

LANE COVE DCP 2009 – COMPLIANCE TABLE

The Lane Cove Development Control Plan 2009 (the DCP) provides detailed planning controls relevant to the site and the proposal. An assessment against the relevant controls is provided in the table below.

Table 1 DCP Compliance Table

Clause	Provision	Proposed	Complies
Part B – General Contro	ols		
1B.2 Public Domain			
2.1 General	a) All design should be in accordance with the relevant Public Domain Strategies that may be in place for precincts within the LGA and requirements of Australian Standards.	The proposal is consistent with the public domain strategies that apply to the St Leonards South Precinct and complies with all relevant Australian Standards.	Yes
	e) Keep public areas free from clutter and unclear level changes, having particular regard for accessibility.	The site is easily accessible from the street frontages and is free of any obstructions. The green spine provides pedestrian access at the central part of side and is easily accessible to the general public. The site provides pedestrian access from the River Road frontage. Pedestrian entry points are located along the eastern and western side of the site, providing access to the residential lobbies form Berry Road and Park Road respectively. The green spine located at the centre of the site also provides access to the residential lobbies from the internal of the site.	Yes

Clause	Provision	Proposed	Complies
	I) Except where negotiated with the Council, provide all footpath paving along property frontages in accordance with Council's specifications including requirements for disabled. The extent, nature and type of paving materials includes tactile surfaces in appropriate locations to assist the visually impaired.	Footpaths are located along the Berry Road, River Road and Park Road.	Yes
B.3 Site amalgamation	and Development on isolated sites		
3.1 General	a) 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.	The development activates the block of land surrounded by Berry Road, River Road and Park Road, presenting a vibrant and interactive development at the street corner. The proposed development is complaint with the LEP and DCP controls as stated in the SEE and within this table.	Yes
B.4 View Sharing	Refer Section 7.3 of the SEE.		Yes
B.6 Environmental Man	agement		
6.1 Sunlight to public spaces	a) New development must allow for a minimum of 2 hours of solar access to at least 50% of new and existing public open areas or plazas between the hours of 11am and 2pm on 21st June	The proposed green spine receives solar access as follows: 9am – 29% of its area 10am – 38% of its area 11am – 68% of its area 12pm – 73% of its area 1pm – 52% of its area 2pm – 36% of its area 3pm – 30% of its area	Yes

Clause	Provision	Proposed	Complies
		According, the proposal allows the green spine to receive a minimum of 2 hours of sunlight to at least 50% of its area (refer drawing DA710-002).	
		A public recreational facility is located west of the site at 64 River Road. It does not receive any overshadowing after 10am, as shown in the shadow diagrams (DA419 and DA420). Therefore, the proposal allows the public park to receive a minimum of 2 hours of sunlight to at least 50% of the area within the park. No public plazas are located in immediate vicinity of the site.	
6.3 Energy and water efficiency for buildings	a) Incorporate passive solar design techniques to optimise heat storage within the building in winter and heat transfer in summer.	The development achieves a high level of amenity and satisfies the thermal comfort requirements while providing a visually interesting architectural form. The development maximises solar access and ventilation within the dwellings. The windows will be sufficiently shaded to provide a balance of shade as well as maximise daylight and solar access. The proposed glazing along the building facade will control excessive heat gain onto the development.	Yes
		The project is designed to achieve a minimum 6-star average NatHERS rating (refer BASIX and Nathers Assessment Report), which will provide higher thermal comfort conditions than standard apartment buildings during grid failures.	
		A renewable energy system (PV) is provided on roof level of both buildings with potential for the strata to expand the capacity of PV system, further facilitating efficient energy use.	
		A number of WSUD measures will be implemented within the development for the management and treatment of stormwater runoff, including rainwater tanks and on-site detention, filter	

Clause	Provision	Proposed	Complies
		baskets/gross pollutant traps. Water efficient fixtures and appliances will be incorporated into the development and rainwater will be used for irrigation and toilet flushing.	
B.7 Development	ts near Busy Roads and Rail Corridors		
	 a) 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. For residential and the residential part of any mixed-use development, appropriate measures must be taken to ensure that the following LAeq levels are not exceeded: i) in any bedroom in the building: 35dB(A) at any time 10pm –7am ii) anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40dB(A) at any time. 	In terms of traffic noise and potential intrusion to the development, the proposed development will incorporate acoustic measures to the building façade, including windows, glazing treatments as well as ensuring the building services are adequately designed to ensure the internal noise levels of the development comply with the relevant NSW Environmental Protection Authority (EPA) and the DCP requirement. Refer Section 7.10 of the SEE and the Acoustic Report.	Yes
B.8 Safety and Security	building and the surrounding public domain. The the site is located and provide appropriate lighting outdoor seating area and communal facilities a relationship with the New DCP Road and public	level of amenity, causal surveillance and public safety within the e proposal will assist in revitalising the section of the block where ing and security measures. The provided at the green spine providing a strong and vibrant commain. Additionally, the balconies directed at the street to Building C and D ensure casual surveillance over the adjoining	Yes

Clause	Provision	Proposed	Complies
	place.	The proposed design allows for multiple articulation breaks and limits balk walls, assisting in a safe sense of place. For further discussions, refer Urban Design Report.	
8.2 Passive Surveillance	Control access to residential flats, commercial and mixed-use development by: ii) Separating and controlling the residential car parking component of developments from any other building use and from public and common areas iii) Providing direct access from car parks to apartment lobbies for residents	The site provides a single vehicular access point at Park Road which will be used by residents, visitors, motorcyclists as well loading truck vehicles. This single point vehicular access shared by residential vehicles and loading trucks was supported by MLA and accepted by the Design Excellence Panel. Accordingly, the proposal ensures the safety of residents and visitors is not hampered. Lift lobbies are located on the basement level providing easy internal access to levels above.	Yes
	vi) Providing an audio or video system at the entry or in the lobby for visitors to communicate with residents or tenants vii) Providing keyed car parking access for residents	These will be arranged and provided by the building management.	Yes

Part C – Locality 8: St Leonards South Precinct

The proposal provides a contemporary built form within the St Leonards South Precinct, undergoing a transition from development of new high-density residential buildings an contributes to the desired future character of the precinct. The proposal takes advantage of the site's close proximity to public transport facilities such as the St Leonards Railways Station and provides a high-density residential development within the locality allowing more number of people to reside close to public transport facilities and employment lands. The proposal provides for adequate number of vehicular, motorcycle and bicycle parking spaces ensuring there is no increase in car dependency within St Leonards, provided multiple transport facilities exist in close vicinity to the site.

