Sydney Development Control Plan 2012

Text



Sydney2030/Green/Global/Connected
city of villages

CITY OF SYDNEY 2030

Table of Contents

1.	Introduction
1.1	Purpose of this Development Control Plan
1.2	DCP name and commencement
1.3	Aims of this DCP
1.4	Land to which this DCP applies
1.5	Relationship of this DCP to other plans and policies
1.6	Relationship of this DCP to other DCPs and policies
1.7	Savings Provision
1.8	Interpretation
1.9	Structure of this DCP
1.10	How to use this DCP
1.11	Development contributions and planning agreements
1.12	Monitoring and review
2.	Locality Statements
2.1	Central Sydney
2.2	Rosebery Estate
2.3	Chippendale, Camperdown, Darlington, West Redfern and North Newtown
2.4	City East
2.5	Green Square
2.6	Glebe and Forest Lodge
2.7	Erskineville, Alexandria (west) and Newtown (south)
2.8	Millers Point
2.9	Paddington/Centennial Park
2.10	Southern Enterprise Area
2.11	Surry Hills
2.12	Ultimo/Pyrmont
2.13	Waterloo and Redfern
3.	General Provisions
3.1	Public Domain Elements
3.2	Defining the Public Domain
3.3	Design Excellence and Competitive Design Processes

TABLE OF CONTENTS

3.4	Hierarchy of Centres, City South
3.5	Urban Ecology
3.6	Ecologically Sustainable Development
3.7	Water and Flood Management
3.8	Subdivision, Strata Subdivision and Consolidation
3.9	Heritage
3.10	Significant Architectural Building Types
3.11	Transport and Parking
3.12	Accessible Design
3.13	Social and Environmental Responsibilities
3.14	Waste
3.15	Late Night Trading Management
3.16	Signage and Advertising
3.17	Contamination

4.	Development Types
4.1	Single Dwellings, Terraces and Dual Occupancies
4.2	Residential Flat, Non-Residential+ and Mixed Use Developments
4.3	Industrial Developments
4.4	Other Development Types and Uses

5.	Specific Areas
5.1	Central Sydney
5.2	Green Square
5.3	Green Square - Epsom Park
5.4	Green Square – Lachlan
5.5	Ashmore Neighbourhood
5.6	Rosebery Estate, Rosebery
5.7	Green Square - North Rosebery
5.8	Southern Enterprise Area
5.9	Danks Street South
5.10	Botany Road Precinct
5.11	Oxford Street Cultural and Creative Precinct
5.12	Waterloo Estate (South)

TABLE OF CONTENTS

6.	Specific Sites
6.1	Sites identified in previous DCPs, masterplans or development consents
6.2	Sites identified through Urban Design Studies
6.3	Specific site controls prepared as part of a Planning Proposal

Schedules	
~~Schedule 1~~	~~Advertising and notification~~ Superseded and replaced by the Community Participation Plan 2019
Schedule 2	Information required in a Development Application
Schedule 3	Late Night Trading
Schedule 4	Projections over or into public roads
Schedule 5	Public open space dedication and design criteria
Schedule 6	Signage in The Rocks
Schedule 7	Transport, parking and access
Schedule 8	Green roofs and walls
Schedule 9	Tree management
Schedule 10	Providing community infrastructure in Green Square
Schedule 11	Electronic variable content advertising structures
Schedule 12	Procedures for demonstrating compliance with variation provisions for street frontage height and setbacks, side and rear setbacks, building separations and tapering controls in Central Sydney
Schedule 13	Oxford Street Cultural and Creative Precinct – spatial requirements of specific creative spaces

Amendments to this DCP

The following amendments to this DCP have been made:

Amendment Name	Date in force	Date approved by council	Notes
87 Bay Street, Glebe	17 December 2013	29 July 2013	Section 6.3.1
Ashmore Neighbourhood	24 December 2013	9 December 2013	Section 5.5
Green Square - North Rosebery	14 February 2014	9 December 2013	Section 5.7
Alexandria Park locality and 287-289 Crown Street, Surry Hills	11 April 2014	18 November 2013	Reported to Council as DCP Amendment No.3 Sections 6.3 and Section 2.5
Amendment No.2	13 June 2014	12 May 2014	New provisions updating existing provisions and adding site specific controls in Section 6
AMP Circular Quay Precinct	13 June 2014	9 December 2013	Section 6.1.12
18 Huntley Street, Alexandria	8 October 2014	15 September 2014	Section 6.2.4
Waterloo Park	28 November 2014	15 September 2014	Section 2.5.11
Epsom Park, Zetland	19 December 2014	25 August 2014	Section 2.5.5 & Section 5.3
Green Square - Lachlan	10 April 2015	3 November 2014	Section 5.4
Southern Employment Lands	12 June 2015	18 May 2015	Section 5.8
904 Bourke Street, Zetland	28 August 2015	18 May 2015	Section 6.3
60 Martin Place	28 August 2015	18 May 2015	Section 6.3
65-79 Sussex Street, Sydney	4 September 2015	27 April 2015	Section 6.3
Green Square Setbacks	17 November 2015	26 October 2015	Section 5.2, 5.3, 5.4, 5.7 & 5.8
230-238 Sussex Street, Sydney	1 April 2016	29 February 2016	Section 6.3
Minor Policy and Housekeeping	6 May 2016	10 August 2015	Section 3.11, Section 4.2, Section 5.2 & Schedule 10

Amendment Name	Date in force	Date approved by council	Notes
505-523 George Street, Sydney	6 May 2016	10 August 2015	Section 6.3
The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)	2 December 2016	25 July 2016	Section 6.1.4, Section 6.1.5, Section 6.1.6 & Section 6.1.7
45 Murray Street, Pyrmont	9 December 2016	25 July 2016	Section 6.3
Signs and Advertisements 2015	13 December 2016	21 November 2016	Section 3.16 & Schedule 11
51-55 Missenden Road, Camperdown	16 December 2016	29 February 2016	Section 6.3
12-40 Rosebery Avenue, Rosebery	24 February 2017	24 October 2016	Section 5.7
Minor Heritage Floor Space	15 September 2017	7 August 2017	Section 5.1
296-298 Botany Road and 284 Wyndham Street, Alexandria	22 December 2017	15 May 2017	Section 6.3
397-399 Cleveland Street and 2-38 Baptist Street, Surry Hills Shopping Village, Redfern	24 August 2018	11 December 2017	Section 6.2.8
Energy and Waste Amendment 2018	28 August 2018	13 August 2018	Section 3.6, Section 3.11, Section 3.14 & Section 4.2
7-15 Randle Street, Surry Hills	5 October 2018	19 March 2018	Section 6.3
2-32 Junction Street, Forest Lodge	18 January 2019	11 December 2017	Section 6.3
102-106 Dunning Avenue, Rosebery	8 March 2019	17 September 2018	Section 6.3
Darlinghurst Road, Potts Point	29 April 2019	8 April 2019	Section 2.4.7 & Section 6.2
Late Night Trading DCP (Amendment No.3)	17 June 2019	13 May 2019	Section 3.15
4-6 Bligh Street, Sydney	27 August 2019	19 November 2018	Section 6.3

Amendment Name	Date in force	Date approved by council	Notes
Danks Street South Precinct	13 September 2019	10 December 2018	Section 2.5.3, Section 2.13.7, Section 5.2 & Section 5.9
Millers Point Amendment	18 October 2019	11 December 2017	Section 2.8
225-279 Broadway, Glebe	29 November 2019	19 August 2019	Section 6.3
Community Participation Plan 2019	29 November 2019	18 November 2019	Schedule 1
2-22 and 24 Rothschild Avenue, Rosebery	14 February 2020	24 June 2019	Section 6.3
72-84 Foveaux Street, Surry Hills	27 March 2020	9 December 2020	Section 6.3
1-11 Oxford Street, Paddington	7 August 2020	18 May 2020	Section 6.3
1-3 Burrows Road, St Peters	2 July 2021	29 March 2021	Section 6.3
4-44 Wentworth Avenue, Surry Hills	2 July 2021	29 March 2021	Section 6.3
187 Thomas Street, Haymarket	10 September 2021	28 June 2021	Section 6.3
17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe	10 September 2021	29 March 2021	Section 6.3
The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)	22 October 2021	16 November 2020	Section 6.1.4
Central Sydney	26 November 2021	14 December 2020	Section 2.1, Section 3.3, Section 3.16, Section 5.1 & Schedule 12
30-62 Barcom Avenue, Darlinghurst	22 April 2022	15 November 2021	Section 6.3
Southern Enterprise Area	16 May 2022	30 September 2022	Section 2.5.4, Section 2.10, Section 5.2 & Section 5.8

Amendment Name	Date in force	Date approved by council	Notes
Botany Road Precinct	11 November 2022	27 June 2022	Section 2.5.1, Section 2.7.1, Section 2.13.8, Section 2.13.13 & Section 5.10
2 Chifley Square, Sydney	25 November 2022	22 August 2022	Section 6.3
Oxford Street Cultural and Creative Precinct	2 December 2022	11 April 2022	Section 5.11 & Schedule 13
Night Time Economy	9 December 2022	29 March 2021	Section 4.4
Waterloo Estate (South)	28 February 2023	20 February 2023	Section 2.13.13 & Section 5.10

Glossary of Terms

Active Frontage means street frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings. Frequent building entries that face and open towards the street, transparent street frontages, quality materials and refined details, and mixed land uses will make streets more diverse and attractive for pedestrians and increase the perception of safety and encourage higher levels of pedestrian activity.

Architectural character includes massing, articulation, composition of building elements, material use and details including building entrances, fenestration, balconies and balustrades, awnings, planters, pergolas, boundary walls, fences etc.

Commercial Building means any non-residential building, and includes hotels.

Communal Open Space is a useable community open space for the recreation and relaxation of residents which is under the control of a body corporate.

Consent Authority means the City of Sydney Council or the Central Sydney Planning Committee. Both are referred to in this DCP as Council.

Contributory Buildings are buildings that make an important and significant contribution to the character of a heritage conservation area of heritage streetscape and have a reasonable to high degree of integrity and date from a key development period of significance. Contributory buildings are defined as buildings which are from a significant historical period layer, highly or substantially intact or significant historical period layer, altered yet recognisable and reversible.

Convenience Store means a retail shop generally with less than 200sqm GFA and used for the purposes of selling foodstuffs, personal care products, magazines, and other small daily convenience needs of the people who live or work in the local area.

DCP means *Sydney Development Control Plan 2012*.

Deep Soil is an area of natural ground with relatively natural soil profiles and it excludes areas where there is a structure underneath, pools and non-permeable paved areas but can include 50% of the area of any porous paving and essential accessible paths up to 1.2m wide, providing there is deep soil area to one side that is level with the footpath.

Ecologically Sustainable Development (ESD) is 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased' (in accordance with the National Strategy for Ecologically Sustainable Development).

Factory outlet is a retail premises, traditionally attached to a factory and operated by a manufacturer, which provides an outlet to sell that firm's closeouts, discontinued merchandise, irregulars, cancelled orders, and the like direct to the public and often at discounted prices. It may also be a store selling a number of consolidated brands.

Fine grain means a small scale, generally lower cost spaces providing for a diverse range of activities and users. The fine grain spaces include small retail tenancies with street access including basement and first floor levels, as well as offices, studio spaces or other activities with access inside arcades, underground connections, through office foyers or other buildings. Fine grain spaces often front or are accessed from smaller streets or lanes, and are within lower grade office or mixed use buildings, generally in the less expensive precincts. The fine grain spaces with their mixed ownership and leasing patterns enable more organic changes to occur throughout the City and support lower cost and start up businesses that contribute to a vibrant and active City.

GFA means gross floor area as defined in *Sydney Local Environmental Plan 2012*.

Glass Line means the inside face of windows on the external walls of a building.

Green roof means a roof system designed to promote the growth of various forms of vegetation on the top of buildings. Differing from a roof garden, a green roof can also support various forms of renewable energy and water collection technology to assist in supplying power and water to the occupants of the building.

Habitable room is a bedroom, living room or kitchen, dining room, study, play room and sun room.

Highly visible sites are located at the termination of a vista or on the corners of prominent intersections and are to accommodate landmarks such as features or objects on a building and high quality landscaping. Landmarks can be features or objects on a building that will act as points of reference.

Imminently Dangerous includes but is not restricted to obvious instability of the root system, evidence of soil heave or cracking, loss of structural roots, root decay, structural defects that are imminently hazardous (for example, splitting branches), storm damage.

Landmarks are prominent visual features (including buildings, elements of buildings or other attractions) that will act as points of reference and as a navigating tool for pedestrians, cyclists and vehicles. Landmarks must be recognisable from street level and from a distance to facilitate pedestrian orientation and should provide contrast from adjoining built form, whether the contrast is created through building height, building materials and colour or architectural style.

Linear Parks will provide informal recreational opportunities and act as both a visual and physical connection between open spaces, parks, streets (existing and proposed) and the pedestrian and cycle network. Linear parks will be provided along water channels and linked with new and existing public streets, enhanced with wide verges and shade tree planting.

Low Impact Premises is a premise that has capacity of up to 120 patrons where alcohol is consumed on the premises; any other commercial premises that in the opinion of the Council may impact on the amenity and safety of a neighbourhood resulting from its operation at night. Low impact premises may restaurants, 'BYO' premises, cafes, theatres, karaoke venues, convenience stores and takeaway food shops. Outdoor seating is included in patron capacity calculations.

Maisonette apartment means a two storey apartment where the storeys are vertically stacked.

Major roads identified major roads will continue to take high volumes of traffic. Residential development should not be introduced at ground floor on lots adjoining major roads, and all development must provide noise attenuation measures.

Open Space includes all publicly owned land that is set aside with unrestricted public access, and managed exclusively for leisure, recreation and amenity.

Principal window and balcony means the main window or balcony of a habitable room, being a living room or main bedroom of a dwelling unit.

Public Domain refers to areas of the City in which access to and use of is available for any member of the public. Public domain typically includes parks, plazas, footpaths and streets. Public domain elements of the City are typically controlled by the City of Sydney.

Private Open Space an open area of land or building attached to a dwelling intended for the exclusive use of occupants of the dwelling for private outdoor living activities.

Public Transport Corridors should be the focus for future public transport services provided in Green Square. Mass transit services and facilities should be provided in accordance with the identified alignments for Green Square.

Sensitive land uses include day care or child-minding centres, primary or secondary schools, places of worship, parks, playgrounds, or any other place regularly frequented by children.

Street alignment means the boundary between land allotments and a street or lane.

Street frontage height in storeys is the vertical height of that part of the building closest to the street boundary.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include: a space that contains only a lift shaft, stairway or meter room, or a mezzanine, or an attic.

Sustainability means 'development which meets the needs of the present without compromising the ability of future generations to meet their own needs' (Source: The Bruntland Report, 1987).

Sydney LEP means *Sydney Local Environmental Plan 2012*.

Tall buildings and towers are buildings greater than 35m in height.

Through-site links provide an important function in the form of pedestrian links and bike links to improve pedestrian permeability, and help break up large street blocks and increase the potential for direct and clear connections between buildings.

Transport Corridor is a linear tract of land dedicated to at least one main line for transport. Transport corridors can be road, rail or canal and are generally high capacity routes. Transport corridors typically connect two major 'anchor' destinations, with many destinations in between.

Water Channel Open Space Links the line represents the existing water channel open space network that runs through Green Square and connects to Alexandra Canal. The channel network is to be the basis of a linear park system that provides connectivity between activity nodes, open spaces, and the Green Square Town Centre (where possible). Where the channel cannot be exposed, it is to be interpreted architecturally or through public art.

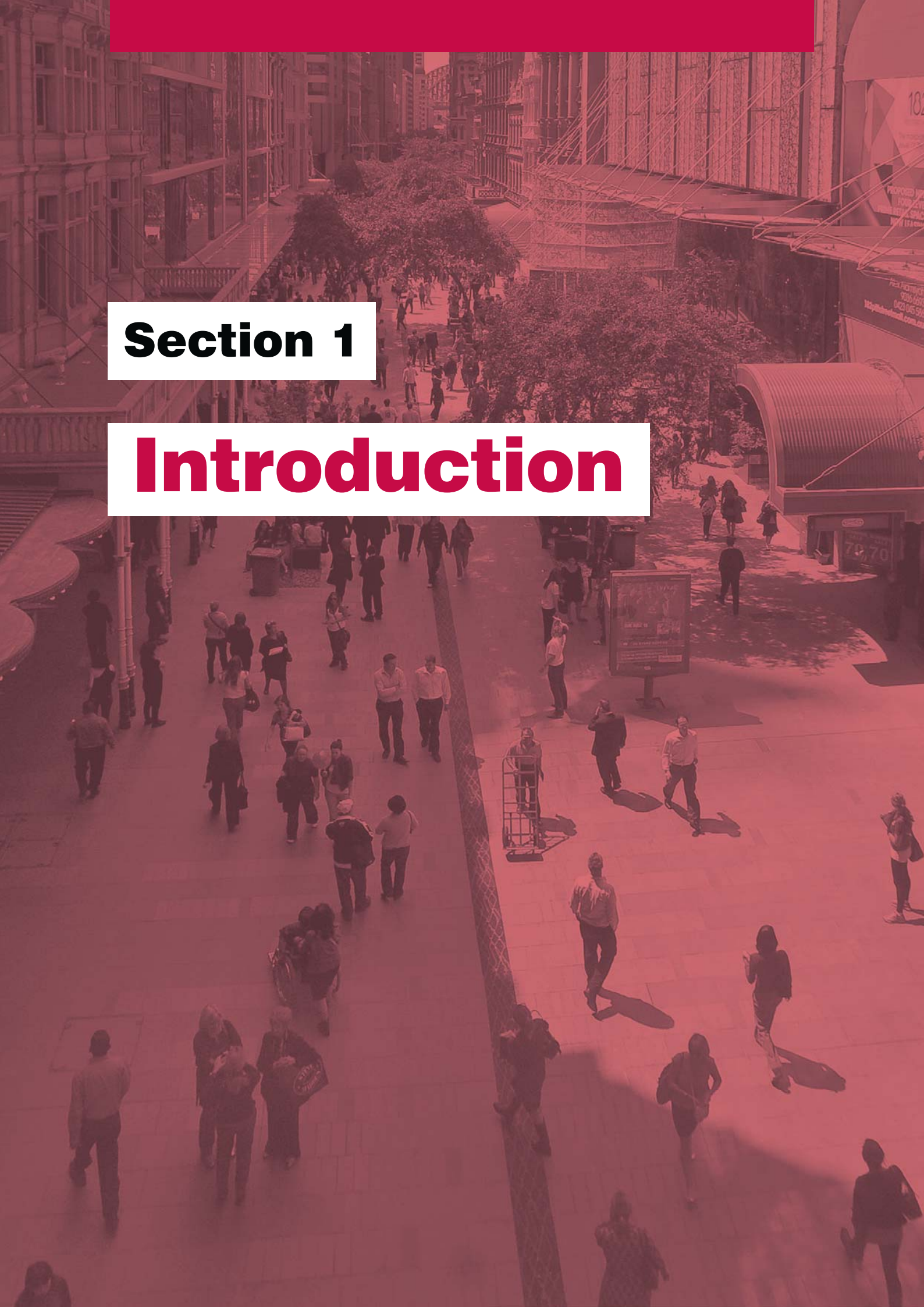
Water Sensitive Urban Design means the integration of urban planning with the management, protection and conservation of the urban water cycle so as to ensure urban water management is sensitive to natural hydrological and ecological processes. It may include practices such as stormwater reuse, use of bio-retention swales and detention ponds.

Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standard for Sitting in Parks is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.



Section 1

Introduction

1 Introduction

Contents

1.1	Purpose of this Development Control Plan	1.0-1
1.2	DCP name and commencement	1.0-1
1.3	Aims of this DCP	1.0-2
1.4	Land to which this DCP applies	1.0-2
1.5	Relationship of this DCP to other plans and policies	1.0-2
1.6	Relationship of this DCP to other DCPs and policies	1.0-4
1.7	Savings Provision	1.0-6
1.8	Interpretation	1.0-9
1.9	Structure of this DCP	1.0-11
1.10	How to use this DCP	1.0-12
1.11	Development contributions and planning agreements	1.0-13
1.12	Monitoring and review	1.0-14

1.1

Purpose of this Development Control Plan

The purpose of this Development Control Plan (DCP) is to supplement the *Sydney Local Environmental Plan* (LEP) 2012 and provide more detailed provisions to guide development.

This DCP has been made in accordance with Section 74C of the Environmental Planning & Assessment Act 1979 (the Act) and must be read in conjunction with the provisions of *Sydney LEP 2012*.

Compliance with the provisions of this DCP does not necessarily guarantee that consent to a Development Application (DA) will be granted. Each DA will be assessed having regard to the LEP, this DCP, other matters listed in Section 79C of the Act, and any other policies adopted by the consent authority.

If there are circumstances when it is not relevant to comply with the controls in this DCP, applicants must provide a written submission clearly demonstrating compliance with the objectives of this DCP, and detailing the reasons the control/s should be varied. The proposed variation must result in a better outcome and meet all objectives of this DCP, and demonstrate that it will result in better outcomes. The submission must also clearly demonstrate the variation sought will not adversely impact on the local amenity.

1.2

DCP name and commencement

This DCP is called Sydney Development Control Plan (DCP) 2012. The DCP was adopted by Council on 14 May 2012 and came into effect on 14 December 2012.

1.3
Aims of this DCP

This DCP provides controls which guide development in order to:

(a) encourage development to respond to its context and is compatible with the existing built environment and public domain;

(b) recognise and reinforce the distinctive characteristics of the City of Sydney's neighbourhoods and centres;

(c) build upon the detailed objectives and controls under *Sydney LEP 2012*;

(d) protect and enhance the public domain;

(e) achieve the objectives of the City's Sustainable Sydney 2030 Strategy;

(f) encourage design that maintains and enhances the character and heritage significance of heritage items and heritage conservation areas; and

(g) encourage ecologically sustainable development and reduce the impacts of development on the environment.

1.4
Land to which this DCP applies

This development control plan applies to the land identified in Figure 1.1 *Land covered by this DCP* where the City of Sydney is the consent authority.

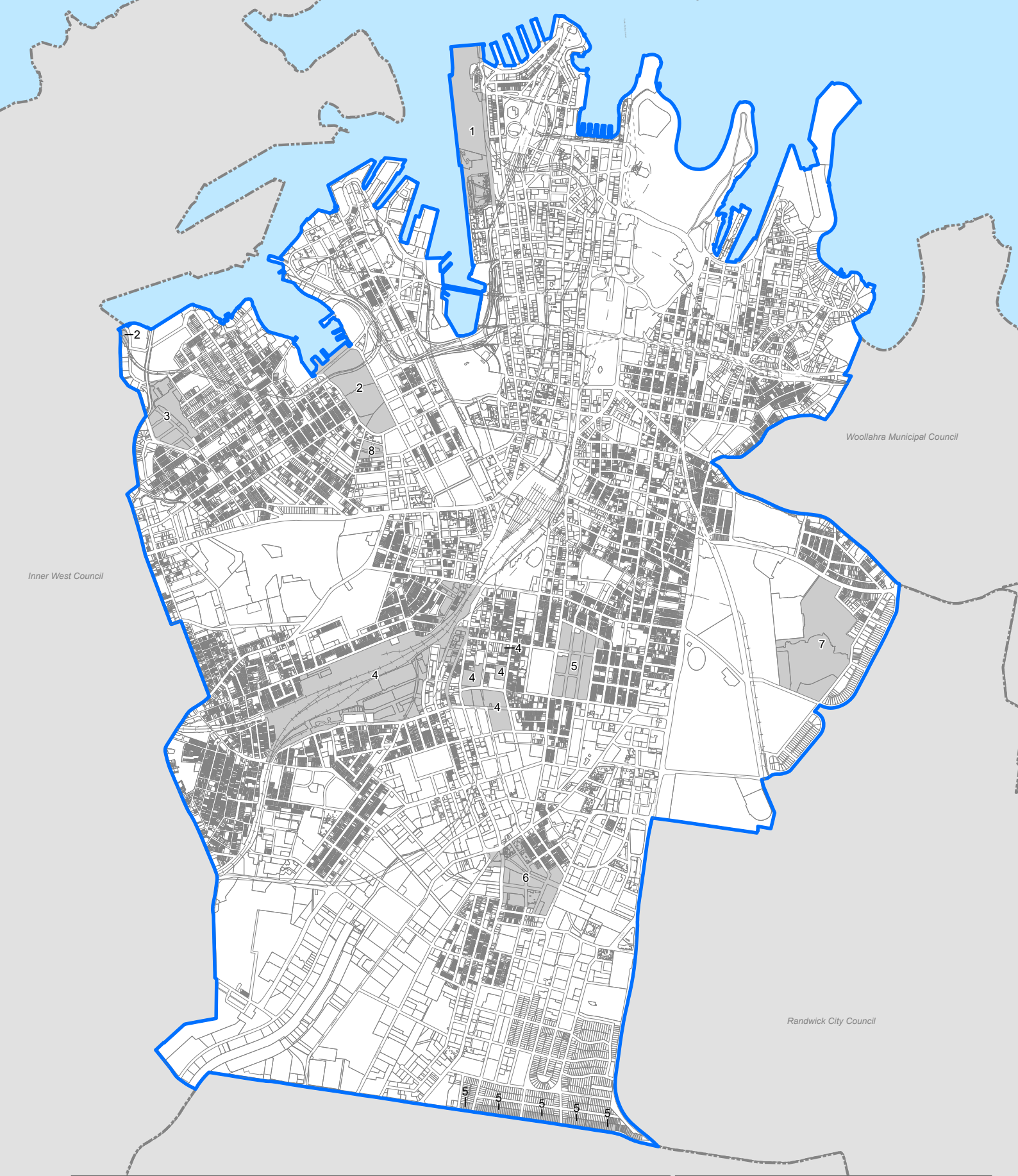
1.5
Relationship of this DCP to other plans and policies

This DCP is to be read in conjunction with Sydney LEP 2012. Where there is any inconsistency between this DCP and the LEP, the LEP prevails.

This DCP is also to be read in conjunction with the following:

- *Environmental Planning and Assessment Act, 1979*;
- *Environmental Planning and Assessment Regulation 2000*;
- Relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs;
- *Local Government Act 1993*;
- Building Code of Australia (BCA);
- Relevant Australian Standards as identified throughout this DCP;
- Land and Environment Court Planning Principles; and
- Any other policy or document identified for consideration throughout this DCP.

Note: It is advised to check www.legislation.nsw.gov.au for the most current list and version of applicable SEPPs.



Land covered by this DCP

Figure 1.1

Legend

- City of Sydney - Local Government Area
- Land excluded from this DCP
- 1 Barangaroo
- 2 Bays Precinct/Wentworth Park
- 3 Harold Park
- 4 Redfern/Waterloo
- 5 Various Sites (South Sydney)
- 6 Green Square Town Centre
- 7 Moore Park Showground
- 8 Glebe (Affordable Housing)

Sydney Development Control Plan 2012

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CITY OF SYDNEY

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1.6

Relationship of this DCP to other DCPs and policies

This DCP consolidates the existing DCPs and policies in force within the City of Sydney's Local Government Area into one comprehensive document. This DCP repeals the following DCPs and policies but only to the extent that they apply to land to which this development control plan applies:

- Central Sydney DCP 1996
- South Sydney DCP 1997: Urban Design
- Ultimo-Pyrmont Urban Development Plan
- Leichhardt DCP 2000
- City of Sydney Access DCP 2004
- City of Sydney Adult Entertainment and Sex Industry DCP 2006
- City of Sydney Boarding Houses DCP 2004
- City of Sydney Child Care Centres DCP 2005
- City of Sydney Convenience Stores DCP 2004
- City of Sydney Contaminated Land DCP 2004
- City of Sydney Heritage DCP 2006
- City of Sydney Late Night Trading Premises DCP 2007
- City of Sydney Notification of Planning and Development Applications DCP 2005
- City of Sydney Signage and Advertising Structures DCP 2005
- City of Sydney Telecommunications and Radiocommunications DCP 2006
- City of Sydney Visitor and Tourist Accommodation DCP 2006
- South Sydney Green Square Affordable Housing DCP
- South Sydney Development Control Plan No.6
- South Sydney DCP Exempt and Complying Development 1999
- South Sydney DCP for Orders
- South Sydney DCP No.11 Transport Guidelines for Development 1996
- King Street & Enmore Road Heritage and Urban Design DCP 2000
- Leichhardt DCP No.22 – 461-465 Glebe Point Road, Glebe
- Leichhardt DCP No.23 – Orphan School Creek
- Leichhardt DCP No.32 – Design for Equity and Access
- Leichhardt DCP No.33 – 357 Glebe Point Road, Bidura
- Leichhardt DCP No.35 – Exempt and Complying Development
- Leichhardt DCP No.33 – 357 Glebe Point Road, Bidura
- Leichhardt DCP No.35 – Exempt and Complying Development

- Leichhardt DCP No.38 – Waste – Avoid, Reuse and Recycle
- Leichhardt DCP No.39 – John Fletcher Site and Glebe Depot Site
- Leichhardt DCP No.42 – Contaminated Land
- Leichhardt DCP No.48 – Managing Activities on Footpaths & Street Verges
- City of Sydney Exterior Lighting Strategy
- Guidelines for Alterations and Additions to Terraces
- The City of Sydney Awnings Policy 2000
- The City of Sydney Policy for the Management of Laneways in Central Sydney
- Guidelines for Temporary Protective Structures
- Policy on Trading Hours for New and Existing Premises
- Policy for the Management of Warehouse/Courtyard Complexes in Central Sydney
- Display of Premises Numbers Policy 2005
- Strategy for a Sustainable City of South Sydney

This DCP also replaces deemed DCPs, formerly known as master plans or development plans, for land in the area to which this development control plan applies.

1.7
Savings Provision

(1) A development control plan or policy listed under Section 1.6 which applies to any land deferred from the application of this DCP will continue to apply to that land until it is repealed, or the land is included in the area to which this DCP applies.

Refer to Figure 1.1 *Land covered by this DCP* to determine if your site is excluded and the relevant planning document that applies to your land. The following development control plans will continue to apply to land that has been deferred from this DCP:

Site or Area	Local Environmental Plan/State Environmental Planning Policy/Sydney Regional Environmental Plan	Development control plan	Number as identified on Figure 1.1
Barangaroo	State Environmental Planning Policy (Major Development) 2005	City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Signage and Advertising Structures DCP 2003 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006	1
Bays Precinct/ Wentworth Park	SREP No.26 - City West Ultimo-Pyrmont Precinct	City of Sydney Access DCP 2004 City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006 City of Sydney Boarding Houses DCP 2004 City of Sydney Child Care Centres DCP 2005 City of Sydney Contaminated Land DCP 2004 City of Sydney Convenience Store DCP 2004 City of Sydney Heritage DCP 2006 City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Notification of Planning and Development Applications DCP 2005 City of Sydney Signage and Advertising Structures DCP 2005 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006 Leichhardt DCP 2000 Leichhardt DCP No.38 - Waste: Avoid, Reuse and Recycle Leichhardt DCP No.48 – Managing Activities on Footpaths and Street Verges	2
Harold Park	Sydney Local Environmental Plan 2011 (Harold Park)	Sydney Development Control Plan (Harold Park) 2011	3
Redfern/Waterloo	State Environmental Planning Policy (Major Development) 2005	The Minister for Planning is the consent authority for development that has a capital investment value of more than $10 million	4

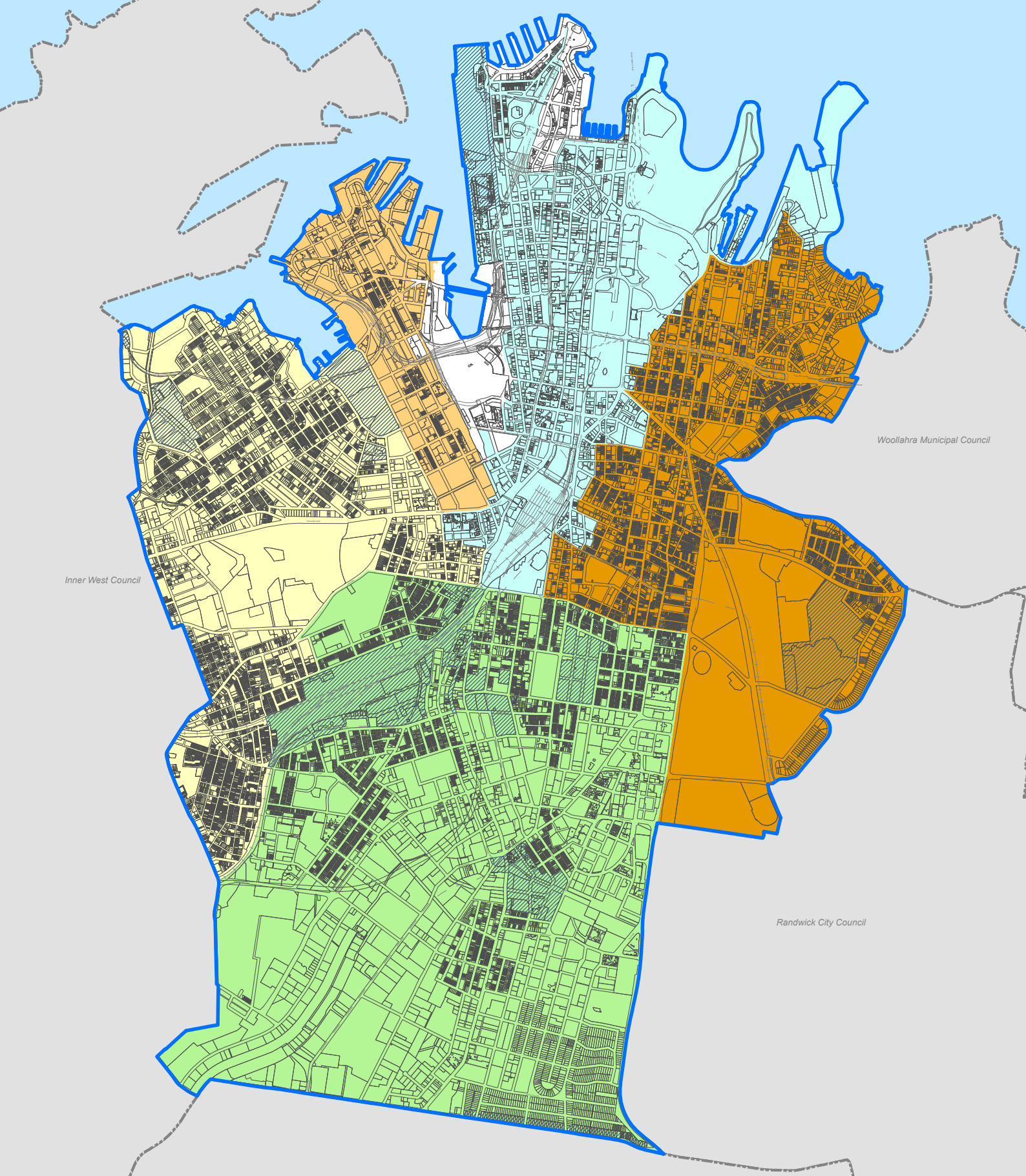
Various Sites (Southern Sydney)	South Sydney Local Environmental Plan 1998	City of Sydney Access DCP 2004 City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006 City of Sydney Boarding Houses DCP 2004 City of Sydney Child Care Centres DCP 2005 City of Sydney Contaminated Land DCP 2004 City of Sydney Convenience Store DCP 2004 City of Sydney Heritage DCP 2006 City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Notification of Planning and Development Applications DCP 2005 City of Sydney Signage and Advertising Structures DCP 2005 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006 South Sydney DCP 1997: Urban Design South Sydney DCP – Exempt and Complying Development 1999 South Sydney DCP No.11 – Transport Guidelines for Development 1996 South Sydney DCP for Orders South Sydney DCP – Green Square Affordable Housing	5
Green Square Town Centre (1)	South Sydney Local Environmental Plan 114 Green Square Town Centre LEP (South Sydney LEP 1998 Amendment Nos. 17 and 19)	City of Sydney Access DCP 2004 City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006 City of Sydney Boarding Houses DCP 2004 City of Sydney Child Care Centres DCP 2005 City of Sydney Contaminated Land DCP 2004 City of Sydney Convenience Store DCP 2004 City of Sydney Heritage DCP 2006 City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Notification of Planning and Development Applications DCP 2005 City of Sydney Signage and Advertising Structures DCP 2005 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006 South Sydney DCP 1997: Urban Design South Sydney DCP - Exempt and Complying Development 1999 South Sydney DCP No.11 - Transport Guidelines for Development 1996 South Sydney DCP for Orders	6
Green Square Town Centre (2)	City of Sydney Planning Scheme Ordinance Green Square Town Centre LEP (South Sydney LEP 1998 Amendment Nos. 17, 19 and 21)	The same development controls that apply to Green Square Town Centre (1) apply to Green Square Town Centre (2)	6

Moore Park Showground	State Environmental Planning Policy No.47 - Moore Park Showground	City of Sydney Access DCP 2004 City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006 City of Sydney Boarding Houses DCP 2004 City of Sydney Child Care Centres DCP 2005 City of Sydney Contaminated Land DCP 2004 City of Sydney Convenience Store DCP 2004 City of Sydney Heritage DCP 2006 City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Notification of Planning and Development Applications DCP 2005 City of Sydney Signage and Advertising Structures DCP 2005 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006 South Sydney DCP 1997: Urban Design South Sydney DCP No.11 - Transport Guidelines for Development 1996 South Sydney DCP for Orders	7
Glebe Affordable Housing	South Sydney Local Environmental Plan (Glebe Affordable Housing Project)	City of Sydney Development Control Plan 2011 (Glebe Affordable Housing Project)	8

1.8
Interpretation

Where this development control plan uses terms that are defined in *Sydney Local Environmental Plan 2012*, the definitions in the LEP are to be adopted. Other terms used throughout this DCP are defined in the Glossary of Terms. In addition, certain provisions of this DCP include definitions that are specific to those provisions.

A reference in this DCP to any Australian Standard or legislation includes a reference to any amendment or replacement as made.



Contributions Plans within the City of Sydney Local Government Area

Sydney Development Control Plan 2012

Figure 1.2

Legend

- City of Sydney Sec. 61 Central Sydney Contributions (Amendment) Plan 2002
- City of Sydney Sec. 94 Contributions Plan 1994 (Ultimo-Pyrmont)
- City of Sydney Sec. 94 Contributions Plan 2006 (Western Precinct)
- City of Sydney Sec. 94 Contributions Plan 2006 (Southern Precinct)
- City of Sydney Sec. 94 Contributions Plan 2006 (Eastern Prcinct)
- City of Sydney - Local Government
- Land excluded from this DCP

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CITY OF SYDNEY

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1.9

Structure of this DCP

The structure and format of this DCP has been established to enable the user to efficiently find the relevant development provisions in a logical manner.

This DCP is divided into the following sections with further detail is provided in the table below:

Glossary of Terms
Section 1 Introduction
Section 2 Locality Statements
Section 3 General Provisions
Section 4 Development Types
Section 5 Specific Areas
Section 6 Specific Sites

This DCP includes a list of schedules containing additional information and a set of maps at a scale of 1:5,000.

Schedules

~~Schedule 1 - Advertising and Notification~~
Superseded and replaced by the Community Participation Plan 2019

Schedule 2 - Information required in a Development Application

Schedule 3 - Late Night Trading

Schedule 4 - Projections over or into public roads

Schedule 5 - Public open space dedication and design criteria

Schedule 6 - Signage in The Rocks

Schedule 7 - Transport, parking and access

Schedule 8 - Tree management

1.10

How to use this DCP

SECTION 1 INTRODUCTION

This Section explains the purpose of the DCP, where it applies, and how to use the DCP.

SECTION 2 LOCALITY STATEMENTS

This Section establishes desired future character and supporting principles for the various localities across the local government area. Development is required to be consistent with the relevant locality statement. All development types must refer to the relevant locality statement and supporting principles within Section 2 Locality Statements.

SECTION 3 GENERAL PROVISIONS

This Section establishes the general guiding principles for development, including public domain, sustainability, heritage, design excellence, tree management, transport and parking, late night trading and signage.

All development proposals except for development of, or alterations and additions to single dwellings, terraces and dual occupancies must comply with all relevant provisions within this Section.

Where relevant, development or alterations and additions to single dwellings, terraces and dual occupancies must only comply with provisions for tree management, canopy cover, flooding and drainage, heritage, significant existing architectural building types and accessible design.

SECTION 4 DEVELOPMENT TYPES

This Section establishes provisions for certain types of developments including single dwellings, terraces and dual occupancies; residential flat, commercial and retail developments; industrial developments; boarding houses; child care centres; visitor accommodation and other development types.

All development proposals must refer to the provisions that best describes that type of development being proposed.

SECTION 5 SPECIFIC AREAS

This Section establishes additional provisions for Specific Areas of the local government area such as Central Sydney; Green Square; Epsom Park and Rosebery Estate. The provisions in this Section override similar provisions in other sections. When a development standard is not specified in this section, development must be consistent with all other relevant provisions of the DCP. The map at the start of Section 5 must be checked to determine which, if any of these provisions apply.

SECTION 6 SPECIFIC SITES

This Section establishes additional provisions for Specific Sites in the local government area. The provisions in this section override similar provisions in other sections. Where a development standard is not specified in this section, development must be consistent with all other relevant provisions of the DCP. The map at the start of Section 6 must be checked to determine which, if any of these provisions apply.

SCHEDULES

This Section contains further information referred to in the DCP and also additional objectives and principles for specific types of developments in earlier sections of the DCP.

1.11

Development contributions and planning agreements

Development Contribution Plans apply to land within the City of Sydney Local Government Area as shown on Figure 1.2 *Contributions Plan*. This information is available on the City website at www.cityofsydney.nsw.gov.au. No development can be subject to more than one Contributions Plan. The Development Contribution Plans within the City of Sydney LGA are:

Section 61 Development Contributions Plan

Under Section 61 of *The City of Sydney Act,* building projects in Central Sydney exceeding $200,000 must make a cash contribution to Council. Section 61 contributions enable the provision of public infrastructure, community projects and facilities.

Ultimo - Pyrmont Section 94 Development Contributions Plan

Ultimo - Pyrmont Section 94 Development Contributions Plan 1994 applies to development within the Ultimo and Pyrmont areas. Development Contributions are payable for development that increases the worker and residential population and floor space. Development Contributions under this plan will not be collected for alterations and additions to dwelling houses that do not involve the creation or erection of a new or separate dwelling on the same allotment.

Other areas (Western Precinct, Southern Precinct, Eastern Precinct), Section 94 Development Contributions Plan 2006

Section 94 Development Contributions Plan 2006 was approved by Council on 12 March 2007 and came into force on Saturday 7 April 2007. This Contributions Plan applies to development approved after that date where Council or the CSPC is the consent authority in the area covered by that plan. Development contributions are payable for development that increases the worker and residential population and floor space. Development contributions under this plan will not be collected for alterations and additions to dwelling houses that do not involve the creation or erection of a new or separate dwelling on the same allotment.

Planning agreements

Planning agreements are made in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and are voluntary agreements between Council and a landowner for development. Voluntary planning agreements within the City of Sydney are listed on a public register.

A planning agreement may include infrastructure works and recurrent expenditure in relation to a public amenity, service or facility. A planning agreement specifies how it relates to any applicable Section 94 Contributions Plan, and may provide that a development be excluded from the requirements of that Plan in exchange for works in kind. Early contact should be made with Council officers where planning agreements are envisaged if the provision of public facilities or the like outside of the requirements of the Section 94 Contributions Plan and/or a planning agreement is proposed.

1.12

Monitoring and review

The consent authority is required to keep the LEP and DCP under regular and periodic review. The consent authority is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments.

The consent authority is to review *Sydney Local Environmental Plan 2012* and Sydney Development Control Plan 2012 at least five yearly intervals in order to:

(a) assess the continued relevance and responsiveness of the Plan's provisions; and the achievement of the objectives of the Plan;

(b) identify the need for changes to the provisions to better achieve the objectives of the Plan and changes in circumstances; and

(c) ensure the availability of adequate development capacity under the Plan's provisions.



