

Attachment B

Draft Sydney Development Control Plan 2012

Draft Sydney Development Control Plan 2012

**17-31 Cowper Street and 2A-2D
Wentworth Park Road, Glebe
July 2012**

The purpose of this Development Control Plan

The purpose of this plan is to amend Sydney Development Control Plan 2012 to insert site specific provisions to guide future development at 4-22 Wentworth Avenue, Surry Hills.

Citation

This plan may be referred to as Draft Sydney Development Control Plan 2012: 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe.

Land covered by this plan

This plan applies to land identified as 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, Lot 17 and 18 Deposited Plan 244897.

Relationship of this plan to Sydney Development Control Plan 2012

This plan amends Sydney Development Control Plan 2012 in the manner set out below.

Amendments to Sydney Development Control Plan 2012

This plan amends the Sydney Development Control Plan 2012 by:

- 1) Inserting a new section 6.3.X 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, at the end of section 6.3 – ‘Specific site controls prepared as part of a Planning Proposal’, as shown at Appendix A.
- 2) Amending St Phillips conservation area figure on page 2.6-10 of the Sydney Development Control Plan 2012, as shown at Appendix B.
- 3) Amending Sydney Development Control Plan 2012 Building Contributions Map 008 as shown at Appendix C.
- 4) Amending Sydney Development Control Plan 2012 Figure 2.1 as shown at Appendix D
- 5) Updating figure numbers under Section 6 of the Sydney Development Control Plan 2012 as required.

Appendix A

6.3.X Development controls: 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe

The following objectives, future character statement and provisions apply to the site 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, as shown in Figure 6.1, where relevant site-specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.XX (new clause) of Sydney LEP 2012 enables development to exceed the floor space ratio shown on the floor space ratio map up to a prescribed amount, provided the entire site is developed for residential accommodation with ancillary community facilities and commercial premises at the ground level.

All other relevant provisions in the DCP apply, except where they are inconsistent with these provisions. The provisions of this section prevail in the event of any inconsistency.

Figure 6.1: Land Application (subject site outlined in red)



6.3.X.1 Desired Future Character Statement

Objective

The primary objective of the development controls for 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe is to create development consistent with the following desired future character statement.

Future Character Statement

The future development has:

- (a) social and affordable housing occupying the northern lot
- (b) a non-residential use for social purposes on the northern lot
- (c) a rich landscape setting with substantial tree canopy cover
- (d) high levels of environmental performance including PV arrays that supply substantial energy, smart use of water and passive design features like external sun access and shading and natural cross ventilation suitable for Sydney's climate
- (e) landscaped green roofs
- (f) building heights that transition from the heights of the conservation area to the west to the urban renewal land to the east
- (g) high quality apartment architecture using face brick and a series of new terraces fronting MJ Doherty Reserve

6.3.X.2 Uses

Objectives

- (a) Provide non-residential uses fronting Wentworth Park Road and Cowper Street at ground level including for social, commercial, retail purposes and building lobbies and bike facilities
- (b) Provide substantial social housing fronting Wentworth Park

Provisions

- (1) Non-residential ground floor uses are to be provided in accordance with **Figure 6.2: Non-residential Ground Floor Uses**.
- (2) A non-residential use for social purposes with a minimum area of 235 square metres is to be provided with a frontage to Wentworth Park Road.
- (3) A commercial or retail space with a minimum area of 40 square metres is to be provided with a frontage to Cowper Street at the intersection with Wentworth Street.
- (4) Non-residential uses (for example, lobbies, bike facilities, commercial, retail, communal uses) are to be located on the ground level frontages shown grey and marked "C" in Figure 6.2.