Clause	Provision	Proposed	Complies
dwellings within the o		oriate materials and finishes sympathetic to the surrounding developels of solar access and natural ventilation, as well as ensure impacts	
C.4 Structure Plan			
Land Use	a) Land Use shall be in accordance with the Structure Plan in Figure 3.	The proposal provides a communal open space at the centre of the site surrounded by four residential flat buildings on either side of the communal open space. A new road is proposed at the centre of the site. As such, the proposal is consistent with Figure 3 Structure Plan.	Yes
Heritage	a) Development shall not have an adverse impact on the Heritage significance of Heritage Items in the vicinity of the development.	A Heritage Impact Statement is not required for this proposal. The site does not contain a heritage item and is not located in a heritage conservation area. Some heritage items are located along the south-east, southwest and north-west of the site, the closest located 80m northwest of the site. The proposed development does not have an impact on the heritage items given it is suitably distance and separated by built form, ensuring the heritage significance of the items is retained.	Yes
C.5 Access			
Access Network	a) Provide new public roads and pedestrian and bicycle links in accordance with Figure 4 Access Network.	 The proposal is consisted with Figure 4 Access Network as: A green spine is provided at the centre of Area 22 and 23 with access to residents and visitors. A new road is proposed between Area 22 and 23. A pedestrian walkway is provided along the east of the site. 	Yes

Clause	Provision	Proposed	Complies
Roads	a) Create new road/lane between Berry and Park Roads to improve traffic circulation and access to southern end of Berry Road and Holdsworth Avenue, as shown in Figure 5 (a) in accordance with the "Specifications for Infrastructure in the St Leonards South Precinct"	The proposed new road has a road reservation of 12m, comprising of 6m carriage and 1m verge on either side of carriageway. The proposed development is setback 4m from New DCP Road at the street level, allowing adequate distance between the building itself and the verge ensuring privacy of units along ground level, fronting the proposed road. Refer Architectural Plans and Urban Design Report.	Yes
	b) Close Berry Lane and incorporate into development sites, with equivalent land area dedicated to Council along the Park Road frontage.	The southern end of Berry Lane is closed as a result of this proposal and has been incorporated into the development.	Yes
Pedestrian and Bicycle Links	a) Create E-W pedestrian and bicycle links as indicated in Figures 4 and 5 (b) with associated stairs/ramps and lifts to optimise accessibility.	The proposed development allows cycle route along the site boundary. However, towards the east of the site, the cycle route does not connect to River Road from Berry Road, to protect the dedicated pedestrian pathway located at the southeast of the site.	Yes
	b) Ensure "Green Spines" connect/ integrate with E-W pedestrian and bicycle links, where applicable.	The green spine connects to the new proposed road and bicycle link.	Yes
	c) Make provision for potential connection of Canberra Avenue to the south, across River Road via traffic lights, to extend bicycle link from St Leonards Station to Wollstonecraft Station and beyond to the Lane Cove River		NA
Sustainable Transport	Provide infrastructure for potential to provide electric charging points to every car space	The proposed development provides EV charging equipment will be provided at three visitor car parking spaces. These charging bays will be available to the residents to charge their	Yes

Clause	Provision	Proposed	Complies
	within the internal parking basements for hybrid and electric vehicles.	electric vehicles. The use of the charging bays will be subject to a booking to be made with the building manager.	
		Provision for connection and design for EV system will be at the detail design stage.	
C.6 Infrastructure			
Recreation Areas (Public Open Space)	a) Create Recreation areas as indicated in Figure 6.	The proposal is consistent with Figure 6 Public Infrastructure.	Yes
	b) Locate driveways to maximise opportunity to convert the southern end of Berry Road and Holdsworth Avenue to a Recreation Area.	No vehicular access is provided form Berry Road, allowing opportunity for a new park at the southern end of Berry Road in the future.	Yes
Community facilities	a) Provide Community facilities including a multi-purpose facility of 600 sqm, comprising a child care centre (450sqm), community hall (150sqm) and an adjacent Recreation Area of 450sqm, as indicated in Figure 6.	Not applicable to Area 22 and 23.	N/A
Affordable Housing	a) Affordable Housing shall be provided as indicated in Figure 7. Each dwelling shall comprise a minimum of 2 bedrooms with an internal area of at least 70 sqm (plus storage) and one car space, in accordance with the "Specifications for Affordable Housing in the St Leonards South Precinct"	Not applicable to Area 22 and 23.	N/A
Utility Services	a) All utility services within a public road reserve are to be placed underground for the total frontage of each site.	Noted. There are no utility services located within a public road reserve.	Yes

Clause	Provision	Proposed	Complies	
	b) All utility services within each site are to be placed underground or within the building.	The building services are integrated into the design of the development, located in the basement and lower levels.	Yes	
	e) All utility infrastructure, including electricity kiosks, hydrants, and meters shall be screened from the public domain.	Noted. A substation is located along the south-eastern corner of the site, fronting River Road. It does not cause a conflicting relation with its surroundings as it is placed within the extensive tree canopy along River Road and is not clearly identifiable from the public domain. The substation is located well away from the footpath at River Road, ensuring pedestrian safety. In terms of acoustic impact, a detailed acoustic assessment will be conducted at the construction certificate stage, ensuring compliance with the set acoustic criteria.	Yes	
C.7 Built Form				
7.1 Amalgamation	a) Sites are to be amalgamated as per Figure 8 to comply with LEP minimum lot size.	The site has been amalgamated as per Figure 8 as they relate to Areas 22 and 23. Clause 7.2 of the LCLEP require a minimum site area of 4,600sqm for Area 22 and 6,800sqm for Area 23. Area 22 has an area of 4,802sqm and is compliant with this clause. Area 23 has an area of 6,755sqm and as such, the proposal does not comply with control. A Clause 4.6 Variation Statement for Area 23 has been submitted with the DA to justify the minor variation.	Yes - the in part. Minor variation supported by Cl4.6	
7.2 Building envelope				
	4m at street level		Yes	

