

## ANNEXURE 4 – DEVELOPMENT CONTROL PLAN ASSESSMENT

### PART C8 TABLE OF COMPLIANCE

TABLE OF COMPLIANCE – LANE COVE DEVELOPMENT CONTROL PLAN 2010 PART C – RESIDENTIAL LOCALITIES – LOCALITY 8 – ST LEONARDS SOUTH PRECINCT				
Section	Control	Requirement	Proposal	Complies
<b>1. Introduction</b>	<ul style="list-style-type: none"> <li>This DCP must be read in conjunction with Clause 4.6(8)(cb) of LCLEP 2009.</li> <li>This DCP must be read in conjunction with all other parts of the DCP.</li> <li>Site specific-clauses in this DCP (Locality 8) prevail over general clauses elsewhere in the DCP</li> <li><b>Figure 1</b> details the DCP applicable area.</li> </ul>		Not satisfactory with respect with Clause 4.6(8)(cb) – see main report	<b>No, refusal is recommended</b>
<b>2. Vision</b>	<i>The desired future character of the St Leonards South Precinct is for a liveable, walkable, connected, safe, Precinct which builds upon the transit and land use opportunities of St Leonards and Metro Stations and commercial centre.</i>		Not addressed – see main report	<b>No, refusal is recommended</b>
<b>3. Overall Objectives</b>	<p>The overall objectives are:</p> <ol style="list-style-type: none"> <li><i>To create a highly liveable transit-orientated residential precinct that integrates with St Leonards Station and proposed over-rail plaza that encourages community interaction, walking, cycling and use of public transport.</i></li> <li><i>To ensure that all new development will achieve design excellence, as well as providing suitable transition and interfaces to adjoining zones and open space.</i></li> <li><i>To provide a variety of housing (including affordable housing) that is sustainable, provides housing choice and that meet the needs of residents including access to community facilities.</i></li> <li><i>To minimise traffic impacts within the precinct to and from Pacific Highway and River Road.</i></li> <li><i>To facilitate a new, accessible network for pedestrians, cyclists and families that integrate and connect to functional community infrastructure and open space.</i></li> <li><i>To create an accessible, well-designed public open space network that provides a variety of recreation spaces (Active and passive) and communal open space that is functional and shared by residents.</i></li> <li><i>To create a Low Carbon Precinct that delivers sustainable and efficient buildings that provide energy, water and waste efficiency.</i></li> </ol>		Not addressed – see main report	<b>No, refusal is recommended</b>
<b>4. Structure Plan</b>	<b>Land Use</b>	Land Use shall be in accordance with the Structure Plan in <b>Figure 3</b> .	Generally consistent.	Yes
		Small scale retail may be considered on major E-W link where it can serve the parks, community facilities and pedestrian links.	No small -scale retail facility proposed on east-west link.	Yes
	<b>Heritage</b>	Development shall not have an adverse impact on Heritage significance of Heritage Items in the vicinity of the development.	No significant adverse impacts	Yes
		Significant streetscape elements, including street trees and sandstone walls, shall be retained and conserved where possible. Where items cannot be retained a photographic record shall be provided to Council's library.	Addressed	Yes
<b>5. Access</b>	<b>Access Network</b>	Provide public roads, pedestrian and bicycle links in accordance with <b>Figure 4 – Access Networks</b>	Area 16 - Pedestrian Link – East/West 15m wide	Yes

