North Sydney DCP 2013 - Key Provisions		
Control	**Description**	**Comment**
Part B – Development Controls		
Section 3 – Non-Residential Development in Residential Zones		
3.1.2 When does this section of the DCP apply?	This section of the DCP applies to: *(b) development for any purpose on land zoned SP2 – Infrastructure, and where any adjacent or adjoining land is zoned:* *(i) R2 – Low Density Residential,* *(ii) R3 – Medium Density Residential,* *(iii) R4 – High Density Residential, or* *(iv) E4 – Environmental Living.* *If land zoned SP2 Infrastructure is located adjacent to more than one of the following zones:* *(a) R2 – Low Density Residential,* ***(b) R3 – Medium Density Residential,*** ***(c) R4 – High Density Residential, or*** *(d) E4 – Environmental Living,* *then the **controls of the most restrictive zone will apply to the subject site**. For example, if the subject site is located adjacent to land zoned R2 – Low Density Residential and R4 – High Density Residential, then the provisions of the R2 – Low Density Residential would apply.*	**Section 3.1.2** of the NSDCP 2013 confirms the controls of R3 Zone are applicable to the subject site.
3.2.1 Topography	*P1 Development should not result in the ground level (finished) being greater than 500mm above or below ground level (existing).* *P2 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.* *P3 Excavation should not occur within 1m of any property boundary.* *P4 The depth of soil around buildings must be sufficient to sustain trees as well as shrubs and smaller scale gardens.*	The proposed development has been designed to address the topography across the Campus. Minimal excavation will occur across the Site. The Campus is located in an established, highly dense urban area. Appropriate landscape mitigation measures will be implemented in order to provide adequate landscaping, in particular along the rooftop terrace and Eastern Boundary.

<table>
<tr>
<td>3.2.5 Noise</td>
<td>
P1 Noise emission associated with the operation of non-residential premises must not exceed the maximum 1-hour noise levels (LAeq 1 Hour) specified in Table B-3.1.
<table>
<tr><td colspan="5">TABLE B-3.1: Noise Emission Limits</td></tr>
<tr><td colspan="3">Time Period</td><td colspan="2">Max 1 hour noise levels (LAeq 1 Hour)</td></tr>
<tr><td>Day</td><td>Week</td><td>Time</td><td>Urban Area</td><td>Suburban Area</td></tr>
<tr><td rowspan="3">Weekday</td><td>Day</td><td>7am-6pm</td><td>60dBa</td><td>55dBa</td></tr>
<tr><td>Evening</td><td>6pm-10pm</td><td>50dBa</td><td>45dBa</td></tr>
<tr><td>Night</td><td>10pm-7am</td><td>45dBa</td><td>40dBa</td></tr>
<tr><td rowspan="3">Weekend</td><td>Day</td><td>8am-7pm</td><td></td><td></td></tr>
<tr><td>Evening</td><td>7pm-10pm</td><td>50dBa</td><td>45dBa</td></tr>
<tr><td>Night</td><td>10pm-8am</td><td>45dBa</td><td>40dBa</td></tr>
</table>
P2 In terms of determining the maximum noise levels as required by P1 above, the measurement is to be taken at the property boundary of the nearest residential premises.

P3 Despite P1 above, the noise emission associated with the operation of non-residential premises must not exceed 5 dBA above the background maximum 1 hour noise level (LAeq 1 Hour) during the day and evening and not exceeding the background level at night when measured at the boundary of the property.

P4 Council may require the submission of an Acoustic Report to ensure compliance with P1 above.

P5 Plant and machinery should incorporate noise reduction measures to minimise their impacts.

P6 Developments should be designed and / or incorporate features that reduce noise transmission.

P7 Where practical, development should incorporate adequate measures for tonal, low frequency, impulsive, or intermittent noise.

P8 Developments must comply with EPA Industrial Noise Policy 2000 in particular the modification required for acceptable noise level (ANL).
</td>
<td>
An Acoustic Report has been prepared by SLR Consulting and accompanies this application as Appendix 15.

With the implementation of an acoustic barrier (with a minimum height of 2.1m) around the perimeter of the future rooftop terrace of the infill building, the proposed development is considered to be acceptable and are not anticipated to result in adverse operational noise impacts to the surrounding residential noise receivers.

Refer to Appendix 15 for further detail.
</td>
</tr>
<tr>
<td>3.2.6 Reflectivity</td>
<td>
P1 Buildings should provide a greater proportion of solid to void on all facades and use non-reflective materials.