Clause	Provision	Proposed	Complies
1. Front Building Setbacks A	+ 3m at and above Level 6	The proposed development is setbacks from the northern, eastern and western boundary are as follows:	
(Refer to Figure 9)		Northern boundary:	
1. Building Setbacks B	4m at street level	■ 6m at and above Level 1 (Building C and D)	
(Refer to Figure 9)	3m at and above Level 3	9m at and above Level 3 (Building C and D)	
	3m at and above Level 6	6m at and above Level 4 (Building D)	
		9m at and above Level 7 (Building C and D)	
		Eastern boundary:	
		 4m minimum setback from Berry Road at street level (Building B and D) 	
		 7m at and above Level 4 (Building B) 	
		 7m at and above Level 6 (Building D) 	
		Western boundary:	
		 4m setback from Park Road at street level (Building A) 	
		■ 10m setback from Park Road at street level (Building C)	
		7m at and above Level 1 (Building A)	
		 Part 13m part 10m at and above Level 2 (Building C) 	
		 13m at and above Level 3 (Building C) 	
		 10m at and above Level 4 (Building A) 	
		 16m at and above Level 6 (Building C) 	
		Note: balconies have a minor protrusion into the setbacks.	

Clause	Provision	Proposed	Complies
1. Building Setbacks D (Refer to Figure 9)	10m at street level	Setback from the southern boundary is as follows:	Yes
	+ 7m at and above Level 4	10m setback from River Road at street level	
	+ 7m at and above Level 6	 17m at and above Ground level (Building A and B) 24m at and above Level 4 (Building A) 24m at and above Level 5 (Building B) >24m at and above Level 8 (Building B) 	
2. Rear Building Setback	a) Minimum 12m setback to rear boundary of an Area.	The proposed development does not have a rear boundary.	NA
3. Building separation	a) As per ADG / SEPP 65	Refer Table 7 within Section 6.2.5 of the SEE.	Yes
4. Building depth	a) Maximum depth 18-22m	The maximum depth of the proposed buildings at Leve 1 is as follows (including balcony zone): Building A - 24m Building B - 20.6m Building C - 21.6m Building D - 20m The minor increase in building depth is considered acceptable in this case, given the proposal is compliant with the minimum solar access and natural ventilation provisions, ensuring the overall amenity of the units is not sacrificed. Additionally, the upper most levels of the buildings are setback from the lower levels, reducing the overall bulk and scale of the proposed development.	Yes, on merit

Clause	Provision	Proposed	Complies
5. Building orientation length	b) Maximum building length shall not be greater than 35m unless strongly articulated. c) River Road (lower levels) may be longer than 35m, but only with strong articulation to lower levels of River Road	 The maximum length of the proposed buildings is as follows: Building A - 74m (including balcony zone) Building B - 74.3m (including balcony zone) Building C - 51.2m (including balcony zone) Building D - 50.7m (including balcony zone) As stated previously, the proposed development is well articulated and has a gradual stepping of floorplans to appropriately setback it from the boundaries. The proposal provides indentation along each façade of the buildings proposed, successfully reducing the overall bulk of the development and ensuring there is minimal visual impact along the surrounding public domain. 	Yes, on merit
6. Building articulation	a) A high degree of articulation is mandatory for the front façade and include balconies, overhangs, blades and other architectural features.b) Articulation elements shall not utilise contrasting 'bright' colours to emphasise the articulation	The development steps down from the north east to the south west, in response to the site context as well as the DCP building storey controls. It is designed to include a high level of articulation. As such, the massing is divided by strong articulation breaks by 3-14m deep at the northern and southern façade and 3-6m at the eastern and western façade, providing for façade breaks at the street frontages. The building floor plates are stepped allowing for opportunity for private terraces and rooftop communal open space. For details regarding materials and finishes, refer Urban Design Report.	Yes
7. Heights in storeys	a) Height of development in number of Storeys shall be as per Figure 10.	Refer discussion in Section 7.3 of this table below.	Yes

Clause	Provision	Proposed	Complies
	b) Part storeys resulting from excavation of steep slopes or semi basement parking will not count as a storey.		
8. Solar Access	a) Compliance with ADG solar access requirements.	Refer Table 7 within Section 6.2.5 of the SEE.	Yes
	b) Building design must ensure that overshadowing of public (i.e. Newlands Park and Local Park) and private open spaces (Green Spines) is minimised.	Refer discussion in Section 6.1 of this table above.	Yes
9. Building floor levels	a) Building floor levels shall have regard to Figure 18, to facilitate the creation and access to "Green Spines".	The proposal provides for a green spine at the centre of Area 22 and 23 which is easily accessible from Berry Road, River Road and New DCP Road, and is consistent with Figure 18.	Yes
7.3 Incentives			
Area 22 and 23 incentives	Max LEP HOB (As shown in LEP Incentive Height of Buildings map)	The proposed building heights comply with the maximum LEP HOB.	Yes
	a) 37 metres, 25 metres, 15 metres & 2.5 metres		
	Max LEP FSR a) 2.75:1	The total gross floor area of the proposed buildings is 31,780sqm. This equates to a floor space ratio of 2.75:1.	Yes
	Max HOB (storeys) As shown in DCP Figure 10 (consider 'Building Envelope – Height in Storeys") a) 6 & 10 (Area 22) b) 4, 6, 8 & 10 (Area 23)	 The proposed building heights in storeys is as follows: River Road frontage (maximum 4 storeys permitted) - 4 storeys proposed (excluding part storeys) and is compliant Building A (maximum 6 storeys permitted) - 6 storeys proposed (excluding part storeys) and is compliant 	Yes