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	Roads	Create new road/lane between Berry and Park Roads (Area 22 and 23).	N/A	N/A
		Close Berry Lane incorporate into site with equal land area dedicated to Council on Park Road.	N/A	N/A
	Pedestrian and Bicycle Links	Create E/W links indicated in <b>Figure 4 and 5(b)</b>	Created.	Yes
		Ensure 'Green Spines' connect/ integrate with E-W pedestrian and bicycle links where applicable.	Connected	Yes
		Provision for potential connection of Canberra Avenue to the south across River Road via traffic lights to extend bicycle link.	N/A	N/A
	Sustainable Transport	Provide infrastructure for electric charging points to every car space.	To be provided.	Yes – would have been conditioned in any consent granted
6. Infrastructure	Recreation Areas (Public Open Space)	Create Recreation areas in <b>Figure 6</b> .	Level connections are critical and have been considered in detail.	Yes
		Locate driveways to max. opportunity to convert south Berry Road and Holdsworth Avenue to a Recreation Area.	Appropriately located	Yes
	Community Facilities	Provide community facilities including a multi-purpose facility of 600 sqm – comprising childcare centre 450 sqm, community hall 150 sqm, and adj. Recreation Area 450 sqm (Table 7.1)	Provided	Yes
	Affordable Housing	Affordable Housing as per Figure 7 in accordance with <i>Specifications for Affordable Housing in the South Leonards Precinct</i> .	Area 17 is required to provide for one affordable dwelling	Yes – one dwelling provided for
	Utility Services	Undergrounding of services within public road for total frontage of each site.	Can comply.	Yes
		All utility services within each site are to be placed underground or within the building.	Can comply.	Yes
		Design and construction of these works is to be at the cost of the developer.	Can comply.	Yes
		Light poles are to be designed and provided as specified by Council.	Can comply.	Yes
		All utility infrastructure including electricity kiosks, hydrants and meters shall be screened from the public domain.	Can comply.	Yes
7. Built Form	Amalgamation	Sites amalgamated as per Figure 8 (LEP minimum lot size).	Provided.	Yes
		Alternative patterns only considered if all outcomes and objectives can be met for subject and other Areas.	N/A	N/A
	Building Envelope	<b>Front Setbacks (Figure 9)</b>		
		<b>Street Type A</b> - 4m at street level - +3m at and above Level 6	Not fully met – see main report	<b>No, refusal is recommended</b>
		<b>Street Type B</b>	N/A	N/A

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		<ul style="list-style-type: none"> <li>- 4m at street level</li> <li>- +3m at and above Level 3</li> <li>- +3m at and above Level 6</li> </ul>		
		<b>Street Type C</b> <ul style="list-style-type: none"> <li>- 10m at street level</li> <li>- +3m at and above Level 3</li> <li>- +3m at and above Level 6</li> </ul>	N/A	N/A
		<b>Street Type D</b> <ul style="list-style-type: none"> <li>- 10m at street level</li> <li>- +7m at and above Level 4</li> <li>- +7m at and above Level 6</li> </ul>	N/A	N/A
		<b>Street Type E</b> <ul style="list-style-type: none"> <li>- 6m at park level</li> <li>- +3m at and above Level 3</li> </ul>	N/A	N/A
		<b>Street Type F</b> <ul style="list-style-type: none"> <li>- 6m at park level</li> <li>- +3m at and above Level 5</li> </ul>	Not achieved in this instance – see main report	<b>No, refusal is recommended</b>
		<b>Rear Setback</b>		
		Minimum 12m setback to rear boundary of an Area.	Not complied with – see main report	<b>No, refusal is recommended</b>
		<b>Building Separation</b>		
		As per ADG / SEPP 65	Achieved	Yes
		<b>Building Depth</b>		
		18-22m (Figure 9)	Max 20.5m	Yes
		<b>Building Orientation / Length</b>		
		Provide N/S Perimeter blocks (Figure 9)	Provided	Yes
		Maximum building length: 35m unless strongly articulated.  Note: Strongly articulated means for example a major indentation of 3-6m x 3m wide for full height.	Max. 54m – strongly articulated	Yes
		River Road lower levels may be longer with strong articulation.	N/A	N/A
		<b>Building Articulation</b>		
		A high degree of articulation is mandatory for front façade and includes balconies, overhangs, blades and other architectural features.	Not demonstrated by the applicant due to the proposed setback variations	<b>No, refusal is recommended</b>
		Bright colours to emphasise articulation shall not be used.	Proposed.	Yes
		<b>Height in Storeys</b>		
		Height of development in number of storeys as per Figure 10. Refer also to Clause 4.6(8)(cb) and Part 7 of LEP.	Height in storey control not complied with – see main report	<b>No, refusal is recommended</b>
		Part storeys resulting from excavation of steep slopes or semi-basement parking will not count as a storey.	See main report discussion	<b>No, refusal is recommended</b>
		<b>Solar Access</b>		
		Compliance with ADG.	Applicant has claimed compliance with solar access diagrams submitted	Yes
		Overshadowing of public (Newlands Park and Local Park) and private open space (Green Spines) is minimised.	Demonstrated however would assist if balcony	Yes, in part