P2 Buildings should use non-reflective glass and / or recess glass behind balconies.
</td>
<td>
The proposed material selection has been incorporated in order to reduce reflectivity.
</td>
</tr>
</table>

	P3 Sun shields, such as awnings, canopies and pergolas should be provided to glazed areas. *P4 Council may require the submission of a Reflectivity Study prepared by a suitably qualified consultant*	The materials and finishes of the new building have been chosen to complement the existing materiality of the Main Campus. The material selection will have a similar palette to the existing development.
3.2.8 Views	*P1 Where appropriate, the opening up of views should be sought to improve the legibility of the area.* *P2 Use setbacks, design and articulation of buildings to maintain street views and views from public areas.* *P3 Maintain and protect views identified in the relevant area character statement (refer to Part C of the DCP) from future development.* *P4 Where a proposal is likely to adversely affect views from either private or public land, Council will give consideration to the Land and Environment Court's Planning Principle for view sharing established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140. The Planning Principle is available to view on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec).*	The proposed development has been designed to accommodate and maintain the existing views and vistas. The new North-East wing and infill development will sit within the building envelope of the existing building. Roberts Days have undertaken a View Impact Analysis (VIA) to determine the impact of the development on views from the surrounding buildings which currently have views of the Site. The properties most affected by the proposed development is Craiglea, 49 Upper Pitt Street, Kirribilli. The other surrounding properties on Upper Pitt Street will not be impact by the proposed development as the proposed will not extend the existing building envelope. Primary views to the south of 49 Upper Pitt Street will not be impacted. The orientation of the Site will alter the views to the west, however, building setback, landscaping and material selection will minimise any undue impacts.
3.2.9 Solar Access	*P1 Developments should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:* *(a) any solar panels;* *(b) the windows of main internal living areas;* *(c) principal private open space areas; and*	Due to the orientation of the Site, and the scale of the development, there will be minimal overshadowing impacts.

	(d) any communal open space areas located on any adjoining residential properties. *Note: Main internal living areas excludes bedrooms, studies, laundries, storage areas.*	Whilst the proposed development will result in some addition overshadowing of the apartments at 49 Upper Pitt Street in the afternoon of the Winter Solstice, the properties continue to retain an adequate level of solar access. Refer to **Appendix 11**.
3.2.10 Acoustic Privacy	*P4 Development comprising places of public worship, hospitals, educational facilities or child care centres on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's Development Near Rail Corridors and Busy Roads – Interim Guideline (19 December 2008) in accordance with cl.87(2) and cl.102(2) of SEPP (Infrastructure) 2007. An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the SEPP (Infrastructure) 2007.*	An Acoustic Report has been prepared by SLR and accompanies this application as **Appendix 15**. It is considered the proposed development and the reconfiguration of the existing built form will in fact reduce the noise on the surrounding residential receivers, with many properties receiving a significant net benefit from the proposed change in terms of noise impacts with the addition of the acoustic barrier. As a result, the proposed development is considered an acceptable and positive outcome.
3.2.11 Vibration	*P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's Development Near Rail Corridors and Busy Roads – Interim Guideline (19 December 2008) in accordance with cl.87(2) and cl.102(2) of SEPP (Infrastructure) 2007. In particular, consideration should be given to the vibration criteria contained within the Department of Environment Climate Change and Water's Assessing Vibration: a technical guideline. A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.*	Until more specifics regarding the construction equipment and methodology are known, a detailed construction vibration assessment is not possible. However, it is recommended to mitigate any potential impacts using the recommended safe working distances for vibration intensive plant as identified in Transport for NSW's Construction Noise Strategy.
3.2.12 Visual Privacy	*P1 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.*	The proposed development has been designed and the internal layout orientated in order to minimise