Clause	Provision	Proposed	Complies
		 Building B – Maximum 6 storeys – 5 storeys proposed (excluding part storeys) and is compliant Maximum 8 storeys permitted - 8 storeys proposed (excluding part storeys) and is compliant 	
		 Maximum 10 storeys permitted - 10 storeys proposed (excluding part storeys) and is compliant Building C (maximum 6 storeys permitted) - 6 storeys proposed (excluding part storeys) and is compliant Building D (maximum 10 storeys permitted) - 10 storeys proposed (excluding part storeys) and is compliant. Therefore, the proposed buildings are compliant with the DCP height in storey requirement. 	
	Outcome to be entitled to incentives: a) Minimum site area of 4,600m2 (Area 22) b) Minimum site area of 6,800m2 (Area 23)	Clause 7.2 of the LCLEP require a minimum site area of 4,600sqm for Area 22 and 6,800sqm for Area 23. Area 22 has an area of 4,802sqm and is compliant with this clause. Area 23 has an area of 6,755sqm and as such, the proposal does not comply with control. A Clause 4.6 Variation Statement for Area 23 has been submitted with the DA to justify the minor variation.	Partially compliant, justifiable with a Clause 4.6 Variation Request
	c) Design Excellence is achieved in accordance with LEP Clause 7.6, including the Maximum Height of Buildings (in storeys);	The development is consistent with Clause 7.6 of the LEP. Refer Section 6.3.3 of the SEE.	Yes

Clause	Provision	Proposed	Complies
	d) A 12m wide road connecting Park Road and Berry Road constructed in accordance with the "Specifications for Infrastructure in the St Leonards South Precinct" and dedicated to Council in perpetuity;	A new road is proposed connecting Park Road and Berry Road refer to further specifications within the Architectural Plans, Urban Design Report and Landscape Plans.	Yes
	e) Provision of appropriate building setbacks to facilitate shared communal open space between buildings (Green Spines) embellished 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;	Refer Survey Plan and Plan of Subdivision. It is requested that the requirement for a Section 88E be a condition of consent.	Partly, justified
	f) A dwelling mix comprising a minimum 20% One Bedroom and Studio dwellings, 20% Two Bedroom dwellings and 20% 3 or more dwellings; and	The proposed development provides a total of 314 units. The total number of one, two, three and four bedroom units are as follows: 1 bed: 73 (23% of total dwellings) 2 bed: 150 (48% of total dwellings) 3 and 4 bed: 91 (29% of total dwellings)	Yes
	g) Amalgamation of lots as per Figure 8 to prevent the fragmentation or isolation of land.	The proposal is consistent with Figure 8. Refer discussions above.	Yes
7.4 Other Built Form			

Clause	Provision	Proposed	Complies
Pedestrian Entry/Address	a) All building access shall be sited to provide level street access to minimise ramps.b) Provide direct access to ground floor /street level units for Areas 21, 22 & 23, and wherever possible within the precinct.	The proposed development is highly permeable. Pedestrian access into the green spine is provided from River Road and New DCP Road. Two pedestrian entry points are located along the eastern, southern and western side of the development providing access to the residential lobbies. The proposal allows safe movement, good connections and access is provided through public places that provide well defined routes and clear sightlines (day and night) such that residents and visitors can see and be seen.	Yes
Edge Treatments	a) Limit basement protrusions to 1.5m.	Basement protrusions are limited.	Yes
	c) Provide 1.2m front fence/ hedge or other landscape combination at front boundary to create privacy for ground floor and semibasement units.	The apartments fronting River Road are provided with the following design considerations to ensure adequate privacy is maintained: 10m setback from the River Road street frontage, Raised entry patio to private dwelling, Fence installed at planted edges, and Existing and new trees located at the River Road frontage for increased screening.	Yes
Vehicle Access	a) Provide vehicle access from street frontage at lower end/edge of site.	Vehicle access is provided from Park Road at RL 59.486.	Yes
	b) Where multiple areas are consolidated, minimise vehicle access points.		N/A
	c) For Canberra Avenue South, locate vehicle access points to facilitate road closure to consolidate land into Newlands Park.		N/A

Clause	Provision	Proposed	Complies
	d) Restrict vehicle access from River Road.	Single point vehicular access is provided from Park Road.	Yes
Parking	a) No parking is permitted within the front setback.	The proposal does not allow parking opportunity within the building setbacks.	Yes
C.8 Landscape			<u>'</u>
Landscape Masterplan	Landscaping for the Precinct shall be as set out in the Landscape Master Plan (LMP).	The proposal is consistent with the Landscape Master Plan (LMP) by providing a central green sine and a new road along the centre of the site, as shown in the Landscape Report.	Yes
Open Space Configuration	Open space shall be located as shown in the LMP (See Figure 14).	the centre of the site, as shown in the Landscape Report.	
8.1 Public Domain			
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.	The proposed design allows opportunity for a future pocket park towards the south-eastern corner of the site with a pedestrian link, facilitating the closure of southern end of Berry Road.	Yes
Street Trees	Street tree and other landscape planting shall be provided as set out in the LMP.	Refer Landscape Report.	Yes
E-W Pedestrian Links	Landscape design of all E-W Pedestrian Links shall be provided as set out in the LMP.		
8.2 Private Domain			
Tree Conservation/Removal	Tree retention shall be as per Figure 16.	The proposal includes removal of 175 trees and provides for new tress of the same species, as specified in the Landscape Report.	Yes