Section 2

Locality Statements

2 Locality Statements

Contents

Introduction		2.0-1
2.1	Central Sydney	2.1-1
2.1.1	York Street Special Character Area including Clarence Street and Kent Street	2.1-2
2.1.2	College Street/Hyde Park Special Character Area	2.1-4
2.1.3	Haymarket/Chinatown Special Character Area	2.1-6
2.1.4	Circular Quay Special Character Area	2.1-8
2.1.5	Bridge Street/Macquarie Place/Bulletin Place Special Character Area	2.1-10
2.1.6	Macquarie Street Special Character Area	2.1-12
2.1.7	Martin Place Special Character Area	2.1-14
2.1.8	Pitt Street Mall Special Character Area	2.1-16
2.1.9	Wynyard Park/Lang Park Special Character Area	2.1-17
2.1.10	Sydney Square/Town Hall/St Andrews Special Character Area	2.1-19
2.1.11	Railway Square/Central Station Special Character Area	2.1-21
2.1.12	Chifley Square Special Character Area	2.1-23
2.1.13	Farrer Place Special Character Area	2.1-25
2.2	Rosebery Estate	2.2-1
2.3	Chippendale, Camperdown, Darlington, West Redfern and North Newtown	2.3-1
2.3.1	Chippendale	2.3-1
2.3.2	Darlington/West Redfern	2.3-3
2.3.3	North Newtown	2.3-5
2.3.4	Camperdown	2.3-7
2.3.5	University of Sydney/Royal Prince Alfred Hospital	2.3-8
2.4	City East	2.4-1
2.4.1	William Street	2.4-1
2.4.2	Cathedral Street	2.4-3
2.4.3	Woolloomooloo	2.4-5
2.4.4	Potts Point	2.4-7
2.4.5	Macleay and Wylde Street	2.4-9
2.4.6	The Bays	2.4-10
2.4.7	Kings Cross	2.4-12
2.4.8	Darlinghurst East	2.4-14
2.4.9	East Sydney	2.4-16
2.4.10	Oxford Street, Darlinghurst	2.4-18

2.4.11	Taylor Square and Darlinghurst Civic Precinct	2.4-20
2.4.12	Darlinghurst West	2.4-21
2.5	**Green Square**	**2.5-1**
2.5.1	Alexandria Park	2.5-1
2.5.2	Beaconsfield	2.5-3
2.5.3	Danks Street	2.5-5
2.5.4	North Alexandria	2.5-7
2.5.5	Epsom Park	2.5-8
2.5.6	Green Square Town Centre	2.5-10
2.5.7	Lachlan	2.5-11
2.5.8	Mary O'Brien Park	2.5-13
2.5.9	North Rosebery	2.5-14
2.5.10	Victoria Park	2.5-16
2.5.11	Waterloo Park	2.5-18
2.6	**Glebe and Forest Lodge**	**2.6-1**
2.6.1	Glebe Point Road	2.6-1
2.6.2	Ross Street	2.6-3
2.6.3	Wentworth Park	2.6-4
2.6.4	Bishopthorpe	2.6-5
2.6.5	Toxteth	2.6-6
2.6.6	Western Parklands	2.6-7
2.6.7	Hereford	2.6-8
2.6.8	Forest Lodge	2.6-9
2.6.9	St Phillips	2.6-10
2.6.10	Glebe Point	2.6-11
2.6.11	Mountain Street	2.6-12
2.7	**Erskineville, Alexandria (west) and Newtown (south)**	**2.7-1**
2.7.1	Erskineville Road village centre	2.7-1
2.7.2	Erskineville neighbourhood north	2.7-3
2.7.3	Erskineville neighbourhood south	2.7-4
2.7.4	King Street retail strip	2.7-6
2.7.5	Pleasant Avenue and Macdonald Street	2.7-8
2.7.6	Erskineville oval	2.7-10
2.7.7	Alexandria Park and Wyndham Street	2.7-12
2.7.8	Ashmore	2.7-14
2.7.9	Belmont Street (Coopers estate)	2.7-16

2.7.10	Euston Road and McEvoy Street	2.7-18
2.7.11	Sydney Park residential edge	2.7-19
2.8	**Millers Point**	**2.8-1**
2.9	**Paddington/Centennial Park**	**2.9-1**
2.9.1	Oxford Street, Paddington	2.9-1
2.9.2	Selwyn Street	2.9-3
2.9.3	South Paddington	2.9-5
2.9.4	Furber Road	2.9-7
2.9.5	Centennial Park	2.9-8
2.10	**Southern Enterprise Area**	**2.10-1**
2.10.1	Alexandra Canal	2.10-1
2.10.2	North Alexandria	2.10-3
2.10.3	Enterprise Corridor	2.10-5
2.10.4	Rosebery West	2.10-7
2.11	**Surry Hills**	**2.11-1**
2.11.1	City Edge	2.11-1
2.11.2	Riley	2.11-3
2.11.3	Surry Hills North	2.11-4
2.11.4	Flinders	2.11-6
2.11.5	Surry Hills East	2.11-7
2.11.6	Surry Hills South	2.11-8
2.11.7	Surry Hills Central	2.11-10
2.11.8	Prince Alfred Park East	2.11-12
2.12	**Ultimo/Pyrmont**	**2.12-1**
2.12.1	Pyrmont Point	2.12-1
2.12.2	Pyrmont	2.12-2
2.12.3	Ultimo	2.12-3
2.12.4	Student Precinct	2.12-4
2.13	**Waterloo and Redfern**	**2.13-1**
2.13.1	Cleveland Street	2.13-1
2.13.2	Thurlow Street	2.13-3
2.13.3	Moore Park Gardens	2.13-4
2.13.4	Baptist Street	2.13-5
2.13.5	Cooper Street	2.13-6

2.13.6	Kettle Street	2.13-7
2.13.7	Young Street	2.13-9
2.13.8	Prince Alfred Park South	2.13-10
2.13.9	Redfern Street and Redfern Park	2.13-12
2.13.10	Redfern Park South	2.13-13
2.13.11	Redfern Park West	2.13-14
2.13.12	Waterloo Estate (Central and North)	2.13-15
2.13.13	Botany Road Precinct	2.13-16
2.13.14	Waterloo Estate (South)	2.13-19

Introduction

This Section contains the locality statements and supporting principles for development within all areas and neighbourhoods of the City. The statements are place-specific and draw on the unique qualities of each neighbourhood and provide an important direction for the development controls and built form guidelines. Each locality statement also includes an illustration showing the boundaries of the locality.

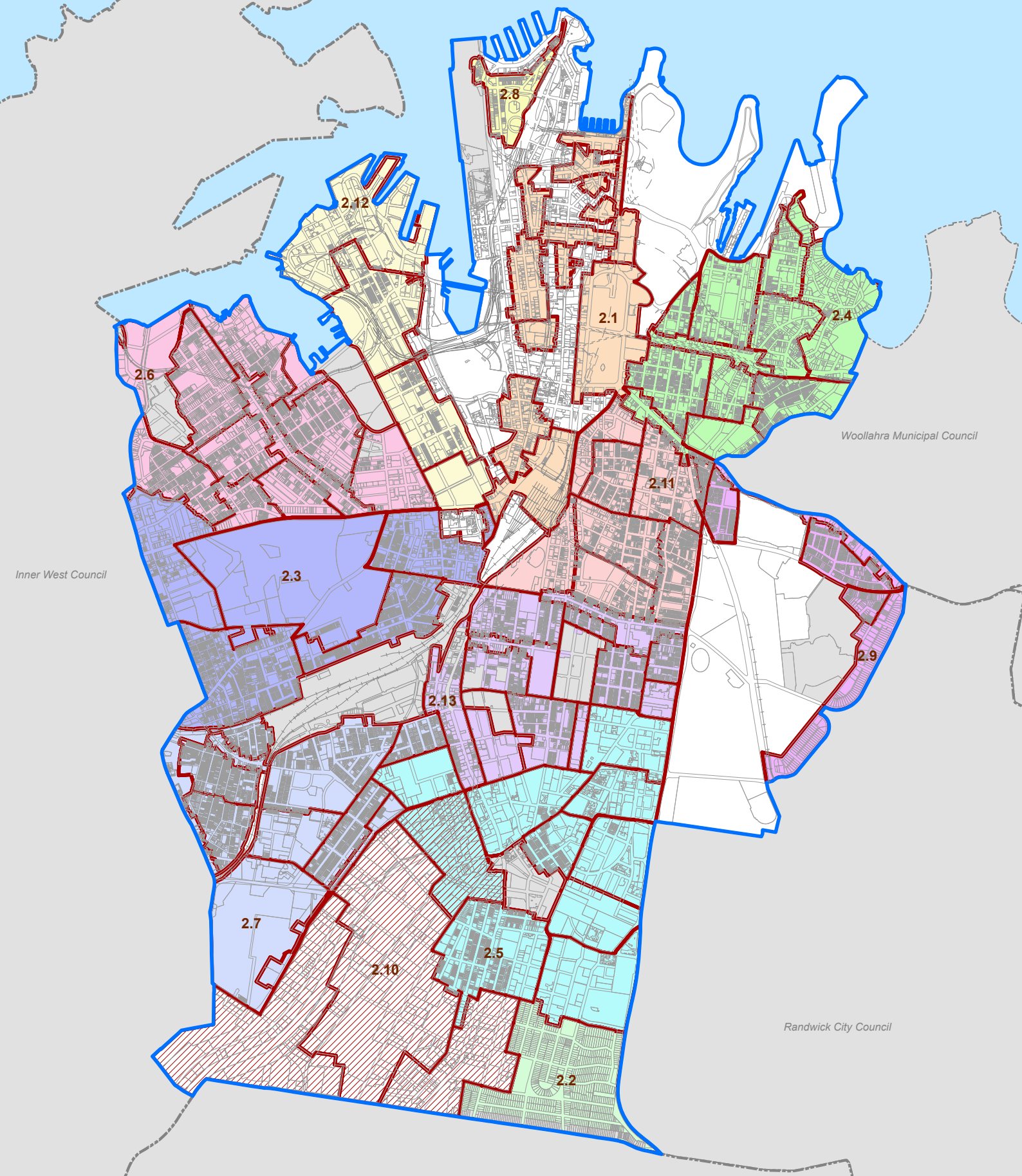
The localities are divided into areas based on their character, including topography, setting, heritage, streetscape, land uses and built form. The statements build on the existing structure, character of the neighbourhoods and important elements that contribute to the existing character. The statements are also supported by a number of principles that help reinforce and enhance the character of each locality.

Section 2.1 includes a number of nominated areas within Central Sydney identified as Special Character Areas.

Section 2.2 through to 2.13 includes the neighbourhood character statement and supporting principles for all areas outside of Central Sydney including:

- Rosebery Estate
- Chippendale, Camperdown, Darlington, West Redfern and North Newtown
- City East
- Green Square
- Glebe and Forest Lodge
- Erskineville, Alexandria (west) and Newtown (south)
- Millers Point
- Paddington/Centennial Park
- Southern Enterprise Area
- Surry Hills
- Ultimo/Pyrmont
- Waterloo and Redfern

Development is required to be consistent with the character statement and supporting principles for the locality area, in addition to the requirements within other sections of this DCP.



City locality areas map

Figure 2.1

Legend

- 2.1 Central Sydney
- 2.2 Rosebery Estate
- 2.3 Chippendale, Camperdown, Darlington,
- 2.4 City East
- 2.5 Green Square
- 2.6 Glebe and Forest Lodge
- 2.7 Erskineville, Alexandria (west), Newtown (south) and Ashmore
- 2.8 Millers Point
- 2.9 Paddington/Centennial Park
- 2.10 Southern Enterprise Area
- 2.11 Surry Hills
- 2.12 Ultimo/Pyrmont
- 2.13 Waterloo and Redfern
- CoS LGA Boundary
- Land excluded from this DCP

Sydney Development Control Plan 2012

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CITY OF SYDNEY

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2.1
Central Sydney

Special Character Areas nominated within Central Sydney are considered to be of significance and important to the identity and quality of Central Sydney and include some or all of the following characteristics:

- A character unmatched elsewhere in Central Sydney;
- A concentration of heritage items and streetscapes;
- A highly distinctive element in the public domain;
- A focus of public life with high cultural significance; and
- A widely acknowledged public identify.

Development within a Special Character Area must achieve and satisfy the outcomes expressed in the Special Character Area Locality Statements and be consistent with supporting Principles as well as the following objectives:

(a) retain and enhance the unique character of each Special Character Area;

(b) ensure development has regard to the fabric and character of each area in scale, proportion, street alignment, materials and finishes and reinforce distinctive attributes and qualities of built form;

(c) conserve and protect heritage items and their settings;

(d) maintain a high level of daylight access to streets, lanes, parks and other public domain spaces;

(e) encourage active street frontages to the public domain;

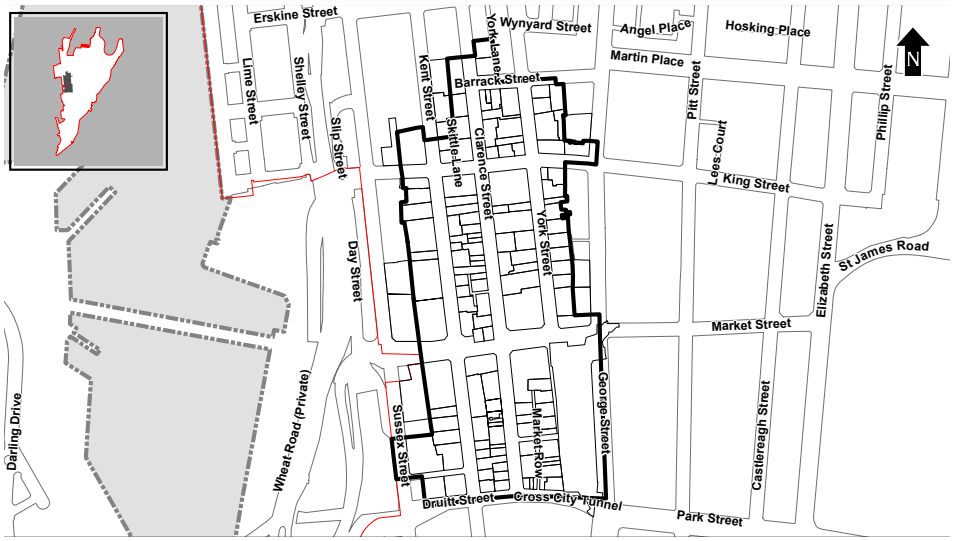
(f) conserve, maintain and enhance existing views and vistas to buildings and places of historic and aesthetic significance.

The City maintains a database containing a Heritage Inventory Assessment Report for each Special Character Area which includes a description of the item or area, a Statement of Heritage Significance and Recommended Management provisions.

Heritage Inventory Assessment Reports are available by contacting the City or online through Heritage NSW at: www.heritage.nsw.gov.au.

The Heritage Inventory Assessment Report will be considered by the consent authority as part of its assessment of development applications. The recommendations in the Report should form the basis of all applications for development.

2.1.1 York Street Special Character Area including Clarence Street and Kent Street



York Street and the streets and lanes surrounding it contain evidence of one of the early warehousing areas in Sydney that developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by nineteenth and early twentieth century warehouse development interspersed with a hotels that flourished in association with the wharves as well as a number of banks. The warehouse stock generally comprises masonry buildings, 3-8 stories in height, and robustly articulated. The architectural emphasis of the buildings located at street intersections are a distinctive characteristic of this area. The network of lanes, internal cartways and courtyards, uniform block pattern with narrow frontages and west-east transport links represent the progressive development of the area, past and present commercial and retail character.

Barrack Street, at the northern end of the area, is one of the finest urban places in Sydney being defined on all four sides, for the most part, by heritage items of exceptional quality.

With the completion of the Sydney Harbour Bridge in 1932, York Street became the main arterial road into the City Centre. Its character altered as higher scale development incorporating retail and commercial office uses was constructed on key street corners, such as the Grace building, ACA House and Asbestos House. In the post WWII period, the value of the warehouse stock diminished as the shipping trade at Darling Harbour declined, whilst the land value and the need for commercial office space increased. As a result, a considerable number of warehouses were either demolished or their facades retained as podiums to high rise development, changing the skyline of the area. From the 1970s, the character of the area has continued to be altered through major elevated freeway and motorway construction at its western edge, severing pedestrian and visual links with Darling Harbour.

The Queen Victoria Building is evidence of early markets in the area, the first on the site established by Governor Macquarie. Its conversion to retail arcade in the early 1980s was amongst the first large scale adaptive re uses and conservation programmes in Australia representing a shift in public sentiment. The building forms an important pedestrian link, both at ground level and underground. Its grand scale and rare composition of dominant domes define many views and terminate vistas within the area, such as from Mullins Street. Together with St Andrews Cathedral and Sydney Town Hall, it remains a major landmark in the City Centre despite surrounding high scale tower development. Bicentennial Plaza is an important urban space that complements its landmark surrounds and provide an expansion of vistas to these key buildings.

There are also important key east west views through the area between the City and Darling Harbour and the Pyrmont ridge beyond, as well as many significant vistas such as southwards along York Street, which is terminated by the Town Hall, and eastwards along Barrack Street is terminated by the former General Post Office.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Maintain and reinforce the urban character and scale of the area by requiring development to:

i. Have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale and form of heritage items.

ii. Respond to the historic warehouse and commercial typologies and materiality in the area.

iii. Ensure new development is designed and sited to enhance the views and settings of heritage items within the area.

iv. Maintain and enhance the historic fine grain subdivision pattern.

v. In Barrack Street, ensure new development is limited in height to the prevailing height of buildings, and enhances solar access to the public domain.

(c) Conserve and enhance the heritage significance of warehouses and associated cartways and courtyards and ensure solar access to courtyards is maintained and enhanced in the design of new development.

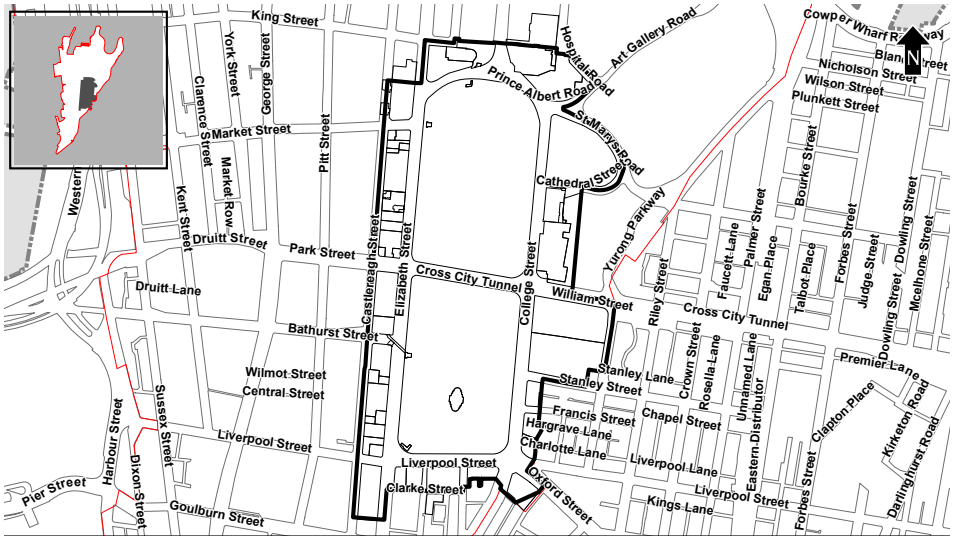
(d) Conserve and enhance the historic pattern of streets and lanes, and encourage fine grain pedestrian permeability through the longer street blocks. Conserve early sandstone and woodblock street pavements that is known to survive within the area beneath later pavements.

(e) Enhance the character of the lanes by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. Ensure development provides appropriate street wall heights and high quality designed active frontages.

(f) Conserve and enhance existing significant views between the area and Darling Harbour and Pyrmont, higher level views north to the Harbour Bridge and the significant vistas terminated by the QVB building, Sydney Town Hall, and the General Post Office building beyond the area.

(g) Maintain and enhance the visual relationship between Darling Harbour and heritage items historically associated with the maritime and trading functions.

2.1.2 College Street/Hyde Park Special Character Area



College Street and Hyde Park form a precinct, which clearly separates the City from the residential areas to the east, forms part of the green eastern edge and frames an important gateway to the City.

Hyde Park has two distinct edges: the north and east, flanking College Street and St James Road, comprise important institutional free-standing sandstone buildings and significant public open spaces including Queens Square, which is one of the earliest examples of formal urban design in Central Sydney. The west and south edges consist of commercial development of larger scale with strong street alignment, creating a greater sense of enclosure to Hyde Park.

The northern edge is aligned by Hyde Park Barracks, a place of world significance, St James Church and the Supreme Court complex represent the work of Australia's first government 'Civil Architect', Francis Greenway, with additions to the Court by subsequent Colonial Architects. To these East, the Registrar General's building, St Mary's Cathedral, the Australian Museum and Sydney Boys Grammar School form a fine collection of sandstone buildings set in grounds creating a sense of openness and affording views to the Domain, Cook and Phillip Park and beyond to Woolloomooloo and the Darlinghurst ridge.

Hyde Park is of national significance as the oldest public park in Sydney being in continuous use since 1788, although not proclaimed for public recreation until 1810 by Governor Macquarie. Its current formal plan, dating from the 1920s, demonstrates the application of City Beautiful principles. The Park contains significant monuments, fountains and memorials including the ANZAC War Memorial, the Archibald Fountain and Sandringham Gardens. The monuments and sculptures in Hyde Park not only create a visually interesting outdoor gallery, but bring with them important associations with artists and designers. The Park is a place of both quiet solitude and ongoing public recreation and major events, parades and celebrations that have continue to be held there since the park's inception.

The 2006 Hyde Park Plan of Management and Masterplan are the principle guiding documents for Hyde Park. The documents establish the range of acceptable uses, activities and management practices to reflect contemporary needs. The plan is supported by a range of other studies, policies, plans and strategies.

Significant archaeology is known to remain within the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise the institutional area east of College Street as one of Sydney's pre-eminent public areas characterised by a concentration of heritage items which house activities of state and national significance.

(c) Reinforce the urban character and scale of College Street by requiring new development to be integrated with the form of existing buildings and limiting the height of new buildings to the established prevailing height, and to maintain the sense of openness east of Hyde Park.

(d) Enhance and reinforce the precinct's role as a major gateway to the City from the east, particularly from William Street to Park Street, by ensuring that development does not adversely affect the views when approaching the City.

(e) Maintain and strengthen the sense of enclosure provided by the buildings to the west and south of Hyde Park, by requiring new buildings to be built to street alignment, to have street frontage heights consistent with the existing development and to have adequate setbacks above those street frontage heights.

(f) Ensure the visual relationship between Hyde Park Barracks and St James Church through Queen's Square remains unimpeded.

(g) Maintain and enhance views to and through the Park and along College Street to landmark buildings such as St Mary's Cathedral.

(h) Maintain and enhance the role of the precinct as a major recreational open space for Sydney's workers and residents.

(i) Protect and enhance solar access to Hyde Park, Cook and Phillip Park, Queen's Square and to the grounds of heritage listed buildings and other open spaces in this Special Character Area.

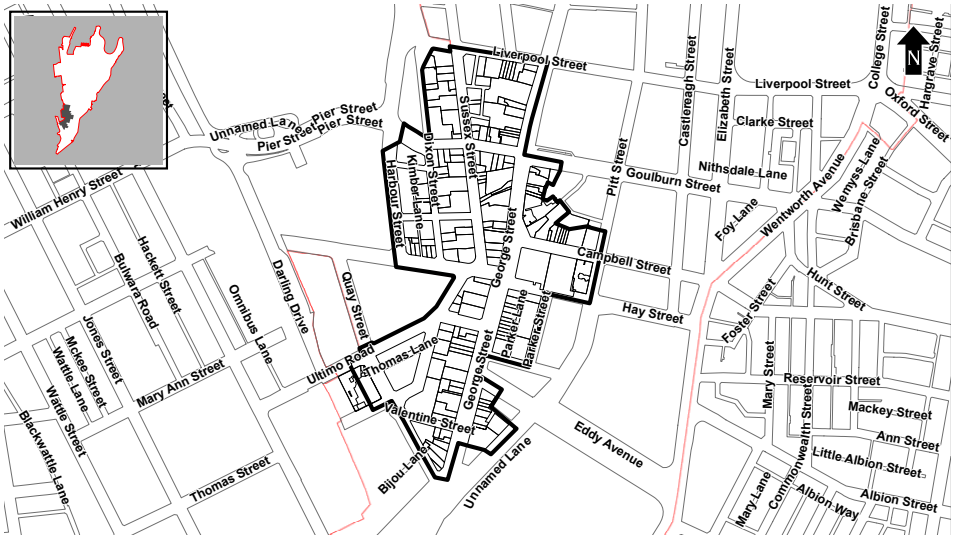
(j) Ensure the visual relationship between Hyde Park Barracks and St James Church remains unimpeded.

(k) Maintain and enhance visual connectivity and pedestrian permeability from Hyde Park through to the Domain and Cook and Phillip Park.

(l) Conserve significant tree plantings, grounds, walls, fences and significant archaeological resources.

(m) Promote an understanding of the historical and symbolic value of the area through interpretation.

2.1.3 Haymarket/Chinatown Special Character Area



The remaining market buildings, stores, warehouses and service laneways in Haymarket, along with the name of the area itself, is evidence of its historic role as markets and its proximity to the port of Darling Harbour. The area offers evidence of its development following the establishment of Central Station in 1906 and the subsequent decline and resurgence of the area since the markets moved from the City Centre. Despite these changes, the area retains a "market" atmosphere, characterised by street level shops, a diversity of commercial, hotel and specialised service uses and a vibrant street life with a diverse social and ethnic mix.

As an area somewhat removed from the City Centre, it retains fine grained subdivision patterns, narrow frontages, informal public spaces and generally low building heights. The consistent low street wall, and the absence of the tower form, creates a pleasant microclimate at street level, which is well sunlit and protected from winds.

The heritage buildings, in particular those at the intersections of George, Hay and Sussex Streets, including the Haymarket Chambers, Capitol Theatre, Palace Hotel, the Corporation Building, Bank of China building, Westpac Bank Building and former Burlington Hotel building, form a significant historic precinct of Victorian and Edwardian buildings of consistent character and scale, reflecting the period's growth and prosperity in relation to the markets, the railway terminus and nearby large scale retail centres such as Anthony Hordern and Company. Modest in scale, homogenous in alignment and lovely in detailing, these buildings make a precinct of considerable township quality.

The surviving former market buildings or building facades at the southern part of the area, including the Market City and UTS Business School at Quay St which fall outside City of Sydney planning area, demonstrate the cluster of the later Municipal Markets built by the City Council. They were part of the city's economy. They help define the market character of the local area.

Sustainable Sydney 2030 identifies Haymarket as one of 10 Village Centres which have been identified as a focus for the City's village communities with services and retail to generate activity into each area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Retain and enhance the urban character and scale of the Haymarket locality by requiring new buildings to:

i. maintain a commercial use at lower levels on the street frontage;

ii. be built to the street alignment;

iii. have street frontage heights consistent with the prevailing form of heritage items in this Special Character Area; and

iv. have building setbacks above those street frontage heights.

(c) Maintain a high level of daylight access to the street by restricting building height and bulk.

(d) Maintain and reinforce permeability within the area and the intricacy of the urban fabric by retaining the existing significant lanes, original street pattern, special corner treatment, small allotments and narrow frontages, and encouraging through site links.

(e) Reinforce the distinct topography of the area by maintaining the layering of development when viewed from Darling Harbour with the City's higher buildings in the background.

(f) Conserve historically significant corner buildings and maintain low building heights and streetscape symmetry at street intersections.

(g) New development is to maintain and enhance vistas within the area to Darling Harbour and former market buildings.

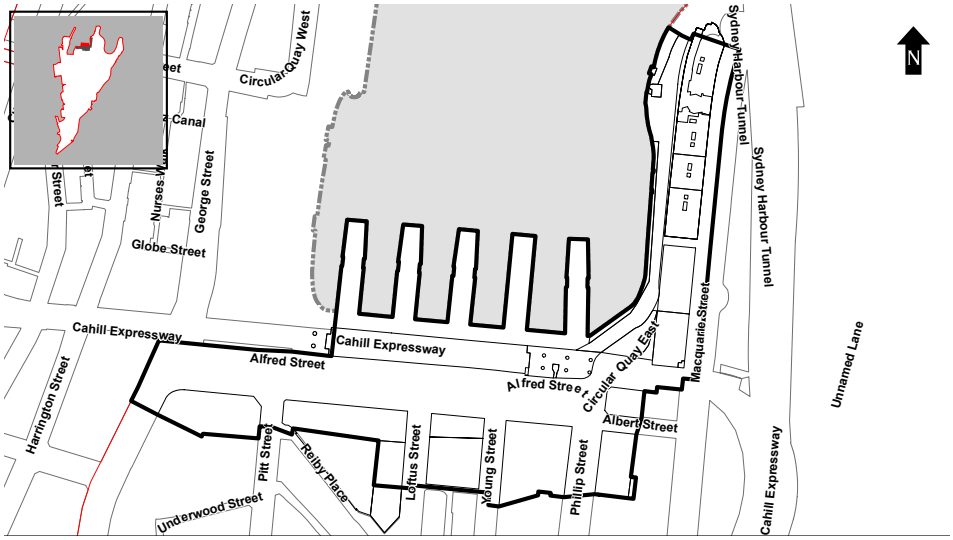
(h) New development is to maintain and enhance vistas along Valentine Street and George Street to Christ Church Saint Lawrence at 814A George Street and maintain vistas towards the clock tower of Central Station.

(i) Conserve and enhance the character of the area by encouraging the retention and reuse of existing nineteenth and early twentieth century commercial and warehouse buildings;

(j) Facilitate the activation of Douglass Street & Douglass Lane and Eagar Street & Eagar Lane for increased public use.

(k) Conserve and improve existing significant public domain features, including sculptures. Encourage to provide public artworks in open spaces. Adopt distinctive signage control policies for Haymarket area..

2.1.4 Circular Quay Special Character Area



Circular Quay's significance lies in its position at the head of Sydney Cove, its historic associations with the British First Fleet landing in 1788 and ensuing first contact between colonists and Aboriginal nations, and the evolution of its function and character.

Circular Quay is characterised by significant public spaces facilitating unique views to the harbour and promontories, the Harbour Bridge and the Sydney Opera House, as well as glimpses to the East to the Macquarie Street ridge and the Domain, West to the Rocks, North to the northern harbour shore, and views from the water's edge southwards to the city centre. These public spaces, where views of the water and sky dominate, provide an important contrast with the dense urban environment to the south. Albert Street and Moore Stairs provide important pedestrian and visual links to the Domain, supported by a number of links through privately owned buildings.

Circular Quay is aligned by buildings of different architectural styles and periods, reflecting the history and development of the Quay after the retraction of the Governor's Domain from the foreshore. The semicircular form of the Quay, supported by its stone sea-wall, and associated reclamation of the Tank Stream estuary was completed by the late 1840s, and the North-South streets of the city grid were extended to join the new Alfred Street. These initiatives facilitated the construction of commercial shipping wharfage and many new buildings, most of which were warehousing related to the new wharfage. The new Customs House was completed by 1845 followed by the Water Police precinct buildings, designed by consecutive Colonial Architects. These buildings, strategically located to maintain a visual and functional relationship with the Quay waterfront, provide evidence of the importance of the Quay in maritime activities in the 19th and early 20th century.

Ferry commuter wharves along the Quay displaced shipping wharves from the 1890s onwards, and planning for a Circular Quay Railway Station commenced in 1909, although not completed until 1956. The completion of the Cahill Expressway in 1958 and the construction of 'International style' office buildings, replacing the nineteenth century warehouses around the Quay, signalled the new vision for a modern international city. However, of these post war era office buildings, only the AMP building remains.

Since the 1960s and 1970s, with the construction of the Overseas Passenger Terminal nearby and the Sydney Opera House, Circular Quay has evolved to be a major commuter transport interchange, a key tourist destination and a major celebratory public space.

The area retains significant nineteenth century lanes, Reiby Place and Customs House Lane as well as sandstone retaining walls, stairs and rock faces, built to negotiate the steep topography up to the Macquarie Street ridge. Reiby Place is a rare remnant from the first decade of the colony, marking the boundary of one of the earliest land grants to the emancipist trader, Mary Reiby.

Significant archaeology relating to natural geographical features, Aboriginal culture and early Colonial settlement is known to remain within the area. Public spaces including Herald Square, Jesse Street Gardens, and Customs House Place have significant public art by renowned artists and memorials.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise Circular Quay as an area of unique character where the harbour meets the city, with a series of significant public spaces facilitating a unique series of views.

(c) Enhance views to the harbour and of the sky from all north-south streets by encouraging the opening of new views from the city to the harbour and foreshore.

(d) Maintain and enhance the visual and physical connectivity between the area and the Sydney Opera House, the Sydney Harbour Bridge, the Rocks and the Domain.

(e) Reinforce the area as a major focal point for public celebrations, and enhance public accessibility to the foreshore.

(f) Reinforce the urban character and scale of Circular Quay by requiring new buildings to the south to be built to the street alignment.

(g) Ensure new development is designed and sited to protect the heritage significance of heritage items within the area, with special consideration given to the heritage curtilage of heritage items, conserving their settings and views.

(h) Maintain and enhance the visual relationship between the harbour foreshore and heritage items historically associated with the maritime functions of the Quay.

(i) Ensure that development associated with the important transport interchange enhances the public domain of the area.

(j) Enhance the character of Reiby Place and Customs House Lane by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. New development along these lanes should provide appropriate street wall heights and high quality designed active frontages.

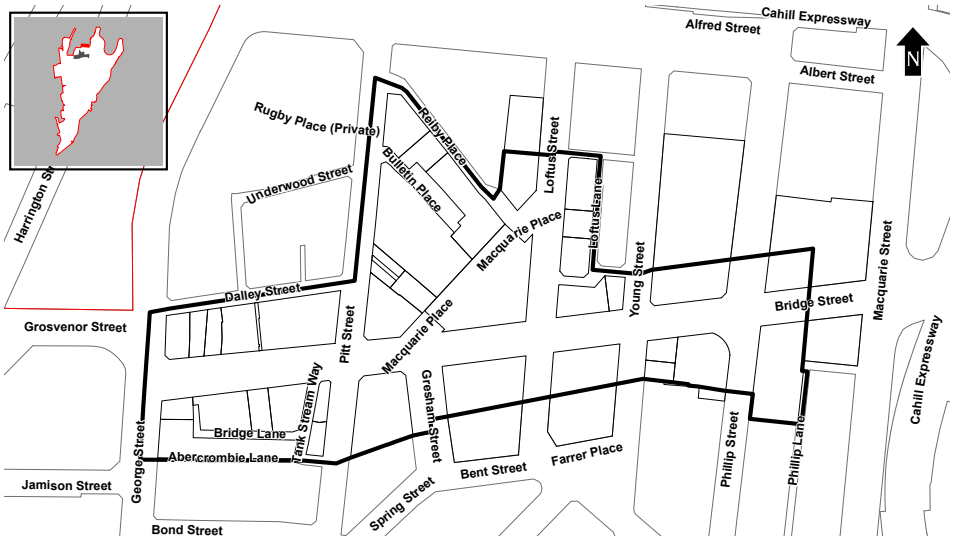
(k) Encourage active frontages for all ground level facades facing Public Places.

(l) Enhance the character of Circular Quay by encouraging day and night-time economies where compatible with transport interchange functions.

(m) Conserve nineteenth century sandstone retaining walls, stairs and rock faces.

(n) Promote an understanding of the value of the area of the historical and symbolic value of the Quay through interpretation.

2.1.5 Bridge Street/Macquarie Place/Bulletin Place Special Character Area



Macquarie Place and Bridge Street represent the early planning of the colony, where land east of the Tank Stream was set aside by Governor Phillip as the Government Domain.

The name Bridge Street signifies its construction as the earliest east-west link across the Tank Stream at the point where the creek widened to the estuary. Bridge Street is significant for its historic associations with First Government House, with early cultural exchange between colonists and Aboriginal nations, and with major colonial government building programmes that ensued after the relocation of the Governor's residence in 1845 and the subsequent extension of Bridge Street Bridge to meet Macquarie Street. Its eastern end is aligned by a cohesive group of highly significant sandstone buildings designed by Colonial Architects, and offers an important vista to the Conservatorium of Music to the east, and views north to the water. Other views are distinguished by significant historic buildings, especially those with significant roof-scapes and features. The western end of Bridge Street is aligned by significant buildings designed by prominent architects of their period, demonstrating the economic importance of Bridge Street as a commercial and trading precinct.

Macquarie Place, originally adjacent to the foreshore of Sydney Cove, is one of the most historically significant urban spaces in Australia, being established by Governor Macquarie in 1810 as the main town square of Sydney. Despite being progressively diminished in size, Macquarie Place represents Macquarie's vision for a permanent planned settlement that provided the genesis of the transformation from penal colony to nation. The 1818 Obelisk, marks the centre of the nineteenth century road network from which all distances in the colony were measured. The Place retains a significant collection of significant historic structures, objects, memorials, monuments, remnant fencing and a small collection of significant trees, including two London plane trees that mark the beginning of the Remembrance Driveway.

Bulletin Place was named after Archibald's weekly publication, founded in 1880, and published from this lane for many years. The street is evidence of the first allotments in the area, marking the boundary of the grant to Andrew Thompson in 1810. Mary Reiby also owned property on Bulletin Place.

The intact system of supporting lanes, some incorporated within buildings, is rare in the City and improves pedestrian permeability. Archaeology of national significance relating to natural geography, Aboriginal culture and the earliest periods of European settlement is known to remain within the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Enhance Macquarie Place as one of Sydney's pre-eminent urban spaces, and recognise the unique collective value of heritage items that align Bridge Street, many that are of state and national significance.

(c) Conserve and enhance the heritage significance of the area including the nineteenth and twentieth century buildings and landscapes, and their settings.

(d) Protect and enhance solar access to Macquarie Place, Bridge Street and First Government House Place.

(e) Conserve the significant lane network, and protect and enhance solar access and encourage active uses, where compatible with their significance.

(f) Maintain and enhance significant views along streets north to the water, views east along Bridge Street to the Conservatorium of Music and Domain, and vistas that terminate at significant heritage buildings.

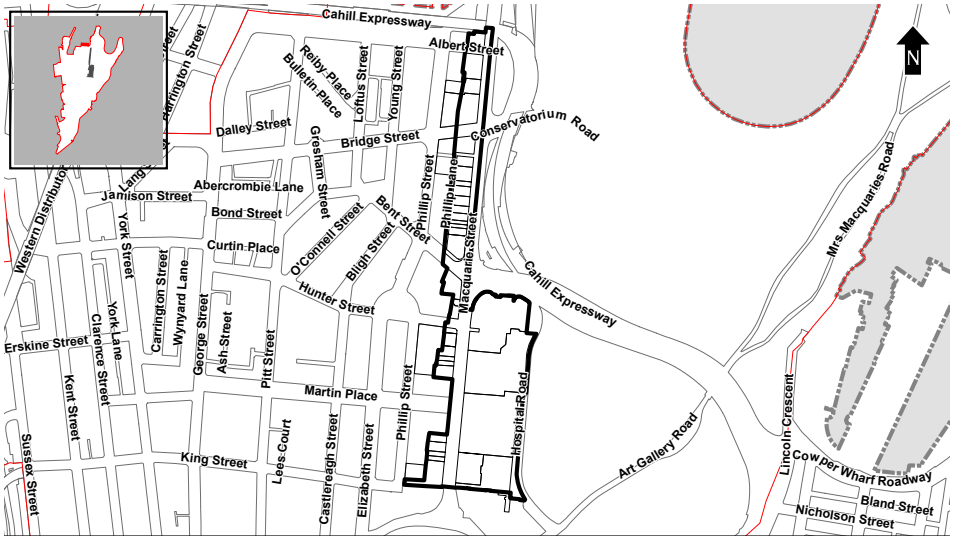
(g) Maintain and reinforce the cohesive and rare streetscape character of Bridge Street and Macquarie Place by requiring new buildings to be built to the street alignment, with building heights that reinforce the existing predominant street frontage height, and frontages incorporating Sydney sandstone.

(h) Conserve significant tree plantings and archaeological resources.

(i) Promote an understanding of the historical and symbolic value of the area through interpretation.

(j) Enhance the character of Reiby Place and Customs House Lane by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. New development along these lanes should provide appropriate street wall heights and high quality designed active frontages.

2.1.6 Macquarie Street Special Character Area



Macquarie Street is a grand civic boulevard that forms the eastern built edge of the City Centre, terminated to the south by Hyde Park, and to the north by views to Bennelong Point and the Sydney Opera House. Its character is derived from its location on the ridge and associated views and vistas, the quality of its cultural landscape setting, and its collection of low and medium scale, high quality buildings dating from the early 19th to the late 20th century, housing state legislative and cultural, banking, medical, legal and residential functions. Its character is enhanced by ample solar access and views of the sky, street tree plantings, high quality street pavements, and by the variety of historic walls and fences with glimpses through to garden plantings, courtyards and stone and gravel pathways that lead through to the Domain. Owing to its civic character and the location of the NSW Parliament, the street has developed as a place of both public ceremony and of public protest.

Macquarie Street is characterised by a number of distinct areas derived from its historic origins.

Originally part of the government precinct set aside by Governor Phillip in 1788, Governor Macquarie created the street in 1810 to provide access to the new Hospital he established on the eastern edge of the Domain. The street terminated to the north at the Government Domain at Bent Street, and to the south at Hyde Park. Between 1810 and 1821, Macquarie created a legacy of public buildings of local, state, national and world heritage significance set against the broader cultural landscape of the Domain beyond. This eastern edge demonstrates early nineteenth century principles of town planning, architecture and landscape design, and provides significant vistas that terminate the east-west streets of the City.

The western side of Macquarie Street is far more varied in scale and architectural styles and periods, reflecting the historical development of the street. The southern end developed as a legal and medical precinct from the time of Macquarie, and comprises medium scale buildings providing a transition to the city high rise beyond, and creating a prominent city skyline when viewed from the Domain. After the retraction of the Government Domain in 1845, Macquarie Street was extended from Bent Street north to Bennelong Point to its current extent. Between Bent and Bridge Street, this extension was subdivided and developed as prestige terrace dwellings overlooking the Royal Botanic Gardens. Although only two terraces remain, the fine subdivision pattern is still evident despite twentieth century redevelopment. From Phillip Lane northwards, the western edge remained in government ownership and was progressively developed for government purposes to the design of various Colonial Architects. As a consequence, this section of Macquarie Street retains a distinctive character, aligned by a group of highly significant sandstone buildings, predominantly sandstone, forming a cohesive townscape group.

Archaeology of national significance is known to remain within the area. The area retains significant street tree plantings.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise Macquarie Street as one of Sydney's pre-eminent public spaces flanked by heritage items of local, state, national and world significance.

(c) Maintain and reinforce the urban character and scale of Macquarie Street by requiring new development to:

i. Have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale, form, materiality and character of heritage items in the area.

ii. Ensure new development is designed and sited to conserve the views and settings of heritage items within the area, with special consideration given to heritage curtilage of heritage items.

iii. Maintain and enhance the historic fine grain subdivision pattern.

iv. North of Phillip Lane, conserve the cohesive townscape setting of heritage items in this precinct by ensuring new development maintains the established low scale, and by reinforcing the predominant sandstone character of this precinct.

v. On the eastern side of Macquarie Street, conserve the significance of heritage items in this precinct by ensuring new development is of a minor nature, is subservient in scale and conserves the landscape settings of these heritage items.

(d) Protect and enhance solar access to the eastern side of the street, including to the grounds of heritage listed public buildings, and beyond to the Royal Botanic Gardens, the Domain, Queen's Square, Hyde Park Barracks, St James Church, and Hyde Park.

(e) Maintain and enhance visual connectivity and pedestrian permeability through to the Domain and Royal Botanical Gardens from Macquarie Street.

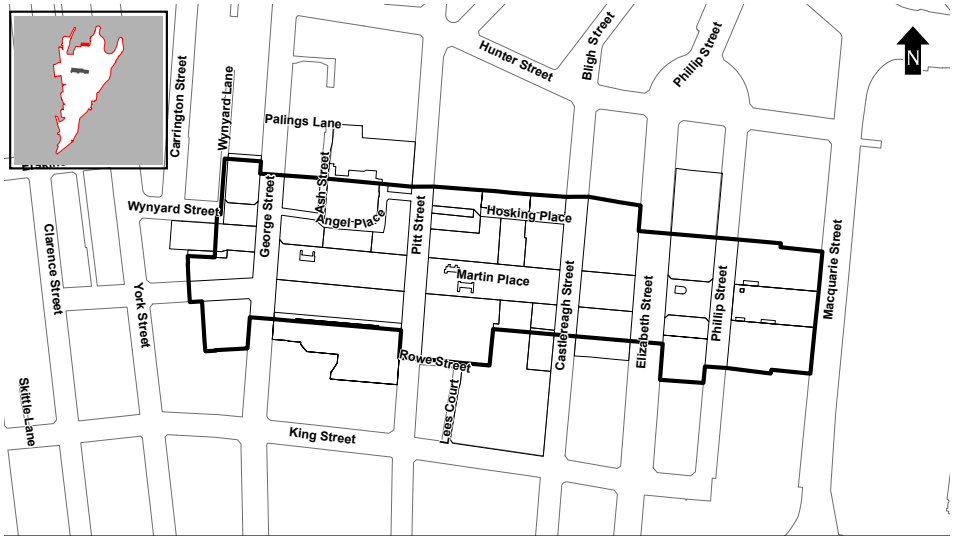
(f) Maintain and enhance vistas to the harbour and Sydney Opera House to the north, and to Hyde Park to the south. Conserve significant vistas that terminate the east-west streets.

(g) Conserve Phillip Lane and Domain Terrace, protect and enhance solar access, and encourage active uses, where compatible with the significance of aligning property. Enhance the interpretation of Domain Terrace through to the Domain.

(h) Conserve significant tree plantings, gardens and grounds, walls, fences and significant archaeological resources.

(i) Promote an understanding of the historical and symbolic value of the area through interpretation.

2.1.7 Martin Place Special Character Area



Martin Place is of social, cultural and historic significance, being the site of various monuments, in particular the Cenotaph, as well as the site of many historical events, which reinforced its image as the civic and ceremonial heart of the City. Its initiation was after the siting of the GPO in 1863, as a small meeting place in the front of the post office. Its subsequent planned evolution and development illustrates the application of city planning principles of the 1880s to 1930s, which culminated in its complete pedestrianisation in 1970. It represents the financial heart of the City, containing significant public and financial buildings.

Martin Place consists of a cohesive group of buildings with a consistent street wall of up to 45m. These buildings have similar architectural features, characterised by the use of richly textured masonry facades, intricate architectural detailing, vertical emphasis and grand proportions at street level, representative of their function as housing various major public and business institutions. The built form encloses a significant linear public space, with strong vistas terminated to the east and west by significant buildings. The GPO clock tower is an important landmark visible from various points within Martin Place.

Martin Place is also significant for its supportive network of lanes, being rare examples of pedestrian thoroughfares reminiscent of Victorian Sydney laneways such as Angel Place and Ash Lane.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Conserve and enhance the significance of Martin Place as one of Central Sydney's grand civic and ceremonial spaces, and as a valued business location.

(c) Retain and enhance the urban character, scale and strong linear enclosure of Martin Place by requiring new buildings to:

  i. be built to the street alignment;

  ii. have street frontage heights consistent with the prevailing form of buildings in the area; and

  iii. to have building setbacks above those street frontage heights.

(d) Protect and extend sun access and reflected sunlight to Martin Place during lunchtime hours from mid-April to the end of August.

(e) Provide sun access to significant sandstone buildings in Martin Place to improve the ground level quality of the public space.