	P2 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices. *P3 Provide suitable screening structures or planting to minimise overlooking to the windows, balconies or private open space of dwellings on adjacent land.* *P5 Open entertaining spaces such as terraces, patio, gardens and the like on roof tops are generally not supported.* *P6 Despite P5 above, open spaces on roofs may be considered, but only if:* *(a) the space is designed such that there is no potential for existing or future overlooking of the space and subsequent noise and privacy issues;* *(b) the space is setback at least 1m from the extent of the external enclosing walls to the floor level below; and* *(c) the space does not exceed 50% of the floor area of the storey immediately below or 18m2, whichever is the lesser; and* *(d) there is no other appropriate ground level space for outdoor recreation.*	overlooking and maintain the visual privacy of adjoining residential properties. The proposed development has carefully considered privacy from the adjacent residential buildings. Views to and from all windows in close proximity to the boundary will either be screened or will use opaque glazing. To minimise amenity impacts, all outdoor learning areas have been setback from the boundary, with landscaping screening the areas from the adjacent properties.
3.3 Quality Built Form		
3.3.2 Streetscape	*P1 All works within the road reserve must be undertaken in accordance with the North Sydney Council Performance Guide (refer to Part B: Section 20 – Public Infrastructure of the DCP).* *P2 All existing sandstone kerb and guttering must be retained and maintained.* *P3 Existing street trees are to be retained and protected by avoiding excavation or building within the drip line of the tree (refer to Part B: Section 16 - Tree and Vegetation Management of the DCP).* *P4 Plant new trees of the same species that are present in the street, or in accordance with guidelines or strategies adopted by Council.* *P5 Maintain a nature strip on-street if one exists.*	The exterior architectural approach is formal, composed and contemporary and responds to the urban surrounding of the Campus. Overall, the is envisaged the proposed development will create a strong identity for St Aloysius' College Main Campus that will be grounded, elegant and timeless.
3.3.5 Siting	*P1 Buildings are to be sited in accordance with that described in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, sited to relate to neighboring buildings.*	The proposed development has been sited in order to maximise the development potential across the Site.

<table>
<tr>
<td></td>
<td>P2 Site buildings within a single building form, addressing the street.

P3 Orient each external wall parallel to the corresponding boundary of the site, unless another orientation is characteristic.</td>
<td>The proposed development is primarily positioned within the existing building envelope.</td>
</tr>
<tr>
<td>3.3.6 Setbacks</td>
<td>Front
P1 The front setback must match the alignment of the primary facades of buildings on adjoining properties. Where different setbacks occur, the average of the setbacks of those primary facades is to be used.

P2 An increased setback may be required where there is a need to reduce the visual dominance of a large scale premises through the incorporation of landscaping or other screening and design treatments.

Side
P3 Building setbacks are to comply with the requirements set out in Table B-3.4.
<table>
<tr><td colspan="3">Table B-3.2: Side Setback Requirements</td></tr>
<tr><td>Zone</td><td colspan="2">Minimum Setback Requirement</td></tr>
<tr><td>R3 – Medium Density Residential</td><td>1st storey (up to 4m)</td><td>900mm</td></tr>
<tr><td></td><td>2nd storey (up to 7m)</td><td>1.5m</td></tr>
<tr><td></td><td>3rd storey or higher (more than 7m)</td><td>2.5m</td></tr>
</table>
P4 Where possible, side setbacks should match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement (refer to Part C of the DCP).

P5 Despite P3 above, the building must be set back a minimum of 3m from the property boundary, where the adjoining site has balconies or windows to main living areas of dwellings or serviced apartments located at the same level.

Rear
P6 Provide rear building setbacks that match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement (refer to Part C of the DCP).

Laneways</td>
<td>The proposed development has been designed to reflect both the existing building envelope, as well as reducing the visual dominance of the proposed built form.

The proposed development has a varying setback to the eastern boundary of 3.5m to 4.05m. A landscape buffer is located at the lower level to soften the built form. It is considered appropriate separation will be provided.

Whilst there is a minor encroachment into the 45 degree setback plane, the encroachment has been ameliorated by setting the overall built form back from the eastern boundary by 3m.

In addition, a 3 to 5 metre landscape setback will be provided on the rooftop terrace to minimise opportunities of overlooking.</td>
</tr>
</table>