Clause	Provision	Proposed	Complies
		For further details regarding tree removal methods and tree protection, refer accompanying Arboricultural Impact Assessment.	
Communal Open Space (Green Spines)	c) The Green Spines shall comprise predominantly deep soil as per the LMP.	The green spine has a total area of 2,837sqm. 50% of the Green Spine area will be deep soil.	Yes
	d) Intrusions into deep-soil Green Spine areas shall only be considered after two levels of basement parking has been provided under the building footprint.	Refer discussion above.	Yes
	g) Level transition at property boundaries shall generally be as per LMP and Figures 20 and 21. h) Connections shall be provided (at levels shown in Figures 18 and 19) to adjacent areas and to areas of public domain as shown on LMP (particularly streets and E-W links)	The proposed design is consistent with Figure 18 as it provides pedestrian access from Berry Road and Park Road, into the residential lift lobbies. The proposal also provides pedestrian access into the green spine, from River Road and new proposed road along the centre of the site which has a grade of 1:14 to the east up to Berry Road. The proposal allows for north-south level transition through introduction of stairs providing access into the green spine at Area 22 and 23 from the new proposed road along the centre of the site. Additionally, access to the green spine at Area 23 is provided from River Road. The design also allows for appropriate east-west level transitions by allowing pedestrian access into the residential lobbies from the eastern and western side at FFL 61.83 and FFL 74,300 providing internal access to the green spine at RL 68.050 and RL 71.250 (Area 22) and RL 62.150 and RL 63.000 (Area 23).	Yes

Clause	Provision	Proposed	Complies
		Therefore, the proposal is consistent with Figures 18-21.	
	j) Planting on structure (Podia, basements, roof gardens etc) shall be as specified in Figure 25 and LMP.	The development incorporates roof terraces on upper levels of four buildings and provides rooftop communal open space at Building C and D. The plant species provided are appropriate to the site. Refer Landscape Plans.	Yes
	m) Edge treatments to private open space, buildings and parking basements shall be as detailed in Figures 22-24 and LMP	The proposal provides for a minimum setback of 6m form the northern boundary, 4m from the eastern and western boundary and a minimum setback of 10m from the southern boundary at the street level. Deep soil zone and planting are provided along the site boundaries. The design allows for appropriate edge treatments through external planters and materials and finishes complimenting the overall architectural form of the building.	Yes
		Accordingly, the design is consistent with Figures 22-24. For further details, refer Urban Design Report.	
	n) Security gates shall be provided at the connection of Green Spines to Public Domain. See Figure 11	Entrance for the apartment units within each building is via the lobby that is accessible from the public domain area. The entrance has been designed to provide a secured access and a sense of arrival. Secured access into each apartment at the River Road	Yes
		frontage is provided.	
North-south grade transitions	c) Ramps and stairs (connecting to LMP levels) will be provided by the first development area to proceed	Noted, refer to the proposed Green Spine design.	Yes

Clause	Provision	Proposed	Complies
	d) Retaining walls shall be constructed as per LMP.	Noted.	N/A
East-west grade transitions	c) Green Spine levels shall connect seamlessly as per Figure 18 and LMP	The green spine levels are consistent with Figure 18 and the LMP. As required, accessible ramp as well as stairs are provided allowing access into the green spine from River Road and new proposed road.	Yes
Front courtyards and setbacks	a) Front setbacks to be deep soil and to be treated as front gardens to GF units (or basements units)	The apartments on the ground floor level at the southern side of the site are provided with private gardens which include deep soil zone.	Yes
	b) Edge treatment to the boundary shall comprise a 1.2m max fence/hedge to provide screening as per the LMP.	Fencing nestled into hedging/planting is proposed and will comply with the LMP.	Yes
Private courtyards at ground level	a) Private courts to be located as indicated on Figure 23.	The proposed private gardens fronting River Road are consistent with Figure 23 for the following reason: The apartments have an elevated entry porch from the River Road street level, The 10m setback includes deep soil, At least 1 canopy tree is provided per apartment utilising deep soil zones. Refer Landscape Plans.	Yes
	b) Private courts may extend a maximum of 1 metre into Green Spines.	Apartment units are provided with private balconies which minimise protrusions into the green spine on the ground floor.	Yes
	c) Direct access shall be provided from private courts to Public Domain and/or Green Spine	Provided where appropriate.	Yes

Clause	Provision	Proposed	Complies
	d) Edge treatment between private courts and communal Green Spine shall be as detailed in Figures 22, 23 and 24	Refer Urban Design Report.	Yes
Roof Terraces	Roof Terraces are encouraged, refer Figures 25 (a) and (b) and LMP for desired Roof Terrace design.	Green spine of an area of 2,837sqm is provided in lieu of communal roof terraces. However, the upper levels are provided with private roof terraces as private open spaces, which seating facility and planters.	Yes
Public Art	Each Area shall prepare a public art strategy to integrate with their landscape plans (see LMP).	A Public Art Strategy prepared by FCAD is provided.	Yes
	Each Area shall provide Public Art to a minimum value of 0.1% of the development construction value.	Noted.	Yes
C.9. Environmental Sus	tainability		
Environmental Performance	a) 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 the Nationwide House Energy Rating Scheme (NatHERS) by a suitably qualified person	The project is designed to achieve a minimum 6-star average NatHERS rating. Refer BASIX & NATHERS Assessment Report.	Yes
Green Roofs	a) All developments are encouraged to consider inclusion of a green roof to provide thermal efficiency.	The proposal does not provide green roofing, as the rooftop is occupied by plant and services and solar panels. However, the upper-level roof terraces include significant amount of soft landscaping and plantings, providing for thermal efficiency as well as enhancing the overall design of the building.	Yes