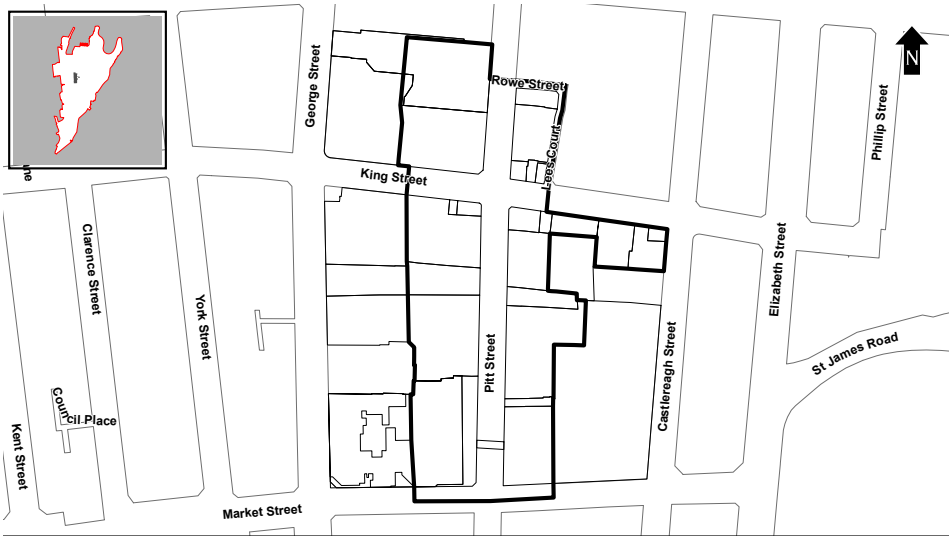
(f) Protect existing significant vistas to the east and west and ensure new development will not detrimentally affect the silhouette of the GPO clock tower.

(g) Retain human scale at street level, while respecting and positively responding to the monumental nature of the place.

(h) Conserve and enhance the heritage significance of the nineteenth and twentieth century institutional and commercial buildings and their settings.

(i) Conserve the significant lane network, activated with ground and floor uses and public art work, where compatible with buildings heritage significance.

2.1.8 Pitt Street Mall Special Character Area



Pitt Street Mall is a major retail node and pedestrian space in the City centre. The wide variety of shopping and leisure activities in the area attracts a wide range of users.

The intense network of through-site links connecting to Castlereagh and George Streets enhances permeability within the area. The concentration of small-scale (4–5 storeys) Victorian commercial buildings standing on either side of the Mall contributes to the character of the area.

The consistent low street wall allows sunlight access to the Mall, especially during lunchtime in winter, which along with its high accessibility makes it a popular meeting place.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise and enhance Pitt Street Mall as a key element of Central Sydney's retail core.

(c) Retain and improve the urban character and scale of Pitt Street Mall and its sense of linear enclosure by requiring new development to:

  i. be built to street alignment;

  ii. have street frontage heights consistent with the prevailing form of existing buildings in the area; and

  iii. have building setbacks above those street frontage heights.

(d) Protect and extend lunchtime and late morning sun access to the Pitt Street Mall from mid-April to the end of August.

(e) Enhance permeability within the area by reinforcing and expanding the network of arcades and through-site links in this Special Character Area.

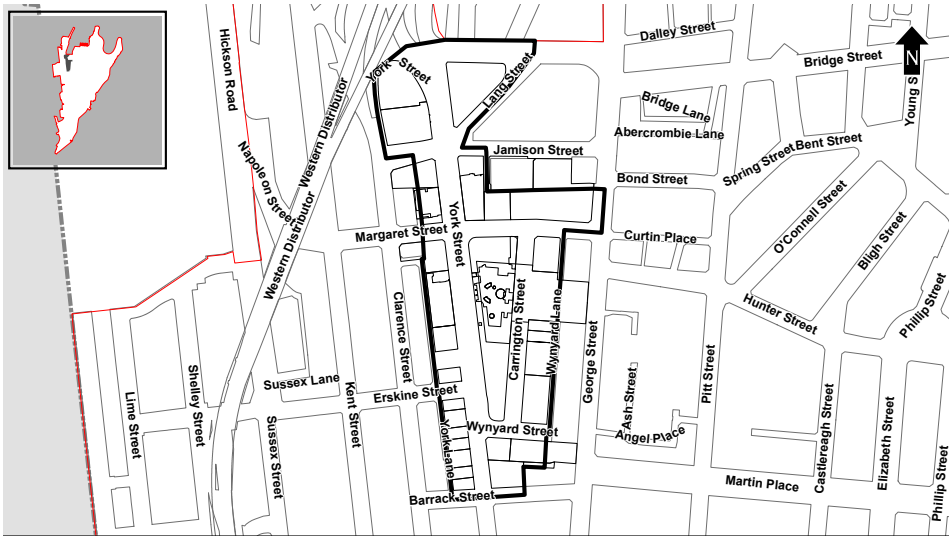
(f) Enhance and encourage the use of the Mall as a major pedestrian space and an informal meeting place.

(g) Conserve and enhance the heritage significance of the area including the significance of the nineteenth and twentieth century commercial buildings and their settings.

(h) Protect and enhance the east west vistas along King Street.

(i) Conserve nineteenth century facades incorporated into contemporary development.

2.1.9 Wynyard Park/Lang Park Special Character Area



Wynyard Park is an important space within the public domain and fabric of Central Sydney. The Park is of a Victorian layout and was used as a military parade ground from 1792 to 1848. It was known as Wynyard Square from 1848–1887, and was officially dedicated as a park and an open space for public recreation in 1887.

It is distinguished as a major public transport node. The street edges provide a strong sense of urban enclosure, created by the uniformity of the buildings lining the streets, resulting in the effect of "an urban room". The majority of these buildings are of a consistent height and street alignment and exhibit similar architectural themes.

Lang Park derives its significance from its dedication as one of the early urban parks in 1866 and its association with the earlier Scot's Church. The park provides a visual relief in this highly developed area.

St Philip's Church, located on York Street, is the oldest Anglican church parish in Australia, it was built in June 1793 using convict labour. Alongside Lang Park, St Philip's church are considered as a northern gateway to Central Sydney.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise Wynyard Park and Lang Park as important elements of the public domain in the northern part of Central Sydney as well as the role of Lang Park and St Philip's church as a northern "gateway" to Central Sydney.

(c) Protect and extend mid-winter lunchtime sun access to Wynyard Park and Lang Park.

(d) Retain the sense of urban enclosure provided to Wynyard Park by requiring new buildings to be built to the street alignment, and the street frontage heights and setbacks above them to be compatible with the prevailing form and scale of existing buildings surrounding Wynyard Park.

(e) Enhance the terminating vistas along Carrington Street, and York Street to the south at its corner with Wynyard Street.

(f) Ensure that new development protects and enhances east-west vistas along Regimental Square, Margaret Street and Erskine Street.

(g) Ensure that any development associated with the important public transport interchange provided at Wynyard is consistent with enhancement of the public domain of Wynyard Park.

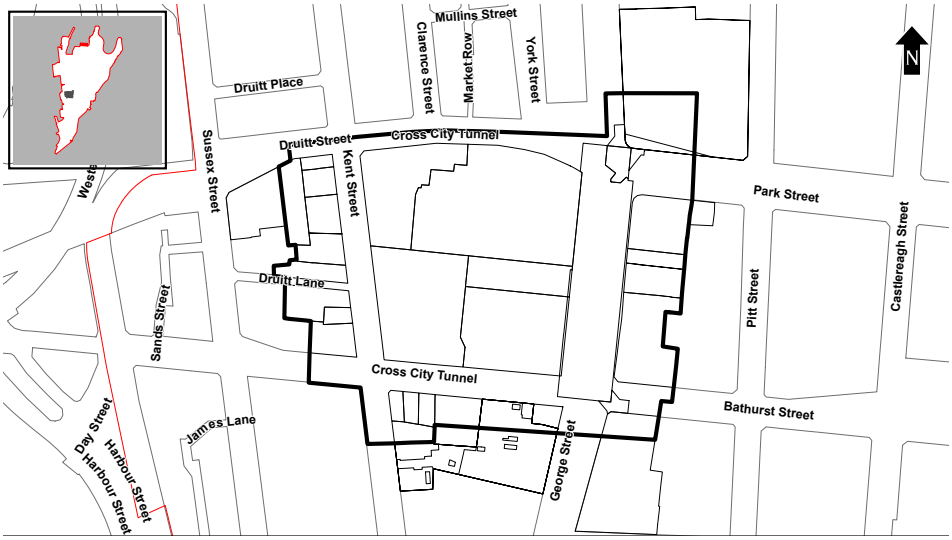
(h) Conserve and enhance the heritage significance of the area by respecting the significance of the nineteenth and twentieth century public, religious and commercial buildings and their settings.

(i) Ensure that new development lining the edges of Lang Park provides an appropriate backdrop in terms of scale and materials and greater compatibility with the Rocks area to the north and the St. Phillip's Church precinct to the west.

(j) Conserve and enhance the heritage significance of St Philip's Church and maximise its visual prominence along York Street and Clarence Street.

(k) Ensure new development is designed and sited to protect the heritage significance of St Philip's Church.

2.1.10 Sydney Square/Town Hall/St Andrews Special Character Area



Sydney Square is a major public open space framed by the Town Hall and St Andrews Cathedral.

The Town Hall is one of the State's most important civic buildings. The Town Hall and its civic setting symbolise the long tradition of city government and has been involved in the development of Sydney City since the mid 19th century. The building is one of the grandest and most elaborate and largely intact examples of the 19th century High Victorian style surviving in Australia. The Sydney Town Hall together with St Andrews Cathedral and the Queen Victoria Building in the adjoining York Street/Clarence Street/Kent Street Special Character Area to the north form a remarkably homogeneous group by virtue of their similarities in scale, texture and materials.

The precinct represents the symbolic and visual focus and centre of the city and serves as a landmark feature along George Street, due to its prominent location and association with major civic events. The clock tower of the Town Hall and spires of St Andrews Cathedral either appear in, or terminate many significant vistas, particularly those from Park, George, York and Bathurst Streets.

The area is one of the busiest parts of the City, in terms of both vehicular and pedestrian movement, and with the underground Town Hall Station functions as a major transport node. The steps of the Town Hall attract many people and the Square acts as a major meeting and gathering place (formal and informal) with a wide variety of activity on various levels.

Though the buildings lining the edges of Sydney Square exhibit a diverse range of styles and scales, they provide a sense of enclosure to the Square.

Council's plans for a new square opposite the Town Hall between George and Pitt Streets, together with better pedestrian amenity on George Street will provide further focus for the civic life of the City.

Principles

(a) (a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise and enhance Sydney Square as the pre-eminent public space for civic events and as a community meeting place.

(c) Protect and extend morning sun access to the steps of the Town Hall and lunchtime sun access to Sydney Square and all sun access to the Future

Town Hall Square.

(d) Reinforce the urban character and scale of Sydney Square by requiring new buildings surrounding the street block of Sydney Square to be built to the street alignment, and to have street frontage heights and setbacks at higher levels consistent with the prevailing form of buildings in this Special Character Area.

(e) Ensure that new development lining the four edges of the Square visually continues the Square and provides an appropriate backdrop to the civic character of the area and does not dominate its significant civic buildings that give it a sense of civic significance.

(f) Ensure that any development associated with the important public transport interchange at Town Hall is consistent with enhancement of the public domain of Sydney Square.

(g) Ensure that new development around Sydney Square contributes positively to the definition of the space and is of a scale and character that complements the civic buildings, in terms of facade composition, building materials, colours and textures and exhibits a rhythm and richness in articulation.

(h) Maintain and enhance important existing views and vistas to:

i. the clock tower of the Town Hall from Park, George and York Streets; and

ii. the spires of the Cathedral from Bathurst and George Streets to allow the silhouette of the Cathedral and Town Hall to be viewed and read against the sky.

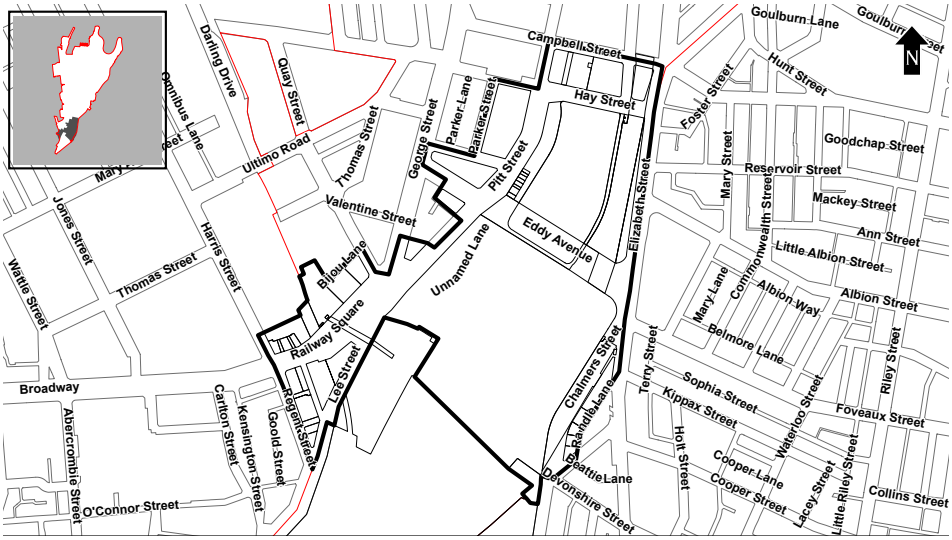
(i) Achieve a new civic square opposite Town Hall between George and Pitt Streets as an active civic outdoor focus for the City (including preservation of sun access to the future square) and to provide a complementary urban space in front of Town Hall with active uses at multi-levels along its southern edge.

(j) Encourage the interpretation of the former lane and St Andrews Place through Sydney Square.

(k) Encourage the reinterpretation of the former gardens in front of St Andrews Cathedral and Sydney Town Hall.

(l) Discourage visual clutter, including non-essential car parking and temporary signage, within the George Street front setback to St Andrews Cathedral.

2.1.11 Railway Square/Central Station Special Character Area



This special character area covers the Central Railway Station and surrounding streets, street intersections, parks and open spaces. The Railway Square, formed by merging streets, is the significant part of the area. The special character area largely covers the land resumed by the State at the turn of the 20th century for the construction of the Central Railway Station. Historically, it has an association with the first railway line and terminal opened further south in 1855 and also has symbolic importance as the focus of a rail system, which has had a great influence on the development of NSW.

While the Central Station complex is independent and separated from other sites by open space and streets, it, together with buildings on the surrounding streets, forms a visual enclosure for the area.

The Central Railway Station was opened in 1902, but was not in a complete form at that time. The station was fully completed in 1921 by the addition of the clock tower, which today acts as a landmark contributing strongly to the visual prominence of the Square. The clock tower was skilfully placed to align with many nearby streets, including Broadway, Wentworth Avenue, and Pitt, Valentine, Albion and Foveaux streets. The civic heritage of the Central Railway precinct provides historic continuity and physical links to the precinct's past.

Railway Square is the major visual and functional gateway to the city from west and south. The intersection of George and Pitt Streets is one of Sydney's busiest and largest intersections, which has traditionally dispersed traffic and pedestrians into and out of the city. The original intersection was of a Y shape and was formed in 1807 by the junction of the old and new connection between George Street and Parramatta Road. The continuation of George Street to the south (Lee Street) in 1843 created the existing X shape of the Square. The Square has functioned for over 150 years, and still acts as a major transport interchange node, allowing change between buses, and heavy and light rail. Belmore Park at the north of Central Station is flanked by sandstone clad via-ducts and ramps on its east and west. It provides a vital parkland in front of the central station terminus building and has a strong visual relationship with the station building itself. The park was an important part of the planning of the central station. The area is typified by a concentration of low-medium scale (3–7 storeys) heritage buildings and streetscapes, a series of varied interrelated open spaces and a rich mix of uses and activities, including commercial, industrial, institutional, residential and hotels. The predominant built form is the multi-storey warehouse typology, as opposed to the tower form, which prevails in the City centre to the north of the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise the role of Central Railway Station as the hub of public transports of Sydney and Railway Square as the western and southern gateway to Central Sydney.

(c) Conserve existing heritage buildings including their fabric and features. The heritage buildings represent the historic layers and substance of the local area and they are the character defining elements of the special character area. Developments on heritage sites or adjacent to heritage sites must complement heritage buildings with high quality contemporary building form and design.

(d) Maintain a high level of daylight access to Railway Square, Belmore Park and other open spaces associated with Central Station.

(e) Maintain and enhance the visual prominence and landmark significance of the clock tower and the terminus building of Central Railway Station in the views and vistas from surrounding streets, particularly along Broadway, George and Pitt Streets.

(f) New development is to maintain and enhance vistas to and from Central Railway Station, including those from its concourse.

(g) Reinforce the urban character and scale of the Special Character Area by requiring new buildings surrounding the station and square to:

i. be built to the street alignment;

ii. have street frontage heights consistent with the prevailing form of buildings adjacent to this Special Character Area;

iii. adopting complimentary building form and solid high quality building materials; and

iv. have building setbacks above the street frontage height.

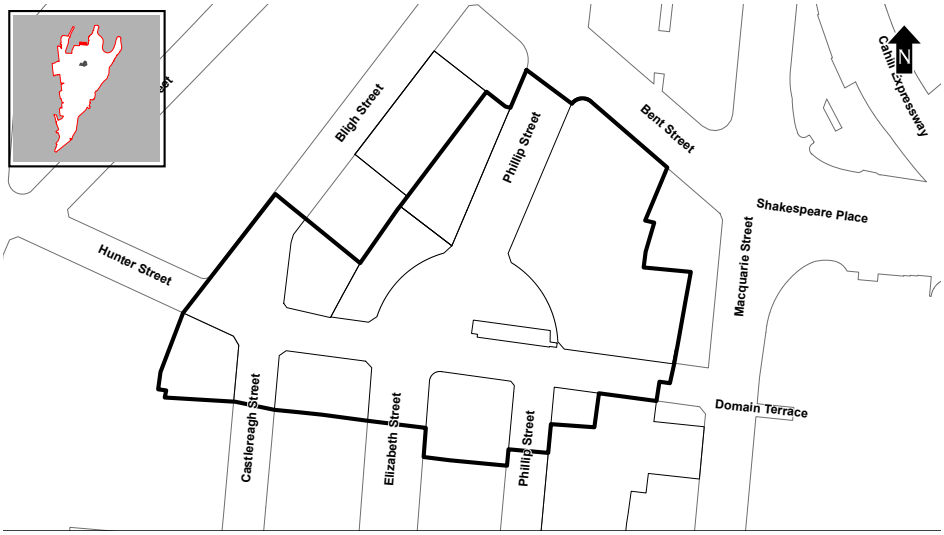
(h) Ensure that any development associated with the important public transport interchange provided at Central Station and Railway Square is consistent with enhancement of the public domain of the area. The existing parkland and open spaces are to be conserved;

(i) Conserve and enhance the character of the area by encouraging the retention and reuse of existing nineteenth and early twentieth century commercial buildings;

(j) Enhance the pedestrian amenity of Central Railway Station and Square and environs.

(k) Maintain the visual connections of Central Station complex with the surrounding heritage buildings and with Haymarket Special character area.

2.1.12 Chifley Square/Richard Johnson Square Special Character Area



The area is characterised by town squares, fine commercial architecture with a strong civic presence, and integrated public art, concentrated around irregular intersections of Hunter Street within Sydney's financial district. The precinct of buildings, artwork and squares predominantly date from the post-war period of the 1940s to 1960s, interspersed with some earlier and more contemporary buildings. The two town squares of Chifley Square and Richard Johnson Square demonstrate significant stages in the twentieth-century planning of Sydney city.

The non-grid street pattern in this area survives from Sydney's early town plan when the streets reflected the original shoreline, north of Macquarie Place, before it was extended to form Circular Quay. Today's post-war buildings and squares in this location creatively respond to the irregular street junctions through curved and other distinctive building forms, integrated into the public domain.

The semi-circular form of Chifley Square was originally proposed in 1908 by John Sulman in response to the Royal Commission into the Improvement of Sydney. The concept resurfaced again in 1937 when proposed by City Engineer Garnsey to relieve traffic congestion, and was finally realised in 1947. The place was officially named Chifley Square in 1961 in honour of the late Hon J.B. Chifley, former Prime Minister of Australia. The following year, Elizabeth Street was extended to create a public square with a traffic island at its centre.

The curved form of buildings constructed to the new street alignments for Chifley Square, including Qantas House in 1957, Wentworth Hotel in 1966, then Chifley Tower in 1993, reinforce the amphitheatre effect of the space. Further works to the public domain were constructed in the 1990s to reclaim and improve the public plaza.

Richard Johnson Square at the intersection of Castlereagh, Bligh and Hunter Streets was named after Sydney's first appointed 'Chaplain to the Settlement' who arrived in the colony in 1788 on the First Fleet. Richard Johnson is believed to have held the first Christian service in the settlement. A 1925 sandstone monument at the centre of the square commemorates Australia's first church erected in this location in 1793. The plaza at Richard Johnson Square demonstrates council's public works to reshape Sydney as a result of its first strategic plan of 1971. It was designed by architects, Clarke Gazzard.

The buildings within this area form a cohesive avenue down Hunter Street, viewed from the high point of Macquarie Street. They enhance the public domain of the streets by both enclosing the distinctive public spaces within the area, and allowing views through to the squares. The buildings connect to the street level through stairs, open loggias and public art, most notably the 1963 Tom Bass sculpture along the podium of the former P&O building. The two squares and surrounding buildings provide visual relief and a break in the intensely built up area of the financial centre.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise and enhance Chifley Square and Richard Johnson Squares as two important public open spaces in the heart of the financial centre of the city.

(c) Promote and encourage the use of the spaces as a destination and meeting place for people.

(d) Interpret the history of the place and in the design of both the public and private domain.

(e) Reinforce the urban character and distinct sense of place of Chifley and Richard Johnson Squares by:

i. emphasising the semi-circular geometry of Chifley Square;

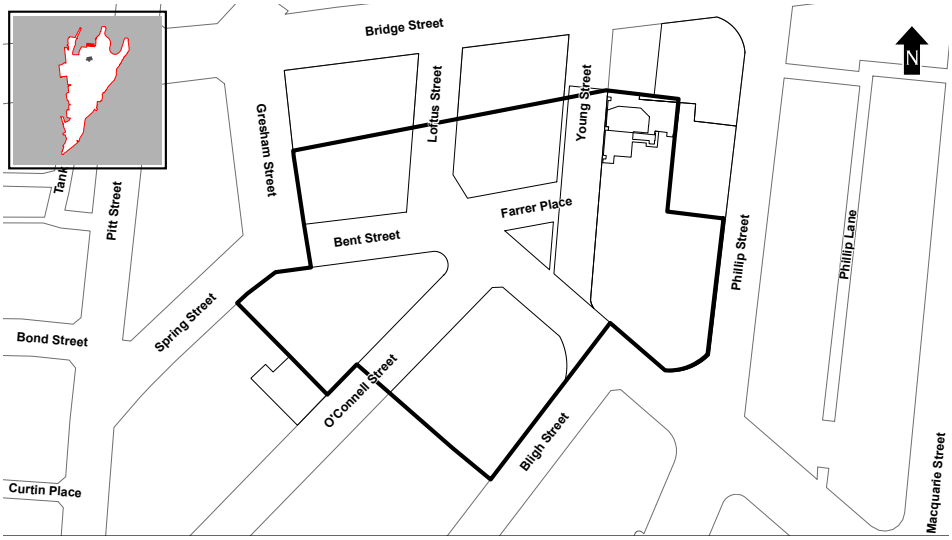
ii. retaining views from public spaces through to Chifley Square and Richard Johnson Square;

iii. maintaining and enhancing the quality of the street edge formed by buildings and their loggias, such as with public art;

iv. requiring new buildings to be integrated with the form of existing buildings; and

v. limiting the height of new buildings.

2.1.13 Farrer Place Special Character Area



Historical evidence shows that Farrer Place dates back as early as 1865 mainly being a street. Its original name was Fountain Street as known in 1871 and the name was changed in 1880 to Raphael Street, after the name of an alderman between the 1860s and 70s.

In 1935, the Minister for Agriculture requested that Raphael Street and the triangular plantation space fronting the building housing the Department of Agriculture which, at the time, occupied the southern wing of the Department of Education, be renamed as "Farrer Place". This was to commemorate William J. Farrer, a noted wheat breeder whose work had incalculable benefit to the wheat growing industry.

The closure of Young Street to traffic formalised the space and gave it the character of a plaza. The place was further enhanced by the development of Governor Macquarie Tower as a major public building, complementing the public and institutional character provided by the Departments of Lands and Education buildings to the west.

The area's location in the heart of the financial core of the city has resulted in large-scale high rise towers, interspersed with lower scale development, mostly with high quality design and elegant rooftops contributing to the skyline of the city. The limited height of the heritage buildings to the north and west allows solar access and provides some visual relief in this highly built up area.

The orientation of the place to the north allows for views to the water and the Harbour Bridge, while the clock tower of the Lands Department building to the west enhances the views from the place and adjoining streets.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Reinforce the urban character and sense of enclosure of Farrer Place by requiring new buildings to:

  i. be built to the street alignment; and

  ii. have adequate setbacks above the street alignment.

(c) Restrain the building bulk and scale of new development, particularly to the east and south of the place.

(d) Protect and extend winter sun access to the place, particularly during lunchtime.

(e) Interpret the history of the place and its evolution in the design of new buildings and elements within the public domain and give it its own sense of place.

(f) Improve, enhance and activate the public domain within the place.

(g) Maintain and enhance existing views to Sydney Harbour and the Harbour Bridge to the north and vistas to the tower of the Lands Department building to the west.

2.2
Rosebery Estate

Sydney LEP 2012 identifies that the area of Rosebery as shown in the figure above and the in the *Specific areas map* in section 5 of this DCP, has a special character, due to the area's "Garden Suburb" design and its consistent subdivision pattern, building form and streetscape patterns and the predominance of Federation, Californian Bungalow and other Inter-War housing.

This area of Rosebery retains the subdivision pattern of the original Rosebery Estate, designed by John Sulman c. 1912 to reflect the ideals of the 19th century Garden City Movement. This movement sought to combine the 'natural' attributes and advantages of country living with the 'social' attributes and advantages of living in towns. Unlike other examples of Garden City planning in Australia at the time, Rosebery was also envisaged as a 'Model Industrial Suburb' whereby detached housing within a spacious landscaped setting would be located close to industrial employment land.

This vision was based on an underlying assumption that a healthy living environment and proximity to work would bring benefits to both employees and employers, and that more harmonious community relations would result. The subdivision was carried out by Stanton & Son, the company responsible for the successful garden suburb of Haberfield.

The majority of dwellings in the area were developed over three separate periods (the 'Federation' period, 1914-18; the 'Californian Bungalow' and 'Inter-War' period, 1920 -1940; and post-war, 1945) which resulted in a consistency in its built form and streetscape. The area's special character is also a result of a covenant on all properties within the garden subdivision which regulated building setbacks and materials.

Over time the built form has been modified by residents seeking/looking to expand and adapt older houses to meet modern living requirements. As a result, many dwellings have lost their original details and have been replaced with buildings that are out of keeping with the original character of the area. Despite these modifications, the area possesses a special character that is not dependant on the architectural merit of surviving early housing stock alone.

The elements that give Rosebery its unique, special character include:

(a) The intact subdivision pattern, which is experienced through the wide streets, long view corridors along streets, large regular lots, the regularity of built form and the detached appearance of the majority of dwellings;

(b) A predominance of housing styles including Federation, Californian Bungalow and other Inter-War housing;

(c) The sense of openness created by the common building front setback of 6m, the predominant single storey building height at the street frontage, the consistent pattern of building separation and low, open front fencing;

(d) The generally consistent built form character and scale that includes gabled roof form, consistent roof pitch, open verandas, parking behind the building line, and facade articulation; and

(e) The landscaped setting.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Balance the needs and desires of residents to improve and adapt their homes and to protect and enhance Rosebery's special character, as described above.

(c) Protect front setbacks and the single storey appearance of built form to retain the Garden Suburb streetscape character.

(d) Retain the character of Garden Suburb subdivision pattern, through maintaining low site coverage, separation between dwellings and the pattern of detached single dwellings.

(e) Retain and enhance existing dwellings wherever possible, and through development, reverse any unsympathetic renovations.

(f) Discourage basement car parking and other features that are inconsistent with the Special Character Statement.

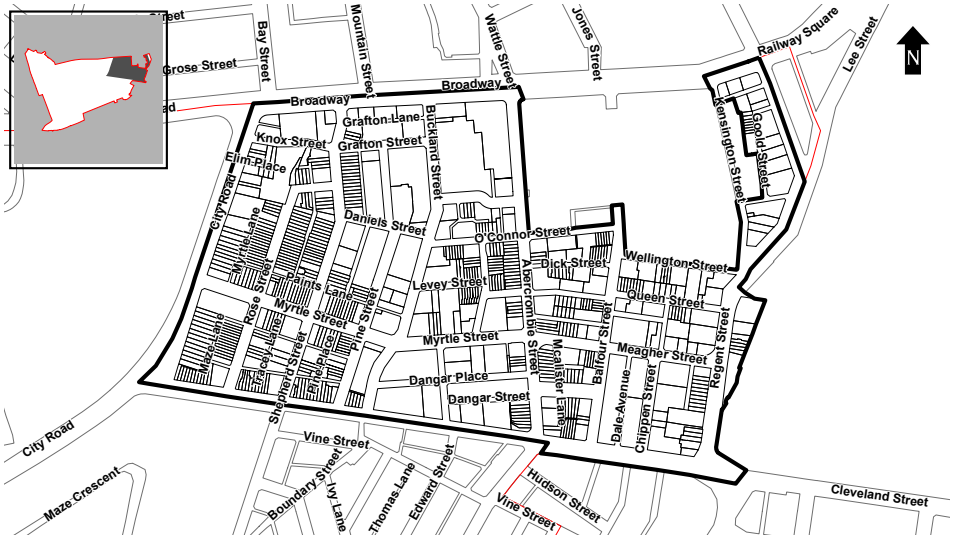
(g) Encourage a diversity of dwelling types and allow for the development of attached, 'side by side' dual occupancy dwellings that contribute to, and enhance Rosebery's special character.

(h) Encourage sensitive new development where retention or adaptation is not possible. New buildings should not copy or mimic the architectural styles of the past, but must incorporate the architectural features identified in the character statement to produce development that is harmonious.

2.3

Chippendale, Camperdown, Darlington, West Redfern and North Newtown

2.3.1 Chippendale



The locality is bounded by Broadway to the north, Lee Street and Regent Street to the east, City Road to the west and Cleveland Street to the south. The former Carlton Uni Brewery site, whilst not subject to this locality statement and supporting principles is an inherent part of Chippendale.

The locality is a residential and mixed use neighbourhood with existing rows of residential terrace houses, commercial buildings and warehousing contribute to the legibility of the area's history and neighbourhood quality.

The scale of housing and adapted warehouse buildings is generally low to medium rise with the exception of the blocks fronting Parramatta Road and Regent Street where early to mid 20th century taller office buildings and warehouses dominate.

The consistency of terrace rows and pre-war and post-war industrial warehouses, their scale and proportions, roof design and materials palette, is important to the significance of the heritage conservation area.

High quality additions and alterations are encouraged to maintain the character of the conservation area and protect residential amenity.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement the heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the visual prominence and landscape setting of the Blackfriars campus, the Mortuary Station and public housing on Balfour Street, Peace, Strickland and Balfour Street Parks.

(d) Provide through site links with development of the former Carlton United Brewery site.

(e) Retain the rich mix of building types, and encourage the adaptive re–use of heritage and warehouse buildings.

(f) Retain residential uses in the neighbourhood and areas of low scale development and consistent building types particularly terrace rows.

(g) Ensure infill development responds to the height, massing and predominant horizontal and vertical proportions of heritage and contributory items.

(h) Ensure the new infill buildings reinforce the predominant street frontages in terms of height, setbacks and street alignment in the eastern part of Chippendale.

(i) Design additions and alterations to retain the scale and massing of front elevations and the original roof form as viewed from the primary street frontages.

(j) Retain and protect early industrial and pre war, interwar and post war warehouse buildings.

(k) Provide high quality design to the building on the corner of Broadway and Buckland Street.

(l) Protect the curtilage of heritage items to enable visual appreciation of the buildings in their setting.

(m) Continue to support non-residential uses on sites with active ground floor uses on Broadway, Regent Street and City Road.

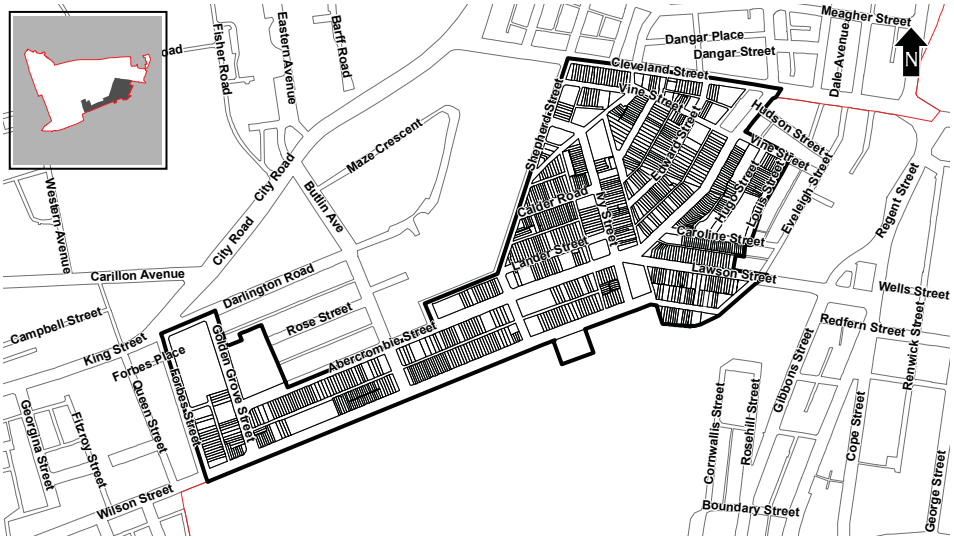
(n) Maintain the existing pattern of retail and small scale commercial uses scattered throughout the neighbourhood.

(o) Design institutional development to be sympathetic to the scale and fine grain character of the area.

(p) New development must ensure that pedestrian and bike links throughout the area can be implemented.

(q) Maintain and reinforce the existing character of well established street tree plantings including those in Bartley, Balfour and Buckland Streets.

2.3.2 Darlington/West Redfern



This locality is bounded by Cleveland Street and City Road to the north, Forbes Street to the west, Wilson Street and the railway lines to the south and the Redfern Waterloo Authority sites around Eveleigh Street to the east.

This locality is a predominantly residential neighbourhood mainly comprised of terrace rows. The consistency of terrace rows: their scale and proportions, roof design and materials palette, is very important to the quality of the streetscape. High quality additions and alterations are encouraged to maintain the character and protect residential amenity.

The emerging centre around Codrington Street on the former Eveleigh Railway Yards site is encouraged.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the curtilage of the industrial buildings in the Eveleigh Rail Yards.

(d) Enhance views along Codrington Street from City Road to the Eveleigh Rail Yards Arts Centre.

(e) Preserve distant views across the Eveleigh Rail Yards site.

(f) Retain the low scale of built form and consistent building types particularly terrace rows

(g) Design infill to respond to the height, massing and predominant horizontal and vertical proportions of existing buildings.

(h) Design additions and alterations to retain the scale and massing of front elevations and the original roof form as viewed from the primary street frontage.

(i) Retain and protect distinctive early industrial buildings.

(j) Design institutional development to be sympathetic to the low scale and fine grain of the neighbourhood.

(k) Encourage sympathetic street block perimeter development on public housing sites.

(l) Encourage non–residential uses on sites fronting Cleveland Street.

(m) Provide accessible and integrated open space as part of the redevelopment of the former Eveleigh Rail Yards.

(n) Maintain the existing pattern of retail and small scale commercial uses throughout the neighbourhood, particularly along Abercrombie Street.

2.3.3 North Newtown



This locality is bounded by Carillon Avenue to the north, Church Street and King Street to the west, the railway lines to the south and Forbes Street to the east.

North Newtown's character is defined by King Street as a retail and entertainment centre with a dynamic blend of traditional and contemporary buildings and shop fronts, dominated by the grand silhouettes of the upper floors of the heritage buildings. Retail activity extends down Missenden Road toward the Hospital precinct creating a secondary neighbourhood centre. Fringe retail activity is encouraged on lanes behind King Street to ensure a diversity of activity.

The active front of King Street buffers the quiet residential areas behind. Residential areas are mainly comprised of terrace rows with a consistent scale and proportions, roof design and materials palette. This contributes to the quality of the streetscape. High quality additions and alterations are encouraged to maintain the character and protect residential amenity.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Preserve the intimate scale of streets in North Newtown (north of King Street).

(d) Retain the low scale of built form and consistent building types particularly King Street's high street wall buildings and residential terrace rows.

(e) Design infill buildings to be consistent with the height, massing and predominant horizontal and vertical proportions of existing buildings.

(f) Design additions and alterations to retain the scale and massing of front elevations. The original roof form as viewed from the primary street frontage is to be retained.

(g) Enable footprint additions to the rear of buildings fronting King Street. .

(h) Introduce active shopfronts with awnings facing King Street.

(i) Provide vehicle access from rear lanes. Vehicle crossings fronting King Street are not permitted.

(j) Discourage site amalgamation.

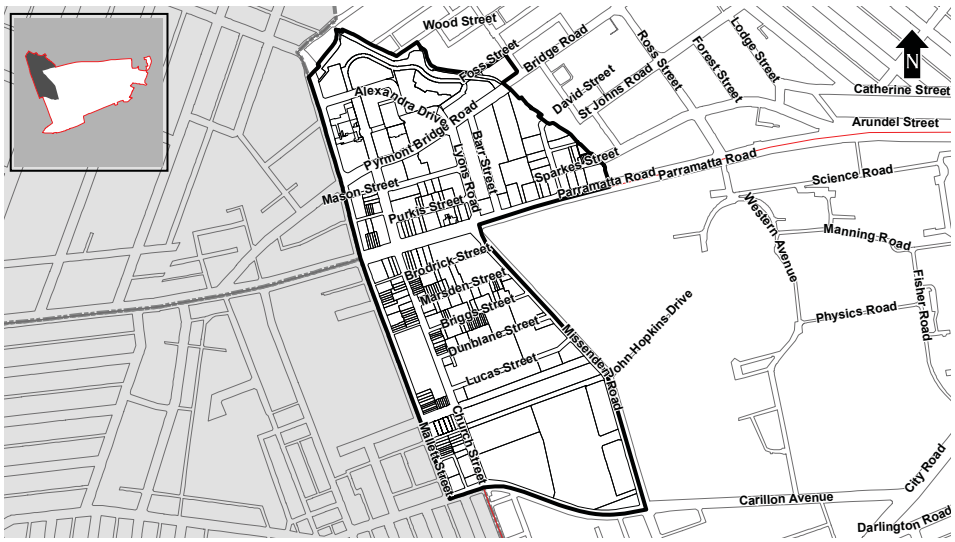
(k) Retain retail uses and cafes and restaurants as the dominant mix of uses on King Street.

(l) Encourage retail uses on rear lanes behind King Street and at corners of side streets and along Missenden Road and Erskineville Road.

(m) Encourage mixed uses on Carillon Avenue and retain the existing residential uses.

(n) Encourage active uses along the western end of Wilson Street to complement the activities on King Street.

2.3.4 Camperdown



This locality is bounded by Carillon Avenue to the south, Mallett and Booth Street to the west and Orphan School Creek and the University of Sydney to the north and east.

Camperdown is to continue its transformation from industrial uses to a vibrant high density mixed–use neighbourhood. Missenden Road is encouraged to support the centre emerging near Parramatta Road and further retail activity along Missenden Road. East–west links are encouraged through the hospital site and University to create a route between Camperdown Park and Victoria Park.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Encourage through-site links with the development of the Royal Prince Alfred Hospital campus, the Department of Housing site on Bridge Road and the University Nursing Faculty on Mallett Street.

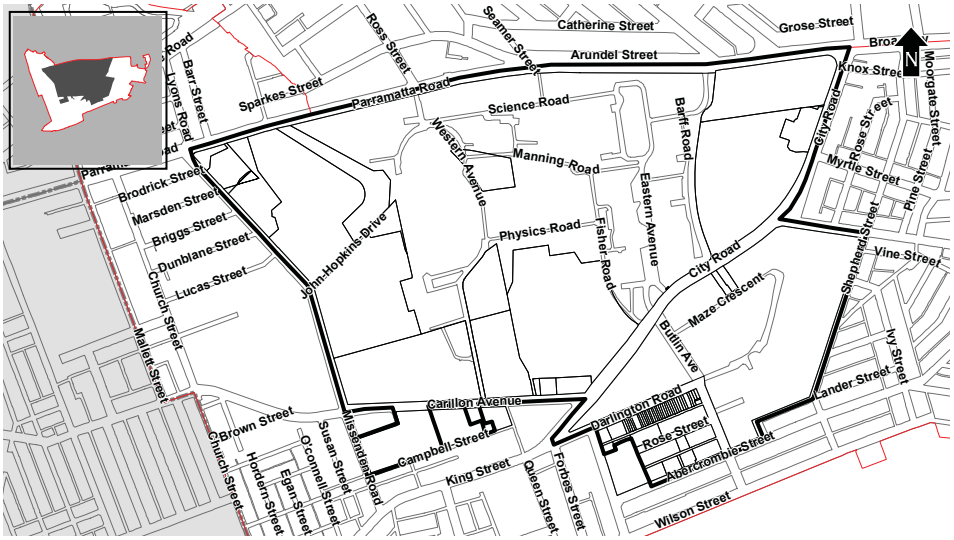
(c) Development of industrial uses north of Parramatta Road are to provide public benefit such as open space, pedestrian and bike connections and adequate on–site parking for new development.

(d) Ensure high quality design on gateway sites at the corner of Parramatta Road and Missenden Road.

(e) Encourage active uses on the ground floor of buildings facing Parramatta Road.

(f) Require active uses on the ground floor of buildings and diverse uses above the ground floor of buildings on Parramatta Road.

2.3.5 University of Sydney/Royal Prince Alfred Hospital



This locality is bounded by Parramatta Road to the north, Missenden Road to the west, City Road and Shepherd Street to the east and Abercrombie Street, Darlington Road and Carillon Avenue to the south.

The University of Sydney and Royal Prince Alfred Hospital will continue to play significant roles in the city as specialised centres for education, research and health. Their heritage values are to be conserved and supplemented by contemporary facilities. Renewal of the campus grounds is to include strong connections to surrounding areas with a network of walking and bicycle links. The boundaries of the campus are to be improved with landscaping particularly along Shepherd Street, Darlington. The connection to the emerging cultural precinct at Eveleigh Railway workshops is to be reinforced.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Enhance the university's landscape campus setting and provide a more legible internal street and pedestrian network.

(d) Encourage landscaping of the university's campus boundaries to improve the interface to adjacent neighbourhoods.

(e) Enhance local and regional vistas to landmark buildings within the University of Sydney campuses, Royal Prince Alfred Hospital campus and Victoria Park.

(f) Retain views from the University of Sydney campus across Victoria Park.

(g) Improve pedestrian and bike links through the University of Sydney, Victoria Park and Royal Prince Alfred Hospital.

(h) Encourage an active streetscape facing Parramatta Road between Ross Street and Glebe Point Road.

(i) New University development adjoining the surrounding neighbourhoods is to step down to the scale of those streets and the predominant scale of adjoining heritage conservation areas.

(j) Provide sufficient curtilage around existing significant buildings, structures and landscape elements to maintain their setting.

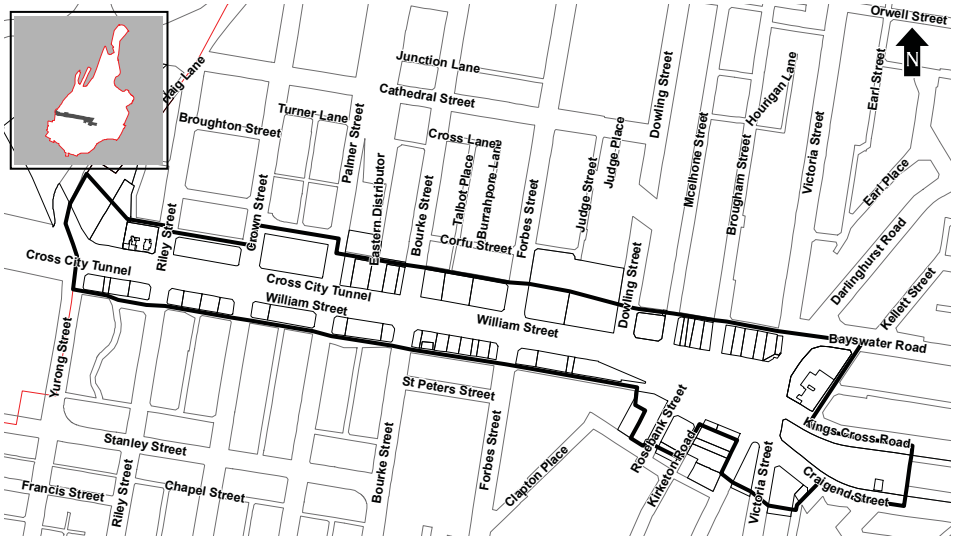
(k) Encourage active uses on the ground floor of buildings facing Parramatta Road and Victoria Park.

(l) Encourage small scale retail, business and community uses to strengthen the retail centre on Missenden Road.

2.4

City East

2.4.1 William Street



This locality includes the lots fronting William Street from Cook and Phillip Park and the Australian Museum in the west to the crossing of Victoria Street and Darlinghurst Road in the east.

As William Street continues to evolve, its amenity and commercial viability will improve. It is to be a pedestrian orientated boulevard linking Central Sydney to Kings Cross with a high quality commercial spine, supported with active uses at ground level.