	P8 Despite P1 and P5 above, all buildings and structures must be setback 1.2m from a laneway. This provision does not apply to side setbacks.	
3.3.7 Form, Massing & Scale	*P1 The height of buildings is not to exceed that stipulated within cl.4.3 to NSLEP 2013.* *P2 The number of storeys should be consistent with that identified in the relevant area character statement (refer to Part C of the DCP).* *P3 The finished floor height of the ground floor level should be no higher than 1m, measured vertically at any point, above ground level (existing).* *P4 Finished floor to ceiling heights are a minimum of 3.3m at the ground floor and 2.7m for each floor above the ground floor. Council may consider a variation to the minimum requirements, but only if the applicant can demonstrate that the non-residential floor space is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow commercial spaces with large amounts of window area).* *P5 Where alterations and additions are proposed to a development relying on existing use rights, they must not result in the:* *(a) material loss of views from other properties or public places, or* *(b) material overshadowing of other properties or public places, or* *(c) material loss of privacy to other properties, or* *(d) increasing of the overall building height, or* *(e) landscaped area of the development being below the requirements set out in the DCP, or further decrease the landscaped area where the landscaped area is already below the requirements of the DCP, or* *(f) site coverage of the development exceeding the requirements set out in this DCP, or further increase the site coverage where the landscaped area is already above the requirements of this DCP.* *P7 Ancillary buildings (e.g. garages, carports, sheds etc) should be a much smaller scale than the principle building.* *P8 Where a building is to be located amongst buildings having a consistent form and scale the size, location and proportions of window, door openings and other distinctive features such as roof form should be carried over to the new development.* *P9 Provide smaller door and window openings within masonry walls, so that glass does not dominate the façade.*	The proposed development has been designed to be consistent with the massing of the existing building across the Campus. A key focus of the proposal, is that when viewed from Upper Pitt Street, the new development will not dominate the streetscape, but rather sit alongside or under the alignment of the existing roof forms. The exiting streetscape of the Campus is built above the height limit that has been established across the Campus under NSLEP 2013. As a result, the new built form has been designed to sit within the existing building envelope. Whilst there are points of exceedances for the proposed development, the North-East Wing and infill development continue to sit below the height of the North-West wing, thereby reducing any streetscape impacts. The proposed built form has been designed to respect sight lines from within and outside the school grounds. Finally, the proposed detailed design and façade have been designed to reduce the apparent bulk of the building.

	P11 The apparent length of buildings should be broken down through the use of articulation, design and detailing, changes in materials and colours. *P12 High quality materials should be used throughout the building design.* *P13 Building elements, such as materials, finishes, and window dimensions should relate to neighbouring buildings.* *P14 Buildings are to respect the setting and curtilage of heritage items (refer to Part B: Section 13 - Heritage and Conservation of the DCP).*	
3.3.9 Colours and Materials	*P1 Buildings should use materials identified in the relevant area character statement (refer to Part C of the DCP), if provided.* *P2 Natural colours and muted and earth tones should be used for major areas of the building, such as walls and roof, with stronger colours restricted to smaller features, such as window frames, doors and architectural detailing.* *P3 Avoid the extensive use of reflective glass, reflective metal and plastics on the exterior of buildings.* *P4 Buildings should incorporate a high proportion of masonry to glass as follows - if a vertical or horizontal line is drawn in any position on any façade it should not pass over more than 50% of glass, or 75% of clear opening and glass.*	The proposal includes a variety of materials and finishes to create visual interest and diversity across the development.
3.4.1 Accessibility	*P1 Buildings are to be designed in accordance with the provisions contained within Part B: Section 12 - Access of the DCP.*	A BCA and Access Report has been prepared and accompany this application as **Appendix 32** and **Appendix 36** respectively.
3.4.2 Safety and Security	*P1 Design routes between building entrances to maximise personal safety. Routes from parking areas to lift lobbies are particularly important in this regard. Clear lines of sight and well-lit routes are required.* *P2 Adequate lighting must be provided to open spaces, entrances and pedestrian areas to avoid the creation of shadowed areas.* *P3 Rear service areas and access lanes should either be well secured or easily visible.*	The provisions involving safety and security are undoubtedly an important priority to the College. The proposed development has taken into account the CPTED Principles.

	P4 Robust and durable design features should be used where relevant to discourage vandalism. *P5 The use of security grilles at the street frontage is discouraged. If security grilles are necessary then install on the inside of the shopfront and maintain clear visibility into the shop. Use toughened glass.* *P6 Solid security rollers to shopfronts, building entries and the like are not permitted.* *P7 Fire escapes should not be recessed into the building form. If it is necessary locate them in a recess, then the recess must be shallow to provide for personal security of pedestrians.* *P8 Buildings should be designed to allow for the overlooking and natural surveillance of rear lanes (e.g. from retail and other uses at all levels of the building).* *P9 Rear lanes should be provided with safe and secure lighting.* *P10 Clear sight lines should be maintained around all vehicle access points.* *P11 Street numbering of buildings must be clearly visible from street at all times of the day such that they are easily identifiable.* *P12 Maximise views of the street and building entries and communal areas within the development.* *P13 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).* *P14 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.*	
3.4.3 Vehicular Access & Car Parking	***Quantity*** *P1 Comply with the parking requirements within Part B: Section 10 – Car Parking and Transport of the DCP.* ***Location*** *P2 All parking should be provided underground (i.e. within a basement) or where provided at grade, must be adequately screened from the public domain. At grade car parking may only be permitted, where it can be demonstrated that the development can comply with the landscaping and site coverage controls contained within this Section of the DCP.*	Provisions for car parking are provided within **Section 10.2.1**, as such are specified as 1 car parking space per 6 staff. Car parking is not proposed as part of the development. There is no proposed increase to staff and student numbers. Therefore, the existing parking provisions