Clause	Provision	Proposed	Complies
Green walls/vertical gardens	a) All developments are encouraged to consider inclusion of green walls / vertical gardens.	The building edge incorporates planting where viable with appropriate species.	Yes
Water Management an	d conservation		
Potable water	 a) Minimise potable water use by: Using water efficient appliances, Explore rainwater collection and reuse, Use drought tolerant plants. 	The proposed development has a water efficiency of 41%. A BASIX Certificate has been prepared by ESD Scientific and included in the BASIX & NATHERS Assessment Report.	Yes
Urban stormwater	 a) Collect, store and treat on site. b) Maintain maximum Green Spine and other deep soil for percolation. c) Provide on-site stormwater and infiltration including bio-retention systems such as rain gardens. d) Buildings shall comply Part B Cl 6.3 of Council's Development Control Plan. e) All other stormwater management measures are detailed in Council's Development Control Plan Part O (Stormwater Management). 	A Civil Infrastructure & Stormwater Management Report has been prepared by AT&T which accompanies this application. A rainwater tank has been incorporated into the basement within Area 23 (refer Civil Drawings). Stormwater quality management is proposed to be provided in the form of proprietary cartridge filters, which will be located adjacent to the OSD tank at Basement Level 4. As an alternative, and pending coordination with the landscape design for the Green Spine, there is potential to incorporate measures such as rain gardens and proprietary bioretention systems (e.g., Filterra) into the Green Spine.	Yes
Flood Management	a) Provide detention tanks desirably under paved areas, driveways, in retaining walls or in basement car parks	Based on review of the NSW Governments ePlanning Spatial Viewer as directed by Lane Cove Council, it is understood that the proposed development site is not within flood prone land	Yes

Clause	Provision	Proposed	Complies
		and as such consideration to flooding has not been provided for this development. Nevertheless, OSD has been provided in accordance with Council's DCP Part O.	
10. Infrastructure Funding	The specific Infrastructure items have been identified in the LEP under Part 7 and also in detail in this DCP. Funding for the infrastructure will be achieved through: Development contributions under S7.11 of the Environmental Planning and Assessment Act; The development process as conditions of development; and The provision of planning incentives (Height and FSR) in return for items identified in LEP Part 7	Refer Section 6.5 of the SEE for discussions regarding this matter.	Yes
Part F – Access and Mo	bility		
3.2 Subdivision	Subdivision layouts should maximise potential accessibility in future designs from the property boundary to and within parking areas, entrances and common areas within the site.	The proposal realises Council's vision for the precinct regarding vehicular access and underground parking arrangements. The proposal involves amalgamation of lot located within Area 22 and 23. Vehicular access to the site is provided from Park Road as indicated on the plans. The location of the driveway is along the western side of the development and does not lead pedestrian and vehicular conflicts. The basements car park is designed to provide easy access to above floor levels and communal areas through the proposed lifts.	Yes

Clause	Provision	Proposed	Complies
properties made accessible ling BCA Class 2 adjacent public networks; 2. For Class more dwelling removed at pth 3. Public spanal AS1428.2, sulighting, pass rubbish bins, 4. Works required Development inclusion of a suitably qualic Class 1a builting properties more accessible ling accessible ling BCA Class 2 adjacent public networks; 2. For Class more dwelling removed at pth 3. Public spanal AS1428.2, sulighting, pass rubbish bins,	Developments on public and / or private properties must provide and maintain accessible links and paths of travel between BCA Class 2 to Class 10 buildings and to adjacent public spaces or pedestrian networks;	A BCA Report and Access Report is provided with this application. Refer to the assessment provided in Section 7.12 of the SEE.	Yes
	 2. For Class 1 developments containing 2 or more dwellings, barriers to access should be removed at private to public interfaces; 3. Public spaces are to have features as per AS1428.2, such as pathways, tables, seating, lighting, passing spaces, drinking fountains, rubbish bins, traversable play areas, etc. 		
	4. Works requiring the submission of a Development Application shall require the inclusion of an access report prepared by a suitably qualified access consultant (excluding Class 1a buildings eg. single detached dwelling houses).		

Clause	Provision	Proposed	Complies
3.5 Adaptable and Visitable Housing (residential flats and dual occupancies)	Adaptable housing to comply with AS4299, including the essential features in Appendix A for Class C housing (essential items only).	20% of the total dwellings are identified as adaptable.	Yes
	2. Adaptable housing to be equitably distributed throughout all types and sizes of dwelling units.		
	3. Adaptable housing to be provided at the rate of 20% of all dwellings in a Class 2 development.		
	4. Dual occupancies (attached) are to be visitable (where topography permits – 1:10 fall or less steep).		
	5. Dwellings are to be visitable at the rate of 80% in developments requiring adaptable housing.		
	6. Single Class 1a dwellings are not applicable to this part		

Clause	Provision	Proposed	Complies
3.8 Access to and within buildings	 Access is to be provided in accordance with BCA Clause D3.1 and in accordance with Table 1 below. Access is to comply with the relevant Provisions of the BCA, and associated referenced Australian Standards. Demonstration is required in the form of an access report prepared by a suitably qualified access consultant as part of the DA documentation. Buildings of a public nature are to have features in accordance with AS1428.2, when applicable, as follows: Tables, counters and worktops for use by public. Seating in pedestrian areas. Drinking fountains and water coolers. Gateways and checkouts. 	A BCA Report and Access Report is provided with this application. Refer to the assessment provided in Section 7.12 of the SEE.	Yes
Part J – Landscaping			
J.1 Landscaping			
1.6 How much landscaped area is required?	Minimum perfect of the site to be landscaped: Residential flat buildings – 25%	Softscape area – 1964sqm (55% of the site before dedication)	Yes
1.10 Planting Structure	es		

Clause	Provision	Proposed	Complies
A. Large trees (canopy diameter of up to 16m at maturity)	minimum soil volume 150m³ minimum soil depth 1.3m minimum soil area 10m x 10m area or equivalent	Refer to Landscape Plans and Urban Design Report. The proposed development is generally consistent with the St Leonards South LMP.	Yes
B. Medium trees (8m canopy diameter at maturity)	minimum soil volume 35m³ minimum soil depth 1m approximate soil area 6m x 6m or equivalent	Refer to Landscape Plans and Urban Design Report. The proposed development is generally consistent with the St Leonards South LMP.	Yes
C. Small trees (4m canopy diameter at maturity)	minimum soil volume 9m³ minimum soil depth 800mm approximate soil area 3.5m x 3.5m or equivalent	Refer to Landscape Plans and Urban Design Report. The proposed development is generally consistent with the St Leonards South LMP.	Yes
D. Shrubs	minimum soil depths 500-600mm	Refer to Landscape Plans and Urban Design Report. The proposed development is generally consistent with the St Leonards South LMP.	Yes
E. Ground Cover	minimum soil depths 300-450mm	Refer to Landscape Plans and Urban Design Report. The proposed development is generally consistent with the St Leonards South LMP.	Yes
F. Turf	minimum soil depths 100-300mm	Refer to Landscape Plans and Urban Design Report. The proposed development is generally consistent with the St Leonards South LMP.	Yes
J.2 Tree Preservation and Landscape Guidelines	Tree Preservation and Landscaping to be done in accordance with Clause 5.9 of the LEP and Part J.2 of the DCP	Clause 5.9 of the LEP has been repealed. The proposal is consistent with the tree preservation measures. Refer	Yes