The existing built form asymmetry of William Street is to be maintained. The south side of William Street is to remain lower in scale with a consistent street height relative to the predominant heritage buildings and to protect sunlight to residential properties to the south. The north side is to continue to develop with taller buildings to the west and lower buildings to the east where the topography rises to the Kings Cross ridge.

The view corridor to the Kings Cross skyline with its crown of towers and landmark Coca-Cola sign is to be maintained and preserved.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Preserve the view corridor to the Kings Cross skyline with its crown of high-rise and significant signage.

(d) Maintain the asymmetrical built form in the streetscape of William Street with taller buildings along the north side and lower buildings along the south.

(e) Promote William Street as a high quality commercial spine with appropriate uses and support the street as a pedestrian orientated location with active frontages to the ground floor.

(f) Support William Street as a pedestrian oriented boulevard with active frontages to the ground floor.

(g) Create a transition in building height with taller buildings located on the northern side and lower buildings at the rear.

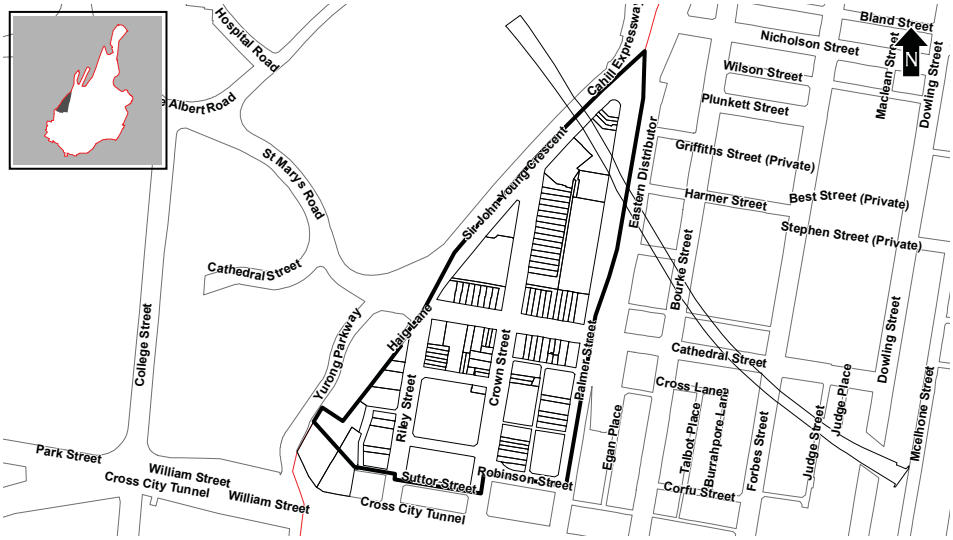
(h) Generally maintain a predominantly 3-4 storey street wall height to William Street south in response to the heritage value of the inter-war character.

(i) Encourage the redevelopment of vacant sites along William Street an important entry into Kings Cross.

(j) Encourage public art at 1 Kings Cross Road, Darlinghurst in accordance with the City's *Public Art Strategy*.

(k) Improve ground floor activity along Crown, Palmer, Bourke, and Forbes Streets to create high quality pedestrian amenity into surrounding neighbourhoods.

2.4.2 Cathedral Street



This locality is bounded by the elevated edge of the Domain parklands and carpark to the west, Palmer Street to the east and the rear of William Street lots to the north.

This area is a low scale mixed-use area. The low scale built form maintains views over the precinct from surrounding parkland of Cook and Phillip Park and the Domain. High quality building design on the western corner of Riley and Cathedral Streets is to develop an improved entry to the parklands. A strong 6 storey built edge is encouraged along the Palmer Street edge in response to the Eastern Distributor tunnel. The area transitions in building height from low to medium scale along Riley Street to taller development along William Street.

The area's heritage items, corner pubs and galleries along Cathedral Street contribute to the character. Crown Street can provide an axis of active street frontages to reinforce the Cathedral Street centre. The growth of an arts precinct in the neighbourhood centre is encouraged.

Residential uses are encouraged above ground level, with commercial and retail on the ground level to promote the casual surveillance of streets and open space.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect the view to St Mary's Cathedral along Cathedral Street.

(d) Maintain sky views over treetops from Cook and Philip Park.

(e) Residential development is encouraged above commercial uses to provide night time activity and a broad market for neighbourhood centre shops.

(f) Encourage the redevelopment of vacant sites along Palmer Street and the Eastern Distributor to shape this an important vehicular entry into eastern Sydney.

(g) Maintain the small lot subdivision and built form along Cathedral Street and the north-east side of Crown Street.

(h) Maintain the low scale of development within the centre of the locality and taller buildings located along William Street.

(i) Encourage a 3 storey street wall along Riley Street to define the streetscape and provide a transition to taller development along William Street.

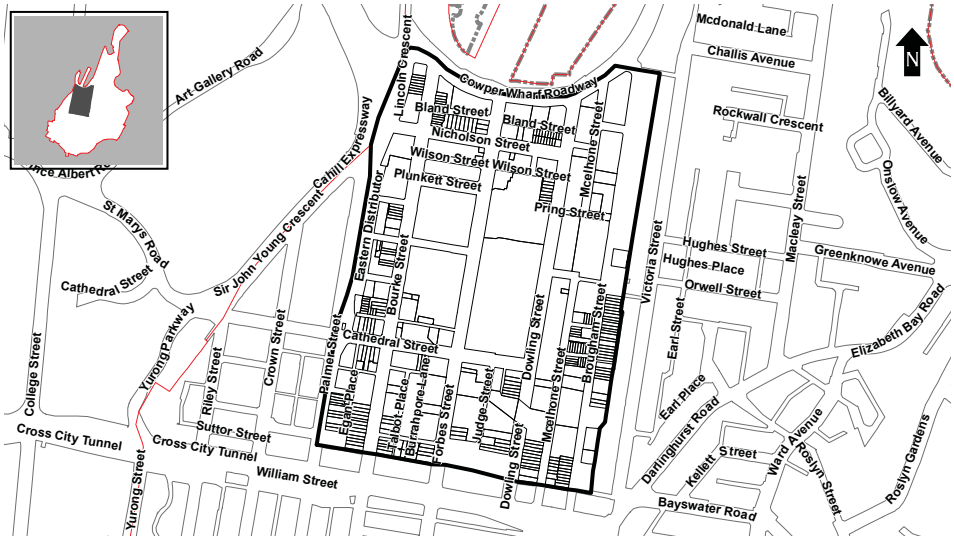
(j) Ensure that buildings on the western corner of Riley and Cathedral Streets address the pocket plaza and respect the scale and articulation of buildings on the corner of Cathedral Street.

(k) Encourage the development of the neighbourhood as a small business, gallery and café precinct.

(l) Encourage a small arts precinct with the growth of galleries along Cathedral Street.

(m) Ensure all development responds to, and complements heritage items and conservation areas.

2.4.3 Woolloomooloo



This locality is bounded by Cowper Wharf Road to the north, Palmer Street to the west, the Victoria Street/Brougham Street cliff edge to the east, and the rear of lots along William Street to the south.

The area is to maintain its low scale residential character below the tree canopy to maintain district views between the Domain and Kings Cross.

Bourke Street will become a mixed use corridor with street activity. Heritage buildings are to be respected by maintaining the predominant street wall height along Bourke Street. The mix of building types and heights in the area south of Cathedral Street acknowledge the mix of small and large lots, protect the built heritage and form a transition to the commercial spine on William Street.

The Cowper Wharf Road centre is to evolve as a significant tourism, entertainment and dining district. The carpark at the intersection of Cathedral and Bourke Streets provides an opportunity for high quality development and uses including local (amenity) shops. Integration of the rail viaduct lands in this location is encouraged.

Plunkett Street Public School and Sydney Distance Education High School provide landscaped areas that contribute to the vegetation and semi-publicly accessible open space in a densely built area and should be maintained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain district views over Woolloomooloo from high ground of the Domain and Art Gallery to Kings Cross.

(d) Maintain the low scale residential uses and school in the centre.

(e) Encourage the redevelopment of the medium scale buildings (6 storeys) along Palmer Street and the Eastern Distributor to shape this an important vehicular entry into eastern Sydney.

(f) Encourage development along Bourke Street with new uses, street activity and improvements along the rail viaduct. The street wall is to define the street edge consistent with existing heritage.

(g) Continue the mix of building types and heights south of Cathedral Street to reflect the mix of small and large lots, protect its heritage and create a transition to the commercial spine on William Street.

(h) Encourage built form that relates to the topography of the neighbourhood. Maintain taller buildings along the ridges and the lower scale built form in the centre of the neighbourhood.

(i) Encourage high quality redevelopment of vacant lands along Palmer Street.

(j) Encourage the western side of Bourke Street as a mixed use corridor connecting the existing centre at Cowper Wharf Road and the emerging centre at Cathedral Street.

(k) Encourage a mix of uses south of Cathedral Street and active uses along Bourke and Forbes Street to improve pedestrian amenity and activity between William Street and Woolloomooloo.

2.4.4 Potts Point



This locality is bounded by the Victoria Street and Brougham Street cliff edge to the west; the rear of lots along Wylde Street to the north; the rear of eastern lots along Macleay Street to the east; and Hughes Street and the rear of southern lots along Greenknowe Street to the south.

The Potts Point skyline is easily identifiable by taller buildings along the ridge.

Potts Point is to maintain its character of grand terraces and significant street tree planting and small front gardens along Challis Avenue and Victoria Street. The northern residential pocket created by predominantly interwar apartment buildings should be maintained. Buildings in Wylde Street are to maintain the streetscape quality created by side setbacks and the landscaped setting. Heritage buildings to the west of Macleay Street are to be maintained and respected.

Macleay Street will be the focus of a primary retail spine and Challis Avenue will be strengthened as a destination for unique café and dining opportunities.

New development is to protect and maintain the established landscape quality of streetscapes including significant planting along Macleay and Victoria Streets, median planting and small front gardens of several east-west running streets.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect views to the City skyline from Challis Avenue and Victoria Street.

(d) Maintain significant planting along Macleay and Victoria Streets, and median planting and small front gardens along the east-west streets.

(e) Maintain and enhance the dynamic mix of uses.

(f) Retain existing buildings in their landscape setting.

(g) Maintain and reinforce the asymmetry of Macleay Street's built form with predominantly 9 storeys along the eastern side and 3 to 5 storeys along the western side.

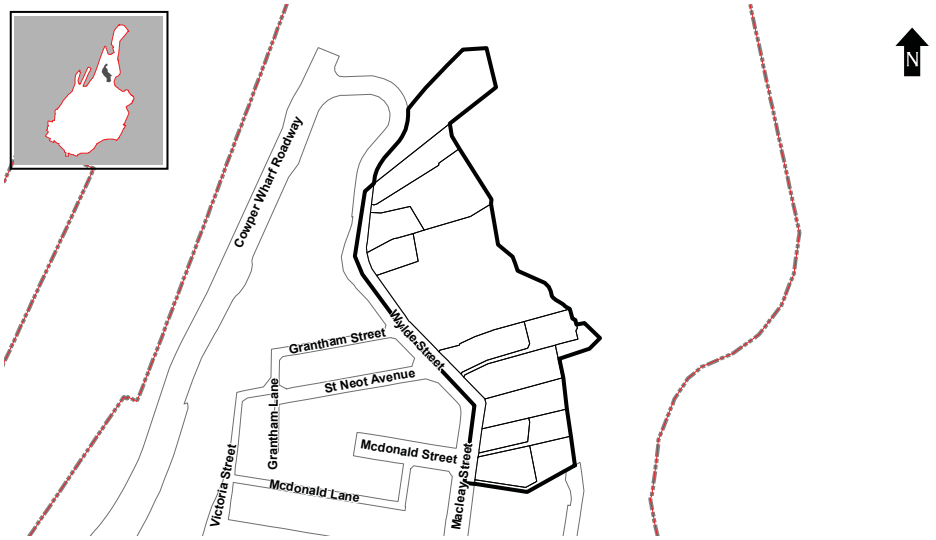
(h) Retain existing tall buildings along the western side, for example 'Byron Hall' as skyline elements within the lower street frontage heights.

(i) Encourage buildings with narrow frontages and party-wall or small building separations along street fronts including Macleay Street and from Challis Avenue to the north where residential apartments are common.

(j) Maintain the predominant side, front and street setback and alignment in Wylde Street.

(k) Maintain the small lot subdivision and predominant terrace building type along Victoria Street.

2.4.5 Macleay and Wylde Street



The locality has a unique streetscape as a result of features such as vegetation, front and side building setbacks, the building alignment and also lot sizes.

The locality has a residential, leafy character characterised by a streetscape quality of side setbacks and predominant landscape. The building heights reinforce the existing cityscape in response to the undulating character of the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain the residential character of this locality.

(d) Reinforce the topography and maintain district and street corridors with taller buildings on the ridges and edges and lower buildings in the valley.

(e) Maintain the existing green side setbacks to maximise neighbourhood amenity.

(f) Maintain the predominant street setbacks and building alignment.

(g) Encourage clear and accessible links through the area to enhance pedestrian amenity, improve access and to integrate the neighbourhood with Garden Island and Cowper Wharf Roadway.

(h) Maintain the built form of buildings that reflect the topography.

2.4.6 The Bays



This locality consists of the Elizabeth Bay and Rushcutters Bay neighbourhoods and are bounded by Sydney Harbour and naval lands to the north; the rear of eastern lots along Macleay Street; the rear of lots to the south of Greenknowe Avenue; the rear of lots to the west of Roslyn Gardens; St Lukes Hospital; Roslyn Street to the West; Rushcutters Bay Park to the east and New South Head Road to the south.

The Bays is a predominantly residential area with a diversity of housing styles and densities within a landscape setting that allows view sharing to continue from the private domain and gaps between buildings. Elizabeth Bay House is to be preserved as a heritage item and a landmark heritage building.

There are small clusters of shops at Elizabeth Road and Bayswater Road that complement the Kings Cross centre.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain view corridors to Sydney Harbour and parks.

(d) Maintain important views from Elizabeth Bay House towards the harbour, and from the harbour towards Elizabeth Bay house.

(e) Maintain buildings within a landscape setting. New buildings should be positioned in the middle of lots and surrounded by gardens and informal tree planting.

(f) Retain the unique “loop” on Elizabeth Bay Road with grand residences and their significant landscapes, juxtaposed against tall narrow fronted apartment buildings with views through to Sydney Harbour.

(g) Provide a landscaped foreshore setback at the edge of Sydney Harbour.

(h) Retain and improve pedestrian access to Reg Bartley Oval and Rushcutters Bay Park.

(i) Preserve the diversity of building types, architectural periods and heights in the area by retaining buildings from the Federation, Victorian and interwar periods.

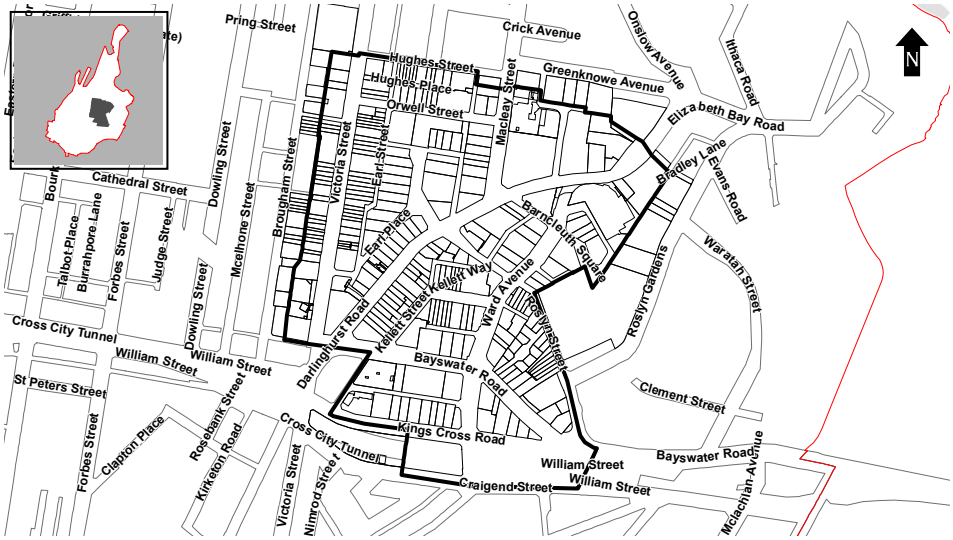
(j) New building forms with narrow street frontages and building separations are encouraged to provide views to the harbour and sky and creating opportunities for vegetation/tree planting.

(k) Design new buildings to maintain a consistent height datum (RL) while responding to a change in topography to enable lower building heights on the top of the slope and taller building heights at the bottom of the slope. Built form that steps in elevation with the topography is not supported.

(l) Step built form along Macleay Street and the ridge line and along the bottom of the cliff down towards Sydney Harbour.

(m) Encourage Greenknowe Avenue as a mixed use street with small office and commercial uses along the street frontage at ground level.

2.4.7 Kings Cross



This locality is bounded by the Victoria Street/Brougham Street cliff edge to the west; Darlinghurst Road / Victoria Street intersection to the south-west; Craigend Street exit from New South Head Road to the south; Hughes Street and the rear of lots along Greenknowe to the north; and Roslyn Street, Roslyn Lane and lots along Elizabeth Bay Road to the east.

The well recognised Kings Cross skyline which includes the iconic Coca-Cola sign are significant features of William Street. Heritage items such as the Kings Cross Hotel have a landmark presence to the street. Any significant redevelopment is to enhance the existing pedestrian network to improve pedestrian amenity.

Kings Cross has long been recognised as an international and regional destination for tourism and entertainment, with international, regional, and local roles to play. Darlinghurst Road forms the area's lively, bohemian main street. The unique character of Darlinghurst Road is typified by its rich history and heritage, eclectic mix of buildings from different periods, architectural character and diversity, an inclusive community and a wide variety of businesses. With a mixture of shops, bars, restaurants, accommodation, and services for local needs, Darlinghurst Road is vital to the local community, as well as serving visitors from Sydney and further afield.

Development along Darlinghurst Road will contribute to and enhance the area's fun, vibrant and eccentric identity by appropriately responding to its existing 'human scale', including the fine grain and established built form patterns of the street. Development should also achieve a balance and diversity of activities and experiences to support the liveliness and vitality of Darlinghurst Road, which is to continue to fulfil its key economic, social, and cultural role within the locality.

The area's role as a centre is to be strengthened by capitalising on its proximity to public transport, and by providing commercial and retail services for existing and future residents and visitors alike. The centre is to be consolidated with Orwell Street promoting active retail and commercial uses to improve the link between Darlinghurst Road, Macleay Street, Lankelly Place and Victoria Street.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement subdivision, heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the built form structure of the neighbourhood with taller buildings located predominantly along the ridge line and at the crossing of Victoria Street and Darlinghurst Road.

(d) Maintain the unique skyline of buildings located along the western side of Springfield Avenue.

(e) Maintain view corridors along Orwell Street and over terraces along Victoria Street towards the city skyline.

(f) Design development on the eastern corner of Darlinghurst Road and Bayswater Road to respond to its highly visible corner location.

(g) Introduce upper level setbacks for new developments to respect the existing streetwall heights to Darlinghurst Road, where appropriate.

(h) Retain the unique skyline elements of existing buildings that exceed the height context however these buildings do not set the precedent for future building heights.

(i) Maintain the small lot subdivision and predominant terrace building type along Victoria Street.

(j) Preserve the Kings Cross Hotel building as an important building for Kings Cross.

(k) Retain Darlinghurst Road and Bayswater Road as a precinct which supports a mix of daytime and night time commercial and retail uses.

(l) Encourage active retail and commercial uses on Orwell Street to improve the link between activities along Darlinghurst Road, Macleay Street, Llankelly Place and Victoria Street and the activity and surveillance of the pocket park on Orwell Street.

(m) Encourage development with active edges and outdoor eating along Springfield Avenue and Springfield Plaza.

(n) Encourage outdoor eating in Llankelly Places to expand the existing laneway character.

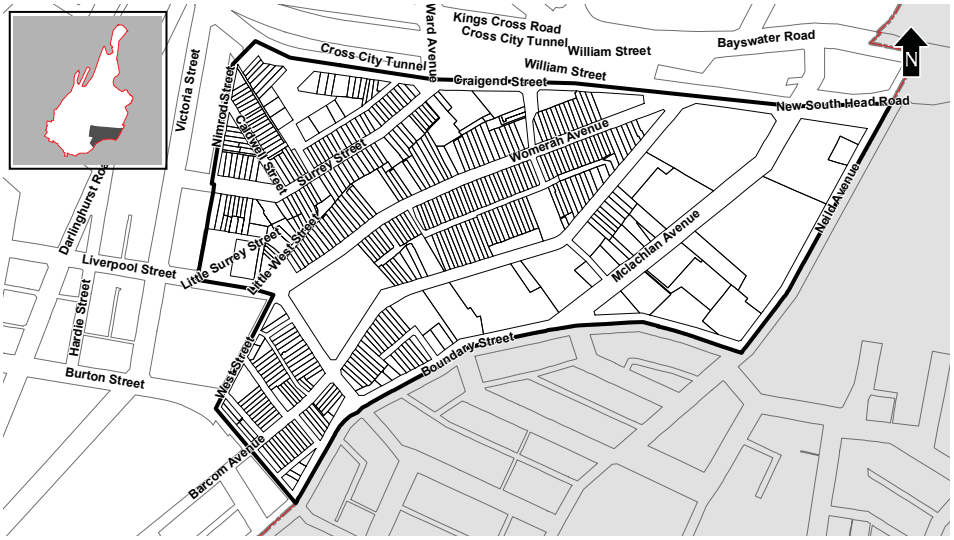
(o) Encourage employment opportunities and provide a range of non-residential uses on Darlinghurst Road that support the existing high population density of Kings Cross and serve its international, regional, and local function including retail, business, entertainment, food and drink, cultural, and community uses.

(p) Reinforce the urban form of Darlinghurst Road including its fine grain, varied, high quality architectural character, and avoid building design that reduces diversity and grain.

(q) Increase uses that provide all day activity, particularly those that serve the broader community's social, cultural, and entertainment needs.

(r) Encourage interesting development that references the socio-historic significance of Darlinghurst Road and supports community diversity and harmony.

2.4.8 Darlinghurst East



This locality is bounded by Craigend Street and New South Head Road to the north, Neild Avenue to the east, Boundary Street to the south, Barcom Avenue, McDonald Street, West Street, Liverpool Street and the rear of eastern lots with frontages to Victoria Street to the West.

Retail uses in the local neighbourhood centre are to be consolidated to increase the amenity of the surrounding residential neighbourhood, and outdoor dining is courring in the local neighbourhood centre.

Uses located on the north-eastern edge of the precinct along McLachlan Avenue and Boundary Street must complement those along Victoria Street and Darlinghurst Road (between Burton and William Street) and provide residents with daily shopping needs.

Liverpool Street is to have active frontages that reinforce retail and commercial uses at the street level and buildings with a low streetwall height and awnings for pedestrian protection.

Future development is to maintain the character of the area created by low scale buildings with street heights that respond to the topography of a low and high side of the street, with a small lot pattern and intact heritage Victoria and Federation residential streetscapes.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain active frontages with showrooms and specialty services along the northern part of McLachlan Street.

(d) Infill development is to maintain and conserve the existing heritage streetscape, which includes Victorian and Federation buildings on residential streets by reinforcing the subdivision pattern, predominant street setback and alignment and building height.

(e) Maintain the streetwall height of existing warehouses along McLachlan Avenue.

(f) Provide awnings along McLachlan Avenue.

(g) Provide openings such as windows and balconies along pedestrian through site links to improve casual surveillance.

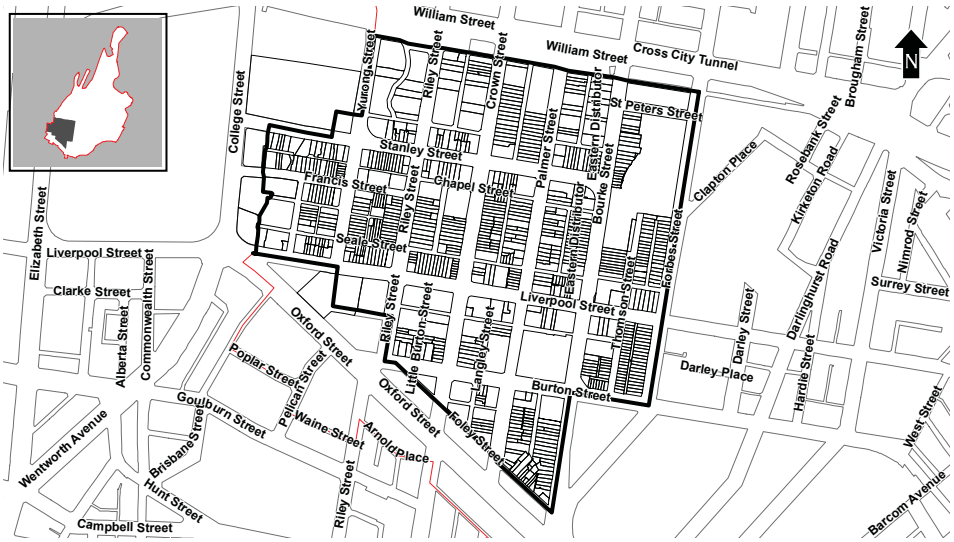
(h) Maintain the green vista along Liverpool Street that terminates at the end of Darlinghurst Public School.

(i) Encourage small offices and home offices, or small commercial suites in terraces on residential streets.

(j) Encourage active retail uses and outdoor dining on Liverpool Street and McLachlan Avenue.

(k) Support specialty services and showrooms located along the northern part of McLachlan Avenue.

2.4.9 East Sydney



This locality sits in a valley framed by Central Sydney and Oxford Street, and falls toward William Street, with a low point between Yurong and Riley Streets. It is bounded by Forbes, Burton and Bourke Street to the east, to the north by laneways behind William Street to the west, by Yurong Street, Stanley and College Streets and to the south by Liverpool Street and the rear of lots facing Oxford Street.

Major roads and significant topographic ridges at the perimeter define this area. The built form comprises low scale buildings in the valley framed by taller buildings on the surrounding ridges. This sense of enclosure is reinforced by taller commercial/retail buildings located along the major roads of College, William and Oxford Streets, while the regular small lot pattern streets to the centre of the neighbourhood are predominantly residential terrace housing.

The existing general built form character of the area is to be maintained and reinforced with taller buildings located along ridges and major roads towards the perimeter of the neighbourhood. Low scale buildings and residential pockets are to be maintained towards the centre of the area in the valley.

The Burton St Tabernacle building is being transformed into a contemporary performing arts space for the new home of a local community theatre and host a range of performances, classes, exhibitions and events.

The heritage streetscape character and small lot subdivision pattern of the residential pockets together with consistent residential streetscapes and and the remnant Victorian character of buildings are to be maintained.

Stanley Street (between Crown Street and Yurong Street) and Crown Street (between Stanley Street and William Street) as well as surrounding northern streets of Riley, Yurong and Crown Streets are to be strengthened with restaurants and cafes. Liverpool Street is a complementary commercial centre with showrooms and specialty services.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Reinforce the topography and maintain district and street corridors with taller buildings on the ridges and edges and lower buildings in the valley.

(d) Maintain district and street corridor views as a result of low buildings in the valley.

(e) Protect the sandstone cliff on the corner of Liverpool and Bourke Streets.

(f) Maintain the predominant Victorian heritage character of the area.

(g) Retain the uniformity of pairs and rows of consistent terraces including the single storey row on Burton Street (between Thomson Street and Bourke Street).

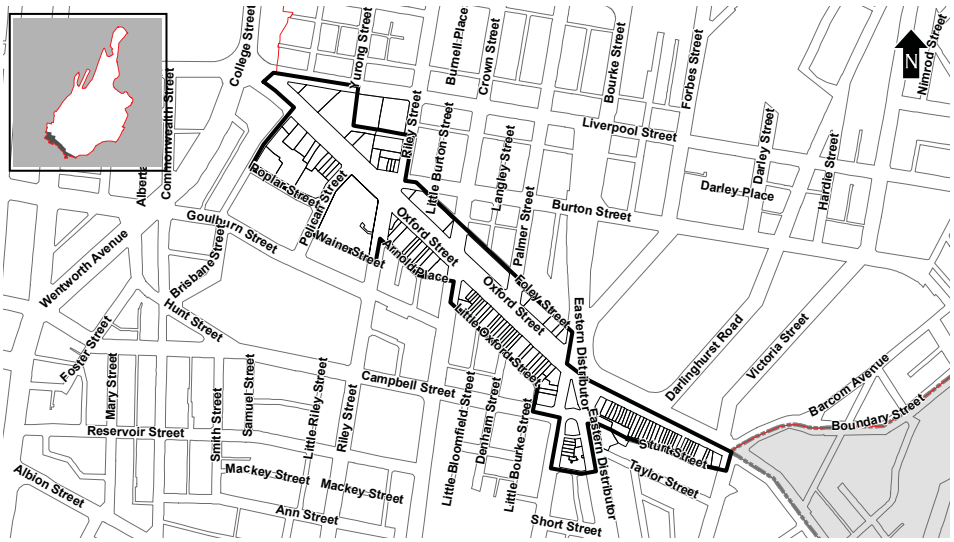
(h) Ensure that new infill buildings reinforce the predominant street frontage height, setbacks and street alignment.

(i) Maintain the building heights of SCEGGS (St Albatross Reserve) to allow local views from adjacent houses along Thomson Street.

(j) Consolidate a mix of complementary uses including art related activities.

(k) Encourage outdoor cafe seating along Stanley Street (between Crown Street and Yurong Street) and Crown Street (between Stanley Street and William Street).

2.4.10 Oxford Street, Darlinghurst



This locality is made up of lots fronting Oxford Street and lots at Taylor Square where Bourke Street and Flinders converge.

Oxford Street, Darlinghurst is to continue to provide uses that reflect its role as a regionally significant retail and entertainment street and a local business centre for surrounding neighbourhoods. The area has a range of day-time and night-time activities.

There are a number of strategies developed by the City of Sydney focus on strengthening Oxford Street as a 24 hour entertainment, tourism and retail precinct. The Oxford Street Cultural Quarter Plan prepared in 2009, builds on and responds to these broader strategies and policies to maintain and develop a healthy and competitive economy, a vibrant community, support the local economy and integrate with overarching Council strategies.

New development will conserve and complement the context established by the heritage fabric and ensure new development while not mimicing heritage styles, but responds to the urban context and contributes to the established built form patterns of the street.

Future development along Oxford Street is to reinforce the established heritage character of narrow shop frontages and consistent awnings.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain and enhance the existing heritage buildings along Oxford Street.

(d) Development is to respect the prevailing scale, character and form of the street, as defined by the Victorian, Federation and Inter-war heritage buildings.

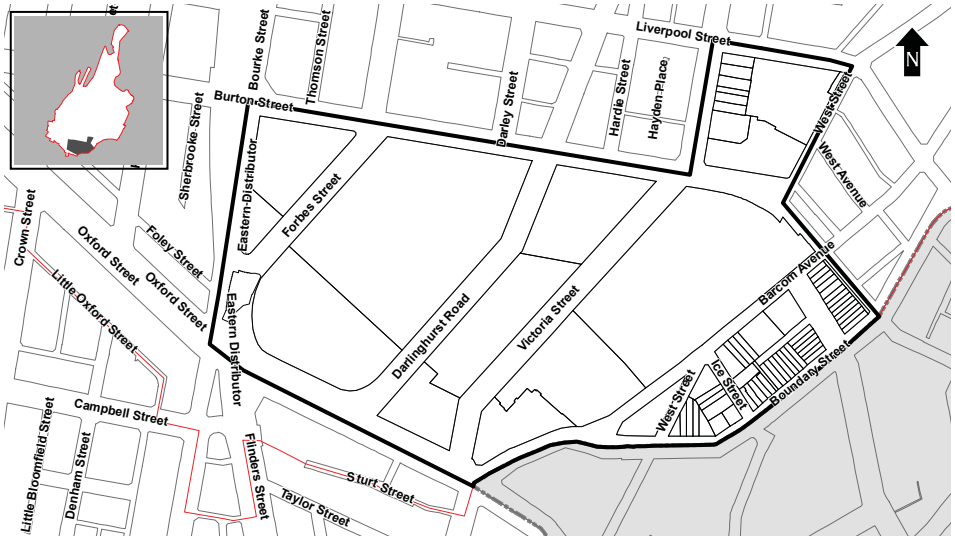
(e) Ensure that new development reinforces the individuality of different precincts that characterise Oxford Street.

(f) Significant shop fronts are to be retained and conserved. The design of new shopfronts should take their cues from traditional shopfronts.

(g) Maintain the mix of uses that contribute to Oxford Street as entertainment, tourism and retail precinct.

(h) Maintain Oxford Streets retail, commercial, entertainment and tourism uses and encourage these uses to occur both at and above the street level.

2.4.11 Taylor Square and Darlinghurst Civic Precinct



This locality is bounded by Burton, Victoria, Liverpool and West Streets to the north, Boundary Street to the east, Oxford Street to the south and Forbes Street to the west.

The Civic Precinct has a historic civic and institutional character. New development is to respond to the sandstone civic buildings of the Darlinghurst Courthouse and former Darlinghurst Gaol (sandstone wall) at the intersection of the north-south and Oxford Street ridgeline which have a strong street presence.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Design low-scale buildings to be in context with heritage buildings.

(d) New development along Liverpool Street is to include awnings to provided sufficient pedestrian amenity and weather protection.

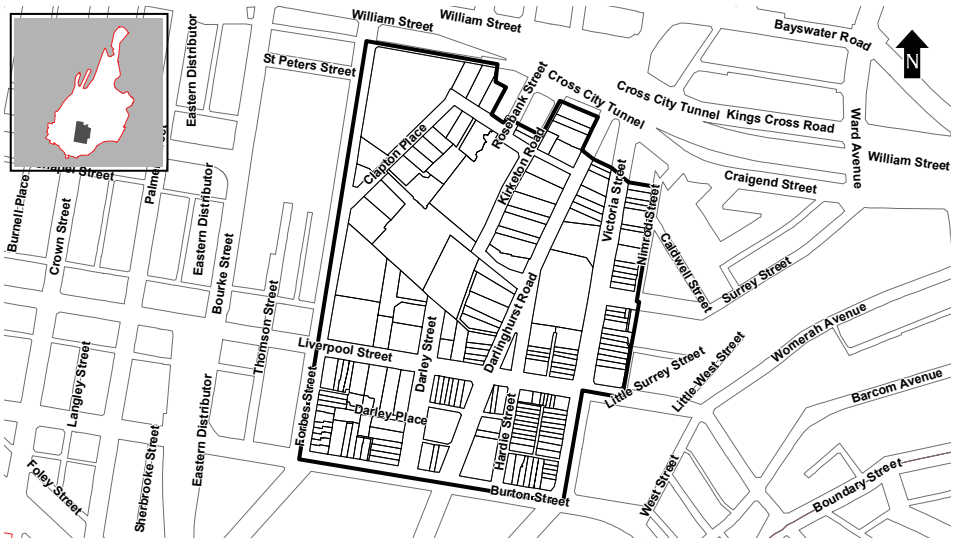
(e) Strengthen the public domain of Taylor Square by linking the forecourt of the Darlinghurst Courthouse to Taylor Square.

(f) Provide a transition in height of new buildings on hospital land between the high wall along Barcom Avenue and the low scale surrounding residential areas, particularly east of the hospital.

(g) Design the development of the carpark site on Liverpool Street to respect the scale of the heritage listed 'Green Park Hotel' to the west, and the lower scale residential areas to the east.

(h) Maintain the historic civic and institutional character of the area.

2.4.12 Darlinghurst West



This locality is bounded by Forbes Street to the west, the rear of the southern lots that have frontage to William Street to the north, the rear of the eastern lots with a frontage to Victoria Street to the east, Burton Street to the south and Liverpool Street to the southwest.

Darlinghurst West will continue to be a vibrant and diverse area, energised by its unique café and restaurant opportunities and the quieter residential areas and heritage buildings within a landscaped setting.

The main activity centre for this area is the existing Darlinghurst Road/Victoria Street retail spines between Burton and William Streets. These retail spines will reinforce the predominant built form character of buildings with vertical articulation that reflects the small lot subdivision pattern and low scale streetwall heights with awnings.

The built form is characterised by variety of residential buildings, consistent streetscape and a strong presence of interwar buildings. The residential precinct at the north of the area (Kirketon Road, Farrell Avenue and Clapton Place) is to maintain its predominant character of taller buildings in a landscape setting. New infill buildings in terrace housing areas are to maintain the predominant building setbacks, streetwall heights and alignments.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the vertically articulated small lot pattern and low street wall height along Victoria Street.

(d) Provide awnings along Victoria Street, Darlinghurst Road and Burton Street.

(e) Maintain the predominant street setback and alignment of rows and areas with a consistent character.

(f) Formalise the existing informal through-site pedestrian link in any development of the St. Johns Church site and adjoining car rental site.

(g) Promote active commercial and retail building frontages facing Green Park and buildings on Burton Street.

(h) Encourage ground level retail and commercial uses along Victoria Street, for example, galleries and medical suites.

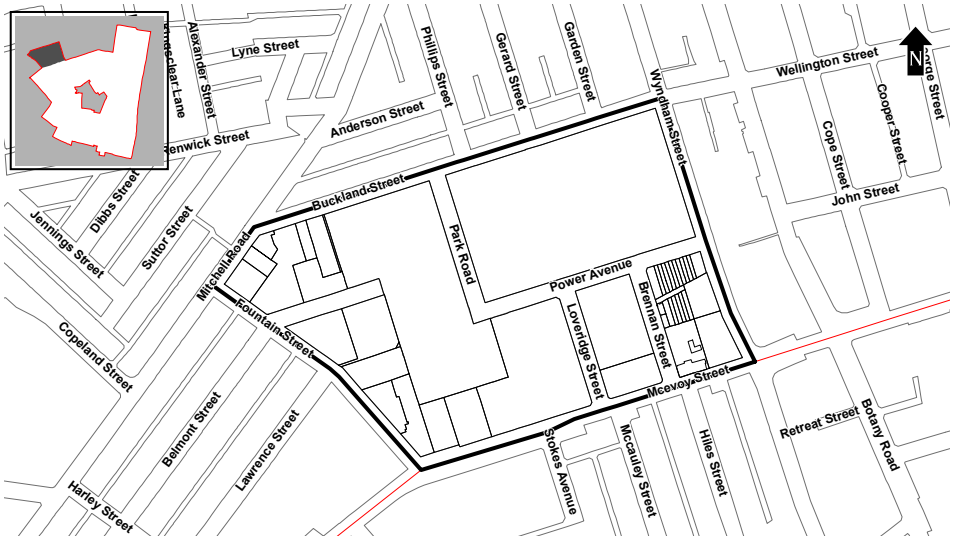
(i) Encourage entertainment uses above ground level on Darlinghurst Road and Victoria Street (between Liverpool and William Streets).

(j) Encourage outdoor dining for restaurants and cafes along Victoria and Burton Streets.

2.5

Green Square

2.5.1 Alexandria Park



This locality is bound by Buckland Street to the north, McEvoy Street to the south, Fountain Street to the west and Wyndham Street to the east.

Alexandria Park will be a mixed use neighbourhood with a mix of residential, retail, commercial and café/dining uses that will create a vibrant neighbourhood. Alexandria Park will be the focal point of the neighbourhood and a meeting place for residents.

Future development of the neighbourhood will respond to the emerging mixed-use character, and provide an appropriate transition to large scale industrial buildings south of McEvoy Street.

Key changes in the area include the transition of the western part of the neighbourhood from industrial uses to harmonious, high-quality mixed-use development.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Create a new, tree-lined local street by extending Park Road to McEvoy Street to provide a connection to the parkland for future development.

(c) Enhance street tree planting along the north-south streets between Alexandria Park and McEvoy Street to provide green links to the park, and to promote the park to pedestrian on McEvoy Street.

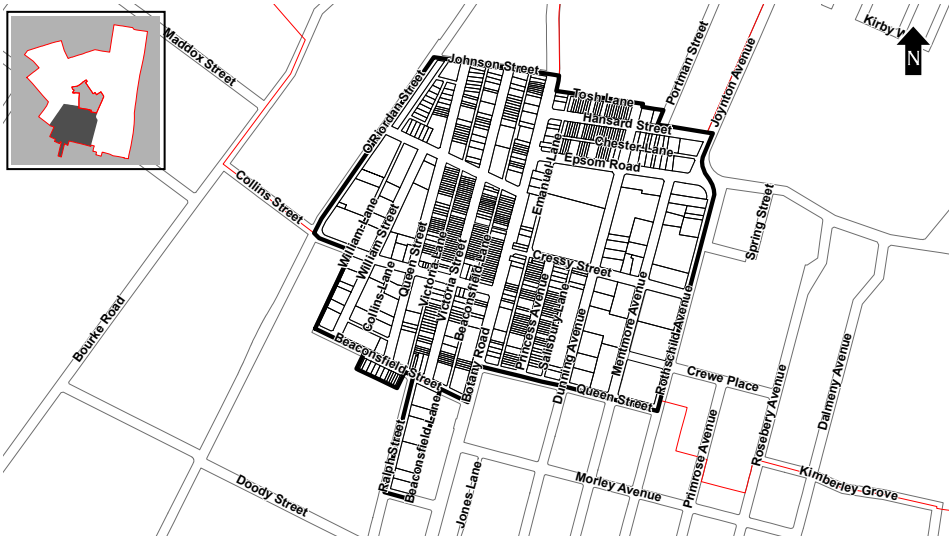
(d) Introduce mainly low to medium scale development, with some increase in height along McEvoy Street.

(e) Introduce buildings that align and address McEvoy Street at the ground level.

(f) Recognise the function of Alexandria Park as a community node that is supported through the provision of future public domain improvements and development that addresses the open space to improve passive surveillance and create an active edge.

(g) Facilitate the transition of the area from employment-based uses to primarily mixed use and residential. Commercial and industrial land uses can continue in this neighbourhood provided that the operational impacts of non-residential uses can be appropriately managed for residential amenity.

2.5.2 Beaconsfield



This locality is bound by Johnson Street to the north, Rothschild Avenue to the east, Beaconsfield and Queen Street to the south and O'Riordan Street to the west.

Future development in Beaconsfield should generally be guided by the existing fine-grain and low-scale residential developments. The area should continue to encourage and accommodate a variety of land uses, with opportunities for denser development on the eastern edge of the area. A new park is planned which will provide an important open space for a growing population whilst future public transport facilities along Botany Road will improve connectivity.

Development at the eastern, southern and western edges of the neighbourhood (where the low-scale residential character is less established) is to continue to include commercial uses. These land uses provide activity and visual interest where operational impacts on existing residential amenity can be appropriately managed.

The neighbourhood has distinct areas of established and consistent residential development, primarily within and adjoining the Hillview Estate Conservation Area in Beaconsfield and the Hansard Street Conservation Area in Zetland and in sections of intact low-scale residential development in Victoria Street.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Future development should contribute to existing built form patterns.

(d) Encourage high quality built form in the southern area of the neighbourhood which has a less-defined, transitional urban character.

(e) Protect the distant and local views from Queen Street and Victoria Street.

(f) Encourage development in the surrounds of Beaconsfield Park that maintains and improves the use of the park as a community node for the neighbourhood.

(g) Introduce a new park on the street block bound by Rothschild Avenue, Cressy Street, Mentmore Avenue and Queen Street (the former RTA site).

(h) Support the intersection of Epsom Road and Rothschild Avenue as a future neighbourhood focal point by introducing active ground floor uses, landmark buildings and enabling views through to the proposed Green Square Town Centre.

(i) Encourage active ground floor uses, public domain improvements and consistent tree planting along Botany and Epsom Road.

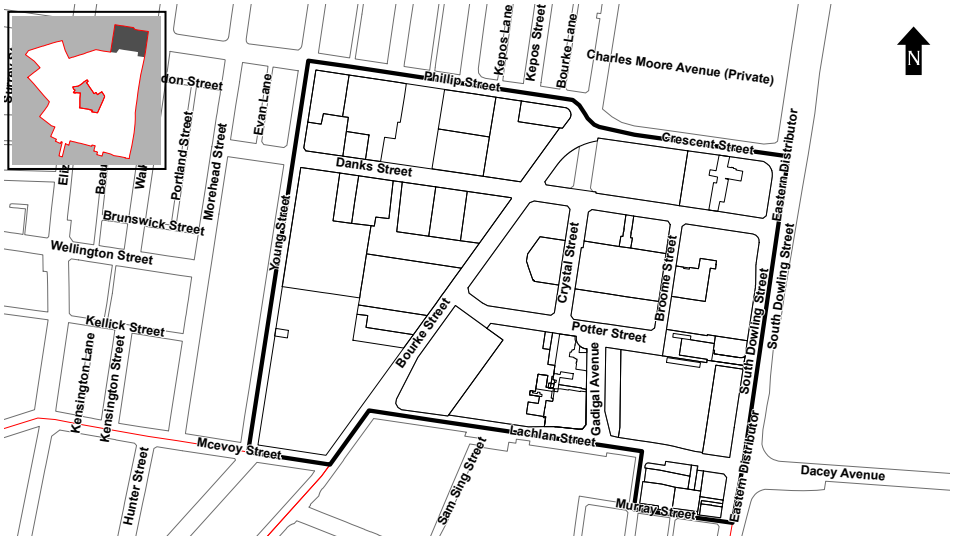
(j) Maintain and enhance the grove of fig trees between O'Riordan and Reserve Streets to provide a good transition to adjacent residences.

(k) Retain the current lot sizes as an important feature of this neighbourhood. Lot amalgamations are discouraged.

(l) Improve the streetscape of Cressy Street with development on the north side that addresses the street.

(m) Encourage the consolidation of the small village at the junction of Queen Street and Botany Road with a mix of active uses and a supermarket.

2.5.3 Danks Street



This locality is bound by Phillip and Crescent Streets to the north, South Dowling Street to the east, Lachlan Street to the south and Young Street to the west.