	P3 Where security doors/gates are proposed, an intercom system to facilitate visitor/service access to underground parking areas must be provided. *P4 Design accessways and driveways to:* *(a) enable vehicles to enter the parking space or garage in a single turning movement;* *(b) enable vehicles to leave the parking space in no more than two turning movements;* *(c) enable vehicles to avoid queuing on public roads; and* *(d) comply with AS 1428.2 Design for Access and Mobility.* *(e) comply with the requirements of vehicular crossings and driveways as set out in Section 20.4 to this Part of the DCP.* *P5 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.* *P6 Driveway and pedestrian access must be separated.* *P7 The use of car spaces within a development is restricted to the occupiers of that development.* *P8 Garages, carports or other like parking structures must not be located between the primary street frontage and the primary street façade of the building.* *P9 Despite P8 above, car parking spaces (i.e. not within a garage, carport or other structure) may be located between the primary street frontage and the primary street façade of the building, but only if:* *(a) no other on-site parking exists or is possible;* *(b) no rear laneway exists to provide vehicle access from the laneway rather than from the street;* *(c) no demolition or partial demolition of the property is required to cater for the space;* *(d) any excavation required is minimal in comparison to the area of the parking space;* *(e) on-street parking is constrained by commuter parking and/or RMS clearways;* *(f) the parking space is uncovered;* *(g) porous materials are used for the parking space's surface;* *(h) landscaped area complies with the minimum requirements under s.1.5.5 to this Part of the DCP, or if it is already less than the minimum requirement, the it is not further reduced;* *(i) adequate space to fit vehicles within property boundary exists to avoid overhang onto the footpath;* *(j) it complies with AS 2890.1.* ***Access*** *P10 Provide vehicular access, directly from a public road.*	are considered to remain adequate for the Site.

	P11 Where the site has frontages to both a street and a rear laneway, vehicular access should be provided from the laneway rather than the street. *P12 Do not compromise streetscape, building form and landscaped area, or heritage significance through the provision of vehicle access.* *P13 Provide a minimum of 5.5m between gates or doors to parking areas and the boundary of the site to allow a car to be within the property boundary while the gates/doors are opening.* *P14 If security gates/doors are to be used provide an intercom to allow access for visitors.* *P15 Set back any development, including fences, at least 1.2m from a boundary with a laneway to provide adequate turning space within the lane.*	
3.4.4 Site Coverage	*P1 Maximum site coverage must be in accordance with Table B-3.3.* *TABLE B-3.3: Maximum Site Coverage Requirements* *Zone* | *Lot Size (m²)* | *Site Coverage (max)* *R3 – Medium Density Residential* | *All* | *50%* *P2 For the purposes of P1, the following items are considered to constitute site coverage:* *(a) buildings as defined by the EP&A Act;* *(b) garages and carports;* *(c) sheds;* *(d) enclosed / covered decks, pergolas and the like;* *(e) swimming pools, spa pools and the like:* *(f) other structures including:* *(i) permanent BBQ structures;* *(ii) cabanas;* *(iii) external staircases;* *(iv) gazebos;* *(v) greenhouse/glasshouse;* *(vi) plant rooms;* *(vii) rainwater tanks;* *(viii) ramps;* *(ix) garbage storage facilities.* *However, site coverage excludes:*	The lot size of the subject site is approximately 4,054m^2, as such the maximum permitted site coverage is 50%. The Main Campus, is located in highly development urban area. As such the proposed development will exceed the maximum Site coverage requirement, due to the constraints and limited developable area across the Site. However, this is considered acceptable as the proposed development will respond to the needs of the College to create flexible, contemporary learning spaces at the College, whilst enforcing a sense of community whilst creating opportunities for study and recreation. The Campus will exceed the maximum Site coverage requirement. However, this is seen to be acceptable as the proposed development will respond to the needs of the College to create flexible,

<table>
<tr><td></td><td>(g) any basement;
(h) unenclosed balconies, decks, pergolas and the like;
(i) paving and patios (porous and non-porous);
(j) driveways and car stand areas (porous and non-porous);
(k) water features; or
(l) anything else defined as landscaped area.</td><td>contemporary learning spaces at the College, whilst enforcing a sense of community whilst creating opportunities for study and recreation.</td></tr>
<tr><td>3.4.5
Landscape Area</td><td>P1 Provide a minimum landscaped area and maximum un-built upon area in accordance with Table B-3.4.

