

DCP COMPLIANCE TABLE

**MULTI-DWELLING HOUSING (11
ATTACHED DWELLINGS) AND STRATA
TITLE SUBDIVISION (INCLUDING REMOVAL
OF EXISTING SLABS AND ASSOCIATED
EARTHWORKS FOR DWELLINGS)**

107 – 117 SWAN STREET, MORPETH, NSW, 2321
(LOT 1 DP 521620, LOT 1 and 3 DP 538510 and
LOT 321 DP 1226896)



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Maitland DCP 2011

DCP	Controls	Review/Response	Comply
Chapter C.8 Residential Design			
2.1 Site Analysis and Site Context	<ul style="list-style-type: none"> To ensure that residential development is of a high quality and is sensitive to the existing character of the area and the opportunities and constraints of both the site and its surrounds. To allow special consideration of unique building design where development is on land where slope is more than 20%. 	<p>A detailed site analysis plan is contained within the Proposed Design Plan series (APPENDIX 6) and contains the elements listed in this section.</p> <p>The site and its context have been taken into account to produce a design solution which mitigates against potential negative impacts and integrates appropriately with the vicinity by the incorporating materials used predominately through-out the locality.</p>	Yes
3. Development Incorporating Existing Dwellings	Where an existing dwelling is to be retained and incorporated into a residential redevelopment project, this dwelling is to be treated as if it were a new dwelling in the same redevelopment project and should meet all performance criteria and design controls specified in this chapter.	N/A	N/A
4. Bulk Earthworks and retaining walls	<ul style="list-style-type: none"> A 'bulk earthworks plan (BEP)' shall be submitted with the development application. The plan should also specify and show the extent and depth of cut/fill, and location of all retaining walls and/or battered slopes. The BEP shall also 	<p>Retaining is proposed along the rear boundary to a total height of 600mm.</p> <p>Minor Earthworks are required to level the building pads of the dwellings and infrastructure installation. Cut and fill shall be won onsite and is minimised where possible with each dwelling being designed to suit the natural building pad in each location.</p>	Yes

DCP	Controls	Review/Response	Comply
	<p>show existing ground levels adjoining the perimeter boundaries of the land.</p> <ul style="list-style-type: none"> Retaining walls on or in proximity to a boundary then the maximum extent of fill shall be 600mm. Retaining walls for the purpose of retaining cut proposed either in or in proximity to a boundary then the maximum extent of cut shall be 900mm. Walls greater than 1m shall be certified by structural landscaper and retaining shall be where appropriate be achieved by a series of separate retaining walls. 	<p>Please refer to further assessment provided under Clause 7.2 of the MLEP.</p>	
<p>5. Street Building Setbacks 6. Side and Rear Setbacks</p>	<ul style="list-style-type: none"> The minimum building line to the principal street frontage is 5m. If located on a corner allotment the secondary street frontage setback to 3m is permitted. where the allotment is an irregular due to geometry of the street the building line shall be a minimum of 4m. No garage or carport within an urban residential zone shall be located closer than 6.0 metres 	<p>FRONT – the front building setback varies between 7.719m (eastern portion of site) to 7.752m (western portion of site) to the building wall and frontage of each Unit.</p> <p><u>SIDE/REAR –</u> Western side setback The setback of Dwelling 1 from the western side boundary is 1.514m with the dwelling measuring a total of 5.85 (i.e., 2.85m over 3m height). The total side setback required when taking the height of the dwelling into consideration is 1.855m. To this</p>	<p>Yes</p> <p>Varied side setbacks to the street network.</p>