Figure 6.2: Non-residential Ground Floor Uses

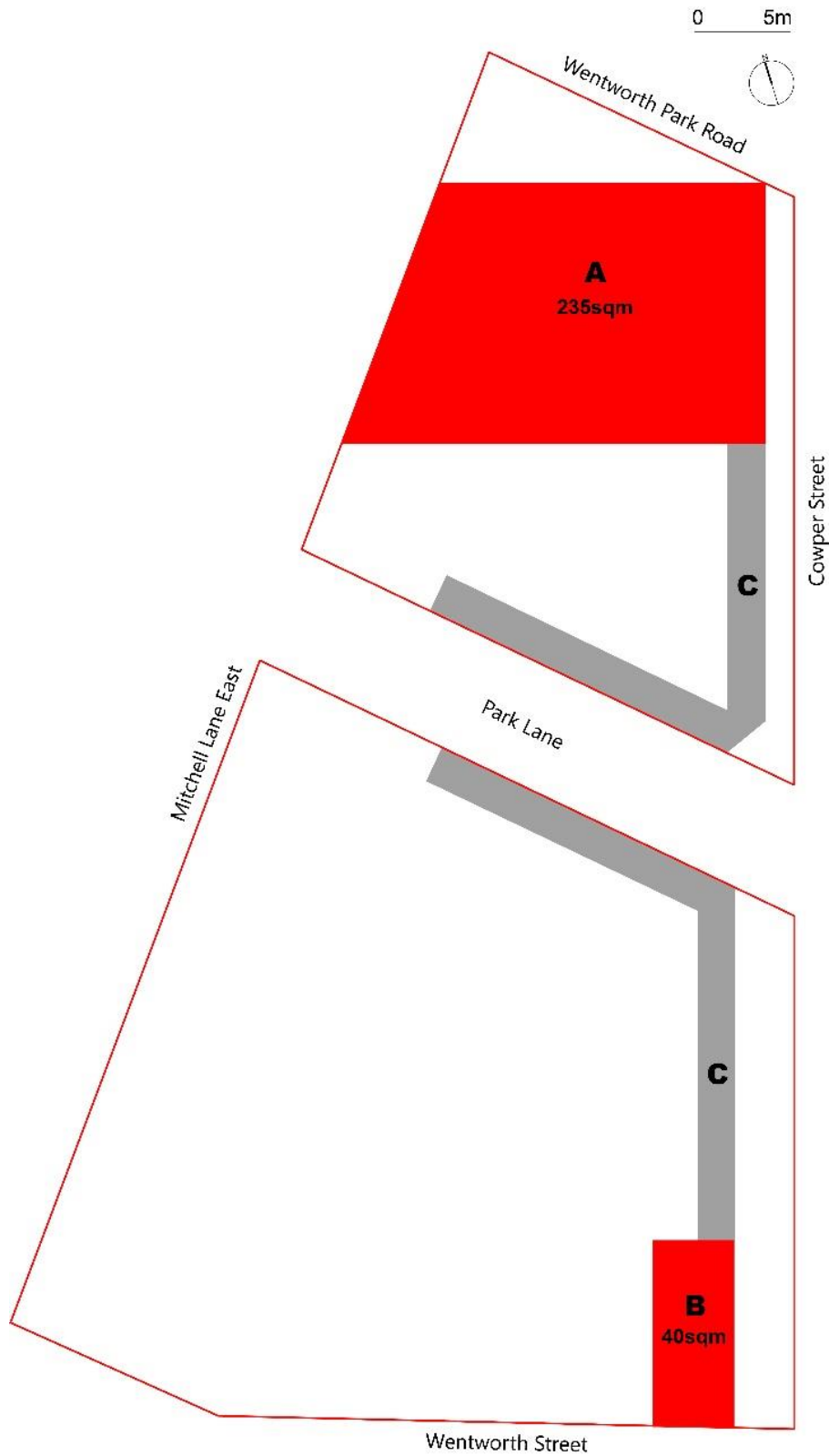


Figure 6.2 – Key

A – indicative location of ground level non-residential use for a social purpose

B – indicative location of ground level commercial or retail space

C – Non-residential ground floor uses (for example, lobbies, bike facilities, commercial, retail and communal uses)

6.3.X.3 Local infrastructure

Objectives

- (a) Widen narrow footpaths on Cowper Street
- (b) Provide footpath continuations across side streets and lanes
- (c) Convert Mitchell Lane East and Park Lane to pedestrian priority shared surfaces

Provisions

- (1) Provide footpath widening and shared surfaces in accordance with **Figure 6.3: Footpath widening and shared surfaces**.
- (2) The footpath on the western side of Cowper Street north of Park Lane is to be widened by 2 metres by relocating the kerb line and parking spaces to the east and narrowing the carriageway. A new line of street trees is to be established in line with the parking bays. The footpath widening is to include a footpath continuation across Park Lane. This land is to be dedicated to Council.
- (3) The footpath on the western side of Cowper Street between Park Lane and Wentworth Street is to be widened by 1.5 metres within the site boundary. This land is to be dedicated to Council.
- (4) Footpaths and Access Connections are to be finished in accordance with detailed public domain plans, RLs, cross and longitudinal sections and construction specifications to be supplied by the City of Sydney at development application stage.
- (5) Public domain works are to incorporate underground utilities within the street reservation as agreed with the City of Sydney and in a manner that facilitates retention of street trees and new planting.

