

ATTACHMENT 5 – LANE COVE DEVELOPMENT CONTROL PLAN 2010 ASSESSMENT

The proposal has been assessed against the relevant parts of Lane Cove Development Control Plan 2010 as outlined in the following tables of compliance:

PART B – GENERAL

PART B – GENERAL		
DCP Control	Proposed	Complies
B3 Site Amalgamation & Isolated site		
Development for the purpose of residential flat buildings and high density housing should not result in the isolation of sites such that they cannot be developed in compliance with the relevant planning controls, including Lane Cove LEP 2009 and this DCP.	Consolidation of 3 lots and does not result in any isolated development sites	Yes
B.6 Environmental Management		
6.3 Energy and Water Efficiency for Buildings		
Incorporate passive solar design techniques to optimise heat storage within the building in winter and heat transfer in summer.	A BASIX Certificate to be submitted at detailed development application.	Yes
B.7 Developments near Busy Roads and Rail Corridors		
Acoustic assessments for noise sensitive developments as defined in clauses 87 and 102 of the Infrastructure SEPP may be required if located in the vicinity of a rail corridor or busy roads.	Suitable separation from Mowbray and Epping Roads.	Yes
B.8 Safety and Security		
Ensure that the building design allows for casual surveillance of access ways, entries and driveways.	Casual surveillance can be achieved.	Yes
8.1 Activation		
8.1.1 General		
Development is to be well connected to the street and contribute to the accessibility of the public domain,	Street access can be achieved.	Yes
All development is to face the street and/or public open spaces and provide uses at ground level that provide activity.	Active street uses can be achieved.	Yes

PART B – GENERAL		
DCP Control	Proposed	Complies
8.1.2 Residential development		
All ground floor apartments, villas, townhouses and attached or detached dwellings that have a street frontage other than battle axe blocks are to have direct access or entries from the street and at least one habitable room with windows facing the street.	Can be achieved at detailed development application stage.	Yes
8.2 Passive Surveillance		
All development at ground level is to offer passive surveillance for safety and security of residents and visitors.	Passive surveillance can be achieved.	Yes

PART C – RESIDENTIAL DEVELOPMENT

PART C RESIDENTIAL DEVELOPMENT		
DCP Control	Proposed	Complies
C.3 Residential Flat Buildings		
3.2 Density		
The minimum site area for residential flat developments is 1,500m².	The subject site has an area of 1,745m².	Yes
3.3 Building Depth		
The maximum residential flat building depth is to be 18 m.	Maximum 24m depth proposed inclusive of balconies. With a minimum 2m balcony, the depth could be said to be a maximum of 20m. There is therefore suitable capacity to comply with the maximum depth of 18m.	Yes
This depth is exclusive of balconies	Depth is exclusive of balconies.	Yes
3.4 Building Width		
The maximum overall width of the building fronting the street shall be 40m.	Building to Pinaroo Place is 34.81m tapering to 21.07m at the sixth storey.	Yes

PART C RESIDENTIAL DEVELOPMENT				
DCP Control		Proposed		Complies
Greater widths may be permissible if the proposed building articulation is satisfactory in the streetscape.				
3.5 Setbacks				
3.5.1 Front/Street				
The front setback of the building shall be consistent with the prevailing setback along the street (refer Diagram No.1) or where there is no prevailing setback, 7.5m.		7.5m to Mindarie Street. (See localities assessment for 5 th and 6 th storey setbacks).		Yes
The front setback area shall comprise terraces and gardens to the ground floor dwellings, deep soil zones, driveways and pathways.		Can be provided in detailed development application.		Yes
For corner allotments, the secondary setback requirement is the same as the side setback requirement for the proposed development.		Minimum 6m to Pinaroo Place and set back 9m at 5 th /6 th storeys.		Yes
3.5.2 Side and Rear				
To the boundary within the R4 zone, the minimum side and rear setback shall be: 6m up to 4 storeys 9m for 5-8 storeys	Storey	DCP Control	Proposed	Yes
	Southern (Rear)			
	1	6m	6m	
	2	6m	6m	
	3	9m	9m	
	4	9m	9m	
	5	9m	12m (+3m)	
	6	9m	16.74m (+7.74m)	
	Western (Side)			
	1	6m	6m	
	2	6m	6m	
	3	6m	6m	
	4	6m	6m	
	5	9m	9m	
	6	9m	9m	
To the boundary shared with R2 and R3 zones the minimum set back will be 9m if habitable rooms/balconies orient this side.		Not applicable, localities setbacks supersede these requirements.		N/A
3.5.3 General				

PART C RESIDENTIAL DEVELOPMENT		
DCP Control	Proposed	Complies
<p>In general, no part of a building or above ground structure may encroach into a setback zone. Exceptions are:</p> <p>I. Encroachments into the setback zone of up to 2m may be permitted for underground parking structures no more than 1.2m above ground level (existing), where there is no unreasonable effect on the streetscape. Refer to Diagram 10.</p> <p>II. Awnings, balconies, blade walls, bay windows and other articulation elements up to a maximum of 500mm.</p> <p>III. Setback variation may be required or permitted on merit to preserve existing trees.</p>	No encroachments proposed.	N/A
3.6 Building Separation (within developments)		
Unless indicated elsewhere through block controls within the DCP, separation distances within a development are the same as provided under the ADG.	Refer to Part 3F of ADG Compliance table.	SEPP 65 – DCP provisions are of no effect.
3.8 Excavation		
Excavation for major development is to be contained as close as practicable to the footprint of the development.	The excavation is contained as close as practical to the building platform noting that an expanded basement allows for reduced excavation and that the basement level directly adjacent to the southern boundary is limited to a single level.	Yes
Uses at ground level are to respond to the slope of the street by stepping frontages and entries to follow the slope.	Topography has been considered within the design.	Yes
The extent of excavation proposed for underground uses should not compromise the provision of deep soil areas or landscaped areas for residential flat buildings.	The proposal complies with ADG minimum deep soil areas.	Yes
3.9 Design of Roof Top Areas		