Clause	Provision	Proposed	Complies
		Arboricultural Impact Assessment prepared by Ecological Australia.	
J.3 Preservation of significant trees	Significant Tree Preservation to be done in accordance with Clause 5.9 of the LEP and Part J.3 of the DCP	For details regarding tree preservation measures, refer Arboricultural Impact Assessment.	Yes
Part O – Stormwater N	lanagement		
2.1 Detailed stormwater Plans	The plans for the development site and any drainage lines required external to the development site shall be prepared at a 1:100 scale, and include all the following items:	A Civil Infrastructure & Stormwater Management Report has been prepared by AT&T and is provided with this application.	Yes
	a) The location of all buildings, driveways, and impervious surfaces.		
	b) The location, trunk diameter and canopy size (drip line) of any trees on the site or adjoining properties which may be affected by the development.		
	c) The location of all downpipes, surface channels, kerbs, pits, pipes, and sub-surface drainage.		
	d) Location of any watercourse or bushland passing through or adjacent to the property.		
	e) The size and class of all pipes and the dimensions, grades, invert levels and finished surface levels of all pits and pipes.		
	f) Finished levels and cross-sectional details of any catch drains or swales.		

Clause	Provision	Proposed	Complies
	g) Finished floor/ground levels of buildings, garages, paved areas and unpaved areas.		
	h) Contours at 0.5m intervals of the existing ground levels to AHD.		
	i) Any overland flowpaths which drain through the property.		
	j) The location, size and depth of easements or drainage pipelines.		
Part Q – Waste Manage	ment and Minimisation		
3.2 Construction of Buildings or Structures	The Construction Environmental Management Plan (CEMP) and Construction Methodology Plan (CMP) is provided which details the construction and demolition waste with regards to targets for resource recovery, waste streams and classifications, demolition and site preparation quantities, construction waste types and quantities, waste avoidance strategies, reuse, recycling and disposal, and waste storage and servicing. The CEMP and CMP also outlines details on site inductions, signage provisions, monitoring and roles and responsibilities. For further details refer to Section 7.15.1 of the SEE and the CEMP and CMP.		
4.3 Residential Flat Buildings	An Operational Waste Management Plan (OWMP) has been prepared by Elephants Foot. The OWMP provides details regarding operational waste and recycling management, as well as details as to the method of operational waste collection, frequency in which it occurs as well as the location of the waste removal. For further details refer to Section 7.15.2 and of the SEE and the OWMP.		Yes
Bulk waste storage rooms	For residential flat buildings that include ten or more dwellings, a dedicated room or caged area must be provided for the temporary storage of discarded bulky items which are awaiting removal. The storage area must be readily accessible to all residents and must be	As above, the OWMP provides details regarding operational waste and recycling management, as well as details as to the method of operational waste collection, frequency in which it occurs as well as the location of the waste removal.	Yes

Clause	Provision	Proposed	Complies
	located close to the main waste storage room or area.		
	Bulky waste storage rooms must be designed to the following minimum sizes:		
	1-10 units - 10m2 ;		
	11-20 units - 20m2 ;		
	>21 units - 30m2		
	Doors to bulky waste storage rooms must have a minimum opening width of 1700mm.		
Waste collection point	a) All bins must be collected onsite from either their usual storage point or from an onsite temporary holding area located inside the property boundary.	Refer Section 7.15.2 of the SEE for details regarding waste collection.	Yes
Communal compositing/worm farming	Space must be provided for a communal compost container; the siting of which will have regard to potential amenity impacts.	Sufficient space is provided on site for communal compositing and worm farming.	Yes
On-site access	There must be an unobstructed and Continuous Accessible Path of Travel (as per Australian Standard 1428 Design for Access and Mobility - 2001) from the waste/recycling storage area(s) or room(s) to: the entry to any Adaptable Housing (as per Australian Standard 4299 Adaptable Housing - 1995)		Yes

Clause	Provision	Proposed	Complies
	the principal entrance to each residential flat building		
	the point at which bins are collected/emptied.		
Part R Traffic, Transpo	rt and Parking		
2.2 Car Parking Rates	Residential flat building – 0.5 spaces per studio 1 space per 1-bedroom unit 1.5 spaces per 2-bedroom unit 2 spaces per 3+ bedroom unit Visitors/customers – 1 space per 4 units	A total of 558 residential car spaces including 78 visitor spaces are required. It is noted that these DCP rates are neither a minimum, nor maximum. The proposal provides a total of 542 residential car parking spaces, including 78 visitor spaces is generally in line with the parking provision. Additionally, the site area is well-serviced by public transport and is in close proximity to the St Leonards railway station and bus stops (nearest located 30m south of the site).	Yes
	Removalist space – 1 space per 100 units Car wash space – 1 space per 50 units Note: These DCP rates are neither a minimum,	A total of seven car wash bays are required. The proposal includes six car wash bay and is compliant with this control. The proposal loading dock has two truck bays. The loading dock is proposed to operate as a shared loading facility for the proposed development i.e. it will accommodate service vehicles for waste collection, removalist trucks and large bulky items deliveries (refrigerators, televisions, washing machines) etc	Yes
	Note: These DCP rates are neither a minimum,	nor maximum.	
2.5 Car Share	a) Outside the St Leonards Railways Station 400m catchment area, public car share spaces may be provided in residential	No car share space currently provided within the development. However, there is opportunity to provide three additional car share spaces on Park Road in front of the subject which will be	Yes