Figure 6.3: Footpath widening and shared surfaces

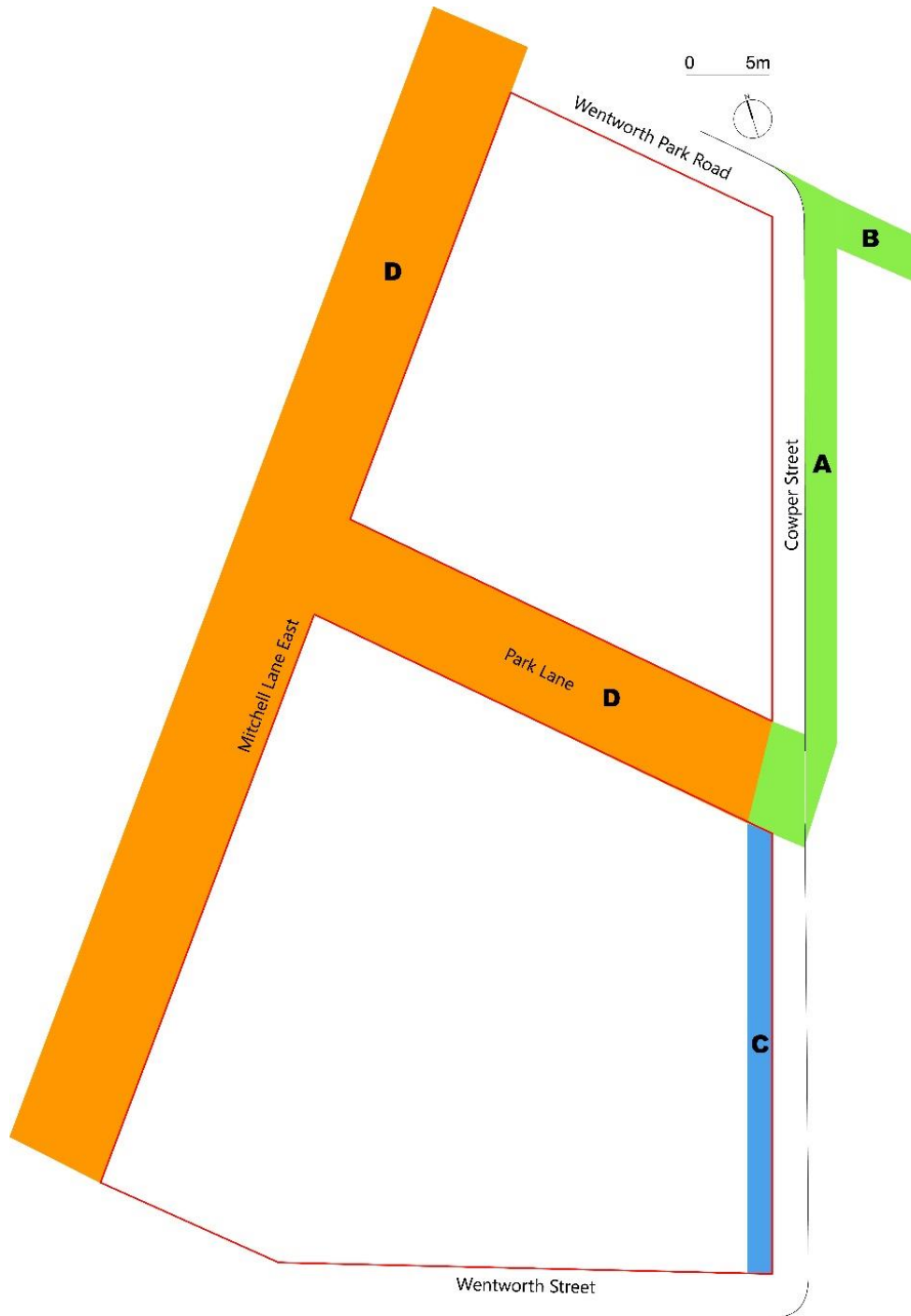


Figure 6.3 – Key

A – 2m footpath widening to Cowper Street by moving the kerb line east (new line of street trees established in line with parking bays), footpath continuation across Park Lane

B – Footpath continuation along Wentworth Park Road across Cowper Street (marked Pedestrian Crossing preferred)

C – 1.5m footpath widening to Cowper Street within the site boundary, land dedicated to Council

D – Convert Mitchell Lane East and Park Lane to pedestrian priority shared surfaces (and formal Shared Zone if permitted)

Note: servicing is to be from Park Lane and a footpath crossover for vehicular access from Wentworth Street

6.3.X.4 Tree Canopy Cover, Landscape, Deep Soil, Vehicular Access, Loading and Servicing

Objectives

- (a) Retain all surrounding street trees
- (b) Maximise tree canopy cover on site
- (c) Maximise deep soil provision on site
- (d) Minimise the impact of vehicular access and servicing on the public domain interface of the development
- (e) Ensure vehicular access points are not provided from Wentworth Park Road or Cowper Street
- (f) Ensure loading and servicing is provided at-grade from Park Lane
- (g) Ensure above ground services are not located in landscaped areas

Provisions

- (1) All surrounding street trees must be retained.
- (2) The Spotted Gum tree in the south-east corner of the site must be retained.
- (3) If not re-used on site, the existing Kentia Palms must be transplanted to a nearby area of public domain identified by Council at the developer's cost.
- (4) Landscape Areas must be provided in accordance with **Figure 6.4: Landscape Areas and Deep Soil**.
- (5) Landscaped areas shown in Figure 6.4 must be provided as deep soil and be occupied by tree canopy estimated at 10 years from occupation certificate. No structures may encroach on the landscaped areas except access paths, ramps and stairs and external sun shading elements above the canopy of the trees at maturity.
- (6) Provide green roofs to provide tree canopy, amenity, improve microclimate conditions and create comfortable communal spaces.