<table>
<tr><td colspan="4">TABLE B-3.4: Minimum Landscaped Area and Site Coverage Requirements</td></tr>
<tr><td>Zone</td><td>Lot Size (m²)</td><td>Landscaped Area (min)</td><td>Un-built upon area (max)</td></tr>
<tr><td>R3 – Medium Density Residential</td><td>All</td><td>30%</td><td>20%</td></tr>
</table>

P2 For the purposes of P1:
(a) landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area2 ; and
(b) the following items are considered to constitute un-built upon area:
(i) any part of a basement which does not comprise site coverage;
(ii) unenclosed balconies3
, decks, pergolas and the like;
(iii) paving and patios (porous and non-porous);
(iv) driveways and car stand areas (porous and non-porous);
(v) water features; or
however, un-built upon area excludes:
(vi) anything else comprising site coverage; or
(vii) anything else comprising landscaped area.

P3 Avoid creating landscaped areas that are broken into a series of small fragmented unusable areas.

P4 Establish a significant landscaped setting for pathways and paved areas.

P5 Use planting to create a buffer against cold winter winds (generally westerly), or to direct cooling breezes in summer (generally north easterly).

P6 Locate driveways and pathways at least 500mm from common boundaries.</td><td>There is minimal opportunity across the Site to provide adequate Landscape Areas. As such, the proposed development to provide alternative design solutions to provide an appropriate level of landscaping across the Site.

A landscape buffer has been provided along the eastern boundary to soften the appearance of the proposed development when viewed from adjoining development.

The proposed rooftop terrace has been designed to include a mixture of green roof and hard paved surfaces, creating a passive recreation area for the students of the College. Deep soil zones, ranging from 500mm to greater than 1000mm will be included on the rooftop to allow opportunities for substantial planting.</td></tr>
</table>

	P7 Provide screen planting, including trees, within the 1.5m setback from the common boundary. *P8 Retain existing mature vegetation and trees and show what measures are to be implemented to protect this vegetation during construction (refer to Part B: Section 16 – Trees and Vegetation Management of the DCP).* *P9 Vegetation and landscape elements should be selected and designed to avoid overshadowing existing solar panels or roof spaces which are capable of accommodating solar panels.* *P10 Use pervious materials or stepping stones where pathways are incorporated within side setbacks.*	
3.4.6 Excavation	*O1 To retain existing vegetation and allow for new substantial vegetation and trees.* *O2 To minimise the adverse effects of excavation on the amenity of neighbouring properties.* *O3 To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.* *O4 To ensure the structural integrity of adjoining properties.* *O5 To minimise adverse effects of adjoining transport infrastructure.* *P1 Development that includes excavation must not be carried out unless:* *(a) the development is in accordance with and promotes the objectives of this subsection;* *(b) land stability of the site and adjoining land is preserved;* *(c) the natural drainage patterns of the land and catchment will not be disrupted; and* *(d) adverse effects on other properties are avoided or minimised.* *P2 Consent must not be granted to a development where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.* *P3 Where practical:* *(a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.* *(b) a minimum of 30% of the un-excavated area should be located within the front setback.* *(c) a minimum 1.5m wide strip of soft landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.* *P4 Basement car parks must not extend to the full width of a site.*	There is no excavation proposed as part of this development.

3.4.7 Landscaping	*P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - Bushland of the DCP. Note: Refer to the Bushland Buffer Map in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.* *P2 Retain existing trees wherever practical.* *P3 Avoid works which are to occur within the drip line of any tree that has a height greater than 6m, or a girth greater than 1m, measured 1m above the base of the tree.* *P4 Where a development proposes to incorporate plant containers, they should have a minimum diameter of 110mm and a minimum depth of 135mm.* *P5 Developments should incorporate locally occurring native species and reduce water and fertilizer requirements.* *P6 Achievement of maximum density, pursuant to Council's controls, will be subject to retention of significant trees (as identified by Council) and other important topographic features.* *P7 Minimise disturbance of natural ground levels, native vegetation and topography in the vicinity of identified significant trees.* *P8 New hedges must not result in the unreasonable reduction of access to sunlight or views. A condition may be imposed on a development consent which may restrict the maximum height of a hedge.* *P9 Trees should provide at least 50% canopy cover over landscaped areas at maturity.* *P10 Plant the largest growing and longest lived tree species appropriate to the site conditions.* *P11 Council encourages the incorporation of green walls into developments where appropriate.*	The Main Campus is located within an existing urban environment. There is limited availability for landscape opportunities. A Landscape buffer will be located along the eastern boundary. Further, landscaping will be located on the proposed rooftop terrace. This will not only improve the landscaping across the Campus, as well as providing visual buffer to the adjoining residential development.
3.5.7 Stormwater Management	*P1 An Erosion and Sediment Control Plan for the construction of the building is required in accordance with Part B: Section 17 - Erosion and Sedimentation Control of the DCP.* *P2 A Stormwater Management Plan for the operation of the building is required demonstrating compliance with this subsection as well as Part B: Section 18 – Stormwater Management of the DCP.* *P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.*	The proposed Civil Design complies with North Sydney Council's DCP, Australian Standards and best practice principals. The proposed development incorporates on-site detention, stormwater conveyance and stormwater quality treatment in accordance with Council's Stormwater Management DCP.