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					encroachments into green spine were to be deleted	
		<b>Building Floor Levels</b>				
		Building floor levels shall have regard to Figure 18 to facilitate the creation and access to Green Spines.			Demonstrated	Yes
	<b>Incentives</b>	<b>H(m)</b>	<b>FSR (:1)</b>	<b>S</b>	<b>Outcome to Achieve</b>	<b>Complies</b>
	<b>Area 16</b>	37 & 2.5	2.85	10	a) Minimum site area of 2,500m <sup>2</sup> . b) Design Excellence is achieved in accordance with LEP Clause 7.6 including the Maximum Height of Buildings (in storeys). c) A 15m wide pedestrian and bicycle link connecting Berry Road and Holdsworth Avenue embellished in accordance with the Specifications for Public Open Space in St Leonards South Precinct and dedicated to Council in perpetuity. d) Provision of appropriate building setbacks to facilitate shared communal open space in accordance with the Specifications for Private Open Space in the St Leonards South Precinct with a positive covenant granting shared access in accordance with Section 88E of the Conveyancing Act 1919. e) A dwelling mix comprising a minimum 20% x 1 bedroom and studio, 20% 2 bedroom and 20% 3 bedroom. f) Amalgamation of lots as per Figure 8 to prevent the fragmentation or isolation of land.	<b>No, refusal is recommended, see main report regarding to number of storeys and setbacks</b>
	<b>Area 17</b>	38 & 2.5	3.8	10	a) Minimum site area of 2,200m <sup>2</sup> . b) A multi-purpose (child care centre and community facility) of 600m <sup>2</sup> with direct connection to an outdoor play space of 450m <sup>2</sup> provided in accordance with the Specifications for Community Facilities in the St Leonards South Precinct and dedicated to Council in perpetuity. c) Public lifts associated with the multi-purpose facility, to provide accessibility. d) 1 affordable housing dwellings dedicated to Council in perpetuity. Each dwelling shall comprise a minimum of 2 bedrooms with an internal area of at least 70m <sup>2</sup> (plus storage) and one car space, in accordance with Specifications for Affordable Housing in the St Leonards South Precinct. e) Design Excellence is achieved in accordance with LEP Clause 7.6 including the Maximum Height of Buildings (in storeys). f) A 15m wide pedestrian and bicycle link connecting Canberra Avenue and Holdsworth Avenue embellished in accordance with the Specifications for Public	<b>No, refusal is recommended, see main report regarding to number of storeys and setbacks</b>

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Section	Control	Requirement			Complies
				<p>Open Space in St Leonards South Precinct and dedicated to Council in perpetuity.</p> <p>g) Provision of appropriate building setbacks to facilitate shared communal open space in accordance with the Specifications for Private Open Space in the St Leonards South Precinct with a positive covenant granting shared access in accordance with Section 88E of the Conveyancing Act 1919.</p> <p>h) A dwelling mix comprising a minimum 20% x 1 bedroom and studio, 20% 2 bedroom and 20% 3 bedroom.</p> <p>i) Amalgamation of lots as per Figure 8 to prevent the fragmentation or isolation of land.</p>	
	<b>Pedestrian Entry/Address</b>	All building access shall be sited to provide street level access to minimise ramps.		Achieved	Yes
		Provide direct access to ground floor/street level units for Areas 21, 22 and 23 and wherever possible in Precinct.		N/A	N/A
		Provide entries to properties generally as per Figure 11.		Fencing and entry details are appropriate	Yes
		Design for passive surveillance of recreation areas and pedestrian and bicycle links from the public domain and from developments.		Complies	Yes
	<b>Edge Treatments</b>	Limit basement protrusions to 1.5m		Satisfactory	Yes
		Treat exposed basements with textural materials and landscaping as per the LMP to minimise visual impact.		Appropriately treated	Yes
		Provide 1.2m front fence/hedge or other landscaping combination at the front boundary to create privacy for ground floor and semi-basement units.		Privacy can be achieved	Yes
	<b>Transition to Lower Densities</b>	Additional setback is to be provided to Park Road by relocating land area of Berry Lane to Park Road frontage.		N/A	N/A
		Plant large trees in enlarged front setback		N/A	N/A
		Additional setback to include large trees and be unfenced with landscaping to integrate with site landscape design.		N/A	N/A
	<b>Vehicular Access</b>	Provide vehicle access from street frontage at lower end/edge of the site.		On lower end on Holdsworth Avenue	Yes
		Where multiple areas are consolidated minimise vehicle access points.		Only one vehicle access point proposed from Holdsworth Avenue.	Yes
		For Canberra Avenue South, locate vehicle access points to facilitate road closure to consolidate land into Newlands Park.		N/A	N/A
		Restrict vehicle access from River Road.		N/A	N/A
	<b>Parking</b>	No parking is permitted within the front setback.		Not provided	Yes
		Parking is to be in basements under the building footprint but NOT:		50% deep soil area achieved	Yes