Figure 6.4: Landscape Areas and Deep Soil



Figure 6.4 – Key

Provide Landscape Areas:

A – minimum area of 56sqm

B – minimum 1.5m wide

C – minimum 3.0m wide inclusive of a 1.5m wide footpath widening dedication to Council

D – minimum area of 31sqm

- (7) A minimum of 8% of the total (combined) site area must be provided as deep soil.
- (8) At least 18% of the total site area must be covered by tree canopy when trees reach maturity, demonstrated by a landscape plan prepared by a suitably qualified landscape architect.
- (9) Vehicular access and servicing is to be in accordance with **Figure 6.5: Vehicular Access and servicing**
- (10) One vehicular access point to the basement parking level may be provided from Wentworth Street. The footpath crossover must be minimised in width.
- (11) Any parking provided in a basement up to the maximum number of spaces permitted in Sydney LEP 2012 will be deemed to be required parking for the purposes of determining Gross Floor Area.

Figure 6.5: Vehicular Access and Servicing

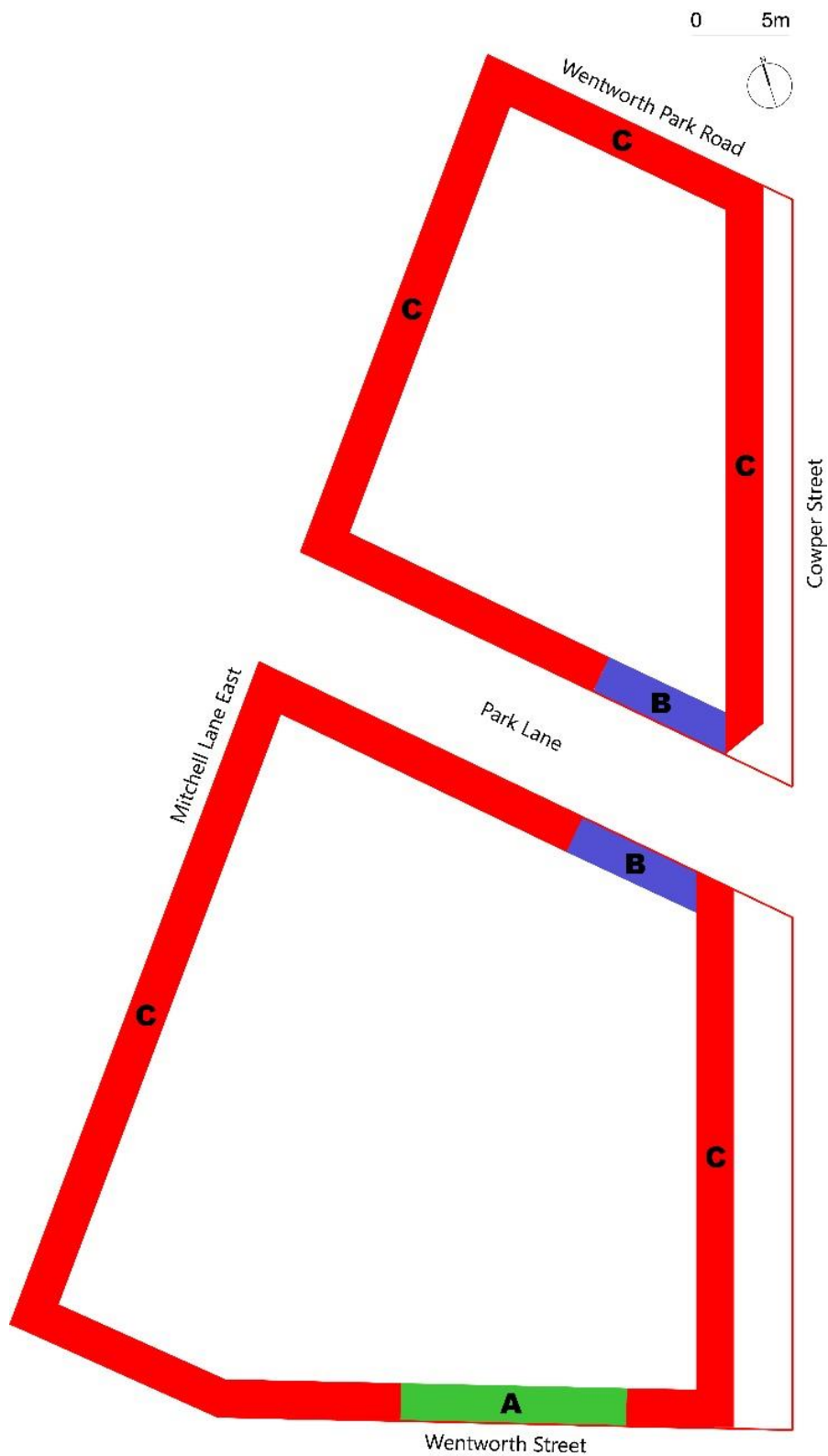


Figure 6.5 – Key

- A – Preferred location for vehicular access
- B – Preferred location for servicing docks (vehicles to service from Park Lane)
- C – Frontages from which there must not be vehicular access or servicing