DCP	Controls	Review/Response	Comply
	<p>to the street boundary at the principal frontage and no closer than 5.5 metres to the street at a secondary frontage.</p> <ul style="list-style-type: none"> • Minimum side and rear setbacks for res buildings in urban zones shall be <ul style="list-style-type: none"> - 1m for walls up to 3m in height - 1m plus 0.3m for every metre over 3m and less than 7.2m. 	<p>extent, a total variation of 0.341m or 22.52% is requested.</p> <p>Eastern side setback</p> <p>The setback of Dwelling 11 from the eastern side boundary is 1.456m with the dwelling measuring a total of 6.04m (i.e., 3.04m over 3m height).</p> <p>The total side setback required when taking the height of the dwelling into consideration is 1.912m. To this extent, a total variation of 0.456m or 31.32% is requested.</p> <p>Justification</p> <p>Compliant setbacks have the ability to occur in the event the built form was not broken into three separate structures. Given the 'side' setbacks are to two local roads, being Market and William Street, no impact on adjoining properties with regard to overshadowing or privacy will occur as a result of the above minor variation proposed. To this end, the proposed variations are considered acceptable when assessed on merit, taking the site, built form and adjoining street network context into consideration.</p> <p>Rear</p> <p>The total building height is 8.8m (at loft height of Dwelling 2, 3, 6, 9 and 10). In this regard, the development includes 5.8m over the 3m, thus a total setback of 2.74m rear setback is required.</p> <p>The proposed rear setback is 9.104m and thus compliant.</p>	
7. Site Coverage	Site coverage shall satisfy the requirements detailed in Table 3.	The proposal has a total site coverage of 1871.1m ² or 69%.	Yes

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	Multi-Dwelling Housing – Maximum site coverage is 70%.		
8. Building Height, Bulk and Scale	<p>Maximum building height shall be in accordance with Table 4.</p> <p>Dual occupancy and Multi-dwelling Housing– 8m.</p>	<p>Proposed Dwellings 1, 4, 5, 7, 8 and 11 are all two-storey in nature and below the 8m height limit, thus compliant.</p> <p>Proposed Dwellings 2, 3, 6, 9 and 10 either contain a third storey element in the form of a loft, at a total height of 8.8m. To this extent, a total height variation of 0.8m or 10% is requested in this instance.</p> <p><u>Justification</u></p> <p>The proposed development height and associated variation to 8.8m adds visual interest at multiple portions of the site, whilst maintaining general compliance with the 8m height control for all other aspects of the development. Further to this, consideration has been made to reducing the extent of earthworks (cut) in an attempt to not lower the building any further to reduce the amount of material exported from the site.</p> <p>Careful building design has been undertaken to ensure the building height overall does not impact on views or compromise the streetscape. The proposed development does not affect the views to or from the various heritage items or the conservation area from the public streets as the site development provides a setback off Swan, William and Market Streets. This helps maintain the views up the two laneways at either end of the site. Maintaining the height of the new development below the ridgeline of the existing post</p>	<p>Minor Variation to Dwellings 2, 3, 6, 9 and 10 ONLY. See justification in review/response.</p>

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		<p>office and courthouse buildings minimises the effects of the new units on the streetscape of Swan Street.</p> <p>Whilst a residential flat building is a permissible development type and built form on the site, at an 11m height (as previously proposed), the proposed multi-dwelling housing buildings have been specifically designed and broken into portions of two and three storeys a reduced overall height compared with a previous scheme. This modelling of the building assists in the streetscape presentation within the village.</p> <p>To this extent, the proposed variation is considered acceptable.</p>	
9. External Appearance	<p>Objectives:</p> <p>a) To encourage the creation of attractive, well-designed residential development.</p> <p>b) To allow flexibility in design and use of materials while encouraging high architectural standards.</p> <p>c) To ensure good design which provides continuity of character between existing building forms, new development and surrounding landscape by using a selection and/or combination of characteristic elements and mass.</p>	<p>The proposed dwellings demonstrate an external appearance which responds to the surrounding environment and is compatible with the vision for future residential development in the locality; materiality ensures the design is diverse, well-articulated and complements the established character of the surrounding area.</p> <p>The design of the residential accommodation on the site maintains the existing overall form, character and diversity of buildings in Swan Street with a contemporary design using traditional materials found in the town without creating faux heritage details on a twenty first century design.</p> <p>The use of neutral colours found in the area together with commonly found materials such as face brick, corrugated metal and rendered and painted walls all contribute to blending the building into the character of</p>	<p>Yes</p>