Danks Street, Waterloo, is one of Sydney's most interesting and vibrant villages, with art galleries, cafes and restaurants located to the west of Bourke Street. Danks Street, both to the east and west of Bourke Street is identified as a Local Village and is increasingly becoming a thriving retail precinct for residents and workers.

The Danks Street Neighbourhood includes the Crown Square development to the east of Bourke Street. This development extends between Crescent Street in the north and Lachlan Street in the south, and is a recently constructed residential area. It is not considered to provide a good model for development due to its lack of variety in scale and architectural design, its sense of visual enclosure and poor definition of the public domain.

Future development for this neighbourhood is to have a mix of uses and encourage a diverse built form that creates a distinctive, busy and attractive precinct and northern gateway to Green Square.

This neighbourhood also includes the Danks Street South precinct. This precinct is bound by Bourke Street to the east, McEvoy Street to the south and Morehead Street to the west, and is immediately adjacent to Danks Street to the north.

The Danks Street South precinct will build on the existing vibrancy and diversity of the wider locality. It will be a predominantly residential precinct, with some retail/ commercial uses fronting a heritage plaza and some large floorplate buildings along Bourke Street, Young Street and McEvoy Street to provide flexible spaces which can accommodate non-residential uses.

The existing large industrial land parcels will be subdivided with a new internal street network which maximises legibility and permeability. Redevelopment of the precinct will bring one new parks of about 3,900 square metres that will provide opportunities for passive recreation, and a public square around the Sydney Water heritage listed Valve House of about 1,400 square metres. There will be an emphasis on making streets pedestrian and cycle friendly with slow vehicles speeds.

The public domain will be reinforced and celebrated through public art and heritage interpretation.

This locality statement should be read in conjunction with the Young Street locality statement.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Provide a variety of building types and scales, and define appropriate locations for taller buildings and their orientation.

(c) Introduce through-site links between Danks Street and the central park and between Bourke and Young Streets across the heritage plaza.

(d) Provide continuous active frontages along Danks Street to connect Danks Streets to the supermarket in Crown Square. This Local Village will meet the local convenience retail demands of residents, and also act as a regional attractor due to the popularity of Danks Street.

(e) Support Danks Street's function as a Local Village through public domain improvements and good public transport connections.

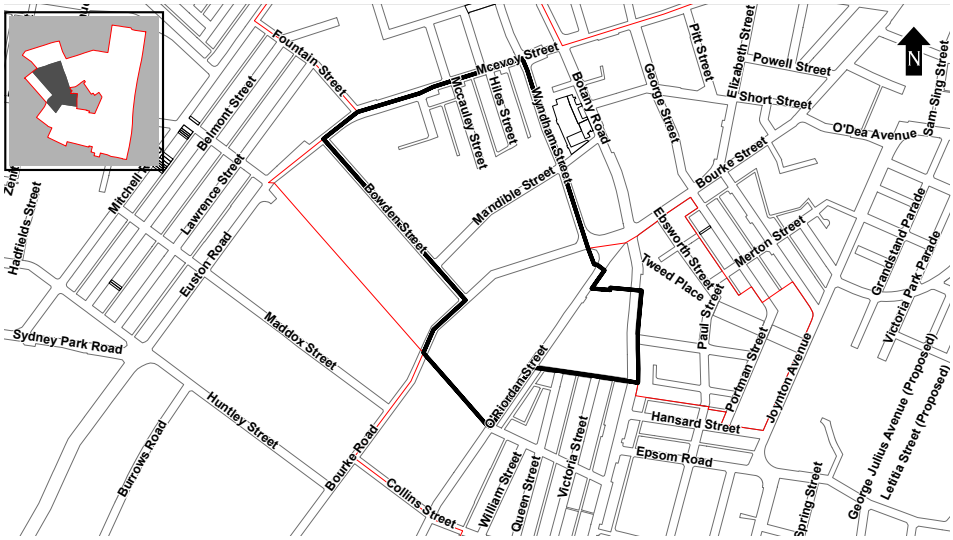
(f) Introduce a new central park of about 3,900 square metres in the centre of the precinct for passive recreation.

(g) Provide an appropriate curtilage for the Sydney Water heritage buildings to allow the current operation of those buildings to continue.

(h) Introduce one new public square, to be located around the heritage listed Valve House, within a broader heritage plaza surrounding Sydney Water's buildings. The heritage plaza should be designed to encourage social interaction, cafes and passive recreation where appropriate, whilst allowing for vehicular access to these buildings.

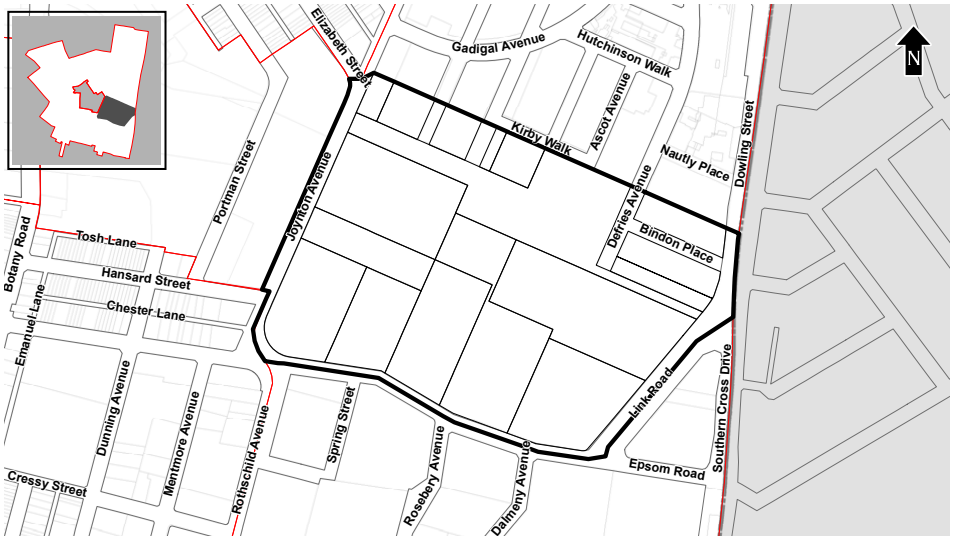
(i) Protect mature street trees along Young Street.

2.5.4 North Alexandria



This locality is within both the Green Square Urban Renewal Area and the Southern Enterprise Area. See Section 2.10.2 for locality principles.

2.5.5 Epsom Park



This locality is bound by Kirby Walk to the north, South Dowling Street and Link Road to the east, Epsom Road to the south and Joynton Avenue to the west.

Epsom Park is to be a new neighbourhood with a strong sense of place and public life, where residents enjoy proximity to the City, easy access to the Green Square Town Centre, good transport links, open parklands and recreational opportunities, and specialty retail activities. It is to have a strong urban character and identity built on the quality of the streets, architecture, good public transport, facilities and services.

Like Victoria Park to the north, it is to provide a variety of dwelling types. The buildings are to be at a human scale, and streets will integrate with those in surrounding neighbourhoods to provide permeability and maximising pedestrian movement. The heights of buildings are to respond and enhance the character of the streets, helping to reinforce the character of the neighbourhood. A central park of approximately 15,500 square metres called Gunyama Park will provide space for active sports and passive recreation. It will be located adjacent to a new Aquatic Centre that will serve the wider community.

The development of Epsom Park is to embrace sustainability, with an integrated approach to addressing stormwater management and provide equity of access for pedestrians, cyclists and vehicles.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Retain, protect and enhance the grand scale of street trees along Joynton Avenue.

(c) Encourage a transport interchange with commercial and retail uses at the intersection of Zetland Avenue and Defries Avenue.

(d) Encourage commercial offices and retail activity in suitable locations, for example car showrooms along Epsom and Link Roads.

(e) Link Road is to continue its role as an important connector to South Dowling Street.

(f) Zetland Avenue is to be of a grand scale and provide ample space for generous footpaths to accommodate outdoor dining areas, dedicated bicycle paths, future light rail (or interim bus service), local vehicular access and car parking.

(g) Buildings along the Zetland Avenue are to address the street frontage, defining and contributing to ground level activity associated with retail, café/ outdoor seating, and commercial uses.

(h) The alignment of, and development along Zetland Avenue is to ensure that views to the Sacred Heart College in Kensington are retained.

(i) Provide an Aquatic Centre located between Gunyama Park and Joynton Avenue.

(j) Street trees located along the length of the Zetland Avenue are to integrate with the character of Gunyama Park to provide a unified link into the park, and reinforce the landscaped character of the neighbourhood.

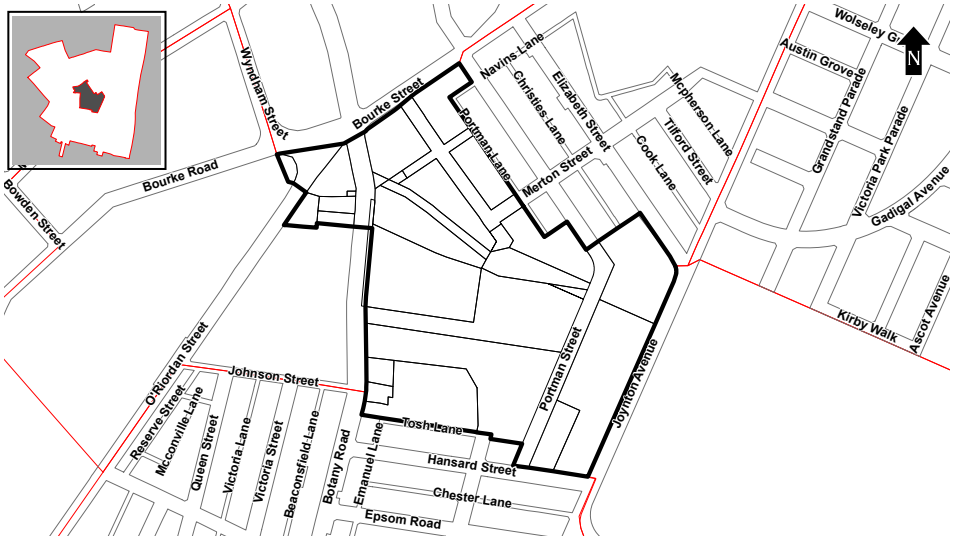
(k) Provide a crucial link for north south public transport corridor, on George Julius Avenue.

(l) North-south streets should be quiet streets that are predominantly low in scale, typically with buildings three to four storeys of maisonette and townhouse typologies. Building entries, small front gardens, overlooking windows, and balconies are encouraged. Pedestrian and bike access will characterise the street.

(m) Innovation in design, drawing on the neighbourhood's attributes and industrial history, most notably the British Motor Company Leyland, is encouraged.

(n) Public art and the public domain are to interpret the neighbouhood's connection with the Sheas Creek catchment.

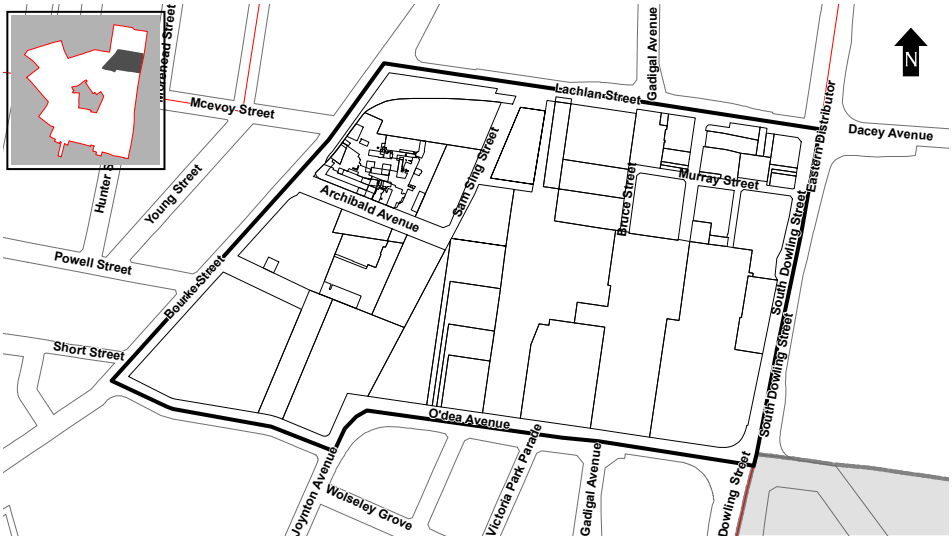
2.5.6 Green Square Town Centre



In 2011 Council and CSPC endorsed two planning proposals for the entire Green Square Town Centre. These planning proposals included provisions from the *Sydney LEP 2012*. It is intended the standalone LEPs in both Planning Proposals will be incorporated into the *Sydney LEP 2012* at a future stage.

The Town Centre DCP 2012 is a standalone document and supports the provisions in the planning proposals, which is why is has been progressed ahead of this DCP. It includes general provisions, including those relating to development types, for example, convenience stores and sex industry premises, notifications, and tree management, which have been taken from this DCP, with minor drafting amendments where required. It will be integrated into this DCP at a later date, once both plans have been approved, and any inconsistencies in the controls will be rationalised at this time.

2.5.7 Lachlan



The Lachlan neighbourhood is bounded by Bourke, Lachlan and South Dowling Streets and O'Dea Avenue, Waterloo. It is an area in transition from industrial and warehouse uses to mixed use and predominantly residential development, with high quality built form and public domain. The existing large industrial land parcels will be further subdivided with a new internal street network, achieving a permeable and accessible pattern of streets and lanes which maximise legibility and orientation, encouraging walking and cycling.

New public open spaces will be integrated into the neighbourhood, which together with greened, landscaped streets will provide amenity and connectivity throughout, and contribute positively to streetscape character.

The neighbourhood will have a varied typology of residential development, with townhouse-style dwellings within the lower-scale east-west streets and taller apartment-style residential flat buildings along the higher-order streets. Ground floor commercial uses will front the key roads and public spaces in the neighbourhood. An activity strip of retail, café and neighbourhood services along Archibald Avenue will form the focal point for the local community.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) A permeable pattern of new streets and public open space is to be provided which respond to key connections, stormwater management requirements, local traffic and access considerations and urban design principles.

(c) High quality streetscapes are to be achieved throughout the neighbourhood. Streets are to prioritise pedestrians with low speed traffic lanes and generous street landscaping for amenity.

(d) A significant linear park, Rope Walk, is to be created between Lachlan Street and O'Dea Avenue continuing the green link along Joynton Avenue. Two additional parks, Wulaba and Dyuralya, are to be incorporated within the eastern part to serve the needs of the neighbouring population.

(e) The extension of Gadigal Avenue along the alignment of Bruce Street is to continue the transit corridor through the eastern neighbourhoods of Green Square. Retail, commercial and public service uses at ground level and high quality public domain along this north-south spine will create a sustainable and vibrant corridor.

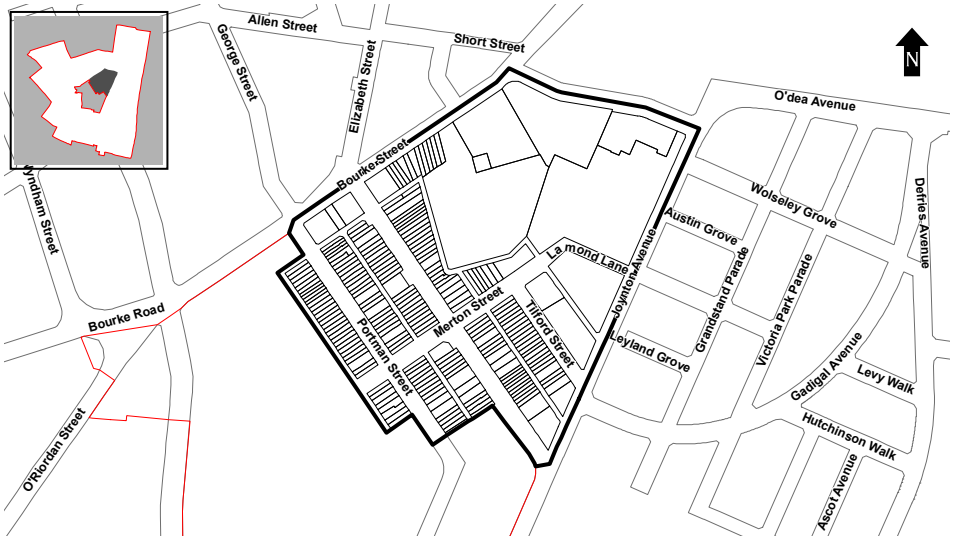
(f) The western half of Archibald Avenue (west of Gadigal Avenue) is to be the focus of retail activity. Built form is to reinforce the pedestrian scale of this street and maximise solar access to the public domain in mid-winter.

(g) A deep soil, tree-lined landscaped setback is to be introduced to South Dowling Street and O'Dea Avenue.

(h) Non-residential uses along the South Dowling Street, Lachlan Street and O'Dea Avenue frontages act as a buffer against the impact associated with the heavy traffic use of this road.

(i) A variety of building height and form is to be achieved across the neighbourhood, which responds to the hierarchy of streets and open spaces, residential amenity and solar access.

2.5.8 Mary O'Brien Park



This locality is bound by O'Dea Avenue to the north, Bourke Street to the west, Joynton Avenue to the east and the Green Square Town Centre boundary to the south.

The character of this neighbourhood is to be influenced by the existing residential neighbourhood. New development in the north is to provide a sympathetic transition from the low scale residential development of the Zetland Conservation Area to the denser residential areas located in the north of Green Square.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Encourage the development of the area as an attractive residential destination.

(d) Promote quiet, green spaces throughout the neighbourhood, with new open spaces in the north to balance the impacts of denser residential development.

(e) Provide active frontages and well designed entries to enhance the function of Bourke Street as a gateway to the Green Square Town Centre.

(f) Extend and upgrade Mary O'Brien Park through the development of the site at 13 Joynton Avenue (the Emerald Park development). The park is to act as a transition to the conservation area and as a focus for the local residents.

(g) Ensure new development addresses the open space to provide opportunities for casual surveillance.

(h) Provide public domain improvements along O'Dea Avenue and Bourke Street including widened footpaths, street trees, awnings and street furniture to enhance the public domain and generate pedestrian activity.

(i) Introduce a 10m landscaped setback along Joynton Avenue to reflect the setback achieved on the opposite side of the street in the Victoria Park development.

(j) Introduce a landscaped setback along McPherson Lane to provide a buffer between new, denser residential development and the existing conservation area.

(k) Provide a new public park in the north west part of 904 Bourke Street to act as a focal point for local residents and provide opportunities for passive recreation.

2.5.9 North Rosebery



This locality is bound by Epsom Road to the north, South Dowling Street to the east, Kimberley Grove and Rosebery Estate to the south and Rothschild Avenue to the west.

North Rosebery is a neighbourhood in transition from traditional industrial land uses to a mix of uses including medium-density residential development and commercial and retail uses. New residential development in the area is to include upgrades to the public domain, including a finer grain street network and new open spaces.

A central park at the corner of Rosebery Avenue and Crewe Place will be a focal point for the neighbourhood with active uses in its vicinity.

Light industrial and commercial uses are encouraged in the area in order to continue to provide local employment and give the neighbourhood a unique character.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Enable increased building heights along South Dowling Street (where large parcels of land enable impacts to be mitigated) and for buildings fronting South Dowling Street to function as an acoustic buffer and designed to address overshadowing and visual impacts.

(c) Facilitate the long term transition of the area from employment-based uses to primarily residential and mixed uses. Commercial and industrial land uses can continue in this neighbourhood, provided that the operational impacts of non-residential uses can be appropriately managed for residential amenity.

(d) Provide new streets and pedestrian lanes to create a fine grain residential subdivision and in turn a more permeable and walkable neighbourhood.

(e) Provide new areas of public open space for passive recreational use. The proposed open space at the corner of Rosebery Avenue and Crewe Place should develop as a neighbourhood focal point.

(f) Provide new open space in the east of the area bounded by the new streets, at the corner of Rosebery Avenue and Crewe Place and on the north side of Kimberley Grove between Rosebery Avenue and Dalmeny Avenue. Future development is to address the proposed open spaces to increase surveillance and generate pedestrian activity.

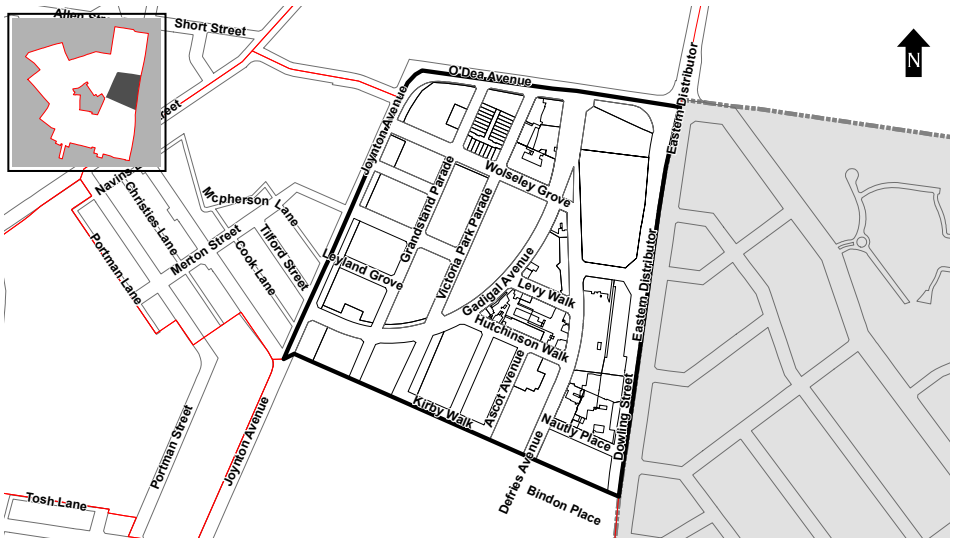
(g) Provide street tree planting and widened footpaths along Epsom Road, retain existing street trees and use private and public setbacks to provide a high quality pedestrian environment compatible with the existing landscaped character of Rosebery.

(h) Generally, protect the views towards the Central Sydney skyline from south of the North Rosebery precinct in Kimberley Grove through employing a transition in height towards the south of the precinct.

(i) Development is to respond to and complement existing industrial heritage to create a unique character for the area.

(j) Development on the smaller lots in the southern part of the precinct is to respond to the finer grain of the bordering Rosebery Estate by being of a low scale and of a maisonette and townhouse typology.

2.5.10 Victoria Park



This locality is bound by O'dea Avenue to the north, South Dowling Street to the east, Kirby Walk to the south and Joynton Avenue to the west.

Victoria Park is one of the first large redevelopment sites in Green Square and it has established a benchmark of high urban quality for the area. Generally the development has created a liveable environment for its new residents, with landscaping and street design that should set standards for other neighbourhoods. Taller built form and landmark design is expected to emerge along South Dowling Street and create an eastern gateway for Green Square; however this development should not occur at the expense of the amenity in the remainder of Victoria Park.

A Local Village will be developed in the north eastern corner of Victoria Park. This centre will provide for the daily shopping needs of local residents and workers, whilst serving a secondary role to the primary retail centre within the Green Square Town Centre.

The north eastern corner of the Victoria Park neighbourhood has been identified as a Local Village.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Provide a high quality streetscape along South Dowling Street to address the site's prominence along the primary route from Sydney Airport to Central Sydney, including the introduction of landscaped frontages.

(c) Create visual variety for built form adjacent to South Dowling Street with carefully sited and well designed slim towers. Buildings viewed from South Dowling Street should vary in height, have a landscape setback and not present as a long high wall.

(d) Ensure future development along the South Dowling corridor protects views into Victoria Park and Green Square.

(e) Ensure development in the south of the Victoria Park neighbourhood considers the potential overshadowing impacts on the Epsom Park neighbourhood, including future open spaces and recreational facilities.

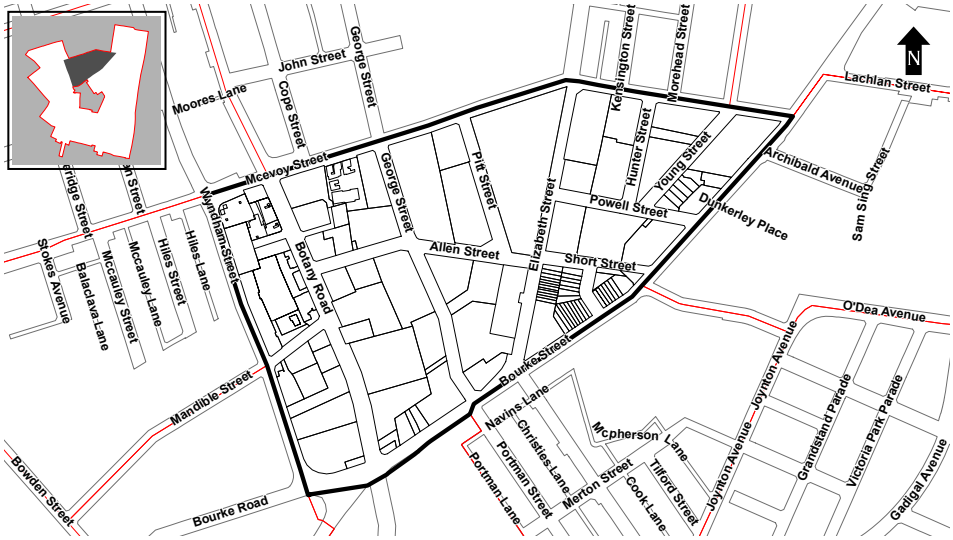
(f) Introduce a village square as an alternative to the more passive parks in the area, at the identified Local Village and provide local facilities such as cafes and restaurants, and retail and commercial activities. This area should have a 'sense of place' and provide a focus for the community.

(g) Recognise and support the function of Joynton Park as a community node.

(h) Retain and enhance the 10m landscaped setback to Joynton Avenue.

(i) Maintain the reservation along Gadigal/Defries Avenue for a public transport corridor to ultimately provide a direct route connecting Redfern with Rosebery.

2.5.11 Waterloo Park



This locality is bound by McEvoy Street to the north, Bourke Street to the east and south and Wyndham Street to the west.

The character of Waterloo Park is to be primarily low to medium scale mixed use development with higher buildings at appropriate locations on Bourke Street and Botany Road. Some existing medium density residential and mixed use developments in the neighbourhood achieve excellent design standards and illustrate good examples for other new development in the area.

The existing community park at Waterloo Park, and the new linear parks created around the water channel are to provide civic amenity and focal points for the neighbourhood. Opportunities for visual interpretation and landscaping of the underground water channel are to be explored.

Principles

(a) Development must achieve the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) The existing 'Mondrian' development at 2-4 Powell Street, Waterloo is an example of appropriate medium scale residential built form for this neighbourhood in terms of streetscape presentation, architectural design, residential amenity and choice of materials.

(d) Encourage non-residential development and active frontages at ground level along Botany Road, McEvoy Street and Bourke Street to increase pedestrian activity and, create a better public domain and to act as a buffer against traffic impact for residential uses above.

(e) Incorporate a 4 storey street frontage height along east-west streets to reinforce the pedestrian scale of these lower-order, more local streets and to achieve good levels of solar access to the public domain.

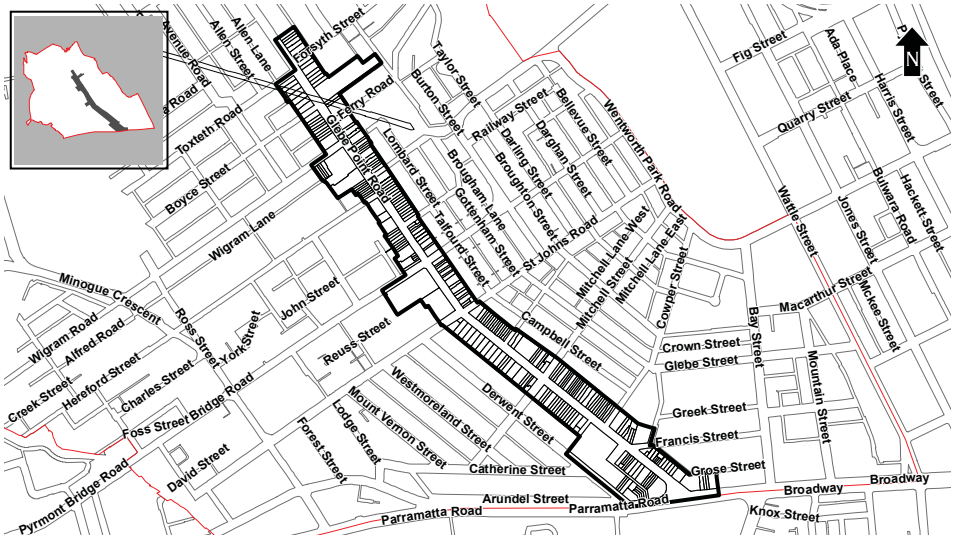
(f) Recognise and support the future function of Waterloo Park as a community node. Encourage an appropriate mix of uses adjoining the park, undertaking future public domain improvements and ensuring new development addresses the open space.

(g) Open up the existing water channel to create a linear open space with a shared path that links the northern neighbourhoods to the Alexandra Canal and to Sydney Park. The linear open space and shared path is to be fronted by buildings and activities to enhance the quality of the space.

2.6

Glebe and Forest Lodge

2.6.1 Glebe Point Road



This locality includes the lots fronting Glebe Point Road, generally south of Forsyth Road but excluding the commercial lots just to the north of Forsyth Road.

Development along Glebe Point Road is to retain and reinforce the consistent 19th century streetscape consisting of fine grain small scale, between 2-3 storey buildings, diverse and vibrant mix of commercial and retail uses, the pedestrian focussed 'main street' and the mature landscaping and street plantings.

Glebe Point Road is encouraged to develop as a focus for cultural, artistic and health and well being related uses, while providing basic commodities and services for the local community and visitors alike.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect important views to the north and along east-west streets towards Central Sydney.

(d) Ensure the design of the rear portions of buildings minimises the impact of building bulk on adjacent buildings, where the ground level of buildings are lower at the rear than at street level.

(e) Retain the existing scale of buildings and align with the street at the ground level.

(f) Design building bays and openings to be vertically proportioned and consistent with the rhythm along Glebe Point Road.

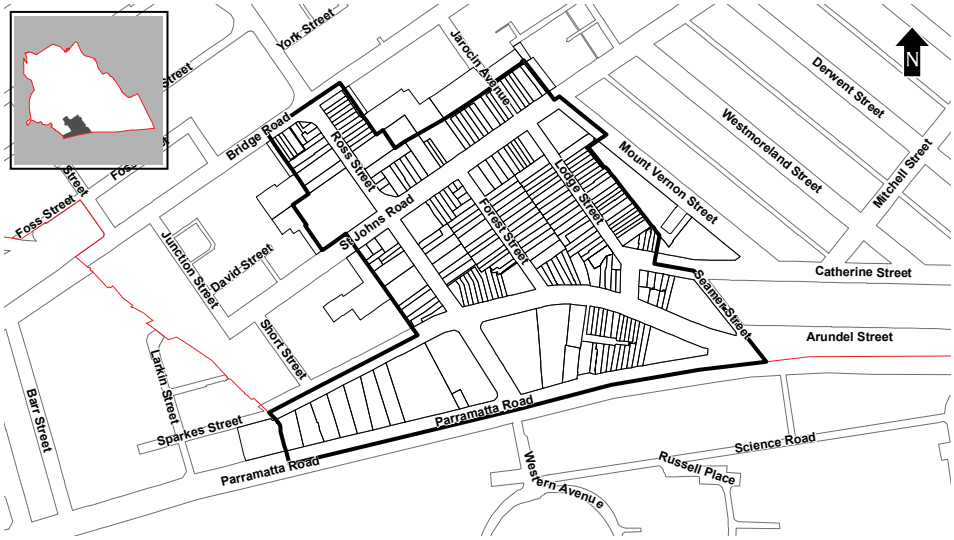
(g) Consider the heritage significance of individual buildings and streetscape groupings as a major determinant for height, massing and façade proportions in any potential redevelopment or adaptive re-use opportunity.

(h) Enhance the pedestrian scale, amenity of the public domain and diversity of shops and services to create a village atmosphere.

(i) Retain active uses on the ground floor of buildings fronting Glebe Point Road, particularly specialist retail, café and dining uses.

(j) Encourage cafes and restaurants to offer outdoor dining where the footpath width permits.

2.6.2 Ross Street



The Ross Street neighbourhood is bounded by Parramatta Road to the south, Seamer Street and the rear of lots facing Lodge Street to the east, Bridge Road and the rear of lots on the north side of St John's Road and the rear of lots facing Ross Street, with an additional 'spur' to the west along Parramatta Road.

Ross Street is to continue to serve local shopping and dining needs and is to include a mix of retail, commercial and residential uses with high quality designed buildings and an enhanced public domain.

The neighbourhood is to include a mix of retail, commercial and residential uses with high quality designed buildings and an enhanced public domain. Future uses and built form introduced on the corner of St John's Road and Ross Street is to help integrate and enliven the area, and the section of Ross Street, between Parramatta Road and St Johns Road is to be treated as a key pedestrian and vehicle access to Forest Lodge. The future development on the site on the corner of Parramatta Road and Ross Street is to provide a strong entry feature to the neighbourhood.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Consolidate the pattern of large street edging buildings to provide a new visual focus and corner anchor to strengthen views towards Sydney University.

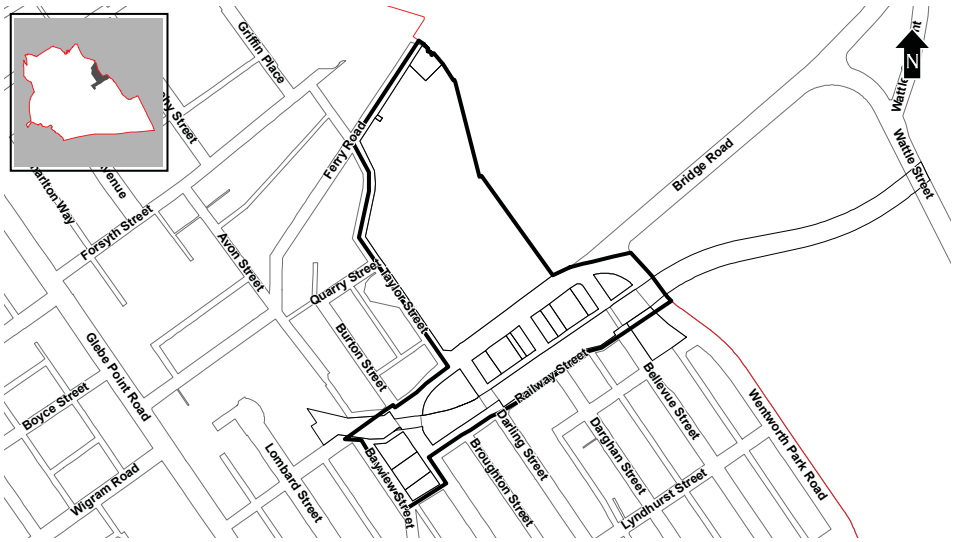
(d) Introduce tree planting in breaks or recesses in buildings located outside of the commercial core.

(e) Align buildings to the street and introduce uses that interact with the street at the ground and first floor level.

(f) Maintain the lower scale of buildings on St John's Road in keeping with its role as the 'secondary axis' of the neighbourhood centre.

(g) Provide continuous awnings for pedestrian amenity, to unify the streetscape and to provide weather protection.

2.6.3 Wentworth Park



This locality is bounded by Wattle Street to the east, Blackwattle Bay to the north, Taylor and Bayview Streets to the west and Railway Street and Wentworth Park to the south. The neighbourhood also includes Wentworth Park.

Bridge Road will continue as a gateway to Glebe with high quality buildings, clear and accessible links between Wentworth Park and Blackwattle Bay, a mix of recreational, commercial, retail, industrial uses and an enhanced public domain. Retail uses are encouraged within a short distance from the light rail stop.

Wentworth Park will have enhanced pedestrian connections to serve the adjacent neighbourhoods of Glebe, Mountain Street and Ultimo.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Introduce gaps in foreshore development to allow visual and physical connections to the waterfront from Bridge Road and to Wentworth Park.

(d) Introduce warehouse type development on the south side of Bridge Road with breaks in the building mass to allow views from the light rail towards Blackwattle Bay.

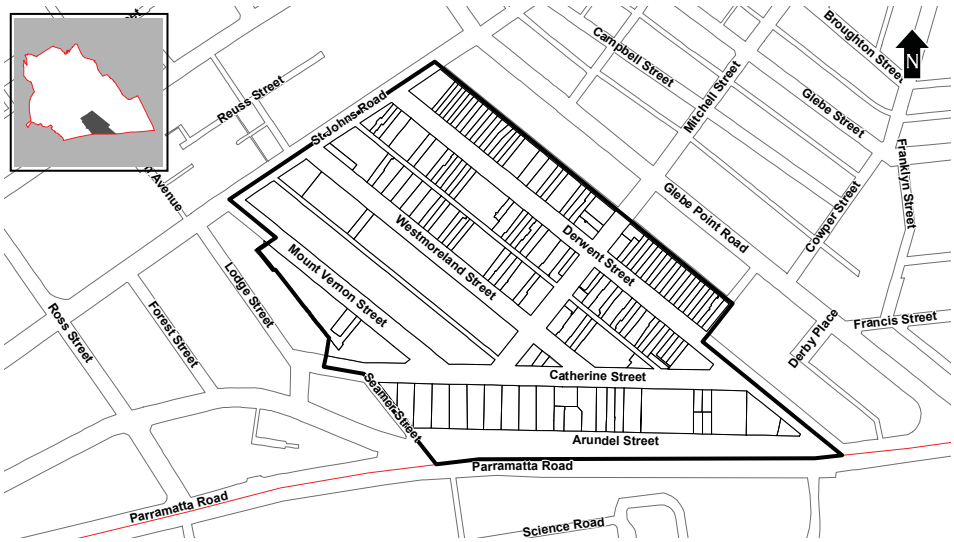
(e) Increase the scale of existing warehouses on the west side of Bridge Road adjacent to the tram stop where there will be minimal visual and amenity impacts on the houses elevated above on Bayview Street.

(f) Design buildings on Bridge Road to address the rail line and the road.

(g) Introduce commercial, industrial, recreational and community uses and retail use focussed in the vicinity of the light rail stop.

(h) Discourage residential uses fronting Bridge Road because of the noise impacts from vehicle traffic and the light rail.

2.6.4 Bishopthorpe



This locality is bounded by Parramatta Road to the south, the rear of lots facing Mt Vernon Street to the west, St John's Road to the north, and the back of lots facing Derwent Street to the east.

The consistency of the streetscapes and of the built form elements – building type, scale, detailing, front gardens and fences – is critical to the character of Bishopthorpe. The area predominantly consists of rows of mid and late Victorian single and two storey terraces inter-dispersed with cottages.

Bishopthorpe is to remain a low scale predominantly residential area with small scale retail and commercial uses on St Johns Road. The area's existing consistent streetscapes with generous tree canopy over-arching the wide streets and built form elements including building type, scale, detailing, front gardens and fences are important to the character of the area and are to be maintained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) New development is to maintain view sharing and amenity to private open space on sloping sites.

(d) Encourage planting of substantial vegetation, including large trees in large front setbacks.

(e) Retain the low scale of built form and consistency of building mass.

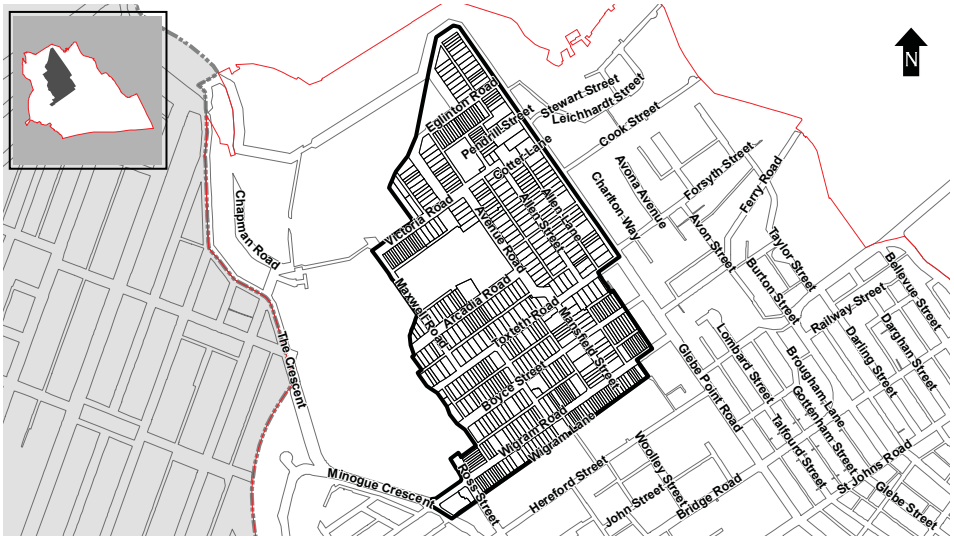
(f) New infill development on Derwent, Westmoreland and Mt Vernon Streets is to retain and respond to predominant one to two storey attached or semi detached house building typology.

(g) Protect the consistent character of the streetscape. Additions and alterations are permitted at the rear of lots with vehicular access limited to rear lanes.

(h) Require simple pitched roof forms where they prevail on existing streetscapes.

(i) New development is to retain and enhance the existing character of the area.

2.6.5 Toxteth



This locality is bounded by Wigram Lane to the south, Glebe Point Road to the east, and the western parklands to the north and west.

This neighbourhood will continue to be a predominantly residential neighbourhood supported by the existing educational and cultural/religious institutions. The neighbourhood is characterised with a combination of consistent elements including building scale, front and side setbacks, wall and roof forms and mature planting in both the private and public domain which will be protected and enhanced.

The precinct provides many attractive, elevated views across parkland towards the water or surrounding hillsides.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain elevated glimpses along terminating streets to the Harold Park paceway site and long views across the contours that reveal the topography.

(d) Encourage detached houses on large lots on Glebe Point Road south of Eglinton Road, with uses including accommodation, professional suites, non-government and community services.

(e) Provide large setbacks to plant substantial vegetation including large trees to enhance the streetscape.

(f) Support high quality, boutique accommodation where the depth of lots and the presence of rear lanes can buffer them from neighbouring residences.

(g) Integrate the sandstone cliffs and rocky outcrops edging Jubilee Park and the retaining walls to the north of Glebe Point Road with landscaping.

2.6.6 Western Parklands



This locality is bounded by Wigram Road to the south, the park edge to the east, the bay to the north and The Crescent to the west.

Western Parklands neighbourhood will be the focus of the continual enhancement of the public domain with clear and legible connections to Jubilee Park. The adaptive reuse of the existing Tram Shed buildings is encouraged with a cultural and open space use that is appropriate to history of the area and clear connections to Jubilee. The foreshore walk is encouraged to continue Sydney's open space network.

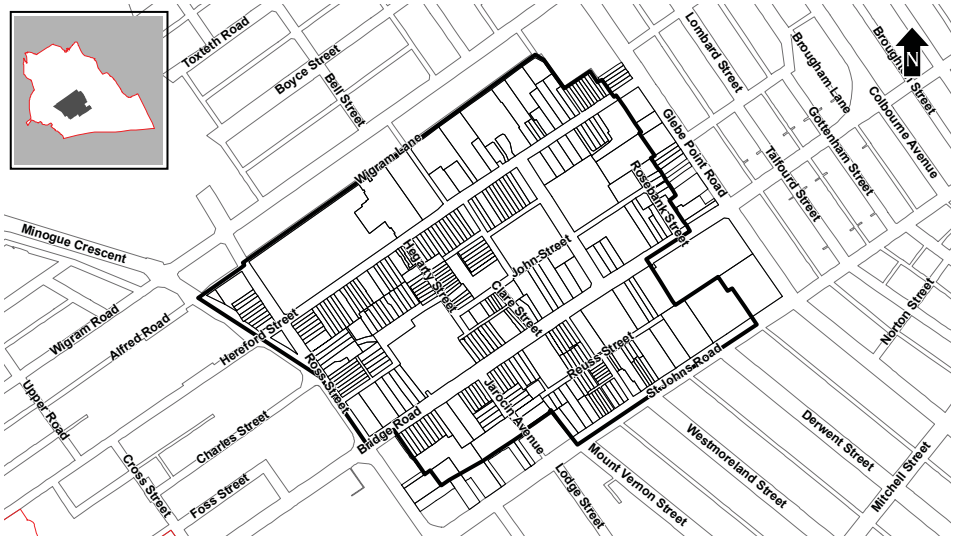
Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Protect views and access between the parklands and the waterfront.

(c) Encourage small scale built elements that recognise and respect the heritage buildings and history of the locality.

2.6.7 Hereford



This locality is bounded by St John's Road to the south, the back of the lots fronting Glebe Point Road to the east, Wigram Lane to the north and Ross Street/ The Crescent to the east.

Hereford will continue as a predominantly residential area that is a pleasant and comfortable place for pedestrians, enhanced by planting in the public and private domain and the high quality public open spaces. Future development is to be moderate in size, and limited to two storeys in height to maintain views, respond to the topography and local built context, and minimise building bulk.

The wider east-west streets are to be highlighted with the introduction of large trees that will also create a dramatic approach to Glebe Point Road.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain long east-west street views. Development that terminates or narrows the views will not be supported.

(d) Ensure the siting and massing of new development protects the visibility of the spires of St John's Church, St James' Church and The Abbey which are highly visible in the neighbourhood.

(e) Maintain the brick chimney stack as a visual marker and unique character element for the neighbourhood.

(f) New development on larger lots is to reflect the narrow subdivision pattern common throughout the area.