6.3.X.5 Height of buildings

Objectives

- (a) Minimise overshadowing of surrounding development
- (b) Minimise the building depth of residential flat buildings to maximise daylight and natural ventilation to habitable rooms
- (c) Ensure building separations and visual privacy meet Apartment Design Guide design criteria
- (d) Ensure all east and west facing rooms are provided with external sun shading

Provisions

- (1) The height and location of development must not exceed the maximum heights above the Flood Planning Level (FPL) in storeys and RLs in **Figure 6.6: Maximum Heights in Storeys** and **Figure 6.7: Maximum Height (RLs)**. For the purpose of this section any level of a building that has habitable areas and has a floor level above the FPL is a storey (including attics and mezzanines).
- (2) Above ground, built elements may not extend into the white areas shown with an “A” in **Figures 6.6 or 6.7** except stairs, ramps, landscape structures, small decorative brick facade elements and non-trafficable external sun shading.

Figure 6.6: Maximum Heights in Storeys

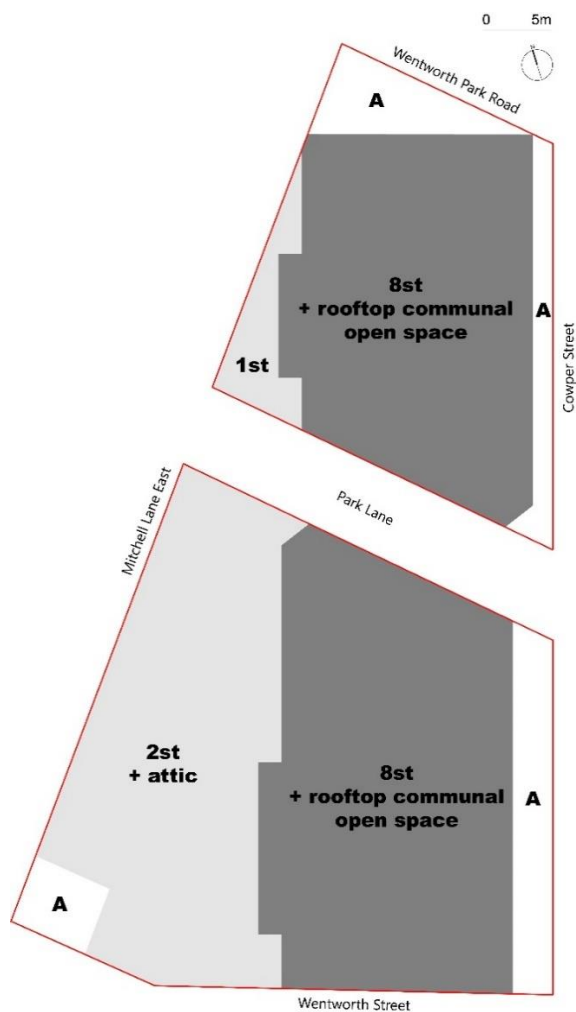


Figure 6.6 – Key

A – No built elements (see provision 2)

Black number followed by “st” – maximum height in storeys, extent shown as a grey area

Figure 6.7: Maximum Heights (RLs)