	P4 Rainwater tanks should be installed for all developments, including major alterations and additions and mixed-use developments. Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events. *P5 As a minimum, post-development stormwater discharge rates should be less than predevelopment stormwater discharge rates.* *6 As a minimum, post-development stormwater quality should be improved from predevelopment levels.* *P7 On-site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff* *P8 Impervious surfaces should be minimised.* *P9 Ensure paved areas are at least 50% pervious.* *P10 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m² must also submit a Water Sensitive Urban Design report from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.* *P11 All developments with a gross floor area greater than 2000m² are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:* *(a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;* *(b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;* *(c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;* *(d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.*	Refer to **Appendix 22** for further information.
Section 10 – Car Parking and Transport		
10.2 Parking Provision		
10.2.1 Quantity Provisions	***Non-Residential Development*** *P8 For specific non-residential uses, provide on-site car parking at the maximum rates specified in Table B-10.3.* *Table B-10.3 – Parking rates for specific nonresidential uses*	The specified rate for car parking is 1 space per 6 staff. Car parking is not proposed as part of the development. There is no proposed

	<table><tr><td>*Development Type*</td><td>*Maximum Parking Rate*</td></tr><tr><td>*Educational Establishments*</td><td>*1 space / 6 staff*</td></tr></table> *P9 On-site car parking provision significantly below maximum rates specified in Tables B- 10.2 and B-10.3 will generally only be considered if the proposed development has good access to public transport due to the impact that unmet on-site parking demand may have on surrounding residential streets, if viable alternative transport modes are not available.* *P10 Parking within the North Sydney Centre may exceed the requirements in Table B-10.2, but only where the level of non-residential parking provided does not exceed the number legally existing on the 28 February 2003. North Sydney Development Control Plan 2013 Car Parking and Transport Part B Page B10-5* *P11 Council must not grant consent for car parking spaces for entertainment facilities unless the location and availability of existing public car parking in the vicinity of the proposed entertainment facility has been considered. Any car parking allowed specifically for the entertainment facility may, with consent, also be available only for short-stay parking during the hours of 9.30am to 6pm, but for no other purpose.* *P12 In addition to P7 and P8 above, parking for motor cycles must be provided at the minimum rate of 1 space per 10 cars or part thereof.*	increase to staff and student numbers. Therefore, the existing parking provisions are considered to remain adequate for the Site.
10.6 Green Travels Plans	*P1 Green Travel Plans must be submitted with all development applications that involve:* *(a) New, or redevelopment of, educational establishments which result in the total number of students exceeding 100 persons.* *(b) New, or redevelopment of, non-residential developments which result in the total floor space of the development exceeding 2,000m2 (approximately 100 employees in an office development).* *(c) The provision of 50 or more dwellings.* *(d) Any development involving the construction of a new building in the St Leonards/Crows Nest Planning Study Precincts 2 & 3.* *P2 Components/strategies of a Green Travel Plan will likely vary according to the nature of the proposed development and may incorporate:* *(a) Identification and promotion of public transport options to access the site (for example, on a website and /or business cards);* *(b) Preparation of a Transport Access Guide (TAG) for the site. Note: Transport Access Guides (TAGs) provide information to staff and clients on how to reach places via public transport, walking or cycling. More information on development, implementation and publicising TAGs is available on the Roads and*	A formal Green Travel Plan was not considered as part of the preparation of the application and accompanying traffic report following the positive outcomes of the mode of travel survey of staff and students (**Appendix 13**). That is the College exhibits a high proportion of public transport use in an areas which is protected from all day parking, with existing parking restrictions. Further, the proposed development will not result in any increase in either student or staff population across the College. In addition, the proposed development would have the benefit of reducing the need to travel to and from Campuses with