PART C RESIDENTIAL DEVELOPMENT		
DCP Control	Proposed	Complies
The design of exterior private open space such as roof top gardens is to address visual and acoustic privacy, safety, security, and wind effects.	Detailed design is subject to a detailed development application however compliance is considered capable of being achieved.	Yes
3.10 Size and mix of dwellings		
In residential flat buildings and the residential component of mixed use buildings, studio dwellings are to have a minimum size of 40m ² . This dwelling size is a net area and is to be exclusive of balconies, common corridors and lobbies, car spaces, storage areas outside the dwelling, private and communal open spaces and lift and other services shafts.	Refer to Part 4D of the ADG Compliance Table. Clause 6A of SEPP 65 – DCP provisions are of no effect	N/A
In residential flat buildings and the residential component of mixed use buildings, development should include a mix of 1, 2 and 3 bedroom units. At least 10% of each unit type should be provided.	No apartment mix is proposed as part of the concept development application.	N/A
3.11 Private Open Space (balconies and terraces)		
Refer to Part 4E of the ADG Compliance Table. Clause 6A of SEPP 65 – DCP provisions are of no effect		
3.13 Storage		
Refer to Part 4G of the ADG Compliance Table. Clause 6A of SEPP 65 – DCP provisions are of no effect		
3.15 Natural Ventilation		
Refer to Part 4B of the ADG Compliance Table. Clause 6A of SEPP 65 – DCP provisions are of no effect		
3.16 Visual privacy		
Refer to Part 3F of the ADG Compliance Table. Clause 6A of SEPP 65 – DCP provisions are of no effect		
3.17 Communal Open Space		
A minimum of 25% of the site area is to be provided as communal open space.	29%	Yes

PART C RESIDENTIAL DEVELOPMENT		
DCP Control	Proposed	Complies
3.18 Landscaped Area		
A minimum of 40% of the site area is to be planted, comprising 25% landscaped area and a further minimum of 15% planting on structures or landscaped area.	27% deep soil and a further 15% planting on structures.	Yes
3.19 Planting on structures Council's Landscape Officer to assess landscape plan subject to conditions of consent – concerns raised by Tim Williams Architects.		

PART C – RESIDENTIAL LOCALITIES

PART C RESIDENTIAL LOCALITIES		
DCP Control	Proposed	Complies
Locality 6		
A 17.5m height limit is to correspond with a maximum height of 5 storeys.	The proposal seeks approval for 6 storeys.	No, 1 storey variation see report.
Any 5th storey is to have a maximum of 50% floor area of the storey below, and be set back 3m from that lower storey's building façade line.	<p>The proposal is set back 3m from the lower storey's building façade line in compliance with the DCP.</p> <p>The 5th storey as amended represents 55% of the storey below. The 6th storey as amended represents 45.6%. The figure represents the entire building envelope, not the floor area as required by the clause, it is anticipated, factoring the balconies will represent a larger area proportionally of the upper floor that compliance with this requirement can be achieved at the Stage 2 application stage.</p>	Yes
A minimum deep soil area of 40% of the site is to be provided for residential flat buildings.	The proposal provides for deep soil zones (27%) in excess of the ADG,	No, 13% variation see report.

PART C RESIDENTIAL LOCALITIES		
DCP Control	Proposed	Complies
	however less than required by the Mowbray Precinct Locality DCP.	
Tree retention, and the planting of new trees, is to be encouraged. Driveway design should avoid tree loss on Council land.	Council's Tree Preservation Officer has visited the site and tree preservation is recommended as a condition of consent.	Yes
Development applications at the interface between the high and low density residential zones are to demonstrate that the amenity of adjacent houses has been a design consideration by stepping the building in at least 3m after the second level.	Provided, the proposal provides for a further 3m setback beyond DCP and ADG requirements after the second level.	Yes
Development proposals are to be in character with the palette of materials, finishes and design elements that are in harmony with the natural landscape and complementary with the bushland setting of the precinct. In addition, roof form articulation is encouraged.	The proposed material palette is subject to the detailed development application.	Yes
As the precinct is in a bushfire prone area, buildings are to be constructed to meet Australian Standard 3959-2009 - Construction of buildings in bushfire-prone areas.	The site is bushfire prone land. NSW RFS have commented and raise no objection. Further assessment will occur at the detailed development application phase.	Yes
The asset protection zone (APZ) is to be measured from the top of the kerb on the side of the road adjacent to the reserve (where there is a perimeter road) or measured inwards from the residential lot boundary adjacent to the reserve (where there is no perimeter road).	See above	Yes

PART O – ENGINEERING

Subject to detailed development application. Capable of compliance.

PART Q – WASTE MANAGEMENT

Subject to detailed development application. Capable of compliance.

PART R – TRAFFIC, TRANSPORT AND PARKING

Conditioned to comply with parking rates within Part R of LCDCP 2010.