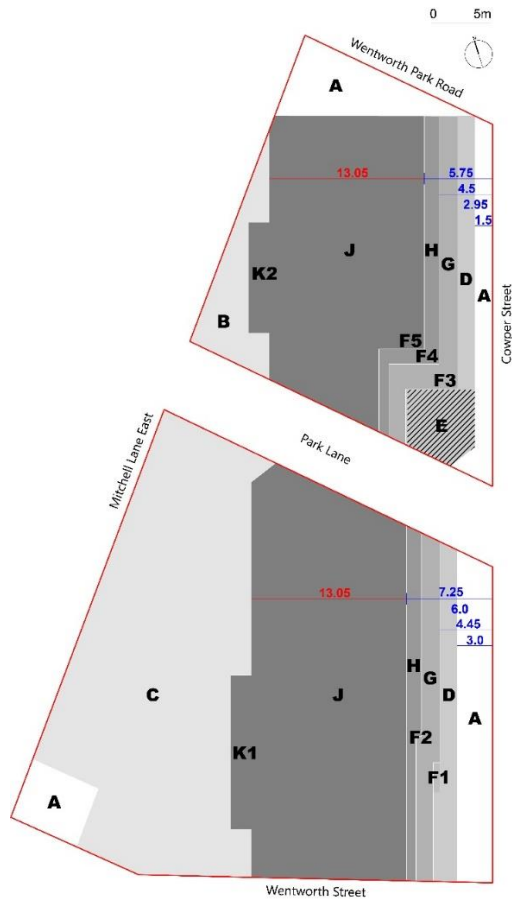


Figure 6.7 – Key

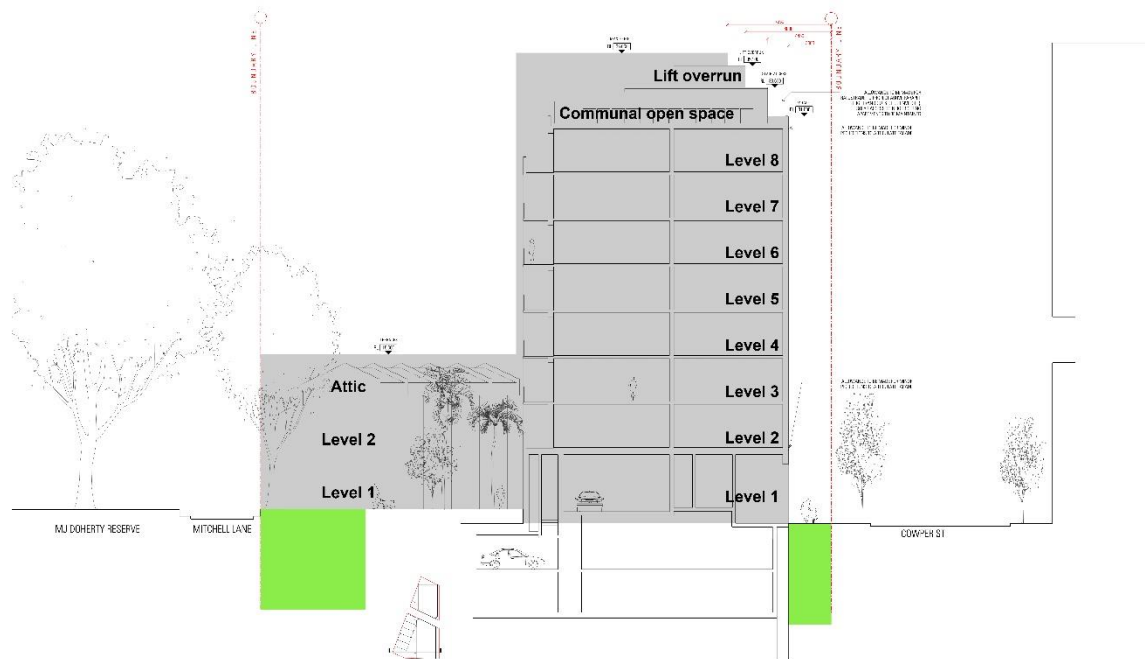
Dimensions:

- Maximum dimensions in metres shown as a red number
- Minimum dimensions in metres shown as a blue number

Maximum height of development (RLs to AHD):

- A – RL0.0 (landscape structures only)
- B – RL9.5
- C – RL15.0
- D – RL31.6
- E – Height determined by protection of 2 hours sun to the living room window of apartment 1.3.7 at 87 Bay Street on 21 June
- F1-5 – The arrangement of these setbacks in plan must ensure solar access to 87 Bay Street and 14-26 Cowper Street is maintained in accordance with the requirements of SEPP 65 and the Apartment Design Guide except as noted in this DCP
- G – RL33.6
- H – RL35.1
- J – RL36.0 (note that the maximum height of habitable areas is RL31.6)
- K1 – extends zone J by 1.75m to the west for a 12.9m wide zone
- K2 – extends zone J by 1.75m to the west for a 9.3m wide zone

Figure 6.8: Illustrative east-west cross section



6.3.X.6 Design Excellence

Provisions

A competitive design process that satisfies the requirements of Sydney LEP 2012 and Sydney DCP 2012 has been undertaken for the site with the successful architectural practice being Johnson Pilton Walker (JPW). The detailed development application must be generally in accordance with this design as amended in the lodged planning proposal application. If the detailed development application is generally in accordance with the winning design as amended in the lodged planning proposal application, it will be unnecessary for a competitive design process to be held in relation to the proposed development under Clause 6.21(6) of Sydney LEP 2012.

The design however must be further modified to respond to this DCP.

6.3.X.7 Street trees

Objective

- (a) Maximise retention of existing street trees

Provisions

- (1) Existing street trees must be retained.

6.3.X.8 Overshadowing

Objectives

- (a) Minimise overshadowing of adjacent development.

Provisions

- (1) Overshadowing of apartment 1.3.07 at 87 Bay Street must ensure that it receives 2 hours of sun to its living room window on 21 June.
- (2) Overshadowing of apartment 1.2.10 at 87 Bay Street must be minimised consistent with the height envelope shown in this DCP. This may result in the apartment receiving less than 2 hours of sun to its living room on 21 June.
- (3) Overshadowing of neighboring single dwellings must not exceed that created by the building massing described in this DCP.