DCP	Controls	Review/Response	Comply
		the town while maintaining a contemporary design approach.	
	Car parking structures such as garages and carports shall be designed as an integral part of the development and must be compatible with the overall building design in terms of height, roof form, detail, materials and colours.	The proposed development includes a double lock up garage for each dwelling, integrated into the design of the rear façade, directly accessible from the access lane between Market and William Street. The garage demonstrates compliance with the applicable elements of this section of the DCP and is suitable for the ST subdivision.	Yes
10. Open Space	All ground level private open space must comprise a 'principal area' of minimum dimensions in accordance with Figure 20 – 6m x 6m; min 45m ²	POS is proposed to each dwelling, within the front setback area fronting Swan Street, directly accessible from the living area of each unit and maintains northern solar access. The POS measures between 35.58m ² and 36.07m ² , with dimensions of approx. 6m x 7.7m, compliant with the requirements of this control.	Yes
11. Sites with a boundary to a laneway	N/A	N/A	N/A
12. Accessibility and Adaptable Housing	Objectives: a) To provide adaptable housing that helps sustain community and family networks by allowing people to stay in their houses over the whole of their life. b) To ensure that new development is accessible and useable by people with disabilities and mobility impairment. c) To provide an adequate supply of housing stock that is designed	Although not specifically designed for disabled access the proposed dwellings have elements that allow for ease of access for disabled persons or would be easily adapted if needed, noting that a number of Units incorporate a bedroom and bathroom at ground level. Minimal hallways, generous open spaces in the family/meals, living, kitchen, pantry/laundry area and the new bathroom, and minimum 820mm doors would allow for a disabled person to manoeuvre around the house. The house would be deemed compliant with at least the minimum requirements of the 'Liveable Housing' Guide.	Yes

DCP	Controls	Review/Response	Comply
	and constructed to be accessible or capable of being easily adapted for use by those in the community with a disability or mobility impairment.		
13. Landscape Design	With the exception of a single dwelling, all residential development shall be supported by a detailed landscape plan (inclusive of planting scheme) prepared and endorsed by a suitably qualified landscape consultant (e.g. landscape architect or horticulturalist) as meeting the objectives and design requirements of this chapter.	The siting of the proposed new dwellings and size of the lots allow for significant amounts of soft landscaping as well as other shrubs, plants and deep soil planting to be achieved, complimentary to the heritage character of the area. A landscape plan been provided at APPENDIX 8 .	Yes
14. Fencing and Walls	The landscape plan prepared for the development shall incorporate full details of all fencing proposed including: <ul style="list-style-type: none"> • location • height • materials • colours. 	New boundary fencing is proposed within the site as shown on the proposed plans, measuring between 1.6m and 1.8m high to Swan Street, between 1.5m and 2.1m to the eastern side street and similar measurements along the rear boundary, all dependent on the topography of the land measured from each point. The proposed fencing will consist of face brickwork PGH 'Tribeca' and fence and lightweight cladding 'harvest town', consistent with the desired character of the area and provides the required privacy for each unit without detracting from the streetscape aesthetic.	Yes