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		<ul style="list-style-type: none"> <li>- Under designated deep soil zones as per LMP;</li> <li>- Under the front setback;</li> <li>- Under the 'Green Spine' Where justification is provided, intrusions into deep-soil Green Spine areas shall only considered after two levels of basement parking has been provided under the building footprint.</li> </ul>		
8. Landscape	<b>Landscape Master Plan</b>	Landscaping for the Precinct shall be as set out in the Landscape Master Plan (LMP).	Objectives generally addressed by the applicant – finished levels are to relatively match masterplan levels however there are concerns with the recommended provision of the 1m wide planting strip along the street frontage boundary at the same grade as the public domain footpath as it is important in mitigating the change in level between the public domain and the ground level of buildings and apartment terraces not being provided for – see main report	Yes, in part/general
	<b>Open Space Configuration</b>	Open space shall be located as shown in the LMP.	Addressed by applicant	Yes
	<b>Public Domain</b>			
	Extension of Newlands Park	Landscape design in Areas 7, 9 and 11 shall provide for possible future closure of Canberra Avenue between River Road and south of the intersection with Duntroon Avenue to create an extension of Newlands Park.	N/A	N/A
	Pocket Parks	Landscape design in Areas 10, 11, 18, 19, 20 and 23 shall provide for future road closures in Holdsworth Avenue and Berry Road to create recreation areas.	N/A	N/A
	Street Trees	<p>Street tree and other landscape planting shall be provided as set out in the LMP.</p> <p>Notes: Parking or Planting blisters as per typical streetscape sections.</p>	Appropriate details provided	Yes
	E-W Pedestrian Links	Landscape design of all E-W Pedestrian Links shall be provided as set out in the LMP.	Distinct E-W links as per LMP is provided.	Yes
	<b>Private Domain</b>			

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Section	Control	Requirement	Proposal	Complies
	Tree Conservation/ Removal	Tree retention shall be as per Figure 16.	Proposal supported by Council's Tree Officer	Yes
		An Arborists Report is required for each Area which shall include: - Location, age, conditions, species and conservation value of all trees (SULE assessment) - Justification for any trees proposed to be removed. - Trees to be retained and any measures needed to facilitate tree retention. - Measures taken to minimise impacts of construction on deep soil zones and mature existing trees.	Appropriate arborist report submitted	Yes
	Communal Open Space (Green Spines)	Green Spines are to be provided as set out in Figure 17.	Addressed by the applicant with exception of balconies being encroached into the green spine area – see main report	Yes, in part/general
		The design of the Green Spines and provision of communal facilities shall be as set out in the LMP, the nine specific landscape plans for the contiguous Green Spine areas.	Addressed by the applicant	Yes
		The Green Spines shall comprise predominantly deep soil as per the LMP.	Achieved – 50%	Yes
		Intrusions into deep-soil Green Spine areas shall only be considered after two levels of basement parking has been provided under the building footprint.	See above	Yes
		Alternative arrangements to the requirements of the LMP for Deep Soil areas in Areas 11, 20 and 23 may be considered provided the intent of the deep soil zones can be achieved.	N/A	N/A
		Finished Green Spine levels shall generally comply with those shown on Figure 18 (and LMP) to relate to building floor levels.	Addressed by the applicant	Yes
		Level transition at property boundaries shall be generally as per LMP and Figures 20 and 21.	Demonstrated	Yes
		Connections shall be provided (at levels shown in Figure 18 and 19) to adjacent areas and to areas of public domain as shown on LMP (particularly streets and E-W links).	Addressed by the applicant with exception of the provision of the 1m wide planting strip along the street frontage boundary at the same grade as the public domain footpath – see main report	Yes, in part/general
		Planting on structure (podia, basement, roof gardens etc.) shall be as specified in Figure 25 and LMP.	Addressed by the applicant	Yes