6.3.X.9 Building Typologies, Visual Privacy and Pedestrian Entries

Provisions

- (1) Social and affordable housing is to be of an equal or higher quality than any other housing provided as part of the overall development. Higher quality includes greater amenity of the dwellings with a greater proportion receiving natural cross ventilation and sun access; longer life construction; and, lower maintenance requirements.
- (2) Dwelling typologies, visual privacy and pedestrian entries must be in accordance with **Figure 6.9: Typologies, Visual Privacy and Pedestrian Entries.**

Figure 6.9: Typologies, Visual Privacy and Pedestrian Entries

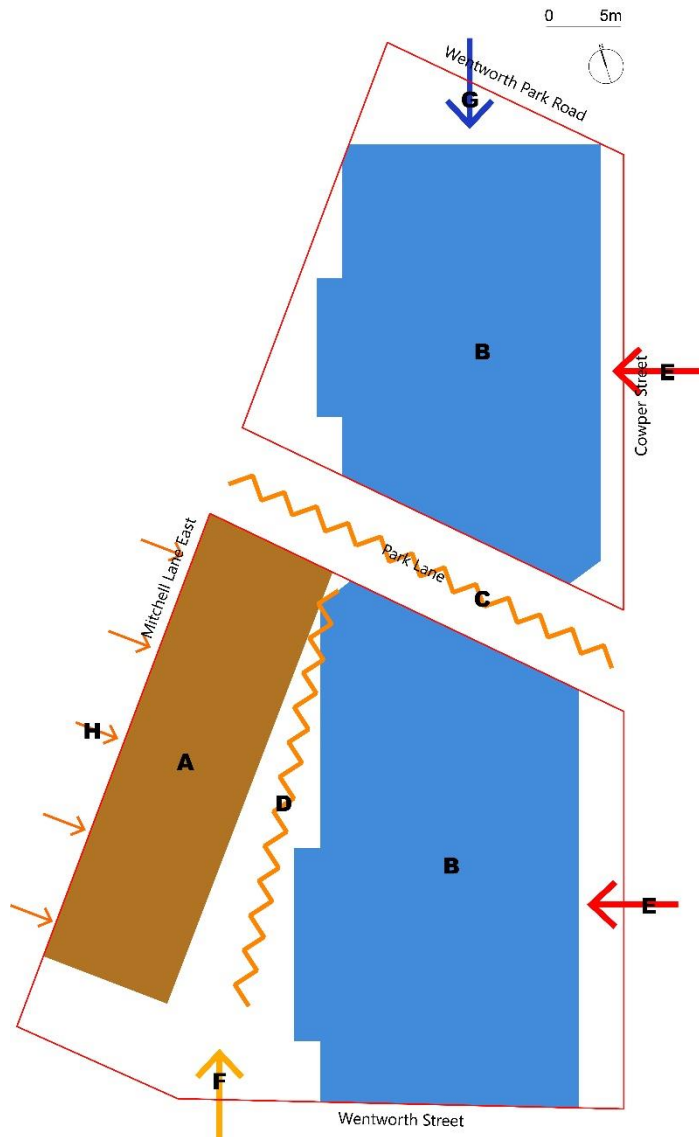


Figure 6.9 – Key

A – Terrace typology (2 storey plus attic)

B – Apartment building typology with decorative face brickwork

C – Manage visual privacy across Park Lane by orienting the vision windows in the northern block to the east and west

D – Manage visual and acoustic privacy between the terraces and apartments by orienting the terraces' habitable rooms to the west facing the park

E – Provide main pedestrian entries to apartment buildings from Cowper Street (provide alternative ramp access to both lobbies)

F – Provide a secondary pedestrian entry from Wentworth Street

G – Provide primary entry to the non-residential use for a social purpose from Wentworth Park Road including ramp access (this ramp is also to provide access to the residential lift lobby via the setback to Cowper Street).

H – Provide individual entries to each terrace directly from Mitchell Lane East

6.3.X.11 Ecologically Sustainable Development

Objectives

- (a) Minimise energy and water use and waste generation
- (b) Maximise on-site renewable energy generation, water re-use and waste recycling

Provisions

- (1) Development must achieve the following minimum ratings:
 - (a) All development
 - 6-star Green Star communities rating
 - 5-star Green Star Design and As-Built
 - (b) Residential Development
 - BASIX Energy 50 for low rise
 - BASIX Energy 45 for high rise
 - Solar Panels on the roofs of all buildings
 - a stretch goal of more than BASIX Water 40, strongly encourage the use of recycled water beyond irrigation
 - (c) Commercial areas
 - NABERS Energy rating of 5.5 stars
 - NABERS Water rating of 4.5 stars
- (2) All development must have a combination of green roofs, roof-top solar PV and communal open space on rooftops. Other areas must be designed with high albedo qualities to reflect heat.
- (3) The site must be planned to minimise paved areas and maximise stormwater infiltration. All public access paving must be permeable except where accessibility requirements restrict it.
- (4) All development must be designed to maximise passive design approaches including provision of external sun access and shading to all apartments except where tree canopy provides shading over an extended summer period.
- (5) Gas systems should be avoided, development must demonstrate why electric systems are not suitable given the urgent need to reduce greenhouse gas emissions.
- (6) All apartments must have access to external clothes drying facilities.
- (7) All parts of the development must include piping for use of recycled water in irrigation and the like.
- (8) Appropriately sized cupboards for the future provision of air conditioning units must be located on apartment balconies
- (9) Development must follow the guidance of the City of Sydney Guidelines for Waste Management in New Development.