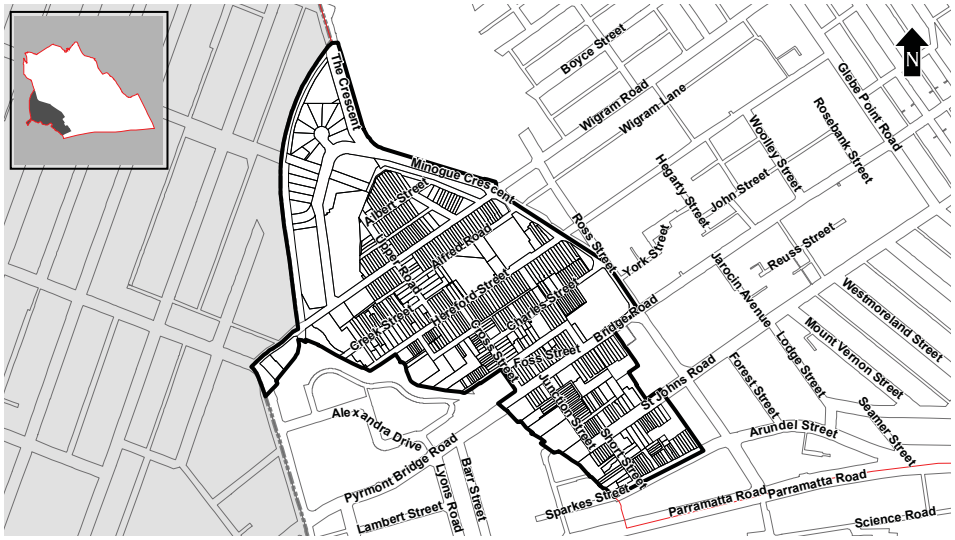
(g) Maintain views to the surrounding slopes and minimise the bulk of development, particularly from rear lanes, by stepping buildings with the topography.

(h) Ensure the location and design of development adjoining public open space minimises impacts on amenity.

(i) Encouraged landscaping of front gardens to supplement opportunities for street tree planting.

(j) Retain and enhance the heritage character of the area.

2.6.8 Forest Lodge



This locality is bounded by Arundel Street to the south, Ross St/Minogue Crescent to the east, and Orphan School Creek to the west.

Forest Lodge is to remain as a predominantly small scale residential area characterised by a fine grain 'single house' scale. Future development is to respond to the built form context and sloping topography. Small local shops to the north of the neighbourhood are encouraged to enliven the area and support the local residential population.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain the visibility of sandstone cliffs and edges through integrating the landscaping of adjoining spaces.

(d) Retain and protect the visibility of sandstone cliffs and edges by integrating the landscaping of the adjoining public and private spaces.

(e) Ensure future development responds to the predominant terrace typology and protect distinctive groups of detached and terrace housing.

(f) Ensure development adjoining public open space is sited and designed to respect the amenity of the open space.

(g) Encourage landscaping of front gardens to supplement opportunities for street tree plantings.

(h) Introduce a setback for buildings opposite Orphan School Creek to enhance the open space corridor.

2.6.9 St Phillips



This locality is bounded by Cowper Street and Wentworth Park Road to the south east, the back of lots fronting Glebe Point Road to the west and Railway Street to the north.

St Phillips will remain a predominantly residential area with a predominant one to two storey building scale to respect the heritage character of the area. Community, cultural and educational facilities are encouraged in the area with a strengthened neighbourhood node around the intersection of Cowper and Broughton Streets.

The intact townscape, including the building form, scale, architectural elements and relationship to the street is to be retained and enhanced. New development that is introduced is to be sympathetic to its surrounds.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) The siting, massing and height of new development is to retain the visual prominence of the tree canopy.

(d) Ensure new development is carefully designed to protect the vegetation on the skyline and of natural features including the sandstone cliffs.

(e) Buildings on elevated lots are to be set back or screened by planting to ensure they do not dominate the outlook from public spaces including streets and footpaths.

(f) Retain the vertically proportional façade rhythm characteristic of the narrow terrace form.

(g) Encourage simple pitched roofs for dwellings to create an appropriate spatial relationship to the street.

2.6.10 Glebe Point



This locality is bounded by Palmerston Avenue to the south, Taylor Street and Blackwattle Bay to the east and north, and Glebe Point Road to the west.

Glebe Point will continue to be a residential precinct with a mix of small scale office suites, local retail, professional services and residential uses on Glebe Point Road, south of Leichhardt Street. The precinct supports a diverse scale and type of built form, with a focus on enhanced landscaping to unify streetscapes and mitigate the scale of larger buildings.

The local and regional public open space network is to be enhanced with strong visual and physical connections to the waterfront from the neighbourhood. New foreshore links are to enhance the walk and increase opportunities to see and appreciate Bellevue House and the Walter Burley Griffin incinerator.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the prominence of the ridgeline as the highest point visible from public streets and open spaces to ensure the topography continues to be a major determinant of the local character.

(d) New development, particularly on larger sites should step with the topography to reduce building bulk and scale and enable view sharing to the water and City skyline.

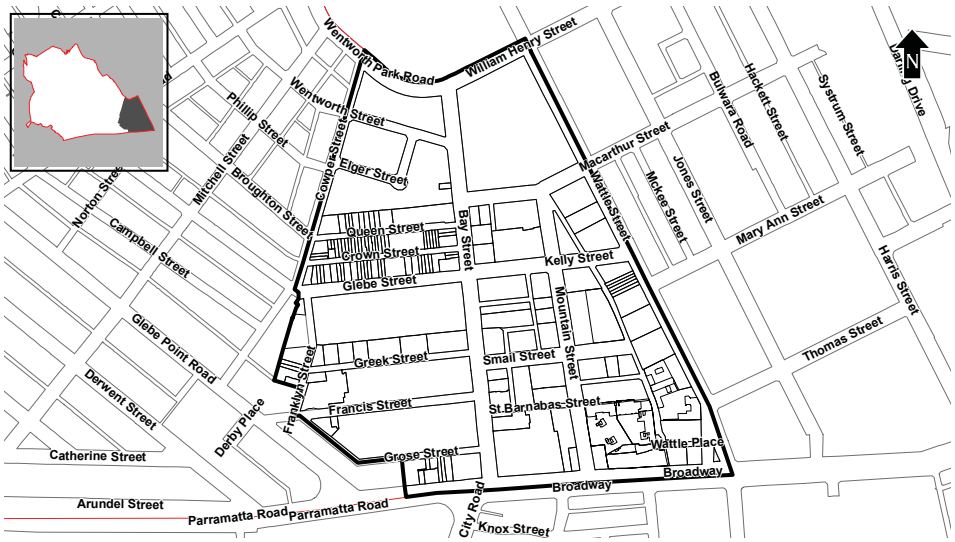
(e) Encourage a stone base for development on the street façade to reflect the existing character of elevated houses within the character area.

(f) Retain Glebe Point's mix of building types including single detached houses that form part of the traditional housing stock.

(g) Infill development is to reflect the scale, massing and proportions of neighbouring rows of terraces.

(h) Retain and enhance the heritage character of the area.

2.6.11 Mountain Street



This locality is bounded by Broadway to the south, Wattle Street to the east, Wentworth Park Road to the north, and Cowper Street to the west.

The Mountain Street neighbourhood will retain its role as an important entry to Central Sydney. The area will continue to provide a diverse and sustainable mix of uses in restored and adaptively reused early warehouse buildings or in new buildings whose bulk and scale is appropriate to the large lots and existing urban form.

Views through the precinct along streets towards Wentworth Park (and potentially to the waterfront) are to be retained to provide a strong visual association of the neighbourhood and Wentworth Park. Improved access to open space is important and will enhance the amenity of the area. Avenue planting along Mountain Street is to enhance the streetscape and help break down the scale of larger buildings.

Wentworth Park is to be framed with street-edge buildings and views through the neighbourhood towards Wentworth Park will be retained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Encourage simple forms where appropriate to recognise the predominant warehouse character. Retain the strong warehouse building character of Mountain Street.

(d) Maintain the prominent Federation warehouse character of the area by retaining warehouse and building facades and sympathetic adaptive reuse.

(e) Provide commercial uses at least at ground and first floor levels, where appropriate.

(f) Design new development next to strongly modelled heritage buildings, by responding to their floor to ceiling heights, proportion of bays and the design of horizontal elements.

(g) Generous internal courtyard spaces are to be considered for conversions of large footprint buildings.

(h) Retain the strong and consistent edge to Broadway.

(i) Residential development on Wattle Street is to be set behind and buffered by commercial uses or located at least above the first floor in mixed use buildings.

(j) Retain early housing in the area, particularly along Glebe and Queen Streets.

2.7

Erskineville, Alexandria (west) and Newtown (south)

2.7.1 Erskineville Road village centre



This locality extends from Erskineville Railway Station/rail corridor/Bridge Street (to the east), to the railway corridor and bridge to the west, and follows the ridge that extends south east from the King Street ridge line.

Erskineville Road village centre is to be a vibrant and active local community hub with a diverse mix of uses, including retail, business and commercial uses, community facilities, cafes, restaurants and hotels, high quality public domain, well designed infill development that is respectful of the existing street character, and a range of public transport options.

Development or upgrading of building stock is to prioritise amenity and appeal for pedestrians, with uses that engage with the street and building frontages that open to the footpath, awnings for shelter on the southern edge and high quality façade design.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Reinforce an understanding of the importance of the ridge in forming the road and built form pattern, retaining the visual dominance of corner buildings in particular, which are typically massed to the highest point at the street edge.

(d) Enhance the streetscape vistas both along Erskineville Road and also the views to the south.

(e) Retain the narrower road corridor from Rochford Street west up to the Railway bridge.

(f) Encourage the continuation of buildings that are built to the street boundary and buildings with larger footprints.

(g) Encourage the continuation of the street level awnings along the existing retail strip and a continuous awning along the southern side of the road.

(h) Require buildings to align with and address the street at ground level.

(i) Limit the height of new development and require awnings to the footpath of new mixed use development, particularly on the southern side of Erskineville Road.

(j) Ensure that development of sites that currently have internalised spaces provide active edges to enliven the street.

(k) Encourage a mix of building types and scales, reflecting the diversity of form and massing that derive from a range of lot sizes.

(l) Ensure the built form of new developments is consistent with the existing public domain scale of buildings.

(m) Ensure new retail/commercial strip development responds to and complements the scale and proportion of traditional strip retail to the east.

(n) Retain and encourage active uses on the ground floor of buildings fronting Erskineville Road.

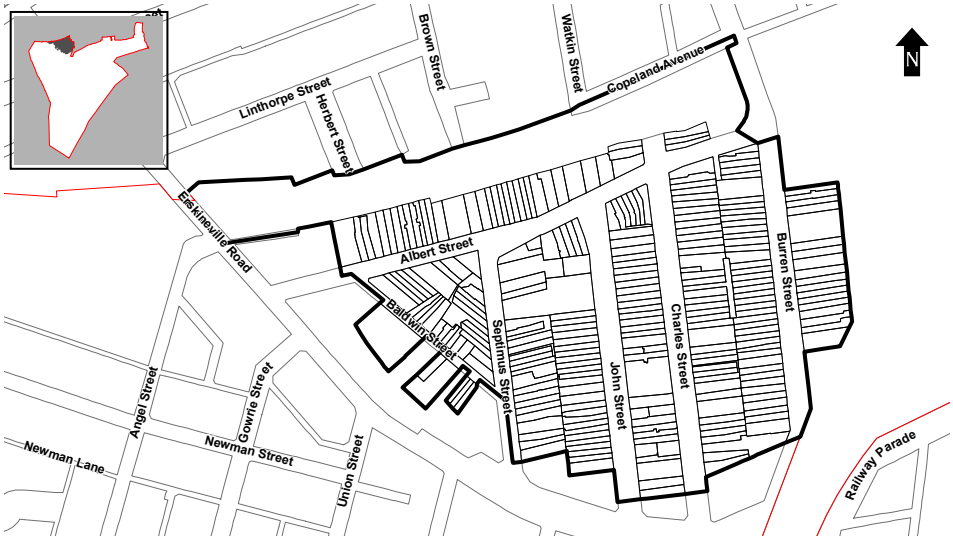
(o) Retain the green open quality of the north side of the eastern end of Erskineville Road which the additional road width in this area has created.

(p) Retain the public through-site link to Baldwin Street through the car park.

(q) Encourage appropriate adaptive re-use of the former Police and Citizens Youth Club (15-19 Erskineville Rd) and the building adjacent (21-23 Erskineville Rd). The redevelopment of the PCYC and petrol station sites are to exhibit good design principles given their gateway location into the neighbourhood precinct.

(r) Retain the vibrant pedestrian friendly village centre with future development enriching the pedestrian environment.

2.7.2 Erskineville neighbourhood north



This locality is bound by rail lines on three sides (north, north-east and south-east) and the Erskineville Village strip on its fourth (south) and is a pocket of almost exclusively residential development.

This area is a fine grain low scale residential area with significant street trees over-arching wide walkable streets with visual and physical connections to the Erskineville Road village centre. The consistency of terrace rows and their scale and proportion, roof design and materials palette is very important to the quality of the streetscape and will be retained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain and extend street tree plantings on all streets to enhance the streetscape character (particularly where there are consistent rows of terraces) and vistas to Erskineville Road village centre and significant buildings (for example the Rose Hotel) except Baldwin and Septimus Streets where narrow street widths are an issue.

(d) Encourage private planting in front setbacks to enhance the streetscape, where possible.

(e) Retain the visual prominence of landmark buildings, particularly former corner stores and hotels along Albert Street.

(f) Retain the low scale of built form and the consistency of building types including setbacks/building alignments.

(g) Infill development is to have an active street address to provide passive surveillance opportunities to the street.

(h) Encourage additions to the rear of dwellings to retain the scale and massing of front elevations and to retain the original roof form.

(i) Limit vehicle access to lots from rear lanes, where possible.

(j) Retain the unique pattern of angled lots and street setbacks on Albert and Septimus Streets.

(k) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

2.7.3 Erskineville neighbourhood south



This locality is situated on the southern side of Erskineville Road and has a consistent and substantially intact subdivision pattern of predominantly north-south streets.

This area shall remain a low scale predominantly residential area with a cohesive built form within a small lot subdivision pattern. The neighbourhood is to continue to have good physical connections to the Erskineville Road village centre and views from the upper levels to the King Street ridge and the Sydney Park chimney stacks. The consistency of terrace and cottage rows; their scale and proportion, roof design, materials palette and intact rear laneways is important to the quality of the streetscape and will be retained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Encourage private plantings in front setbacks to enhance streetscape where appropriate.

(d) Protect the low scale of intact, consistent lanes by constraining studio development.

(e) Design buildings and roofs to step with the topography.

(f) Retain the visual prominence of landmark buildings, particularly former corner stores and adaptively re-used warehouses.

(g) Provide a pedestrian link between King Street and Erskineville Road village centre within the Tram Sheds Site to further enliven and activate this underutilised space.

(h) Retain the low scale of built form and the consistency of building types including setbacks/building alignments.

(i) Ensure that all development responds to and is complementary to heritage items and conservation areas.

(j) Ensure infill development has an active street address to enable passive surveillance of the street.

(k) Studio/garages are to exhibit high design quality.

(l) Limit vehicle access to lots from rear lanes, where possible.

(m) Encourage timber panel lift doors to garages to better respond to the original character of timber rear fences.

(n) Retain the pattern of cantilevered balconies extending over the footpath on Gibbes and Lambert Street

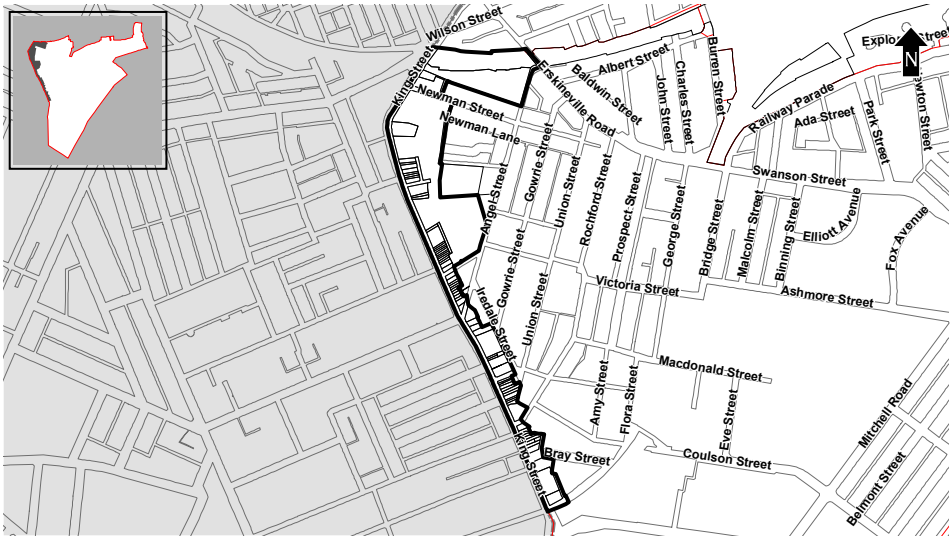
(o) Enable future development of the tram sheds site to:

(i) respond to the proposed activity hub for the site and opportunity for integration with Newtown Railway Station;

(ii) maintain and adaptively re-use the landmark tram sheds building; and

(iii) provide a pedestrian street and sequence of new public spaces to connect King Street to Erskineville Road, through the tram sheds site.

2.7.4 King Street retail strip



The King Street retail strip is one of the economic, social and cultural main streets within the City. Its continuous facades and the general uniformity of scale create a distinct streetscape and visual identity.

The Southern part of King Street is to continue to be an economic, social and cultural main street and will have key local and regional public transport links; centred around Newtown Railway Station. It has a wide array of interesting speciality shops, theatres, café and restaurants and galleries, shops and services for local needs including schools and community centres, and a mix of uses including retail and commercial at ground level and residential above.

Development or upgrading of building stock is to prioritise amenity and appeal for pedestrians, with uses that engage with the street and building frontages that open to the footpath, awnings for shelter on the southern edge and high quality façade design.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Reinforce an understanding of the importance of the ridge in forming the street and built form pattern. Retain the visual dominance of landmark buildings and mixed use buildings that are typically massed to their highest point at the street edge, stepping down the slope on either side.

(d) Enhance the streetscape vistas in both directions; along the street and the striking 'side' views towards the city skyline, by continuing to align buildings with the street.

(e) Require buildings to align and address the street.

(f) Ensure new mixed use development responds positively to the scale and proportion of the traditional strip retail buildings.

(g) Protect the curtilage of heritage items along King Street, notably the church and heritage school buildings, to enable visual appreciation of the buildings within their setting.

(h) Enable additional storeys to traditional strip retail buildings but setback from main street frontage where it does not impact on amenity of adjoining residential areas and not impact on the significance of a heritage item or conservation area.

(i) Encourage appropriate infill development to the Newtown Performing Arts High School edge (southern parts only) to better define the street edge and provide a more active retail/commercial interface.

(j) Retain and encourage active uses at street level including street level cafes, restaurants, retail, professional services and commercial.

(k) Retain the mix of educational/religious uses with mixed uses that gives the northern part of King Street a distinct open and green quality that contrasts with the strong built edge to the south.

(l) Encourage mixed use redevelopment and enable higher built form where it does not impact on the amenity of adjoining residential areas.

(m) Maintain the road closures that have created pocket parks at regular intervals as public open space, so they can continue to contribute to the amenity of the pedestrian network.

(n) Encourage the redevelopment of the Newtown Railway Station and Tram Sheds site to enable creation of a hub.

(o) Consider introducing mixed use development and higher built form over and adjacent to the Railway to mark this important nodal point and junction with Enmore Road and King Street, taking into consideration heritage issues in regards to the Tram sheds and station buildings.

(p) Ensure new awnings maintain the strong rhythm of the string of pearl under awning lighting.

2.7.5 Pleasant Avenue and Macdonald Street



This locality is a small scale residential area to the south of Munni and Victoria Streets and bounded by the railway corridor to the east and the rear boundaries of properties fronting King Street to the west.

The future Pleasant Avenue and MacDonald Street Neighbourhood will remain a predominantly low scale residential area. Parks and pockets of open space within the streetscape and views from Rochford Street to the City skyline and within the locality are to be maintained. The consistency of terrace and cottage rows; their scale and proportion, roof design, materials palette and intact rear laneways is very important to the quality of the streetscape and will be retained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Encourage private plantings in front setbacks, where appropriate, to enhance streetscape.

(d) Protect the consistent intact low scale development along lanes by constraining studio development.

(e) Maintain the visual prominence of landmark buildings, particularly former corner stores and adaptively re-used warehouses.

(f) Retain and protect the pedestrian link between Union and Rochford Street and the Amy Lane access to the park.

(g) Ensure future development retains existing district views, in particular those to Central Sydney.

(h) Retain the predominantly low scale of built form and the consistency of building types including setbacks and building alignments.

(i) Protect the visual appreciation of heritage and contributory items by designing infill to respond to height, massing, predominant horizontal and vertical proportions of existing buildings as well as design elements of adjacent dwellings such as the front verandah (as appropriate).

(j) Limit vehicle access to lots from rear lanes, where possible.

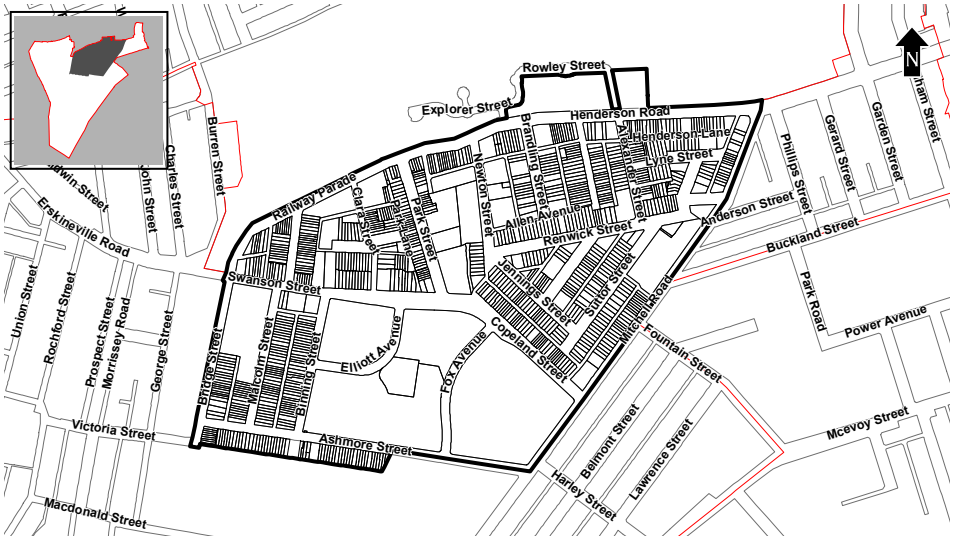
(k) Encourage timber panel lift doors on garages to better respond to the original character of timber rear fences.

(l) Ensure infill development has an active street address to enable passive surveillance of the street.

(m) Retain the fine grained residential subdivision pattern north of Macdonald Street.

(n) Protect the special single storey Federation character of Pleasant Avenue and seek further opportunities for appreciation of its historic and visual qualities.

2.7.6 Erskineville oval



This locality is bounded by Railway Parade/Henderson Road to the north and the railway corridor to the west, Mitchell Road to the east and the Ashmore Industrial Estate to the south.

The future Erskineville Oval neighbourhood will remain a pleasant landscaped area with predominantly low scale residential area with a cohesive built form and scale within a small lot subdivision pattern. The consistency of terrace and cottage rows; their scale and proportion, roof design, materials palette and intact rear laneways is very important to the quality of the streetscape and will be retained.

Neighbourhood nodes providing a mix of uses located along the main vehicular routes of Swanson/Park Street and Henderson/Mitchell Road will provide local services, food, retail and commercial opportunities for Alexandria, Erskineville, Australian Technology Park (ATP) and Eveleigh communities. Along Henderson Road the strategy to increase activity is based on harnessing the potential increase in residential and worker populations generated from the ATP development. The oval and parks will continue to provide an important community focus.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the visual prominence of landmark buildings, particularly former corner stores, the Victorian Italianate terrace rows on Malcolm Street, Erskineville Primary School and adaptively re-used warehouses (particularly the Chimney Stack on Henderson Road).

(d) Require buildings and roofs to step with the topography in the Malcolm Street area.

(e) Encourage better connectivity between the northern edge of the Erskineville Oval Character Neighbourhood and the rail lands/Australian Technology Park to the north, through the provision of development that encourages street level activity and provide better crossing facilities on Alexander Street and Henderson Road intersection.

(f) Ensure the principles and provisions of the REDD Strategy and the Redfern-Waterloo Built Environment Plan (Stages One and Two) August 2006 are considered in any redevelopment of the northern edge of this locality.

(g) Retain the predominantly low scale of built form and the consistency of building types including setbacks and building alignments

(h) Protect the visual appreciation of heritage and contributory items by designing infill to respond to height, massing, predominant horizontal and vertical proportions of existing buildings as well as design elements of adjacent dwellings.

2.7.7 Alexandria Park and Wyndham Street



This locality consists of the Alexandria Park residential neighbourhood bounded by Wyndham Street, Mitchell Road, Henderson Road and Buckland Streets.

The predominant residential character of Alexandria Park neighbourhood with wide tree lined streets and views to Alexandria Park, shall be retained. It will retain the diversity of building types and scales that give it its unique character. Old warehouse buildings add interest to the otherwise residential character and adaptive re-use is encouraged. The consistency of terrace and cottage rows; their scale and proportion, roof design, materials palette and intact rear laneways is very important to the quality of the streetscape and are to be retained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect and enhance views from Phillips, Gerard and Garden Streets to Alexandria Park.

(d) Retain and restore traditional strip retail buildings to enliven streetscape.

(e) Retain the fine grained residential subdivision pattern by not permitting further amalgamation of lots;

(f) Retain the predominantly low scale of built form (one to two storeys) and the consistency of building types including setbacks and building alignments;

(g) Protect the visual appreciation of heritage and contributory items by designing infill to respond to height, massing, predominant horizontal and vertical proportions of existing buildings as well as design elements of adjacent dwellings;

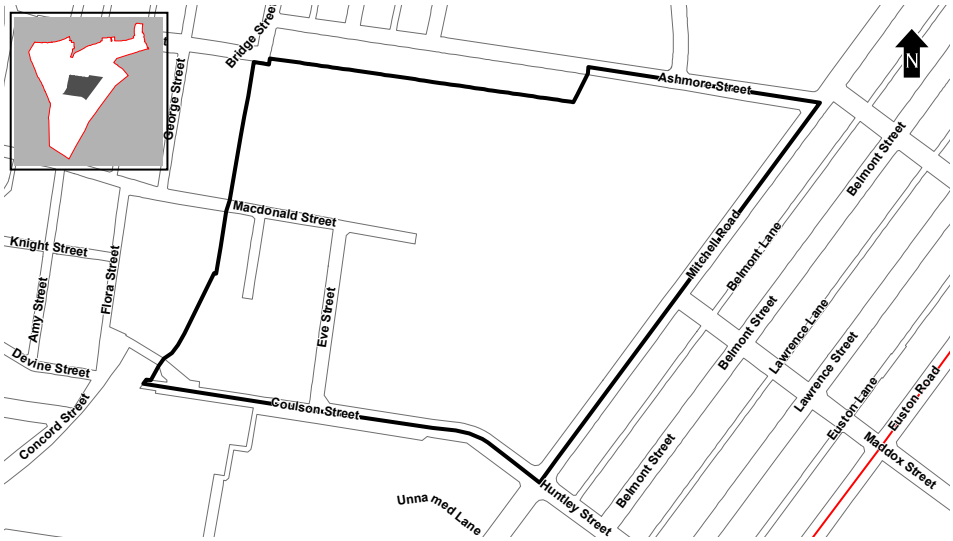
(h) Ensure residential infill development has an active street address to enable the passive surveillance of the street;

(i) Encourage vehicle access to lots from rear where possible; and

(j) Encourage timber panel lift garage doors to better respond to the original character of timber rear fences.

2.7.8 Ashmore

This locality is bounded by Ashmore Street to the north, Mitchell Road to the east, Coulson Street to the south and the railway embankment to the west. It is within close proximity to Erskineville Road Village Centre and the King Street Retail strip (Local Centre).



Ashmore will be a sustainable neighbourhood that offers a variety of dwelling types that will be well integrated with new residential development in Ashmore and the surrounding conservation areas of Erskineville and Alexandria.

Development will be complemented with a high quality public domain, including new streets, a central public park and bike links to facilitate pedestrian and cycle movement throughout the precinct, and integrated with the surrounding street network and open spaces.

Ashmore will have a strong landscaped character, with new development being setback from the street to provide a landscape buffer between the new buildings and the public domain. New development will be designed to ensure it brings life to the street with individual entries to ground floor dwellings, to provide passive surveillance and opportunities for social interaction.

Principles

(a) Future development is to be of the highest quality, and sympathetic to the existing surrounding local character and history of Erskineville and Alexandria and their former industrial uses.

(b) Ensure that redevelopment of the Ashmore Neighbourhood is coordinated to effectively manage the redevelopment and provide adequate community facilities and services as required.

(c) Introduce a mix of dwelling types to provide flexibility and choice that reflects the needs of 21st century living.

(d) Ensure building heights in Ashmore provide a transition to the surrounding conservation areas, with some buildings closer to these areas.

(e) Introduce a permeable network of streets that responds to key connections and the surrounding historic street patterns of Erskineville and Alexandria.

(f) Create an attractive public domain with pedestrian and bike connections. Links to public transport are to be clear and legible, and are to prioritise pedestrians with slow speed traffic lanes. All streets should include tree planting.

(g) Provide one main park, known as McPherson Park, for passive and active recreation, and to assist with stormwater management.

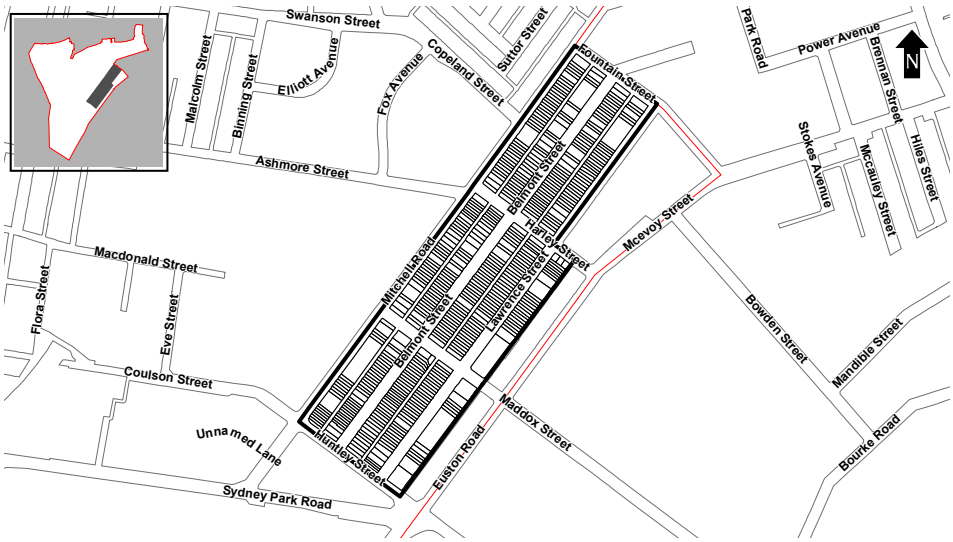
(h) High quality streetscapes are to be provided throughout Ashmore. All new streets will provide trees to provide shade and amenity and incorporate water sensitive urban design where appropriate.

(i) Create a strong landscaped character that unites development in Ashmore by setting back development from the public domain and providing native planting that is in accordance with the Council's Landscape Code.

(j) Introduce an appropriate mix of land uses with retail at ground level on MacDonald Street, adjacent to McPherson Park and some commercial uses at the intersection of MacDonald Street and Mitchell Road.

(k) Protect key panoramic views from Sydney Park to the CBD skyline and King Street ridge and east-west views throughout the neighbourhood to enhance visual permeability.

2.7.9 Belmont Street (Coopers estate)



The locality is bounded by Mitchell Road, Huntley, Fountain Streets and Lawrence Street/Euston Lane.

The Belmont Street neighbourhood will remain a predominantly fine grain low scale residential area, with medium density mixed use and residential concentrated around its edges on Mitchell Road, Lawrence, Maddox and Harley Streets, providing a transition to the high density Sydney Park and Ashmore residential neighbourhoods.

Streets will have generous tree canopies overarching wide walkable streets providing visual and physical connections to Erskineville Oval and the Mitchell Road/ Maddox Street neighbourhood node. The variety of built form including, detached houses, terraces, townhouses, adapted warehouses, apartments is important to this area and are to be retained. The consistency of terrace rows; their scale and proportion, roof design and materials palette is very important to the quality of the streetscape and are to be retained.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain the visual prominence of landmark buildings, particularly former corner stores, warehouses, hotels/pubs along Mitchell Road.

(d) Retain the fine grained residential subdivision pattern, the predominant low scale of built form and the consistency of building types in the area.

(e) Protect the visual appreciation of heritage and contributory items by designing infill to respond to height, massing, and predominant horizontal and vertical proportions of existing buildings as well as design elements of adjacent buildings.

(f) Protect the significance of subdivision by retaining the traditional small lot grid subdivision pattern by not permitting further amalgamation of sites in the Cooper Estate conservation area.

(g) Limit vehicle access to lots from rear lanes.

(h) Respond to the scale of terraces/cottages by retaining the traditional narrow lot, small footprint fine grain character of terraces.

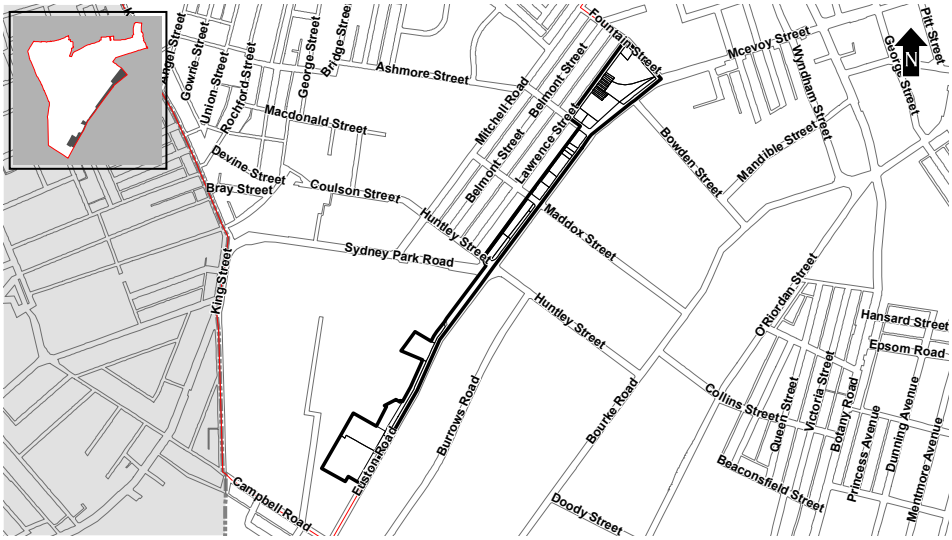
(i) Enable higher built form along Lawrence Street (eastern edge) and Mitchell Road but constrain the street wall height to maintain a pedestrian scale and existing character.

(j) Design apartment buildings to align to and address the street at ground level.

(k) Encourage adaptive re-use of commercial and industrial buildings along Mitchell Road, Fountain and Lawrence Streets for the purpose of mixed-use residential and commercial premises.

(l) Encourage the retention and adaptive re-use of Federation and Interwar factories and warehouses buildings, where possible.

2.7.10 Euston Road and McEvoy Street



This locality is bounded by Euston Road and McEvoy Street, Fountain, Lawrence and Huntley Streets and consists of two distinct localities. The area north of Sydney Park Road is an area in transition from industrial/light commercial to mixed use. The area to the south of Sydney Park Road is dominated on the western edge by Sydney Park with three isolated sites with commercial and industrial uses and on the eastern edge by "big box" industrial development.

Euston Road and McEvoy Street are to be revitalised. Improved presentation of buildings, a greater mix of uses, and better functionality of the street and path network for pedestrians are to enliven this neighbourhood. North of Sydney Park Road the focus is on a mix of retail, commercial, community and residential uses, while south of Sydney Park Road the existing industrial character of the area will continue.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Provide active edges to buildings which adjoin Sydney Park for better passive surveillance and also improved visual appearance to the park.

(c) Design buildings to align to and address the street at ground level.

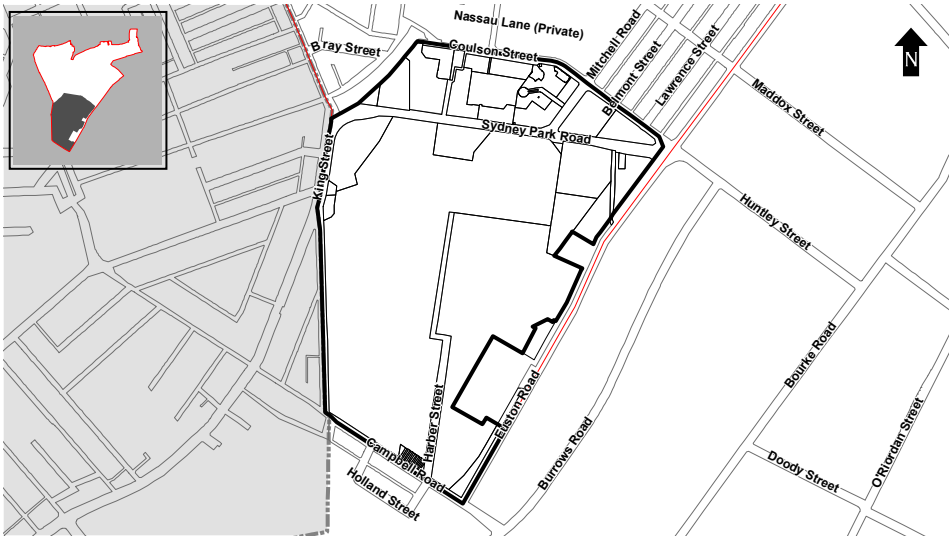
(d) Encourage modulation and articulation of the horizontal and vertical proportions of facades including change in materials to reduce bulk and scale, and provide good visual amenity.

(e) Enable higher built form north of Sydney Park but constrain the street wall height to three storeys to maintain a pedestrian scale.

(f) Encourage the progressive conversion of existing industrial/commercial uses at the northern end of Euston Road/ McEvoy Street into mixed use development with ground floor retail uses and commercial and residential uses above.

(g) Strengthen bike links to Sydney Park and the Alexandra Canal area.

2.7.11 Sydney Park residential edge



This locality is situated on the northern side of Sydney Park and bound by Sydney Park Road, Coulson/Huntley Street and the Airport/East Hills Rail line.

The Sydney Park Residential precinct is to continue to be a high density residential area focused and edging Sydney Park, providing district and regional views from Sydney Park toward the City Skyline, the Erskineville basin and other important local landmarks.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Ensure views to Sydney Park, the former brick works, and surrounding areas are maintained.

(c) Ensure the panoramic 360 degree views from Sydney Park high points are retained to important local cultural landmarks including the King Street Newtown ridge, the Eveleigh rail yards and further north to the City skyline.

(d) Provide better pedestrian links from Ashmore (to the north of Sydney Park Road), and Sydney Park through provision of a pedestrian bridge at this location.

(e) Improve the amenity of Sydney Park Road public domain by introducing street trees and improved pedestrian amenity through better connectivity and pavement treatments.

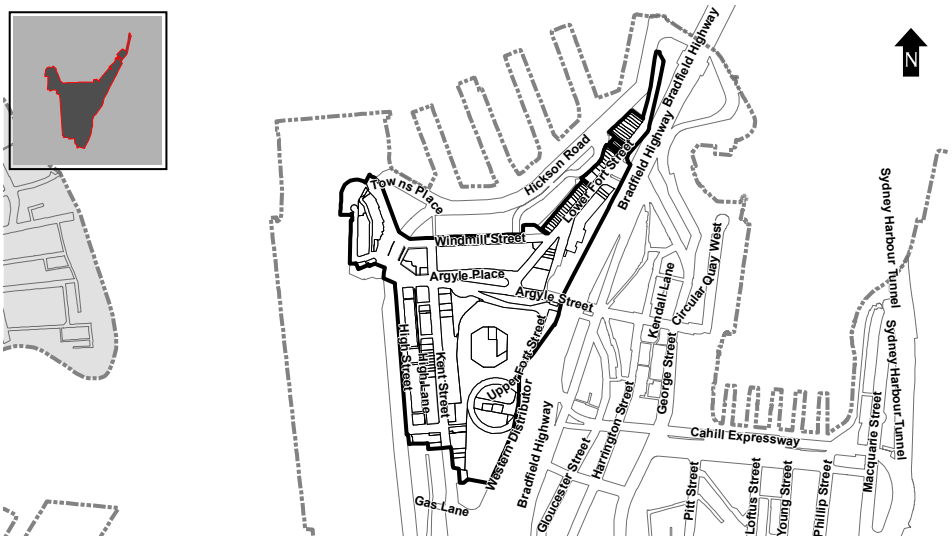
(f) Ensure streets within large development blocks are designed to optimise the number of apartment entries directly accessed from them and that 'streets' have footpaths and street trees.

(g) Encourage modulation and articulation of the horizontal and vertical proportions of facades including a change in materials to reduce bulk and scale and provide good visual amenity.

(h) Encourage the redevelopment of the isolated terraces on Campbell Road to a higher density and form that encourages active frontages overlooking Sydney Park.

2.8

Millers Point



Millers Point Heritage Conservation Area is an intact residential and maritime precinct of outstanding state and national significance due to its unique characteristics, composition, architectural diversity and continuity of 19th and 20th century residential and maritime elements. Its architecture is representative of each decade from the 1820s to the 1930s.

The Millers Point Heritage Conservation Area is of state significance for its ability to demonstrate, in its physical forms, historical layering and social composition, the development of colonial and post-colonial settlement in Sydney and New South Wales.

The character of the area is almost defined on a street by street basis, but the most prominent feature of Millers Point is the consistent townscape and high degree of integrity of the whole area. Its unity and authenticity of fabric make it one of the rarest and most historic urban places in Australia.

The NSW Government and the Council have recognised the very high heritage significance of the Millers Point Heritage Conservation Area. The area is listed on the State Heritage Register and the Sydney LEP. Individual items are also listed on the State Heritage Register and Sydney LEP. This unprecedented degree of listing is unique to Millers Point and reflects the significance of the conservation area.

The area is characterised by a fine grain subdivision pattern, the use of sandstone and other traditional building materials, two to three storey residential terraces, similar scaled commercial buildings (often pubs) defining the corners and pitched roofs. While there is a consistency of materials, scale and form, a diversity of architectural styles and street alignments are represented, with many of the terraces set back at street level.

The maintenance of original fabric in a highly intact state creates a degree of rarity and authenticity. The area's architectural elements are both intact and outstanding examples of their type. Many groups of buildings in Millers Point are unified by their history, construction and type.

The area's steep, coastal topography and early development have generated its character and built form with evidence of quarrying, retaining walls, and a public domain which includes public staircases, laneways, pedestrian pathways, bridges and parks of a variety of scales.

The locality has a strong history as a residential community, with a unique and strong identity that evolved as a self-contained area with employment and community facilities.

The area affords significant views to and from the water and of the Harbour Bridge. A significant panorama of the Harbour and the City is gained from the Observatory Hill precinct, particularly Observatory Hill Park which is of outstanding historical significance and a major component of the precinct.

The conservation of the Millers Point Heritage Conservation Area will be based on a respect for the existing building fabric, high degree of integrity, residential uses and historical association.

Principles

(a) Retain, conserve and reinforce the historic character and heritage significance of the Millers Point Heritage Conservation Area and individual items on the State Heritage Register.

(b) Development must be consistent with the locality statement and achieve the outcomes expressed in the supporting principles.

(c) Development (including maintenance and repairs) is to have regard to any endorsed Conservation Management Plan for a site, or any other conservation management plan prepared to the satisfaction of the consent authority, and be consistent with the Millers Point Conservation Management Guidelines 2007, and the principles of Burra Charter: The Australia ICOMOS Charter for places of Cultural Significance.

(d) New development is to respect and maintain the existing heights and established character of the area.

(e) Conserve unifying building details and the paint scheme for groups of terraces and streetscapes.

(f) Conserve and repair early and original building fabric.

(g) Cliff faces, retaining walls, stairs and early public domain elements are to be retained and conserved.

(h) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(i) Ensure new development respects the siting, scale, form, integrity, use of materials, character and significance of the area, heritage items and contributory buildings.

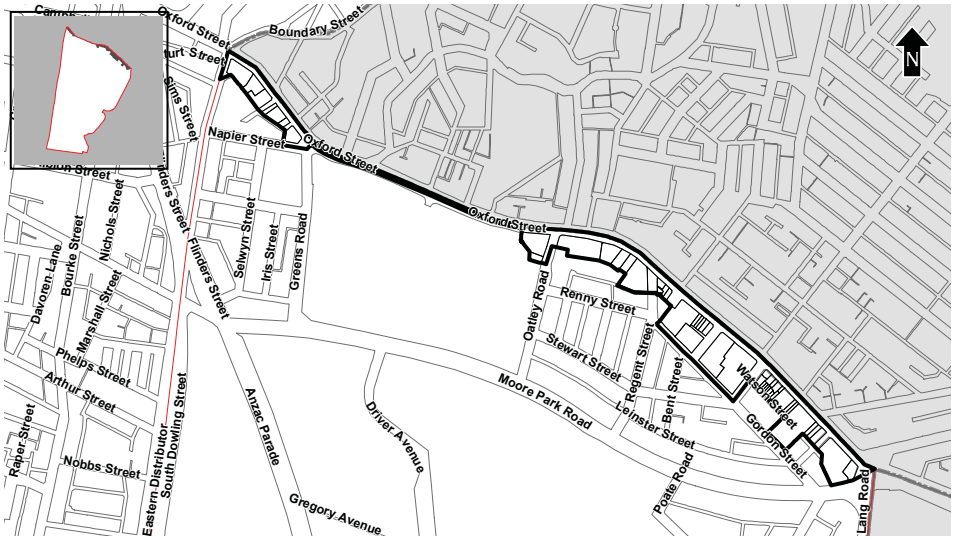
(j) In the event of destruction of a building, replacement buildings must have a floor area that does not exceed that which it replaces and be sympathetic to the scale, setting and proportions of existing development, including adjacent heritage items, and use materials, finishes, textures and details appropriate to the building type and scale.

