonably take place with minimal pedestrian conflict. 		
34.	Air Quality		
	<ul style="list-style-type: none"> (a) DAs are to include a report from a suitably qualified air quality consultant that addresses building design solutions and construction measures that reduce air pollution and improve indoor air quality for occupants (b) DAs are to submit a statement which explains how the proposal has addressed the NSW Government 'Development near rail corridors and busy roads – Interim Guideline' (c) Air intake for proposals are to be sited well away from Anzac Parade or the pollution source (e.g on top of tall buildings) or provided with filtration to remove particulates; and (d) DAs for sensitive land uses such as childcare centres, schools or aged care facilities must submit an air quality study prepared by a suitably qualified expert demonstrating how air 	<p>An Air quality report was provided with the application. The report was reviewed by Council's Environmental Health Officer who raised no objection or concern with the findings of the report, which demonstrates consistency with the control.</p>	Complies.

DCP Clause	Control	Proposal	Compliance (Yes/No/NA/ Conditioned)
	pollution exposure and health risks will be mitigated.		

SEPP Housing 2021 Compliance Table (Co-living)

Section	Design Criteria	Proposal	Compliance
Part 3: Co-living housing			
67	Co-living housing may be carried out on certain land with consent		
	Development for the purposes of co-living housing may be carried out with consent on land in a zone in which development for the purposes of co-living housing, residential flat buildings or shop top housing is permitted under another environmental planning instrument.	Mixed use development and co-living permitted within the E2 Commercial centre zone.	Complies.
68	Non-discretionary development standards—the Act, s 4.15		
	<p>(2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing—</p> <p>(a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than—</p> <p>(i) the maximum permissible floor space ratio for residential accommodation on the land, and</p> <p>(ii) an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing,</p> <p>(c) for co-living housing containing more than 6 private rooms—</p> <p>(i) a total of at least 30m² of communal living area plus at least a further 2m² for each private room in excess of 6 private rooms, and</p> <p>(ii) minimum dimensions of 3m for each communal living area,</p> <p>(d) communal open spaces—</p> <p>(i) with a total area of at least 20% of the site area, and</p> <p>(ii) each with minimum dimensions of 3m,</p> <p>(e) unless a relevant planning instrument specifies a lower number—</p> <p>(i) for development on land in an accessible area—0.2 parking spaces for each private room, or</p> <p>(ii) otherwise—0.5 parking spaces for each private room,</p> <p>(f) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum landscaping requirements for</p>	<p>An FSR of 5.5:1 is applicable to the site with the 10% bonus. The proposal complies with the FSR maximum permitted under the SEPP noting that the additional floor area is related to the co-living use.</p> <p>588sqm. required for 285 accommodation rooms. 626sqm provided throughout the development above the minimum.</p> <p>20% of Site area – 315m² required for communal open space.</p> <p>607.85m² communal open space provided within the podium courtyard health club and roof terrace.</p> <p>0 spaces required for student accommodation under K2K DCP 2020, with 57 motorcycle spaces secured through deferred commencement conditions.</p> <p>The site is zoned E2 commercial center and as such the provisions for residential landscaping are not</p>	Complies.

Section	Design Criteria	Proposal	Compliance
	<p>multi dwelling housing under a relevant planning instrument,</p> <p>(g) for development on land in Zone R4 High Density Residential—the minimum landscaping requirements for residential flat buildings under a relevant planning instrument.</p>	applicable in this instance.	
69	Standards for co-living housing		
	<p>(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—</p> <p>(a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m² and not less than—</p> <p>(i) for a private room intended to be used by a single occupant—12m², or</p> <p>(ii) otherwise—16m², and</p> <p>(b) the minimum lot size for the co-living housing is not less than—</p> <p>(i) for development on land in Zone R2 Low Density Residential—600m², or</p> <p>(ii) for development on other land—800m², and</p> <p>(d) the co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space, and</p> <p>(e) for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and</p> <p>(f) adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant, and</p> <p>(g) each private room will be used by no more than 2 occupants, and</p> <p>(h) the co-living housing will include adequate bicycle and motorcycle parking spaces.</p>	<p>Private rooms will meet the minimum floor area requirements with the provision of 12sqm studios and twin share accommodation with a floor area of 22sqm.</p> <p>The subject consolidated lot size of 1,575sqm will exceed the 800sqm minimum requirement.</p> <p>The proposed scheme includes ancillary office areas for student accommodation management and the ground floor does not include co-living housing directly adjoining street frontages. Only accommodation access, loading zone and retail tenancies are provided on ground level.</p> <p>Kitchen facilities, bathrooms and laundries have been incorporated as a part of the communal living area.</p> <p>Maximum room capacity twin share, majority provided as studios.</p> <p>Adequate bicycle and motorcycle parking provided by way of consent conditions.</p>	Acceptable.

Section	Design Criteria	Proposal	Compliance
	<p>(2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—</p> <p>(a) the front, side and rear setbacks for the co-living housing are not less than—</p> <p>(i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument, or</p> <p>(ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument, and</p> <p>(b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide, and</p> <p>(c) at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and</p> <p>(f) the design of the building will be compatible with—</p> <p>(i) the desirable elements of the character of the local area, or</p> <p>(ii) for precincts undergoing transition—the desired future character of the precinct.</p>	<p>Blank wall provided to the north with nil setback. No visual privacy concerns identified for future development and proposed design generally consistent with K6 DCP block control. Site further to the north is capable of redevelopment through lot amalgamation.</p> <p>Communal living areas afforded with morning and afternoon solar access via eastern and western orientations.</p> <p>Refer to assessment report. Proposed design is considered generally consistent with DCP block and envelope anticipated by the K2K DCP 2020 and is also compatible with the desired future character envisioned for the Kingsford town centre.</p>	
70	No Subdivision		
	Development consent must not be granted for the subdivision of co-living housing into separate lots.	Subdivision is not a part of the subject proposal, and the proposed development will be maintained by a single operator.	Complies.