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		The Recreation Area adjacent to the community facilities in Areas 5 and 17 Green Spine and all residual rear setback area to be incorporated into the Green Spines.	Achieved	Yes
		Connect Green Spines to communal areas of buildings/foyers and lobbies to provide access.	Addressed by the applicant	Yes
		Edge treatments to private open space buildings and parking basements shall be as detailed in Figures 22-24 and LMP.	Clear details of edge treatments provided in documentation.	Yes
		Security gates shall be provided at the connection of Green Spines to Public Domain. See Figure 11.	Provided	Yes
	North-South Grade Transitions	N-S level transitions shall be accommodated at or near property boundaries by ramp or stairs to achieve the levels shown in Figure 18 and 20.	Addressed by the applicant	Yes
		Any extensive ramps shall be desirably be located between buildings (in side setbacks) as per Figure 19.	Addressed	Yes
		Ramps and stairs (connecting to LMP levels) will be provided by the first development area to proceed.	Addressed	Yes
		Retaining walls shall be constructed as per LMP.	Detailed	Yes
	East-West Grade Transitions	E-W transitions should incorporate levels shown in Figures 18 and 21.	Detailed in relation to E/W links.	Yes.
		The site may step at street edge and/or building façade.	Noted.	Yes
		Green Spine levels shall connect seamlessly as per Figure 18 and LMP.	Addressed.	Yes
	Front Courtyards and Setbacks	Front setbacks to be deep soil and to be treated as front gardens to GF units (or basement units).	Satisfactory	Yes
		Edge treatment to the boundary shall comprise a 1.2m max fence/hedge to provide screening as per LMP.	Satisfactory	Yes
		Boundary treatments shall be as indicated in Figures 23-24 and LMP.	Addressed	Yes
	Private Courtyards at Ground Level	Private courts to be provided as indicated on Figure 23.	Addressed	Yes
		Private courts may extend a maximum of 1 metre into Green Spines.	No encroachments are proposed	Yes
		Direct access shall be provided from private courts to Public Domain and/or Green Spine.	Addressed	Yes
		Edge treatment between private courts and communal Green Spine shall be as detailed in Figures 22, 23 and 24.	N/A	N/A
	Edge Treatments	Edge treatments to protruding basements, retaining walls shall be as per LMP details (Figure 24).	Highly detailed.	Yes
		Edge treatments between private courts and communal green spine – see as detailed in Figures 22, 23 and 24.	N/A	N/A



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	Roof Terraces	Roof terraces are encouraged, refer Figures 25 (a) & (b) and LMP for desired Roof Terrace design.	Common rooftop terraced areas proposed	Yes
		Roof Terraces must be accessible (lift access).	Accessible	Yes
		Communal amenities shall be provided (kitchen, toilets, sheltered eating/BBQ areas).	Communal amenities provided for	Yes
		Enclosed space and shelter for communal amenities provided for roof terraces are not counted as a storey. These spaces should only contain non-habitable floor space.	Satisfactory outcome	Yes
	Public Art	Each Area shall prepare a public art strategy to integrate with their landscape plans (see LMP).	Provided.	Yes
		Each Area shall provide Public Art to a minimum value of 0.1% of the development construction value.	Detailed.	Yes
<b>9. Environmental / Sustainability</b>	<b>Environmental Performance</b>	The design, construction and operations of any new building in this precinct, including its services and fit outs, must be capable of achieving a minimum 6 star rating under NATHERS. Note: Taller towers to use centralised integrated cooling/heating system.	Demonstrated.	Yes
	<b>Wind Impact</b>	Buildings shall comply with Part B6.2 of LCDCP 2010. A Wind Effects Report is to be provided.	Demonstrated.	Yes
	<b>Green Roofs</b>	All developments are encouraged to consider inclusion of a green roof to provide thermal efficiency.	Provided where possible	Satisfactory outcome
	<b>Green Walls / Vertical Gardens</b>	All developments are encouraged to consider inclusion of green walls / vertical gardens.	Incorporated where possible.	Yes
	<b>Potable Water</b>	Minimise potable water use by using water efficient appliances, rainwater collection and reuse and the use of drought tolerant plants.	Integrated Water Re-Use to form a part of development	Yes
	<b>Urban Stormwater</b>	Collect, store and treat on site.  Note: Stormwater can be collected and stored in combined storage tanks/retaining walls, which will be integrated with the stepped nature of green spines. This water can be used to irrigate garden areas.	The stormwater system is designed to comply	Yes
		Maintain maximum Green Spine and other deep soil for percolation.	50% of Green Spine to be deep soil.	Yes
		Provide on-site stormwater and infiltration including bio-retention systems such as rain gardens.	Detailed within concept stormwater plans integrated with landscape documentation.	Yes
		Buildings shall comply with Part B6.3 of LCDCP 2010.	Can comply.	Yes