DCP	Controls	Review/Response	Comply
<p>15. Driveway Access and Car parking</p>	<p>The objectives of this section are to provide convenient, accessible and safe parking to meet the needs of residents and visitors which do not dominate the streetscape of cause congestion in nearby streets, and to encourage the design of access and parking as part of the overall landscape design.</p> <p>The minimum number of off-street car spaces shall be as follows:</p> <ul style="list-style-type: none"> I. One (1) space for each one or two bedroom dwelling; II. Two (2) spaces for each dwelling containing more than two bedrooms. <p>One (1) visitor space for the first three dwellings and one (1) space for every five dwellings thereafter or part there of.is required for Multi-dwelling housing comprising five and more dwellings.</p>	<p>Each dwelling contains three bedrooms and therefore requires two car parking spaces each. A double lock-up garage is provided within the building design of each dwelling, accessible directly from the proposed driveway to the rear of each dwelling.</p> <p>A total of 2.6 visitor carparking spaces are required for the 11 dwellings. Three visitor carparking spaces have been provided adjacent to the rear boundary as a 'parallel' space, thus compliant with the requirements of this control.</p>	<p>Yes</p>

DCP	Controls	Review/Response	Comply
16. Views and Visual and Acoustic Privacy	The objectives of this section are to encourage the sharing of views whilst not restricting reasonable development potential of a site, to site and design buildings to meet projected user requirements for visual and acoustic privacy and to protect the visual and acoustic privacy of nearby buildings and private open space.	The proposed has been designed and sited to ensure the sharing of privacy and views between the proposed and any neighbouring dwelling is not compromised. Increased rear setbacks and proposed screening vegetation will enhance the amenity. It is considered that the impacts on views and the public domain are minimal, as detailed above and within the SoHI. There are no identified acoustic issues associated with the residential development.	Yes
17. Water and Energy Conservation	To reduce total water and energy use in residential buildings in accordance with State Environmental Planning Policy – Building and Sustainability Index (SEPP BASIX) by promoting solar access and reducing heat loss and energy consumption for heating and cooling.	A BASIX Certificate has been provided for each dwelling at APPENDIX 11 . Living areas are orientated to the north where possible and limited windows with access to the west and east. Other windows are well shaded by verandas and decks. The development will be well insulated in accordance with BASIX requirements. The development is considered to meet the Controls of this Section.	Yes
18. Stormwater Management	The objectives of this section are to provide effective stormwater management system which is sustainable and requires minimal maintenance, to prevent erosion, sedimentation, and other pollution and to ensure that control flows are provided to cater for stormwater overflows.	All stormwater from roof area will be directed to the proposed on-site detention systems, to be installed onsite and is consistent with the DCP requirements. A preliminary civil stormwater plan is contained in APPENDIX 12 .	Yes

DCP	Controls	Review/Response	Comply
19. Security, Site Facilities and Services	The objectives of this section are to provide adequate personal and property security for residents, and to ensure that site facilities are designed to be functional, visually attractive and easy to maintain.	Occupancy of the site allows ongoing casual surveillance of the street. Each dwelling has windows to facilitate this. Functional and visually unattractive facilities such as bin storage and clothes drying areas are set to the side or rear and out of site.	Yes
C.11 – Vehicular Access and Car Parking			
2.2. Calculation of Parking Requirements	a) Development Generally The minimum number of parking spaces to be provided for a particular development is to be calculated in accordance with Appendix A of this policy	Appendix A states that the dwellings shall have a minimum of 2 parking space. Section C8 of the MDCP requires a three-bedroom dwelling to provide two onsite parking spaces. The proposed development achieves the carparking requirement through the provision of a double garage for each dwelling. 3 x visitor parking spaces are provided for the Multi-dwelling parking requirements. It is likely an additional 3 carparking spaces for the public will be gained on Swan Street when the 'no parking' signs are removed from front of old garage.	Yes
3. Guidelines for The Design, Layout and Construction of Access and Parking Areas.	The dimensional requirements for on-site car parking spaces and driveways giving access to parking spaces shall generally be as set out in accordance with the Australian Standard AS2890.1-1993 Parking Facilities – Off-Street Car Parking.	All carparking requirements will meet the provisions of the Australian Standards.	Yes
C1 – Subdivision			