6.3.X.11 Heritage

Objectives

- (a) To record and preserve the heritage values of the site

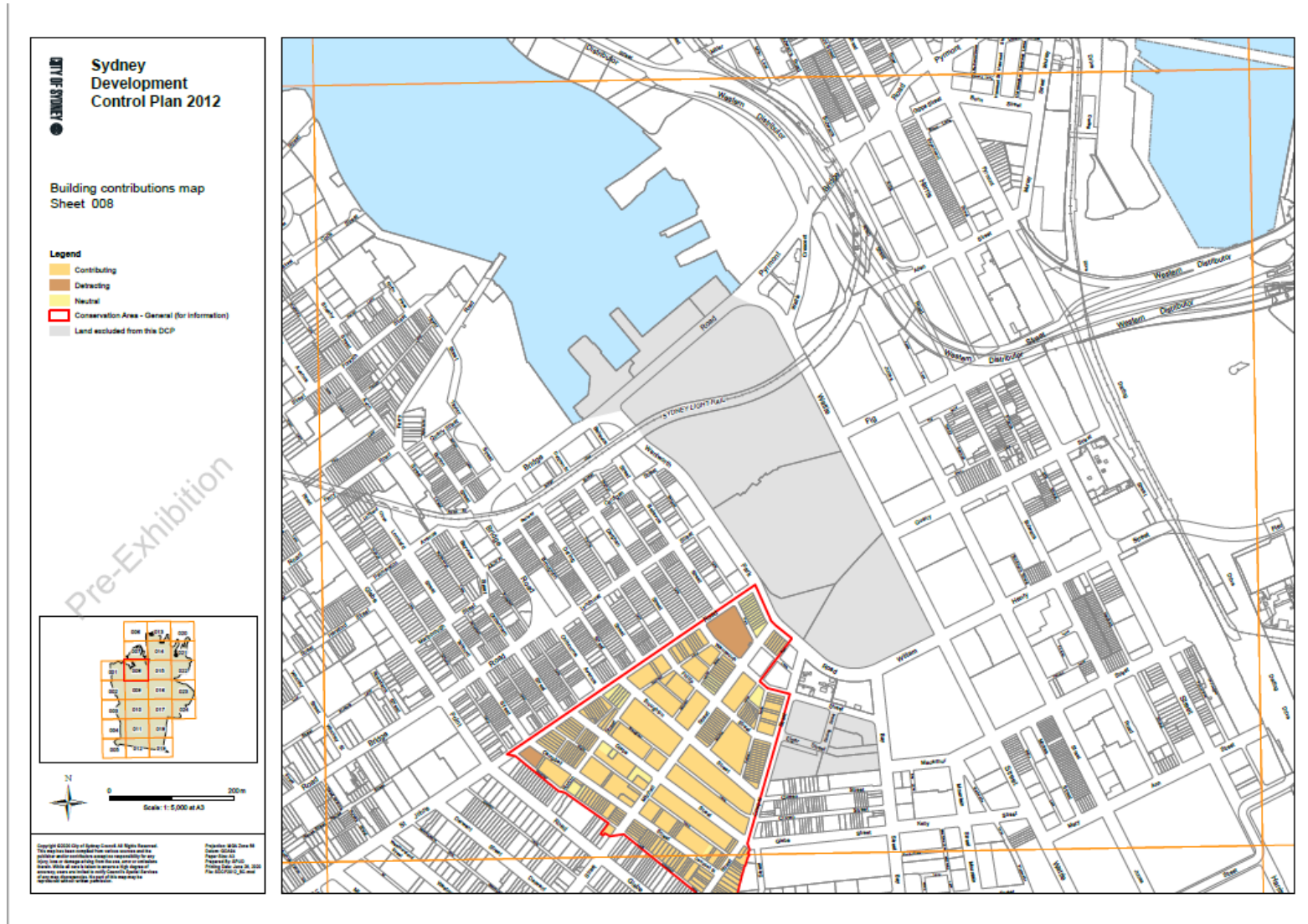
Provisions

- (1) Prior to the demolition of any structures, an archival photographic recording must be completed. Ideally, this archival recording would include as built drawings or measured drawings plus a photographic record.
- (2) Prepare an Interpretation Strategy regarding the historic development of the area.
- (3) Any significant heritage fabric relating to the St Phillip's Conservation area, such as the stone kerb along Mitchell Lane East must be conserved.
- (4) Retain the heritage trees adjacent to the site.
- (5) Where Aboriginal heritage items are identified through the Aboriginal Cultural Heritage Assessment Report (ACHAR), an Aboriginal Heritage Impact Permit will be required prior to any impact as a result of excavation or construction works.

Appendix B



Appendix C



Appendix D