(k) Maintain existing views and vistas and from the precinct, the water, the Harbour Bridge, Central Sydney, and Observatory Hill Park.

2.9

Paddington/Centennial Park

2.9.1 Oxford Street, Paddington



This locality comprises the lots fronting Oxford Street and includes Victoria Barracks' northern boundary wall and reserve areas.

Oxford Street is to continue to be a rich and diverse neighbourhood and a community hub for Paddington: distinctive, lively, vibrant, attractive and well used. It features a range of interesting shops, galleries and venues, shops and services for local needs, a high quality public domain and a pedestrian scale.

The Victoria Barracks, retail strip and many institutional buildings have been in continuous use for over a hundred years, and represent an important survival of the function as well as the fabric of the buildings.

Oxford Street, Paddington is to continue to be distinguished by its varied buildings stock with institutional buildings and vibrant mix of ground floor retail development. The strong arts and cultural focus towards the western end of the street should continue, linking with Taylor Square. Pedestrian amenity and appeal is to be a priority for new development or upgrading of existing building stock. Uses should engage with the street and building frontages should open to the footpath.

The ridge plays an important role in forming the road and built form pattern and the visual dominance of landmark institutional buildings on high points should be retained. Commercial/retail buildings should be typically massed to their highest point at the street edge and should step down the slope.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Align buildings with the street to enhance the streetscape vistas along the street with views of the city skyline to the northwest and views towards Centennial Park and Sydney Harbour.

(d) Maintain the visual prominence of landmark institutional buildings such as Paddington Town Hall.

(e) Protect the curtilage of institutional heritage buildings including church and school buildings along Oxford Street to enable visual appreciation of the buildings in their setting.

(f) Introduce high quality design on the corner of Oxford Street and Greens Road given its prominence in the long view from Victoria Barracks.

(g) Align buildings with and address the street at the ground level.

(h) Provide awnings to the footpath, where appropriate.

(i) Encourage appropriate adaptive re-use of buildings and active edges to the street.

(j) Coordinate the redevelopment of the current Mitre 10 site and the Telstra building at the 'nub' of Williams Street to contribute positively to the built form of Oxford Street and the public domain. Redevelopment of the sites should provide public space and a through-site link to Gordon Street.

(k) Encourage and retain uses and activities that contribute to the vibrancy of Oxford Street.

(l) Retain active uses on the ground floor of commercial buildings fronting Oxford Street.

(m) Encourage diverse uses above the ground floor including boutique accommodation, commercial, leisure and residential uses.

(n) Encourage cafes and restaurants in buildings on corner sites to provide outdoor dining where footpath width permits.

2.9.2 Selwyn Street



This locality is bounded by lots fronting Oxford Street to the north, Greens Road to the east, Moore Park Road to the south, Flinders Street to the southwest and South Dowling Street to the west.

Selwyn Street is to retain its existing character of a rich mix of uses, buildings of different types and sizes on its streets and lanes. Selwyn Street has a unique character created by this diversity and combined with consistent groups of terraces and the contrast between modest dwellings and larger institutional and commercial buildings as well as small plazas formed by street closures that 'green' the neighbourhood and provide small open spaces.

The 'special areas' are notable for their intimate scale and amenable pedestrian enclaves, qualities are an important part of the future character. Consolidating commercial and retail uses on Flinders Street is encouraged to provide a greater intensity and variety of land uses and to form a neighbourhood centre.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the large street tree canopy over Selwyn and Napier Streets.

(d) Step buildings and rooflines with the topography.

(e) Retain contributory buildings and intact streetscapes.

(f) Encourage vehicle access to be provided from rear lanes. Timber panel lift doors are encouraged to respond to the original character of timber fences.

(g) Retain the original service function and scale of Iris Lane.

(h) Design studio/garages on one-sided streets such as Iris Street (rear facing Selwyn Street) and Josephson Street (rear facing Moore Park Road) to be of high quality and feature simple pitched roof forms. Windows that overlook the street and pedestrian entries alongside vehicle doors are encouraged.

(i) Encourage ground floor uses to activate Flinders Street and Moore Park Road.

(j) Provide awnings to the commercial and retail node on Flinders Street, where appropriate.

(k) Discourage the amalgamation of small sites for redevelopment.

(l) Encourage mixed uses that contribute to the vibrancy and vitality of the neighbourhood including residential, retail, café/dining and educational.

(m) Encourage active uses on the ground floor of buildings fronting Flinders Street, where appropriate.

(n) Encourage quality boutique accommodation and commercial uses on Moore Park Road where the building type is appropriate.

(o) Encourage active uses for the COFA site towards the Napier Street closure to create a connection with the Oxford Street activity strip.

2.9.3 South Paddington



This locality is bounded by lots fronting Oxford Street to the north, Moore Park Road to the south and Victoria Barracks to the west.

South Paddington is to remain a low-scale residential area with a generous tree canopy over-arching wide streets. The consistency of terrace rows; their scale and proportions, roof design and materials palette is important to the quality of the streetscape and is to be retained. High quality alterations and additions are encouraged to maintain the rear lane character and protect residential amenity. Pocket parks, including street closures, also contribute to the character of the neighbourhood, and are to continue to play an important role in enhancing the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect the streetscape character particularly where there are consistent rows of terraces.

(d) Ensure that all development responds to and is complementary to heritage items and contributory buildings within the conservation area and intact streetscapes and landscapes.

(e) Design studio development and garages on narrow lanes to enhance the low scale character.

(f) Protect vistas along sloping and undulating streets, particularly east-west views to Central Sydney.

(g) Maintain the uniformity of consistent terrace rows.

(h) Retain the low scale of built form and the consistency of building types.

(i) Design infill development to respond to the height, massing and predominant horizontal and vertical proportions of existing buildings, and protect the visual appreciation of heritage and contributory items.

(j) Retain the scale and massing of front elevations by confining additions and alterations to the rear of dwellings.

(k) Retain original roof forms and ensure simple pitched roof forms to garage/ studios.

(l) Step buildings and rooflines with the topography.

(m) Minimise the size and 'blankness' of garage doors to reduce the vehicle-dominated character of one-sided streets with studios above.

(n) Encourage the continuation of commercial uses in traditional corner shops.

2.9.4 Furber Road



This locality is bounded by Moore Park Road to the north, Cook Road to the east and Poate Road to the south-west.

Furber Road is to continue as a residential neighbourhood with a mix of building types and characterised by green streets, high quality pedestrian links, an inviting Poate Lane and landscaped front and rear garden.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain and conserve heritage items and contributory buildings including the pairs and rows of Federation terraces as well as inter-war residential flat buildings.

(d) Retain and conserve pairs and rows of Federation terraces, and inter-war residential flat buildings.

(e) Encourage landscaping of front gardens and side setbacks of multi-unit dwellings.

(f) Ensure building heights on Poate Lane respond to the sloping topography and do not result in visual or overshadowing impacts.

(g) Encourage a mix of building types, including terraces, apartments and townhouses to reflect the rich diversity of form and massing.

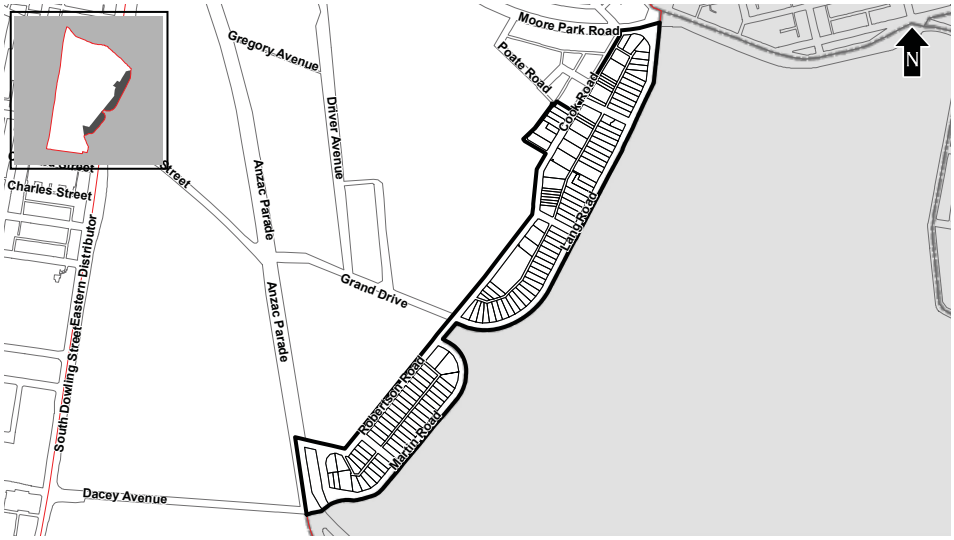
(h) Consider site amalgamation on sites of non-contributory buildings on Moore Park Road adjacent to the corner lot with Cook Road, and on Poate Road to encourage high quality medium density development that benefits from efficient, north-south oriented lots.

(i) Encourage the use of a palette of materials and colours that responds to the dark brick, brick patterning and terracotta tiled roofs of walk-up flats.

(j) Retain the width of above-ground rear extensions of terraces on Cook Road for the breezeway to optimise the amenity provided by sun access and natural ventilation for all the buildings in a row.

(k) Encourage multi-unit dwellings on sites with non-contributory buildings.

2.9.5 Centennial Park



This locality is bounded by Centennial Park to the east, Cook Road, part of Furber Lane and Robertson Road to the west, and Moore Park Road to the north.

Centennial Park is a residential neighbourhood with a mix of housing types, whose history and design quality are highly valued. The distinctive character of the areas is to be retained and enhanced. Generous open space and garden areas provide an appropriate setting for large detached houses and the scale and integrity of these original buildings are to be protected. While existing higher density residential uses remain, their refurbishment (and possibly redevelopment at the end of their lives) is encouraged to provide more efficient and amenable site responses.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain the scale and form of contributory buildings on Cook Road between existing residential flat buildings.

(d) Design secondary buildings or extensions on sites sloping up from the street to be behind the main (original) building line and not visible from the street.

(e) Maintain the overall height of existing residential flat buildings and ensure that redevelopment provides a direct, clear visual and physical connection between the building entry and the street.

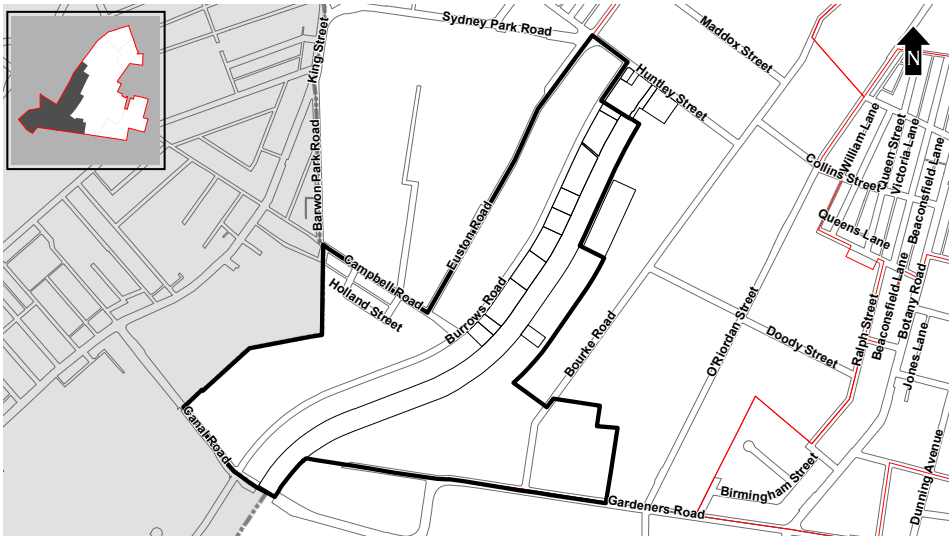
(f) Parking for any redeveloped medium density site is to be provided underground without imposing negative visual or amenity impacts on streets or laneways.

(g) Support generous open space on detached house lots and encourage planting large trees and shrubs.

2.10

Southern Enterprise Area

2.10.1 Alexandra Canal



The Alexandra Canal locality will continue to accommodate industrial uses, including population serving industrial businesses essential to the efficient functioning of a growing inner-City residential population, as well as strategic industrial uses to support Sydney Airport. Limited ancillary uses may also be appropriate to support the industrial uses and working population in the area.

The area is located close to the NSW Government's WestConnex interchange at St Peters that will facilitate more efficient movement of freight into and out of the area.

The Liveable Green Network, a substantial part of which stretches along both sides of the Canal, forms part of the City's pedestrian and cycling network that connects people to the City Centre, village centres and neighbourhoods, public transport, education and cultural precincts and major parks and recreation facilities. The network extends from the Alexandra Canal, along its tributaries and throughout the City.

Future development is to present a more inviting edge to the canal, creating opportunities for future crossing points, casual surveillance and an active interface between the public and private domain. An active square at the head of the Alexandra Canal will create a vibrant and inviting gateway to the water's edge.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) New streets will deliver additional local connections, providing alternative routes within the area and connecting with the main roads.

(c) Promote pedestrian and bike links between the Liveable Green Network and the surrounding street network via through-site links to allow greater enjoyment of the linear open space and offer enhanced movement choices.

(d) Introduce pocket parks and small areas for passive recreation along the Liveable Green Network.

(e) Maximise views along the canal with the location of through-site links and new streets.

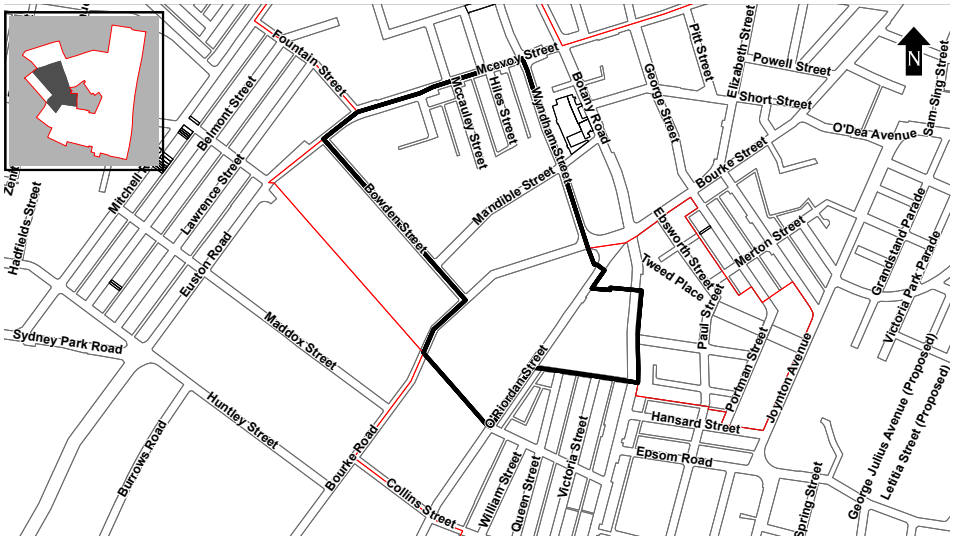
(f) Integrate the industrial history of the area into the public domain.

(g) Ensure new development addresses streets, through-site links and the canal, provides activation and exhibits high quality design.

(h) Encourage a high-quality built form and public domain along the Euston Road frontage to create a more attractive edge to Sydney Park and provide for casual surveillance.

(i) Allow for some ancillary uses that support the working population of the locality, such as kiosks, which are limited in scale so as not to compromise the operations of existing and future industrial uses.

2.10.2 North Alexandria



North Alexandria will grow and diversify over time from an area characterised by predominantly light industrial uses to a thriving employment neighbourhood incorporating a broad range of uses, including higher density commercial, specialised clusters of creative and knowledge-based businesses, entertainment and business support services.

Growth in office and flexible enterprise floor space on the western edge of Green Square centre reinforces its economic role and supports the broader role of the Southern Enterprise Area for industrial and urban services uses. Formation of crucial public spaces, legible connections and attractive entertainment and recreation options are essential if businesses locating in North Alexandria are to attract skilled talent.

The area is well served by public transport, being close to the Green Square train station and numerous bus routes. The precinct enjoys access to several dedicated cycleways and will benefit from the future rapid transport route along the Green Square to Ashmore connector and Waterloo Metro station.

Proposed streets and through-site links will better connect North Alexandria to neighbouring precincts. Green links and proposed public open spaces will raise amenity levels and assist with flood mitigation.

The industrial built form, established trees, layers of history, low scale laneways, open canals, and connection to the Liveable Green Network give North Alexandria a unique character.

North Alexandria has a number of listed buildings, as well as a heritage conservation area, which will preserve the fine grain, low-rise, industrial character in the north-block of the precinct. This area is to become a focus for cultural and creative industries, food and drink, and entertainment and lends itself to becoming a destination for the wider area. Flexible, shared use of the laneways can support alfresco activity and events.

Extended opening hours for retail, dining, live music, cinema and other forms of temporary programming in public spaces is also encouraged to bring late night activity to the north-block, balancing the contribution to street activation and vibrancy of the area with any likely impact on amenity

In close proximity and integrated in grain and scale, the mid-block will be characterised by lower rise, larger floor plate, flexible commercial buildings which will attract a range of creative and knowledge-based tenants in diverse workspaces including small offices with workshops, storage, semi-industrial and showroom spaces.

The higher density, large floorplate built forms in the south-block lend themselves to higher order employment and commercial development including office, as a western edge to Green Square.

The periphery of the precinct will act as a transition to adjoining areas, with large landholdings that preserve the economic function of the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Maintain North Alexandria's important role in catering to specialised employment clusters including transport and logistics, manufacturing and professional services.

(c) Support a diverse range of business uses.

(d) Provide a range of day-to-day services like childcare, retail and food and drink.

(e) Provide higher amenity in the public domain and better urban outcomes, with defined streets, new connections where required, positive landscape spaces, and improved relationships between buildings and the public domain.

(f) Retain heritage, industrial landmarks and unique structures where possible, particularly in the north-block, and enable the adaptive reuse of special buildings to respond to their changing function.

(g) Achieve a sensitivity to scale, fine grain character and materiality in the north-block and surrounding buildings.

(h) Balance maximised street activation and street/building interface with the industrial character of buildings in the north-block of limited doors and windows.

(i) Present high-quality frontages to the Liveable Green Network and public open spaces.

(j) A high-quality public domain is to be realised through the careful design of frontages, through-site links, setbacks, loading and access, and through the screening of warehouses and industrial uses with active uses in the mid-block.

(k) Harness the place-making opportunities which are presented by the canals and Liveable Green Network.

(l) Protect mature trees on Bowden and Wyndham streets and throughout the heritage conservation area.

(m) Address trapped low points for stormwater through development, particularly on Botany Road.

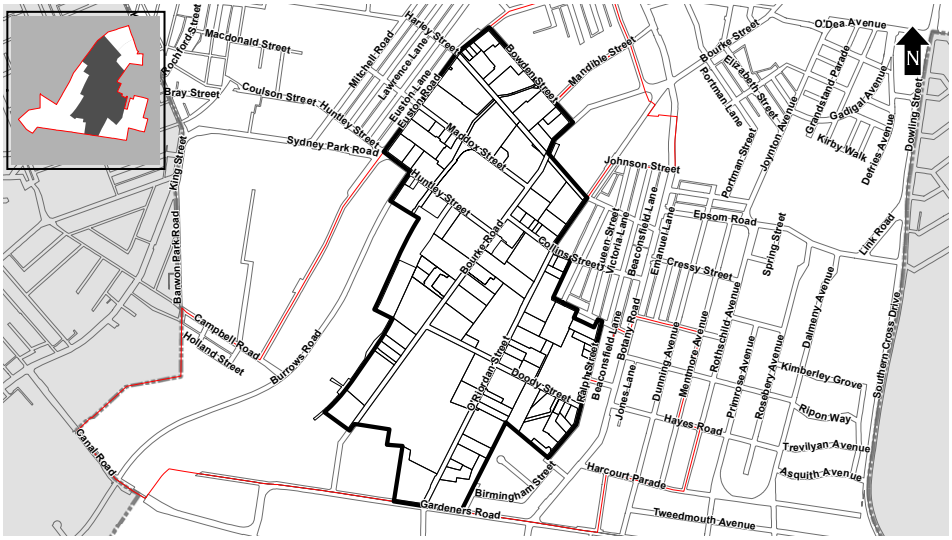
(n) Improve way finding, amenity and legibility with more connections and better arranged streets

(o) Increase permeability through the precinct with more crossing points along major roads, well-designed streets and through-site connections to facilitate comfortable walking both within and around the precinct.

(p) Warehouse and industrial building typologies are to prioritise high-quality building frontages and public domain over internal site functions, private driveways, large vehicle crossing points and inactive street edges.

(q) Commercial buildings in the south-block are to avoid 'campus-style' building typologies. Large landscaped edges used primarily for vehicle access, inactive frontages and poor street address are to be avoided.

2.10.3 Enterprise Corridor



The predominant use in the Enterprise corridor is warehousing and lighter industrial activities, however over recent years, there has been a marked change from the traditional industrial uses to more evolved industrial uses, including high tech industrial, design warehouses and some retail.

While this locality will continue to accommodate industrial activities, it will over time accommodate a wider variety of economic activities. Building on the strength of existing logistics and lighter industrial uses that benefit from good access to the airport and Central Sydney, this area will also facilitate a range of higher value employment, such as high tech and offices where appropriate, to realise a thriving, innovative mixed business economy supporting Sydney's growth.

The north of the locality will become greener, based around Perry Park and a new linear public space following the Shea's Creek channel and forming part of the city-wide Liveable Green Network. It will support new business uses, achieving a transition between the higher-order economic activities around the Green Square Town Centre and rail station and the more intense industrial uses around the Alexandra Canal.

A bulky goods area is to be maintained in the south of the locality along O'Riordan Street, providing support to the growing residential population in the wider vicinity. The area will continue to capitalise on connections to freight and logistics associated with the airport and port. A pedestrian and cycling connection and green link along the alignment of the Sydney Water channel will form part of the Liveable Green Network, linking Alexandra Canal and a new open space on Doody Street.

New streets throughout the locality will provide greater permeability to encourage walking and cycling whilst breaking up larger industrial land parcels to facilitate access for the evolving uses and maximise street frontages.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting principles.

(b) Establish landscaped pedestrian and cycle links as part of the Liveable Green Network along the Shea's Creek channel connecting Alexandra Canal to Green Square.

(c) A new public open space is to be provided on Doody Street, at the corner of Ralph Street, adding to the public open space network that extends from Turruwul Park to Alexandra Canal and Sydney Park.

(d) Public open spaces, through-site links and streets should be edged by active uses to increase safety and security.

(e) Reinforce and extend street tree plantings along major roads and proposed streets.

(f) Introduce new bike and pedestrian friendly streets and improve current streets to provide more street frontage for businesses and create route choice and ease of movement for pedestrians and cyclists.

(g) Encourage land uses including high-tech industries, research and development, freight handling and other airport related industries in addition to the existing more traditional employment uses.

(h) Encourage the planned subdivision of large blocks to create opportunities for a range of businesses and building types. Discourage fragmented subdivision and strata titling of large lots to retain the flexibility for comprehensive and integrated development of the area.

(i) Celebrate the area's history by retaining and adaptively re-using early industrial buildings.

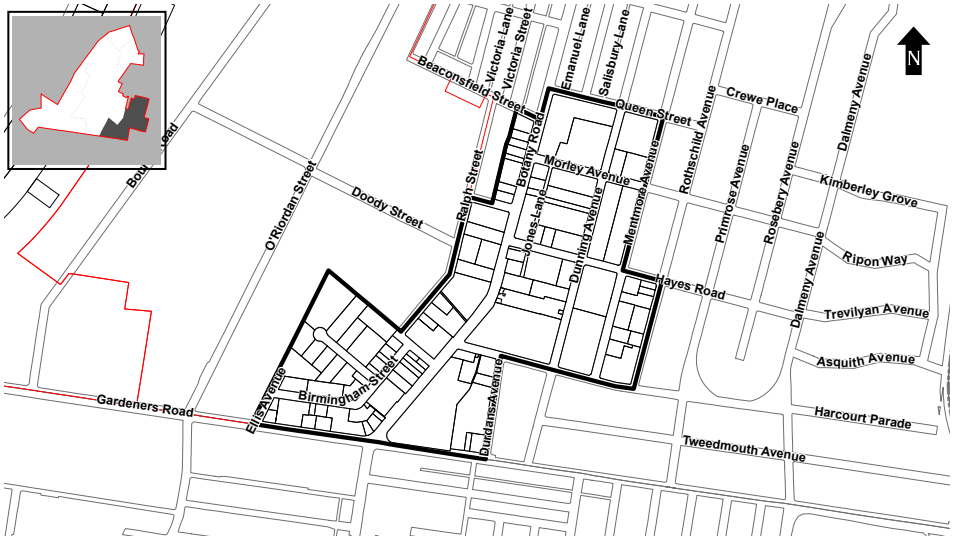
(j) Encourage high quality buildings of bold, contemporary design along O'Riordan Street to create more attractive streetscapes for pedestrians.

(k) Retail is to be limited in scale to support nearby planned centres.

(l) Allow for non-residential uses which support employment activity and/or service the local working population, such as entertainment facilities and markets, ensuring that they are of limited scale so they support planned centres and do not compromise the operations of industrial and employment generating uses.

(m) Support small activity nodes where they are currently located at the intersection of Bourke and Huntley Streets and at Doody and Bourke Streets.

2.10.4 Rosebery West



This locality is generally bound by Queen Street, Rothschild Avenue, Gardeners Road and Ralph Street.

Botany Road is an important route connecting Central Sydney with Botany Bay and is to continue its role as a commercial and industrial hub with a strong employment focus.

The area around Birmingham and Bradford Streets, as well as Dunning Avenue and Hayes Road are current destinations for a diverse mix of uses including small scale retail, cafes, shopping and commercial activity. An activity hub around Hayes Road will act as a small centre to support the surrounding residential, commercial and industrial uses.

Built form is to respond to the finer grain lot pattern and legible well-connected street and block system of the adjoining Rosebery Estate to the east and to the architectural character and tree lined streets around Birmingham Street in the west. Built form along Botany Road is to incorporate non-residential uses at lower levels and be designed to ameliorate the impact on residential uses associated with the heavy traffic use of this route.

Given the locality's proximity to local infrastructure, transport and the adjoining residential area of Rosebery, the provision of affordable rental housing may be considered in appropriate locations.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Capitalise on the architectural character and amenable public domain around Hayes Road and Birmingham Street by retaining and adaptively re-using early industrial buildings. Encourage sensitive re-use by 'creative' industries.

(c) Development is to complement the adjoining Rosebery Estate and respond to the street layout and subdivision of this area.

(d) Introduce new pedestrian and cycle links to Turruwul Park and the landscaped water channels which are part of the Liveable Green Network.

(e) Retain existing and introduce new tree planting along streets and pedestrian links.

(f) Extend the large canopy of existing trees on Mentmore Avenue to strengthen the 'green' character of the street and support the transition to the existing low-scale Rosebery Estate by creating a buffer to new development.

(g) Introduce a landscaped setback along the west side of Mentmore Avenue (north of Hayes Road) to complement the landscaped setbacks within the Rosebery Estate.

(h) Encourage a diverse mix of land uses and active street frontages along Botany Road.

(i) Capitalise on the future widening of Botany Road to upgrade the pedestrian environment to allow for tree planting, footpath widening and bike links.

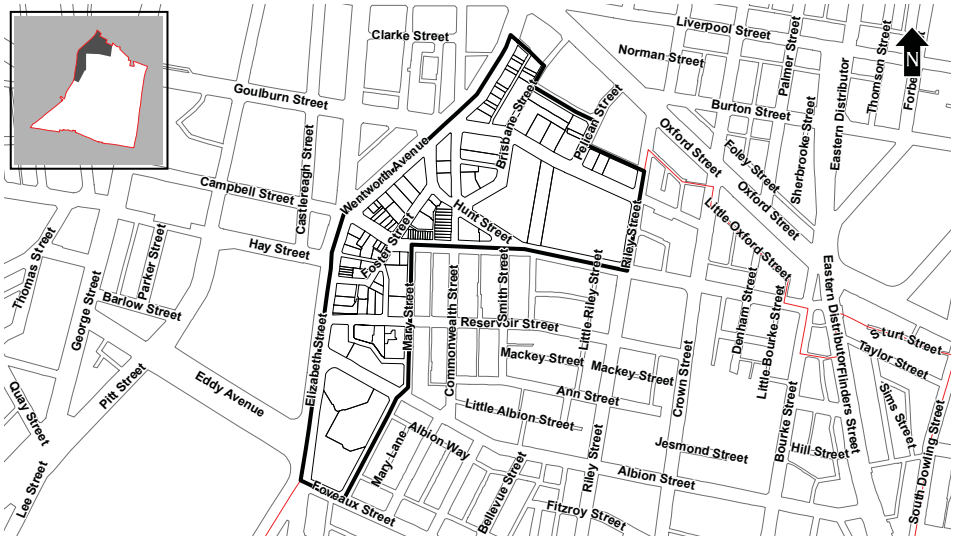
(j) Ensure large setbacks along Botany Road are integrated into, and form an extension of, the public domain.

(k) Provide residential development along the Botany Road frontage as part of commercial and mixed use developments which incorporate non-residential uses at lower levels to ensure satisfactory residential amenity.

2.11

Surry Hills

2.11.1 City Edge



The locality contains the primarily commercial area between Oxford and Campbell Streets, and is bounded by Wentworth Avenue, Elizabeth and Foveaux Streets in the south.

The area is to provide a transition between taller, large scale commercial buildings in Central Sydney and lower scale, finer grain mixed uses of Surry Hills. There area also clusters of multi-storey face brickwork warehouse buildings built in the early 20th century. New development is to respond to the scale and proportion of the area's heritage warehouses, utilising similar materials including brick and masonry. Employment and business uses are encouraged with retail uses consolidated along the Wentworth Avenue and around the edges of Harmony Park.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Maintain street corridor views to Central Sydney in the north along Elizabeth Street and to Haymarket in the west along Campbell and Hunt Streets. Development is to frame street corridor views.

(c) Conserve and enhance the network of existing laneways and the fine grain development pattern.

(d) Create a gateway to the neighbourhood by maintaining significant buildings at the intersection of Wentworth Avenue with Commonwealth and Goulburn Streets.

(e) Maximise amenity provided by the proximity to public open space, and improve the interface between private and public domain.

(f) Maintain the scale and character of the consistent group of low scale terrace houses along Campbell and Commonwealth Streets.

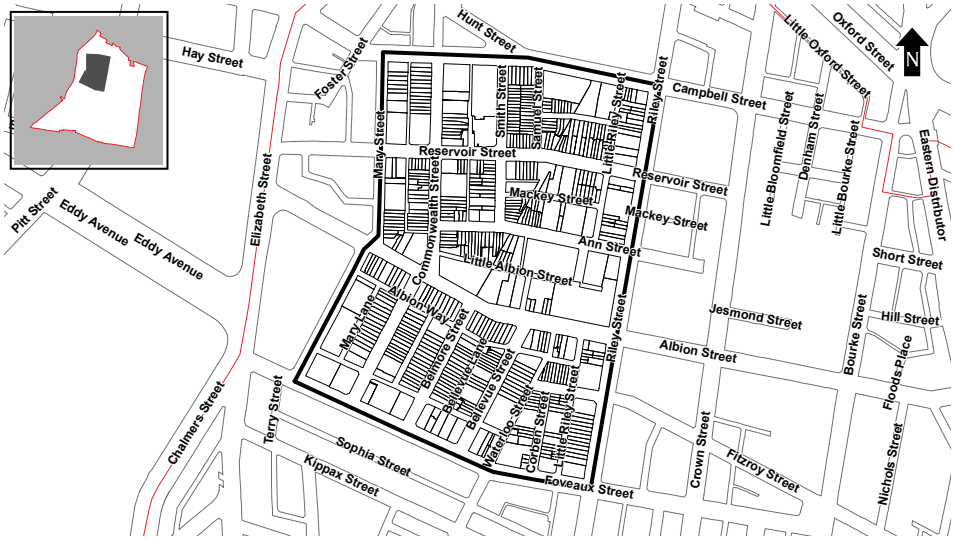
(g) Retain and reinforce the development scale and bulk around Wentworth Avenue by continuing the warehousing typology for new development.

(h) Conserve and reinforce the heritage significance of the area through the conservation of heritage hotels and warehouses.

(i) Introduce active frontages to development fronting Elizabeth and Goulburn streets, and the edges of Harmony Park.

(j) Encourage upper level mixed uses (commercial and residential) overlooking public open space for passive surveillance.

2.11.2 Riley



This locality is bounded by Campbell Street to the north, Riley Street to the east, Mary Street to the west, and Foveaux Street to the south.

The existing mixed use character of the precinct will be maintained. New infill is to respond to the existing character and scale of development. Existing rows of consistency are to be maintained, such as intact terrace house streets and heritage streetwall buildings. Development opportunities will be primarily located on larger lots and less consistent streets. Retail uses will be concentrated along Foveaux Street to enhance existing retail and assist in the retention of residential pockets.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

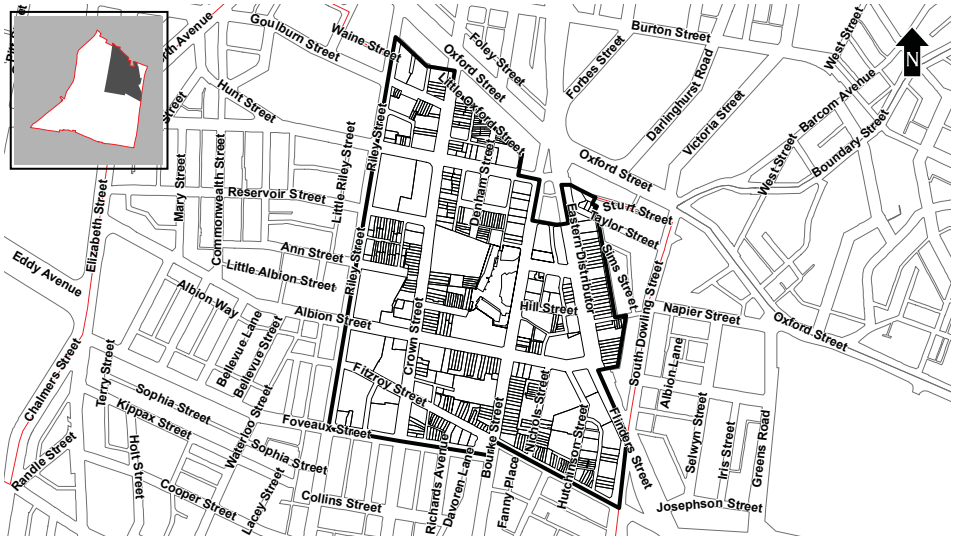
(c) Maintain consistent rows of built form such as taller warehouse buildings on Foveaux Street and small lot terraces with a consistent scale and character north of Foveaux Street.

(d) Maintain the consistent heritage character of Albion Street. Future development along the street is to reflect the scale of these heritage items and adjacent contributory buildings.

(e) Maintain the tradition of 'rag trade' warehouses along Foveaux Street through the conservation of warehouse building types.

(f) Encourage active ground level uses along Foveaux and Albion streets.

2.11.3 Surry Hills North



This locality includes significant small scale retail areas south of Oxford Street and Flinders Street. Riley Street forms its western edge and Fitzroy and Foveaux Streets form the southern edge.

The area will continue to function as the primary retail/cafe precinct in Surry Hills. These 'active' uses are to remain concentrated along Crown Street and Bourke Street north. The consistent awnings which characterise the streetscape in these areas are to be maintained to contribute to a high quality pedestrian environment.

Building heights along north-south streets increase to the north, towards Oxford Street. Taller buildings which already exist along the north-south ridgeline are to be maintained as landmarks. These buildings are to remain distinct from the lower scale of their surrounding development. Intact rows of mid to late Victorian and Federation terraces and other contributory buildings are to be retained to conserve the heritage character of the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain significant views to the north along the Crown and Bourke Street corridors, from the ridge.

(d) Maintain the character of tall buildings located along the ridge such as the St Margaret's Hospital development. These tall buildings act as landmarks and do not set a precedent for the scale of surrounding development.

(e) Reinforce street corners at the intersection of Crown and Fitzroy Streets, responding to the precedent of the Medina building and its setting.

(f) Locate taller buildings around the intersection and pocket park at Bourke, Fitzroy and Foveaux Streets, defining the edges of the space and contributing to the character of Fitzroy Street of taller buildings located on street corners.

(g) Maintain the landscaped setback at the Crown Street Primary School site which creates a break in the street wall buildings and contributes to the character of Crown Street.

(h) Maintain the consistent character of intact rows of terrace houses. The integrity of the row is to be maintained, where intact rows have been interrupted by unsympathetic development. This unsympathetic development does not create a precedent for future development.

(i) Maintain the landmark presence of the steeple of the Chinese Presbyterian Church.

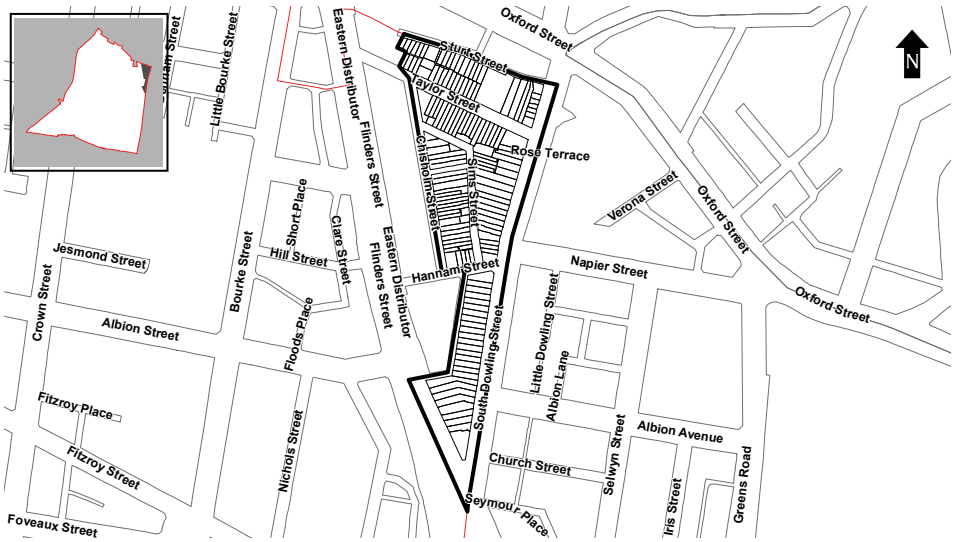
(j) Maintain continuous awnings at the ground level throughout the retail strips.

(k) Consolidate active ground level uses such as retail shops, cafes and restaurants along Crown Street and Bourke Street north.

(l) Encourage supporting commercial and scattered retail uses at the ground level in areas such as Flinders Street.

(m) Provide a mix of commercial and residential uses above active ground floor uses to ensure 24 hour activity and surveillance of the streetscape.

2.11.4 Flinders



This locality is a primarily residential area contained by the major arteries of Oxford, Flinders and South Dowling Streets.

Flinders is to remain a quiet and secluded low-scale residential area. The area is to continue to be characterised by its green, leafy quality, particularly by its unique planted laneways. Views to surrounding areas are to be retained from within the neighbourhood. Glimpses of taller buildings in the distance are to continue over the predominantly two storey roofscape. New development will mainly occur as small lot infill. This new development is to respond to the detail and character of the existing terraces within the area, particularly those of heritage significance.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the residential character of the locality.

(d) Maintain the unique landscape character of the neighbourhood.

(e) Maintain low-scale development on lanes and promote rear of lot developments in keeping with the existing frontage.

(f) Retain existing intact rows of terrace houses.

(g) Continue the existing pattern of small scale retail and cafe uses.

2.11.5 Surry Hills East



This locality is bounded by Fitzroy Street to the north, the rear of lots facing Cleveland Street to the south, South Dowling Street to the east, and the rear of Bourke Street lots to the west.

The quiet residential neighbourhood character typified by consistent low scale heritage buildings is to continue in Surry Hills East. Bourke Street plays a supporting role to the more active Crown Street within the overall structure of Surry Hills. Along Bourke Street the existing pattern of rows of late Victorian Terraces punctuated by corner shops and cafes is to be retained. Small scale retail uses is encouraged, especially to reinstate former corner shops.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain the predominantly residential uses throughout the area.

(d) Maintain views along east-west streets.

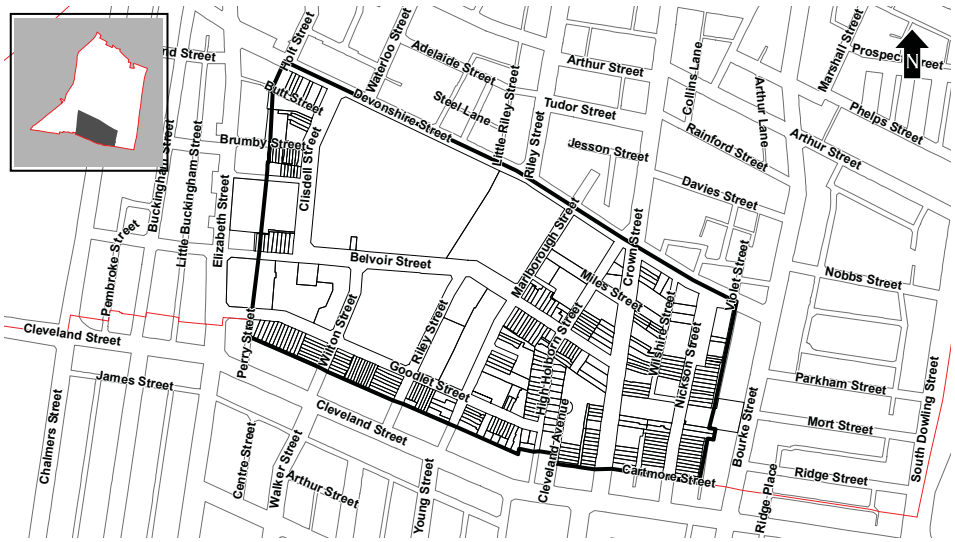
(e) Maintain north-south views along Bourke Street.

(f) Maintain street tree planting and introduce new street tree planting as part of new development.

(g) New development is to respond to the existing low scale of terrace houses. An increase in building heights may be considered on significant corner sites.

(h) Encourage non-retail adaptive re-use of terrace houses along Bourke Street, particularly on corner sites.

2.11.6 Surry Hills South



This locality is bounded by Devonshire Street to the north, the rear of Cleveland Street lots to the south, the rear of Bourke Street lots to the east, and the rear of Elizabeth Street lots to the west.

The tower at Northcott Estate will continue to stand out due to its size amongst the lower scale surroundings. Neighbouring Ward Park is to be framed by development which provides safety and surveillance as well as contributing to its role as a popular public park. The diverse mix of uses which currently characterises the area is to continue, and the growth of complementary cultural and educational uses is encouraged.

Pockets of intact low scale late Victorian and early 20th century terrace houses are to be retained. Future development is to retain the existing street edge scale of Crown Street with additional height set back from the street edge maintaining the street's pedestrian scale.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the experience of 'green streets' created by buildings set back from the street with landscaped private yards.

(d) Maintain the transition in built form scale from taller, larger footprint buildings in the west, to consistent two storey streets in the east.

(e) New development near Ward Park is to provide passive surveillance while responding to the height of existing buildings to the south.

(f) Provide a pedestrian through-site link from Marlborough Street to High Holborn Street creating a connection between Ward Park and Crown Street.

(g) Maintain the group of consistent one and two storey terraces along High Holborn and Belvoir Streets as an intact pocket with a lower scale than the surrounding area.

(h) Provide a two storey frontage wall height along Crown Street to respond to the scale of existing heritage buildings. A third storey that is set back from the street edge may be suitable for new infill development.

(i) Design suitable development to the edges of Ward Park taking advantage of the amenity provided by this public open space.

(j) Maintain the diversity of uses in the area including community and educational uses.

(k) Encourage a mix of uses in larger scale developments.

(l) Consolidate active ground level uses along Crown Street and Devonshire Street west.

2.11.7 Surry Hills Central



This locality is bounded by Foveaux Street to the north, Devonshire Street to the south, the rear of lots fronting Elizabeth Street to the west, and the rear of lots fronting Bourke Street to the east.

The area is to continue to constitute the retail centre of Surry Hills with active frontages consolidated along Crown, Foveaux and Kippax Streets. The future built form character is to maintain the transition in scale and use, from large footprint warehouse buildings in the west to small lot retail, shop-top and terrace houses in the east.

Crown Street is to continue its role as a neighbourhood centre defined by consistent street level awnings and high quality public domain treatment and active uses such as restaurants, cafes, and specialty retail shops, particularly to the north and opposite Shannon Reserve. The consistent late Victorian terrace house character of the areas residential streets is to be preserved to contribute to the heritage quality of the neighbourhood.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain consistent intact residential streets.

(d) Maintain views along Riley Street to Ward Park.

(e) Maintain the transition in built form scale, from taller buildings in the west, to consistent two storey areas in the east.

(f) Provide a strong edge and passive surveillance to Ward Park Sites on the corner of Riley and Devonshire Streets while creating a gateway to Riley Street from the south.

(g) Retain the low scale of terrace houses along Richards Avenue. Single storey additions only are allowed at the rear of these houses to minimise the impact on Shannon Reserve.