DCP	Controls	Review/Response	Comply
EC.1 Flora and Fauna	To protect remnant bushland, significant flora and fauna habitats and wildlife corridors from the impacts of subdivision and subsequent development, and to provide for the repair and enhancement of environmentally significant and/or degraded land.	Not applicable to this proposal. No native vegetation onsite.	N/A
EC.2 Heritage and Archaeology	<ul style="list-style-type: none"> • To protect heritage items, buildings with heritage significance and Conservation Areas. • To ensure that heritage items, buildings with heritage significance and Conservation Areas are properly considered in the design of new subdivisions. • To protect known and potential archaeological relics from damage or destruction as a result of subdivision works. 	Please refer to the assessment under Clause 5.4 of the MLEP within the SoEE and also within the Archaeology Report and Statement of Heritage Impact provided at APPENDIX 13 and 14.	Yes
EC.3 Hazards	To minimise risk to life and property from hazards such as bush fires, flooding, landslip, land contamination, salinity and acid sulfate soils.	<u>Flooding</u> - Not applicable to this proposal. <u>Bushfire prone land</u> – Not applicable to this proposal. <u>Landslip</u> – Not known to be in a landslip area.	Yes

DCP	Controls	Review/Response	Comply
		<p><u>Land Contamination</u> – Please refer to the Site Contamination Investigation Report and Remedial Action Plan provided at APPENDIX 15 and 16.</p> <p><u>Other Hazards</u> – The site is identified as Class 5 ASS, the lowest class. It is unlikely that ASS would be disturbed or exposed that it would cause a detrimental environmental impact.</p> <p><u>Mines</u> – The site is NOT identified to be within a proclaimed Mine Subsidence Area.</p>	
<p>DC.1 Lot Size and Dimensions</p>	<p>To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.</p> <p>Residential</p> <p>i) Access handles must have a minimum width of 3.5 metres for single lots, and be constructed in accordance with Council’s Manual of Engineering Standards. No more than 2 lots may be serviced by a reciprocal right-of- carriageway which shall be centrally located within both access handles.</p> <p>j) A suitable building envelope with minimum dimensions of approximately 15 metres by 10 metres shall be provided behind the building line.</p>	<p>N/A – no Torrens or community title subdivision proposed. The rear lane access measures 6.34m wide and is compliant.</p>	<p>N/A</p>

DCP	Controls	Review/Response	Comply
DC.2 Solar Access and Energy Efficiency	To encourage the design of residential subdivisions which maximise solar access, allow flexibility in the siting of future buildings to take advantage of a northern orientation, and minimise reliance on private car use.	Complies with Solar Access and Energy Efficiency performance criteria.	Yes
DC.3 Drainage, Water Quality & Soil Erosion	To preserve natural drainage systems, where practicable, and to provide for the repair and enhancement of environmentally significant and/or degraded land. To retard the flow of water, above natural volumes, into the natural drainage system and mitigate impacts from stormwater runoff.	Complies with Drainage, water quality and soil erosion performance criteria and specific controls.	Yes
DC.4 Landscape, Streetscape & Visual Impact	To maintain and enhance the existing rural character and landscape of the Maitland LGA. To create, maintain and enhance streetscape and minimise visual impact of subdivision proposals.	Complies with landscape, streetscape and visual impact general requirements. The proposal will not have a significant adverse impact upon landscape, streetscape or visual features of the immediate area as a result of the development.	Yes
DC.5 Effluent Disposal	Subdivisions are to be designed and located so that any effluent can be disposed of in an environmentally sustainable manner, with no adverse impact upon natural systems or adjoining/adjacent land.	Complies with effluent disposal general requirements and specific controls. The proposal site is capable of connecting to the existing reticulated sewer and services.	Yes