Clause	Provision	Proposed	Complies
	developments in lieu of on-site parking. Details to be confirmed with Council at DA stage.	available to residents of the proposed development as well as the wider community.	
	i) On-site car share spaces are to be provided in lieu of private parking at a rate of 1 per 3. These car share spaces are to be dedicated to commercial car share use and must be accessible to both residents and the general public (ie. on common property within the site boundary and not located behind security doors, roller blinds etc). A worked example showing how car share spaces will offset the required number of parking spaces for a residential flat building is shown overleaf.	This is subject to further discussions with car share operators, to be confirmed prior to the operation of the development	
	ii) Alternatively, the applicant must make a financial contribution towards transport and parking infrastructure in Lane Cove in lieu of the on-site car share provision set out above. The value of the contribution is based on the rate for commercial/retail parking in Lane Cove Town Centre (per parking space), detailed in Council's adopted Fees and Charges.		
	iii) The applicant may choose a combination of on-site car share provision (using the rate in (a) i) and cash contribution to infrastructure works (detailed in Council's adopted Fees and Charges).		

Clause	Provision	Proposed	Complies
	b) Under the scenarios shown in (a), each unit comprising one or more bedrooms must be allocated a minimum of one private car space. This allocation should be marked on the architectural plans of the car park at DA stage.	A total of 542 private residential car parking spaces are provided, such that each unit has a minimum of one private car parking space.	Yes
	d) The developer must also provide evidence at DA stage that commercial car share operator(s) have been engaged and are committed to supplying car share vehicles in all of the designated on-site spaces.	No car share space currently provided within the development. However, there is opportunity to provide three additional car share spaces on Park Road in front of the subject which will be available to residents of the proposed development as well as the wider community. This is subject to further discussions with car share operators, to be confirmed prior to the operation of the development	Considered acceptable
2.6 Bicycle Parking	Rate: Residential flat buildings: 1 per 4 dwellings	A total of 79 spaces are required for residents and 32 spaces for visitors. The proposal provides a total of 80 spaces for residents and 32 spaces for visitors and is complaint with this control.	Yes
2.7 Motorcycle parking	a) Developers shall provide 1 motorcycle parking space per 15 car spaces for all types of development	A total of 36 motorcycle parking spaces are required. The proposal provides 36 motorcycle spaces and is complaint with this control.	Yes
2.8 Disabled Parking provision	a) Disabled parking rate- 1 disabled space for each adaptable housing unit Visitors/customers –	The proposal includes 63 adaptable units. Therefore, a total of 63 accessible parking spaces are required. The proposal provides 63 accessible spaces and is complaint with this control.	Yes

Clause	Provision	Proposed	Complies
	1 disabled space per 50 visitor spaces (minimum 1 disabled space)	The parking spaces are consistent with the relevant Australian Standards. Refer Access Report.	
	b) Disabled parking spaces must be built in accordance with AS/NZS 2890.6:2009 Parking facilities—Off-street parking or people with disabilities.		
2.10 Parking and access for service vehicles	a) Parking areas shall be provided and designed to allow for access and loading by Council's waste collection contractor.	Vehicular access is provided via a combined entry and exit driveway located along the Park Road frontage and will be shared by cars and loading vehicles, allowing access into the basement level parking spaces.	Yes
	b) All parking areas for delivery and service vehicles must be designed in accordance with AS 2890.2:2002 Parking facilities—Off-street commercial vehicle facilities. On site delivery and service areas for residential flat buildings must be large enough to accommodate removal trucks.	Refer Access Report and BCA Report.	Yes
2.11 Parking area access and design	a) All parking areas, including access ramps and driveways, must be designed in accordance with AS/NZS 2890.1:2004 Parking facilities—Off-street car parking	Refer BCA Report submitted with this DA.	Yes
R.3 Public Transport			
3.2 Large Development Sites	a) Diversion of bus routes or provision of additional services shall be discussed with STA if the development is	Refer Sustainable Travel and Access Plan (STRAP) submitted with this DA.	Yes

Clause	Provision	Proposed	Complies
	i. A residential development comprising 75 or more units.		
	Pedestrian flows and potential conflicts with vehicles arising from the proposed development, particularly where such conflicts cause capacity constraint on either vehicular or pedestrian movement.		
	An assessment of the pedestrian network which extends beyond the site to include areas within at least 25m of the subject site boundary, and incorporate both sides of the roads within this zone.		
	Suggested pedestrian infrastructure improvements, where deficiencies in the local pedestrian network are identified.		
R.5 Transport Acce	ss Guide		
5.1 General	a) All developments that are forecast to generate more than 10 peak hour vehicle trips, (as per the RTA Guide to Traffic Generating Developments) must be accompanied by a Transport Access Guide approved by Council prior to Occupation Certificate.	Refer Sustainable Travel and Access Plan (STRAP).	Yes
	b) A STrAP is required for:		
	i. any residential flat building of 75 or more units		

Clause	Provision	Proposed	Complies
6.1 TIA – General	a) Developments that are forecast to generate 10 or more peak hour vehicle trips are required to submit a Traffic Impact Assessment (TIA) at the DA stage.	A Traffic and Parking Assessment is prepared by MLA.	Yes
6.4 Proposed development	a) Access arrangements shall be clearly stated at the DA stage, following advice received at pre-lodgement. Access from quieter, local roads is preferred to busier main roads	Access arrangements are clearly illustrated on the architectural plans.	Yes
6.5 Impact of proposed development	a) Applicants shall demonstrate which roads the development traffic is likely to utilise to get to and from the development during peak hours.	A Traffic and Parking Assessment is prepared by MLA.	Yes
R.7 Construction traffic management plan	a) A Construction Traffic Management Plan must be approved by Council's Manager – Traffic and Transport prior to any work commencing on site.	A Construction Traffic Management Plan is prepared by MLA.	Yes