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Section	Control	Requirement	Proposal	Complies
		All other stormwater management measures are detailed in Part O LCDCP 2010.	Complies	yes
	<b>Flood Management</b>	Provide detention tanks desirably under paved areas, driveways, in retaining walls or in basement car parks.	Detention tanks detailed.	Yes, subject to conditions should consent be granted
<b>10. Infrastructure Funding</b>	-	Funding for infrastructure to be funded through, S7.11 contributions, conditions of consent, the provision of planning incentives in return for items identified in LEP Part 7.	Draft VPA adopted SIC levy also applies	Yes

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<b><u>Part R – Traffic, Transport and Parking Provisions</u></b>	<b>Requirements</b>	<b>Proposed</b>	<b>Complies</b>
I.5 Car parking / traffic near St Leonards Railway Station	<p><u>For the Childcare Centre:</u></p> <p>1 space per 2 employees (15 proposed – 8 spaces required)</p> <p>1 space per 6 children (60 proposed – 10 spaces required)</p> <p>Total required: 18 spaces</p> <p><u>For the Residential Flat Building:</u></p> <p>0.5 space per 1-bedroom unit (26 proposed – 13 spaces required)</p> <p>0.9 space per 2-bedroom unit (59 proposed – 53 spaces required)</p> <p>1.4 spaces per 3-bedroom unit (35 proposed – 49 spaces required)</p> <p>2 spaces per 4-bedroom unit (10 proposed – 20 spaces required)</p> <p>Total required: 135 spaces required</p> <p>Allocation of parking spaces at developer's discretion.</p> <p>1 disabled space for each adaptable housing unit (26 units proposed/required – 26 required)</p> <p>1 onsite removalist truck space per 100 residential units (as per relevant Australian Standards) – 1 required</p> <p>1 car wash bay per 50 units for developments over 20 units – 3 required</p> <p>1 visitor space per 5 units – 130 units proposed/26 spaces required</p> <p>1 visitor disabled space per 10 visitor spaces – 3 disabled spaces required</p>	<p>19 spaces proposed</p> <p>135 spaces proposed</p> <p>26 accessible spaces included</p> <p>1 space included within the waste truck space/dual use purpose</p> <p>3 car wash bays proposed</p> <p>26 spaces proposed</p> <p>3 spaces included</p>	Yes
<u>Motorcycle requirements:</u>	1 space per 15 car spaces/12 spaces required	12 spaces proposed	Yes

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<p><u>Bicycle requirements:</u></p> <p>Residential (residents) 1 space per 4 apartments - 130 units proposed/33 spaces required</p> <p>Residential (visitors) 1 rack + 1 rack per 10 apartments/14 required</p> <p>Childcare centre (employees) 1 space per 10 staff Childcare centre (customers) 2 racks per centre</p> <p>15 staff/2 spaces required 2 required for visitors</p> <p>A charging point for electric bicycles for every 5 bicycle spaces.</p>	<p>Min. 38 spaces for residents proposed</p> <p>14 spaces for residential visitors proposed</p> <p>2 spaces for childcare staff 2 spaces for childcare visitors</p> <p>Bicycle charging point locations would be provided in the Detailed Design stage should any consent be granted.</p>	<p>Yes</p>
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