DCP	Controls	Review/Response	Comply
DC.6 Roads & Access, Pedestrian & Cycleways	N/A	N/A	N/A
DC.7 Crime Prevention – Safer By Design	Effective design of subdivisions can reduce community fear as well as opportunities for crime.	Complies with crime prevention – safer by design, design principles.	Yes
DC.8 Site Filling	To ensure the environmental impact of site fill is properly assessed.	Complies with site filling general requirements. Cut and fill will be won onsite.	Yes
DC.9 Reticulated Services (Water/Sewer/Electricity/Telecommunications)	To provide appropriate utility services to all new lots in an efficient, co-ordinated and cost-effective manner, and to restrict subdivisions that create unreasonable or untimely demand for the provision or extension of services, having regard to ecologically sustainable development (ESD) and to ensure minimal environmental impact.	Complies with reticulated services performance criteria and specific controls. <u>Water and Sewer</u> - The development is capable of being serviced adequately by reticulated sewer and water. S.50 to be supplied prior to issue of SC. <u>Electricity</u> - The development is capable of being connected to existing electricity supply. Written confirmation to be provided prior to issue of SC. <u>Street Lighting</u> - N/A. <u>Telecommunications</u> – The development is capable of being connected into existing telecommunications.	Yes
IC.1 Entry Features	N/A	Not applicable to this proposal.	N/A
IC.2 Street Names	N/A	Not applicable to this proposal.	N/A
IC.3 House/Lot Numbering	Will be allocated by Council.	Council supplies a number for all new urban and rural lots created and has an adopted policy in this regard. A fee applies for this service.	Yes
Section D – Morpeth Heritage Conservation Area			
Building Design Requirements – Commercial Precinct			

DCP	Controls	Review/Response	Comply
	1. Further expansion of the B2 Local Centre Zone into existing residential zones is not supported.	Expansion of the B2 Local Centre Zone is not proposed.	Yes
	2. There should be no new awnings or verandahs constructed across the footpath along Swan Street, apart from reconstructing a historic front facade to an existing building to its original form based on documentary evidence. Any major reconstruction will require the services of a conservation architect.	Noted. No new awnings or verandahs are proposed across the footpath along Swan Street.	Yes
	3. Houses and buildings constructed as houses should be retained.	The existing dwelling on-site is dilapidated and in poor condition. Approval is in place for demolition of all structures to ground level (DA 07-2206), thus no further consideration is required in this regard.	N/A
	4. New buildings in Swan Street to be separate (not attached) to existing buildings.	The proposed development is not attached to any existing development within Swan St.	Yes
	5. Development at the rear of existing buildings may be attached to the existing building or built as a pavilion structure.	N/A	N/A
	6. Any new commercial development to provide on-site car parking. Land zoned R1 General Residential fronting Close Street at the rear of Swan Street commercial properties to be retained for service access and parking, and screened accordingly	The development proposed is not commercial in form.	N/A
	7. Traditional building forms should be retained. Buildings with upper levels over parking or service areas are not appropriate where visible from the street or a public place.	Noted. No upper levels over parking or service areas are proposed.	N/A
	8. New buildings should maintain setbacks of existing buildings on site or be set back on vacant sites to avoid diminishing the visual impact of adjoining or nearby heritage buildings.	The proposed setbacks are respectful of the surrounding built form, notably the Post Office. This is further detailed within the SoHI provided at Appendix 14 . It is also noted that the current two-storey dwelling on the site maintains	Yes

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		a '0m setback' from the Swan St boundary and is over 6m in height. To this extent, the proposed development improves the development outcome on-site from this visual perspective.	
9.	The maximum height of buildings between Tank and Northumberland Street is to be two storeys. West of Northumberland Street generally one storey, with one and a half storeys or two storey only at the rear of the building.	N/A, the site is located to the east of Northumberland Street.	N/A
10.	A Statement of Heritage Impact prepared by a suitably qualified heritage architect will be required for any new building proposed within the Commercial precinct.	A SoHI is provided at Appendix 14 .	Yes
11.	The lower scale contributory single storey buildings on the northern side of Swan Street should generally be retained as single storey.	N/A, the site is located on the southern side of Swan Street.	N/A
12.	Plantings over 1.5m within identified view corridors are not appropriate.	Noted. The site and associated plantings do not compromise view corridors.	Yes