	Traffic Authority website: www.rta.gov.au/usingroads/traveldemandmanagement/trasportaccessguides/index *(c) Implementation of a car pool system for employees;* *(d) Introduce staff car sharing scheme for fleet vehicles;* *(e) Use taxis or public transport for work related journeys;* *(f) Provide priority parking for staff who car pool with more than 2 passengers;* *(g) Encouragement of cycling and walking to the workplace through generous provision of bicycle parking, showers and lockers;* *(h) Incentive schemes to encourage employees to commute using sustainable transport modes (such as the provisions of public transport vouchers/subsidised public transport tickets);* *(i) Allocation of designated parking spaces for a car sharing scheme;* *(j) Prominent display of a large map of cycling routes (i.e. in the foyer of a residential complex);* *(k) Provide staff with cycling allowances, loans and insurance together with bicycle storage and showering and changing facilities;* *(l) Provision of a bus to pick up and drop off staff to the nearest railway station.* *(m) The undertakings made in the submitted GTP will be included under the terms of any development consent* *Note: The strategies listed in P2 above do not comprise an exhaustive list and Council will consider alternative strategies that reduce the reliance on the use of private motor vehicles.* *P4 At Council's discretion, requirements for onsite car parking may be reduced on the basis of a written agreement between Council and the owner/ occupiers for the implementation of a Green Travel Plan.* *P5 The undertakings made in a Green Travel Plan submitted with a development application may be included as conditions to any development consent*	improved additional facilities provided within the College grounds. On the basis that is was considered that a formal Green Travel Plan was considered a desirable outcome as part of the proposed works, the requirement is able to form a condition of consent to be submitted at the time of Construction Certificate.
Section 13 – Heritage and Conservation		
13.4 Development in the Vicinity of Heritage Items	*P1 Respect and respond to the curtilage, setbacks, form, scale and style of the heritage item in the design and siting of new work.* *P2 Maintain significant public domain views to and from the heritage item.* *P3 Ensure compatibility with the orientation and alignment of the heritage item.* *P4 Provide an adequate area around the heritage item to allow for its interpretation.*	The proposed development located adjacent to items of local heritage and a heritage conservation area and has been designed in order to minimise any undue impacts on the surrounding heritage significance.

	P5 Retain original or significant landscape features that are associated with the heritage item or that contribute to its setting. *P6 Protect and allow interpretation of archaeological features (as appropriate and relevant).*	
Part C – Character Statements **8.2 Kirribilli Neighbourhood**		
8.2.1 Significant Elements	***Land Use*** *P1 Predominantly residential development* *P2 Educational Establishments* ***Views*** *P5 The following views and vistas are to be preserved and where possible enhanced:* *(a) District views from streets and reserves to Sydney Harbour and beyond.* *(b) Slot views of Sydney Harbour from Elamang, McDougall, Upper Pitt Streets and Kirribilli Avenue.* *(c) Views of the harbour from Robertson Lane Lookout (61); Bradfield Park Lookout No. 2 (68), Copes Lookout (66); Jeffreys Street Lookout (65), Stanton Lookout (67).* ***Streetscape*** *P13 Narrow streets with limited landscaping.* *P14 Split carriageways with sandstone retaining walls and one-way movement.* *P15 High masonry fences except to heritage items.* *P16 Buildings generally setback a minimum from the boundary with a skewed alignment to respective street frontages.* *P17 Garages built to the boundary.* ***Public transport*** *P18 Development should capitalise on the Area's high level of access to public train, bus and ferry services.*	The following provisions are characteristic of the Kirribilli Neighbourhood and have been considered in the design of the proposed development in terms of minimising view loss and retaining the desired streetscape. The educational establishment is an existing and desired land use which capitalises on the abundance of public transport serving the subject site.
8.2.2 Desire Future Character Diversity	*P3 Educational establishments.* *P4 Limited redevelopment is envisaged for this Area with no substantial increase in density.*	The development proposed at the subject site is for the use of an existing educational establishment which is not applicable in terms of residential density.

8.2.3 Desired Built Form	***Form, massing and scale*** *P1 Development is to generally conform with the provisions contained within Part B – Development Controls of the DCP.* *P2 Educational establishments are to reflect the scale and massing of development on adjoining properties at its interface with the adjoining property.* ***Materials*** *P3 Walls - Masonry, face brick* *P4 Windows - Timber framed* *P5 Roofs - Terracotta tiles, slate*	The prescribed provisions in Part B outline the desired form, massing and scale of any proposed development. The proposed redevelopment of the building wing is not considered above the current scale and massing of development as it replaces what is existing. The proposed building located in the central courtyard has been designed to consider the adjoining properties in terms of setbacks and other built form controls outlined in Part B of NSDCP 2013.