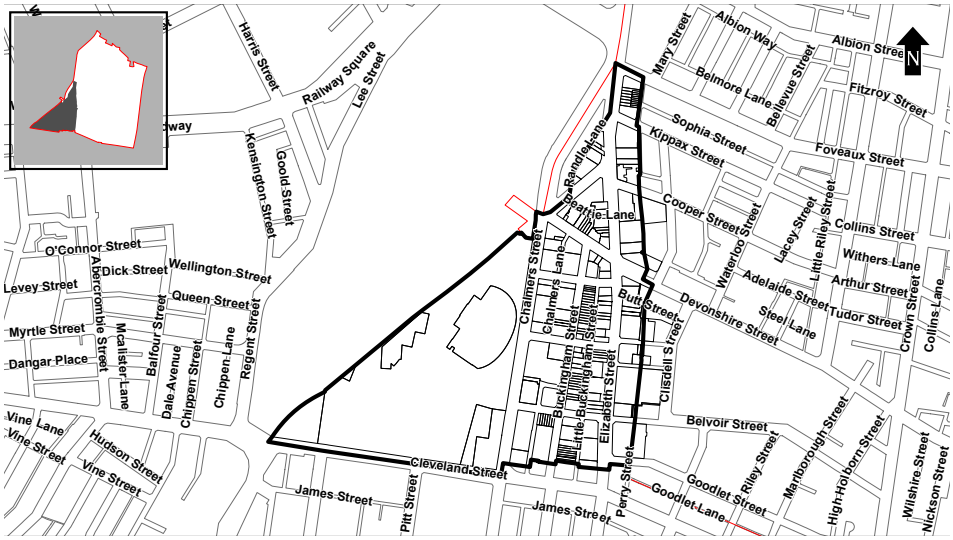
(h) New development is to maintain and respond to intact low scale terrace areas.

(i) Retain and reinforce the two distinct retail characters; including the warehouse style retail outlets of Foveaux and Kippax Streets and the small lot pattern traditional retail strip of Crown Street with active uses dominated by restaurants, cafes and specialty shops.

(j) Allow the commercial precinct around Waterloo Street between Kippax and Devonshire Streets to continue, defined by remnant commercial warehouses, and landmarks such as the Reader's Digest building.

(k) Retain the mixed use character of the north side of Devonshire Street.

2.11.8 Prince Alfred Park East



This locality is bounded by the railway land to the west, Cleveland Street to the south, and the rear of lots fronting Elizabeth Street to the east. The neighbourhood has legible edges, framed by Prince Alfred Park to the west and Central Station to the north.

The area is to continue to develop as a mixed use neighbourhood, with a mix of retail and commercial uses at street level and residential uses above. The diversity of the existing built form is to be maintained and complemented by future development.

Existing pockets of consistent character are to be maintained such as the warehouse buildings along the edge of Prince Alfred Park, the low scale Devonshire Street neighbourhood centre and the rows of heritage terraces in Buckingham Street. These are to remain consistent, contributing to the unique character of the neighbourhood while allowing and benefiting from change and redevelopment in the surrounding area.

Street level retail and commercial uses are to contribute to the future character of Elizabeth Street consolidating its role as a busy commercial connector linking Cleveland Street and Central Station.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain street corridor views along east-west streets to significant parkland and the mature trees of Prince Alfred Park.

(d) Maintain the Dental Hospital as a landmark building.

(e) Maintain Buckingham Street's asymmetry created by taller warehouse/infill buildings on the western side and predominantly low scale terraces on the eastern side.

(f) Encourage Cleveland Street Intensive English Centre School, the Greek Orthodox Church and St. Andrews Theological College and Preschool with frontages that address Prince Alfred Park. Alterations to buildings are to address their heritage significance and impact on the park.

(g) Maintain the visual relationship of Cleveland House and Prince Alfred Park, and also from Cleveland House to surrounding open spaces and streets.

(h) Retain the existing street setbacks and alignment in response to the original street grid pattern of the area.

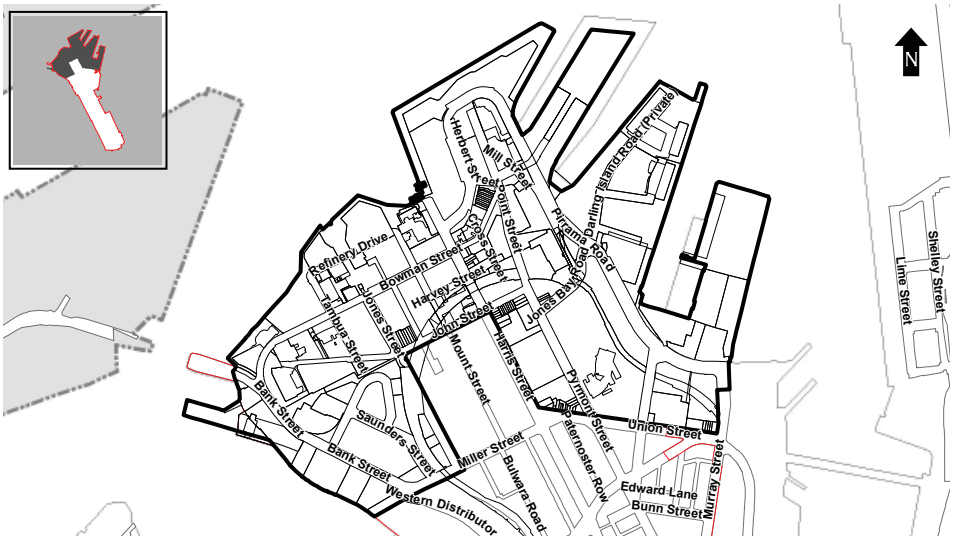
(i) Consolidate active retail uses along Devonshire Street and Elizabeth Street north.

(j) Encourage secondary and supporting commercial uses throughout the neighbourhood.

2.12

Ultimo/Pyrmont

2.12.1 Pyrmont Point



This locality includes the foreshore areas of the peninsula and is bounded by Union Street, Pyrmont Street, John Street, Jones Street, Miller Street and the harbour foreshore.

Pyrmont's mixed use character is to be maintained. The area is to function as a combined living and working precinct while protecting historic buildings and topography. The striking cliff faces are important to remain as exposed landmarks visible from within the area and from the Harbour. Views of Central Sydney and surrounding suburbs from the public domain are to be maintained. Active ground floor uses such as shops and cafés and restaurants are encouraged.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Retain the dramatic topography created by excavated sandstone cliffs visible from the public domain.

(c) Conserve views and vistas within and beyond the neighbourhood, particularly from the public domain.

(d) Maintain the distinctive character created by the built form on the central ridge and the water front edges.

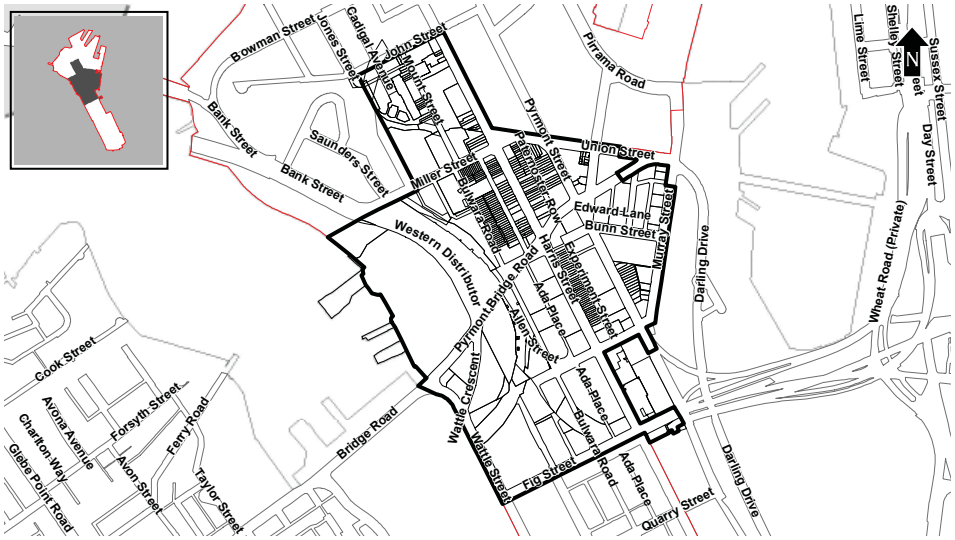
(e) Provide active ground floor uses in locations and maintain the high quality and amenity of the public domain.

(f) Historical buildings are to be retained and adaptively reused.

(g) Continue the mix of small scale retail and café uses with large scale commercial uses in certain areas.

(h) Encourage café and restaurants to offer street dining where footpath width permits.

2.12.2 Pyrmont



This locality is bounded by Fig Street to the south, Harris Street, Allen Street and Murray Street to the east and Union Street, Pyrmont Street and John Street to the north. The neighbourhood is bounded to the east by John Street in the north and the foreshore and Wattle Street in the south.

A strong physical definition of streets and public spaces by buildings is a predominant characteristic of the area and is to be maintained. New development is to align with the street, address the street and respond to the detail and character of existing historic buildings. A high quality public domain is encouraged with awnings and easily identifiable building entrances seen from the street. Driveways are to be minimised and located to not conflict with pedestrians.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain views and vistas from the public domain to the harbour, Central Sydney and surrounding areas.

(d) Define and enhance the amenity of the public domain with awnings and buildings that align and address the street.

(e) Retain historical low scale housing and large scale industrial buildings.

(f) Use compatible materials including sandstone (where sustainable) and face brick.

(g) Encourage café and restaurant street dining where footpath width permits.

(h) Adaptively re-use historical buildings providing a mix of land uses in the distinctive built forms.

2.12.3 Ultimo



This locality is bounded by Mary Ann Street, Harris Street and Ultimo Road to the south, Darling Drive, William Henry Street and Harris Street to the east, Fig Street to the north and Wattle Street to the west.

Ultimo is to continue its existing mixed-use character comprising residential, cultural, retail and commercial uses. The historic low scale housing and large scale historical and industrial buildings are to be protected. Changes to the built form are to respect the scale and character in the vicinity including street scale, proportions and rhythms of existing buildings and materials. Streets and public spaces will feature strong linear edges.

New development is to provide street legibility and improved pedestrian amenity by aligning buildings with the street, entries that address the footway and awnings where required. Ground floor uses that create a lively streetscape and street surveillance are to be provided in locations shown on the *Active street frontages map*. Sites are to provide improved pedestrian and bike links.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Encourage street legibility and orientation by retaining street vistas and district views from the public domain.

(d) The height of buildings are to respect and complement existing buildings that contribute to the areas character in terms of scale, elevation detail and proportions and materials.

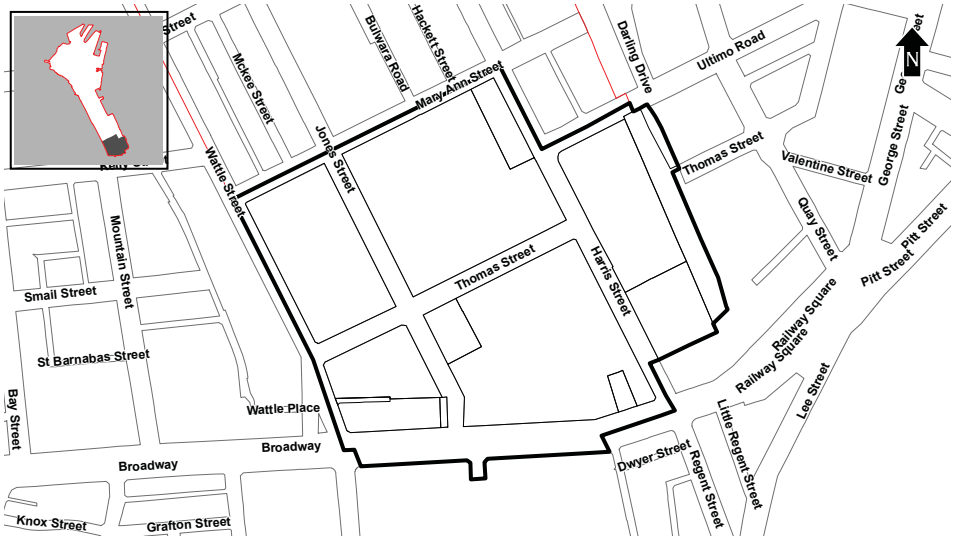
(e) Development is to address the street and have easily identifiable building entries and create a high quality public domain including awnings in locations shown on the Active street frontages map.

(f) Encourage café and restaurants to offer street dining where footpath width permits.

(g) Adaptively re-use historical buildings providing a mix of land uses in the distinctive built forms.

(h) Improve pedestrian and bike connections through sites between Darling Harbour, the proposed extension of the Ultimo Pedestrian Network, Central Sydney, Wentworth Park and Blackwattle Bay.

2.12.4 Student Precinct



This locality is bounded by the former goods rail line to the east, Ultimo Road and Mary Ann Street to the north and Wattle Street to the west. Broadway provides a clear boundary to the south.

The neighbourhood's distinctive character comprising predominantly institutional and commercial buildings is to be maintained. Suitable mixed-uses are to serve the student and working population and create a lively and active interface with the street and Ultimo Pedestrian Network.

The diverse historic building stock is to be protected and adaptively re-used. New development is to respect, and not mimic these buildings and their setting. New development is to maintain street legibility and provide useable pedestrian and bike links through and within the neighbourhood. Driveways are to be minimised and located so as not to conflict with pedestrians.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Provide high quality design solutions to the UTS tower and its Broadway frontage.

(c) Articulate buildings along Broadway to reduce bulk with openings, pedestrian connections, modulations and material quality.

(d) The height of buildings is to respond to the established building height and scale including the elevation detail.

(e) Protect heritage buildings and encourage adaptive re-use.

(f) Development is to align and address the street and have easily identifiable building entries.

(g) Activate the ground floor with student shopfront facilities and retail.

(h) Provide east-west connections between Harris Street and Bijou Lane to improve pedestrian and bike connectivity with railway square and the Ultimo Pedestrian Network.

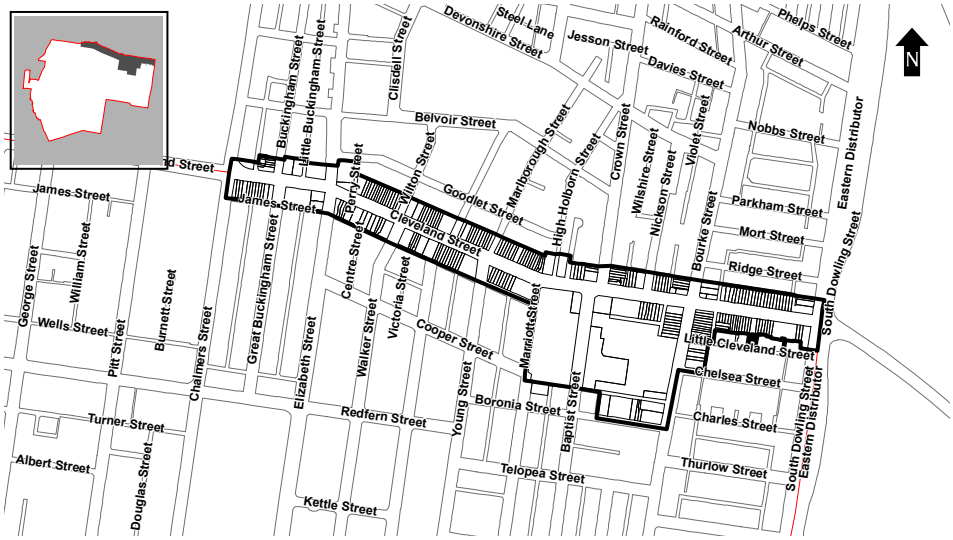
(i) Provide passive surveillance with active frontages on the Ultimo Pedestrian Network ensuring pedestrian activity at street level.

(j) Provide pedestrian and bike connections through sites between Harris Street and Jones Street, and Broadway and Jones Street.

2.13

Waterloo and Redfern

2.13.1 Cleveland Street



This locality includes lots fronting Cleveland Street between Chalmers Street to the west and South Dowling Street to the east. This locality falls within the Sydney Metropolitan Development Authority Operational area.

Cleveland Street will continue as a major east-west traffic route with an enhanced function as a place for people. Positive aspects of the streetscape to be retained and reinforced include existing corner commercial buildings, older warehouses and consistent terrace rows.

The diversity of commercial and retail uses are to be increased to support a greater pedestrian focus, while retaining the residential component to sustain those uses. A series of identifiable nodes or activity clusters that straddle the street and break-down the traffic barrier are encouraged with the aim of linking Redfern to Surry Hills. The Bourke Street retail area offers opportunities to serve the local community and provide dining.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Align buildings with the street to strengthen the east-west street vista and address the street at ground level.

(d) Maintain the visual prominence of landmark warehouse buildings between Great Buckingham and Elizabeth Streets.

(e) Retain and restore older corner buildings to enliven the streetscape.

(f) Introduce a range building heights with lower heights towards the east where adjacent to low scale residential development.

(g) Consider higher built form on the northern side of Cleveland Street at the intersection with Chalmers Street to reflect its role as an important approach to Central Sydney.

(h) Encourage a mix of building types to reflecting the existing diversity of form and massing.

(i) Protect the curtilage of special building types along Cleveland Street, notably church buildings, to enable visual appreciation of the buildings in their setting.

(j) Provide active edges to enliven the street.

(k) Encourage active uses on the ground floor including commercial, retail, professional services, café and dining. Above ground uses should be diverse, such as boutique accommodation, commercial, leisure and residential.

(l) Encourage cafes and restaurants to offer outdoor dining to activate and enliven the street, where footpath width permits.

2.13.2 Thurlow Street



This locality is bounded by the rear of lots adjoining Cleveland Street to the north, South Dowling Street to the east, Maddison Street to the south and Bourke Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

The intimate scale of the neighbourhood created by narrow streets, small lots and one and two storey dwellings, pocket parks and a consistent built form given by intact terrace rows are to be retained. The mix of uses that contribute to the vibrancy and vitality of the neighbourhood, including local retail, café/dining and community uses are important to the pedestrian scale and character and is to be retained and reinforced.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain the predominant two storey scale.

(d) Retain the single storey scale on the southern side of Thurlow Street (adjacent to 11-17 Thurlow Street), Cleveland and Bourke Streets and Little Cleveland Street.

(e) Retain vertically proportioned façades characteristic of the narrow terrace form.

(f) Provide vehicle access only from rear lanes.

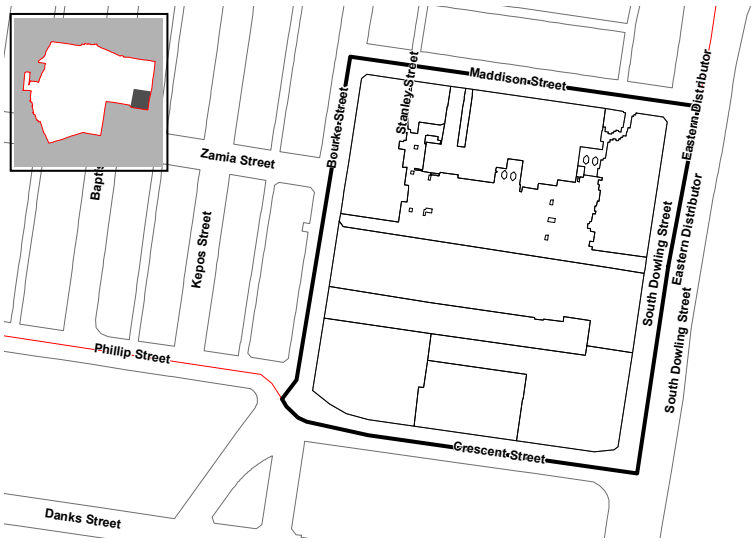
(g) Permit only single storey additions to the rear of buildings in Rennie and Mount Streets.

(h) Encourage ground floor uses that interact with the Bourke Street between Cleveland and Chelsea Streets.

(i) Provide awnings to the commercial/retail area on Bourke Street to increase pedestrian amenity and unify the streetscape.

(j) Encourage appropriately located community uses adjacent to the neighbourhood centre.

2.13.3 Moore Park Gardens



This locality is bounded by Maddison Street to the north, South Dowling Street to the east, Crescent Street to the south and Bourke Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

Moore Park Garden's role as an open space connector from Bourke Street to South Dowling Street and Moore Park is to be enhanced to encourage greater access to and use of the internal park. Small retail and services are encouraged to serve the local neighbourhood.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Retain and enhance the visual and physical connection to Moore Park with planting and directional signage.

(c) Retain and enhance appreciation of the heritage items.

(d) Encourage ranges of building heights that respond to the immediate and local context.

(e) Design buildings that provide optimal environmental amenity to public and communal spaces, and to residential apartments.

2.13.4 Baptist Street



This locality is bounded by Boronia Street to the north, Bourke Street to the east, Phillip Street to the south and Young Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

The Baptist Street neighbourhood is to remain a low scale residential area. The consistent terrace rows including their scale and proportions, roof design and materials are to be retained. High quality alterations and additions should retain the rear yard character and residential amenity. Pocket parks, including street closures will continue to play an important role in enhancing the area.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect the streetscape character and preserve consistent rows of terrace houses.

(d) Maintain heritage and contributory terrace rows along streets and lanes.

(e) Retain the low scale built form, consistent building types and original roof forms.

(f) Design infill development to allow visual appreciation of heritage and contributory items by responding to the height, mass and predominant horizontal and vertical proportions of these buildings.

(g) Alterations and additions are to be confined to the rear of dwellings to retain the scale and massing of front elevations.

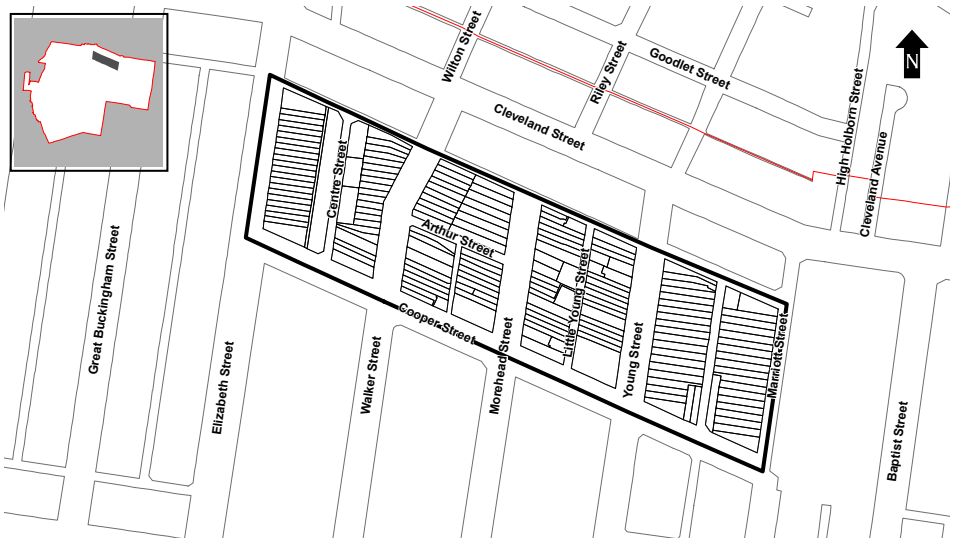
(h) On-site vehicle parking is to be provided from rear lanes.

(i) Use simple pitched roof forms where they are the dominant feature of existing streetscapes.

(j) Retain the predominant residential character of this locality.

(k) Encourage commercial uses in small traditional corner buildings.

2.13.5 Cooper Street



This locality is bounded by the back of lots adjoining Cleveland Street to the north, Marriott Street to the east, Cooper Street to the south and Elizabeth Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

It is a small neighbourhood characterised by mixed lot sizes and shapes and a unique subdivision pattern where lots are not perpendicular to the street boundary. The built form comprises mostly small scale Victorian and Federation terraces and includes a distinctive row of heritage terrace houses in Walker Street as well as contemporary townhouses and walk-up flats in Centre Street. Large front setbacks or gardens on properties fronting Elizabeth Street, Morehead, Young and Marriott Streets provide a sense of spaciousness.

The neighbourhood is to continue as a residential area with close proximity to activity nodes. Qualities that characterise the neighbourhood including the small scale development, stepping of buildings with the topography and consistent setbacks should be protected and enhanced.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Enhance the appreciation of the sloping topography by providing large trees along Morehead Street along the north-south ridge.

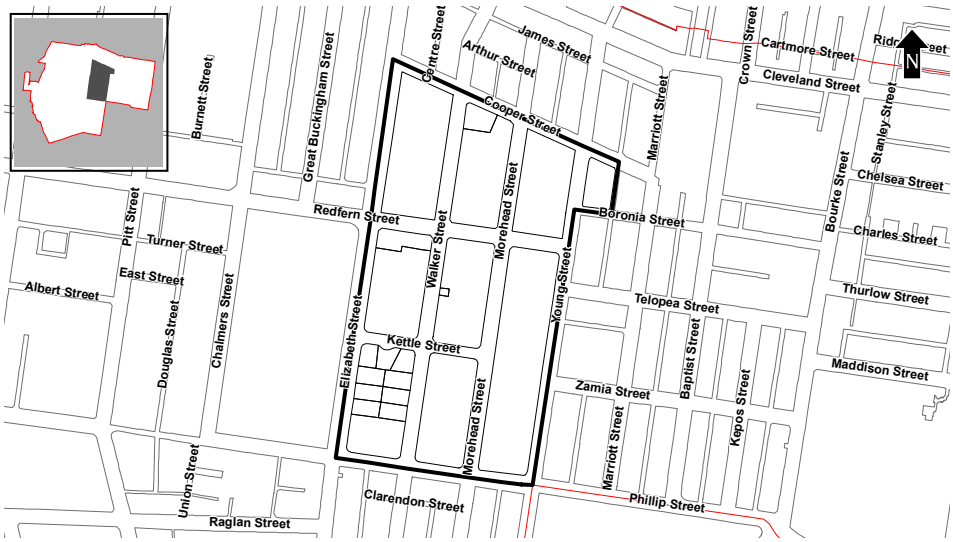
(d) Encourage landscaping of generous front gardens with a setback of at least 4m.

(e) Retain the two storey scale built form and protect the single storey terraces and cottages that contribute to the streetscape and conservation area.

(f) Step buildings with the topography.

(g) Provide vehicle access from rear lanes.

2.13.6 Kettle Street



This locality is bounded by Cooper Street to the north, Young Street to the east, Phillip Street to the south and Elizabeth Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

Integration with the neighbourhood to create high amenity for pedestrians and residents in a comprehensive redevelopment of the Housing NSW land is encouraged. New buildings are to overlook and address the street and provide useable communal open spaces with clearly defined public and private domain and attractive streetscapes.

This neighbourhood was excluded from Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Enhance visual and physical connections between the community use on Phillip Street, Elizabeth Street and Redfern Oval.

(d) Provide a pocket park in the redevelopment of the corner of Young and Redfern Street.

(e) Align new development with the footpath, with slender buildings, adequate separation between buildings and generous landscaped setbacks.

(f) Design new development of the block bounded by Redfern Street, Young Street, Phillip Street and Morehead Street to:

  (i) include perimeter development with building heights ranging from three to six storeys and minimum street setbacks of 4m;

  (ii) allow for visual and physical east-west connections by breaking building mass mid-block;

  (iii) provide public open space in the form of pocket parks; and.

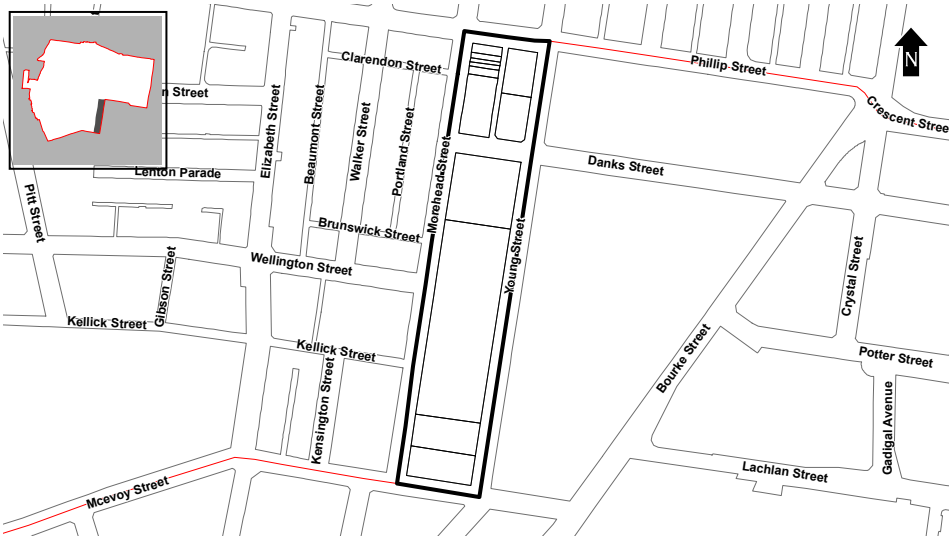
  (iv) feature generous setbacks and planting of mature trees with canopies.

(g) Limit the development in the remainder of the neighbourhood to three to four storeys with reduced heights where a transition is required to the existing lower scale residential neighbourhoods.

(h) Retain the neighbourhood as predominantly residential supported by community uses and leisure facilities with local retail, corner store or small café uses.

(i) Locate active uses including community uses on corners and fronting public spaces.

2.13.7 Young Street



This locality is bound by Phillip Street to the north, Young Street to the east, McEvoy Street to the south and Morehead Street to the west. The locality forms part of the Danks Street South precinct (see Section 2.5.3).

Redevelopment of this locality will provide an appropriate transition between the existing low scale residential development in the Waterloo Conservation area, and the higher density development in Green Square.

Morehead Street will be a predominantly residential street, with lower scale development. Young Street will have a mix of large floor plate retail and commercial uses on the ground floor, with residential development above. East-west through site links are to connect this locality to Green Square and to Wellington and Kellick Streets, providing additional walking and cycling routes to the future Waterloo Metro Station.

Redevelopment of the precinct will bring about one new park on Young Street of 1,500 square metres that will provide opportunities for passive recreation.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Retain heritage items, maintaining the commercial use or adaptively reusing part of the building for residential purposes.

(c) Align buildings with and actively address the street.

(d) Break-up building mass of new development and introduce east-west through-site links to maximise connections through the precinct.

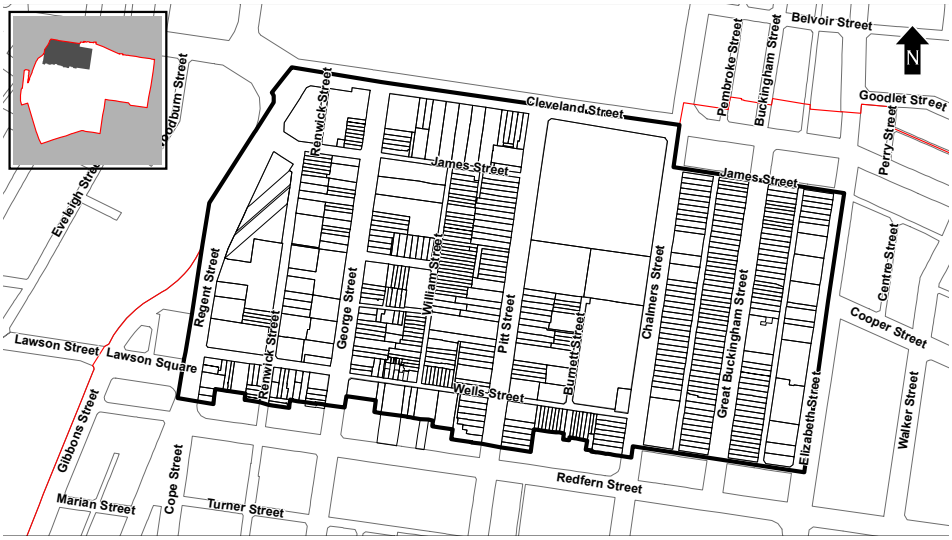
(e) Provide new building envelopes to facilitate dual aspect apartments with cross ventilation where noise impacts can be appropriately managed and provide generous communal open space mid-block.

(f) Ensure a high quality design to the landmark site at the intersection of Young and McEvoy Streets.

(g) Encourage a mix of uses to support the existing and future residential and worker community.

(h) Introduce a new park of 1,500 square metres adjacent to the heritage item at 198-222 Young Street for passive recreation with a pedestrian and cycle link through to Morehead Street / Kellick Street.

2.13.8 Prince Alfred Park South



This locality is bounded by Cleveland Street to the north, Elizabeth Street to the east, the back of lots fronting Redfern Street to the south and Regent Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

The diversity of building types and scales that give the neighbourhood its unique character are to be retained. The re-use of older warehouse buildings that add interest to the otherwise residential character is encouraged. The area's rich heritage including residential and industrial buildings is to be retained.

The intimate scale of small, narrow streets and lanes fronted by narrow lots should be protected to retain its human scale, charm, amenity and heritage values. A diversity and mix of commercial and retail uses along Elizabeth Street to the east of the neighbourhood is encouraged, while retaining the residential component that sustains those uses.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect vistas along north-south streets, and panoramic views from Cleveland Street towards the Central Sydney skyline across Prince Alfred Park and from Regent Street to the west and north.

(d) Encourage landscaping in front gardens of dwellings, on narrow streets and in the setbacks of commercial buildings.

(e) Retain and protect consistent rows of particular building types, including the terraces along William Street, Chalmers Street and Great Buckingham Street.

(f) Retain, restore and adaptively re-use heritage warehouse buildings to enliven the streetscape.

(g) Discourage site amalgamation on established, consistent low scale residential streets

(h) Generally limit building heights to two to three storeys.

(i) Permit higher buildings on major streets at the edges of the neighbourhood.

(j) Encourage a mix of building types to reflect the diversity of form and mass.

(k) Protect and enhance the established shop top strip on Pitt Street.

(l) Ensure a high quality design to the building on the gateway site at the corner of Cleveland and Regent Streets.

(m) Retain mainly residential uses with mixed uses located at the edge of the neighbourhood.

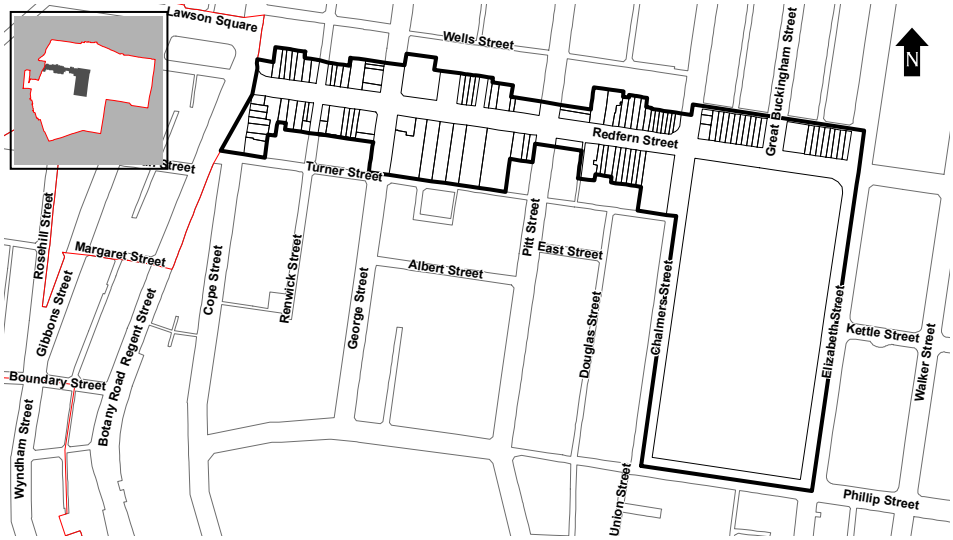
(n) Retain and encourage active uses on the ground floor of buildings fronting Elizabeth Street and Pitt Street including uses such as commercial, retail, and professional services.

(o) Retain and encourage diverse uses above the ground floor, including boutique accommodation, galleries, commercial, leisure and residential uses.

(p) Encourage cafes and restaurants on Elizabeth and Pitt Streets to enliven the street with outdoor dining where footpath width permits.

(q) Encourage boutique accommodation and commercial uses on Cleveland and Elizabeth Streets where building setbacks are generous and a direct street relationship is not achievable.

2.13.9 Redfern Street and Redfern Park



This locality is bounded to the north and south by the back of lots fronting Redfern Street, Elizabeth Street to the east, the edges of Redfern Park, and Regent Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

Redfern Street and Redfern Park form the heart of Redfern and are to be distinctive, attractive, well used and welcoming with good pedestrian amenity. The heritage and character buildings are to be retained. The diverse mix of commercial and retail uses, a pedestrian focussed main street and open space provided by Redfern Park are to be enhanced.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Retain and restore heritage buildings to enliven the streetscape.

(d) Design infill buildings to align with and address the street at the ground level.

(e) Limit the height of buildings edging the park to heights that range from two-six storeys depending on the immediate context.

(f) Limit building heights on Redfern Street to range from two-four storeys with taller buildings towards the Railway Station.

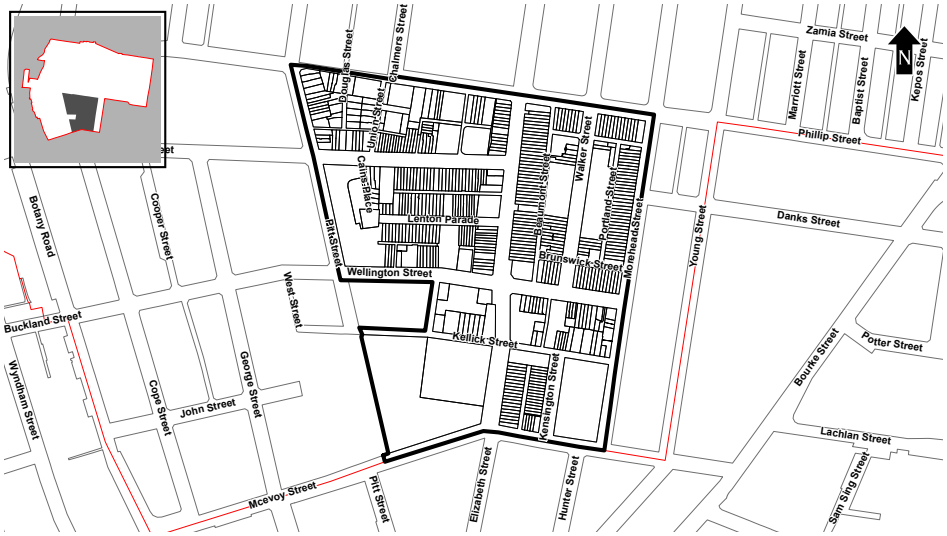
(g) Design street frontage height to respond to the heritage or contributory status of adjacent items.

(h) Encourage active ground floor uses of buildings fronting Redfern Street, including commercial, retail, professional services, community, café and dining.

(i) Retain and encourage diverse uses above ground floor, including commercial, community and residential uses.

(j) Encourage cafes and restaurants to enliven the street with outdoor dining where footpath width permits.

2.13.10 Redfern Park South



This locality is bounded by Phillip Street to the north, Morehead Street to the east, McEvoy Street to the south and Pitt Street to the west. The land that forms part of the Waterloo Estate (South) (locality 2.13.14) is not included in this locality.

This locality falls within the Sydney Metropolitan Development Authority Operational area.

The topography should continue to influence the neighbourhood character. A small group of shops at the intersection of Phillip and Morehead Streets has the potential to become a neighbourhood node and is encouraged to contain mixed uses and active frontages. A greater intensity and diversity of land uses, including local and specialist retail, small commercial, café and dining uses, community and service uses are encouraged around the existing shops on Elizabeth Street.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Maintain the visual prominence of the tree canopy on Mount Carmel, so that it remains the highest point visible from public streets and open spaces.

(d) Retain the characteristic filtered distant views to the west and south through the canopy of the heritage fig trees.

(e) Retain the consistent intact character of terraces between Phillip, Morehead, Wellington and Elizabeth Streets, and on Raglan and Lenton Parade.

(f) Design infill development to reflect the built form, scale and mass of existing building types, including the fine grain created by narrow lots and the predominant roof form.

(g) Ensure that buildings respond to and reveal the topography by stepping with the slope.

(h) Provide continuous awnings to retail and commercial buildings fronting Elizabeth Street between Phillip and Raglan Streets.

(i) Retain the predominantly residential character of the locality.

2.13.11 Redfern Park West



This locality is bounded by the back of lots fronting Redfern Street to the north, Redfern Park to the east, Phillip Street to the south and Regent Street to the west. This locality falls within the Sydney Metropolitan Development Authority Operational area.

Redfern Park West is to retain the diversity of building types and scales that create its unique character. Older warehouse buildings add interest to the residential character and their reuse is encouraged. The rich industrial and residential heritage value and character of the area is to be retained. Buildings along Chalmers Street are to overlook and enliven the street and provide an active edge to the neighbourhood and Redfern Park.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.

(c) Protect and enhance vistas along north-south streets.

(d) Enhance visual and physical links across Chalmers Street to Redfern Park by openings entries to buildings.

(e) Conserve consistent streetscapes.

(f) Conserve consistent intact terraces in Pitt, Albert and Renwick Streets.

(g) Encourage a mix of building types reflecting the rich diversity of form and mass.

(h) Retain and conserve old buildings, including early industrial and warehouse buildings that contribute to the area character.

(i) Encourage the adaptive re-use of heritage and character buildings.

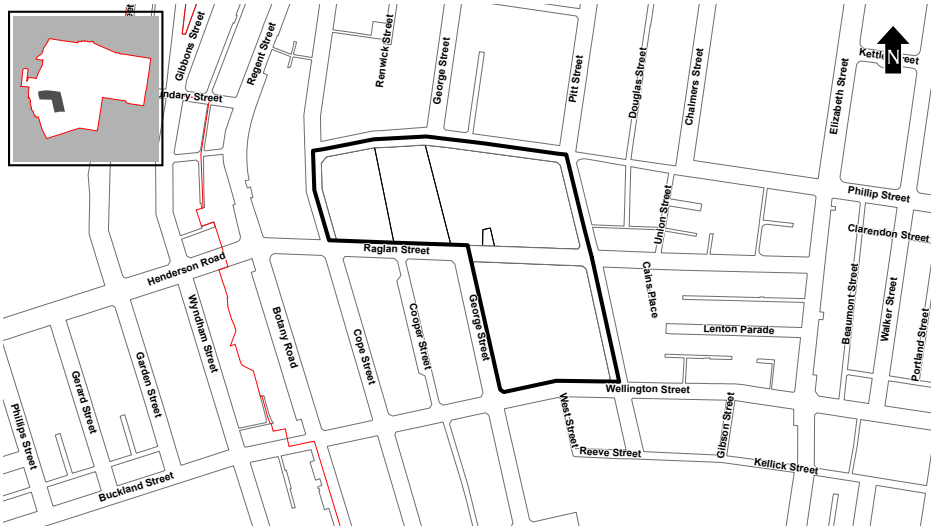
(j) Consider site amalgamation in areas outside the small scale residential streets.

(k) Encourage higher buildings on larger, deeper sites where their impact can be minimised, on Phillip Street at the interface with medium density residential development and on Chalmers Street where the scale is appropriate to create a strong edge to Redfern Park.

(l) Retain the mix of uses throughout the neighbourhood.

(m) Encourage community uses adjacent to Redfern Park and other public open space.

2.13.12 Waterloo Estate (Central and North)



A comprehensive redevelopment of the Waterloo Estate is envisaged in response to the new transport hub at Waterloo Metro station. Waterloo Estate (South) is the first area within the Estate planned for redevelopment, Waterloo Estate (Central) and Waterloo Estate (North), two precincts in the Estate will follow but are yet to undergo planning.

Waterloo's first inhabitants were Gadigal people of the Eora Nation. First Nations peoples have always lived in Waterloo. Redfern/Waterloo remains a place of cultural, political and emotional significance for Aboriginal people and there is a strong and resilient Aboriginal and Torres Strait Islander community living in the Waterloo Estate today. It has become an entry point for people coming into the city for work opportunities, shelter and connections with community and family.

Through the 20th century the locality housed working-class people of all backgrounds, and today the resident population of this locality is characterised by an ethnically diverse mix of low-income residents and ageing citizens, a high proportion of whom are long-term residents and have long-standing bonds to the area.

This locality remains excluded from Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

Principles

(a) Redevelopment of this locality is to respond to the new public space and centre.

(b) Building heights are to respond to the public space including streets and parks.

(c) First Nations culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part to placemaking.

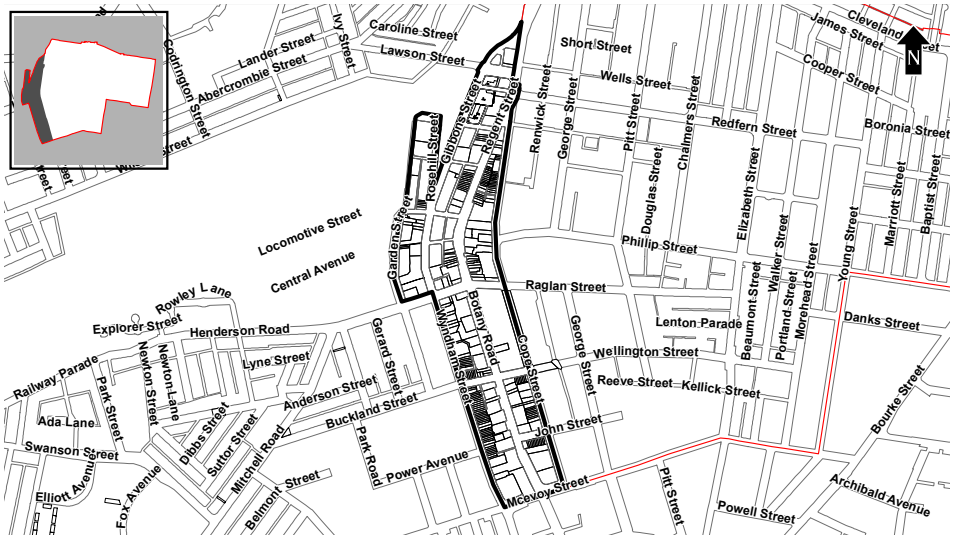
(d) Appropriate community infrastructure is to be provide as part of development.

(e) The regional cycle paths at George and Wellington streets are to be completed through the locality, connecting the area to the city in the north, Green Square Town Centre in the south, Moore Park in the east and Sydney Park in the west.

(f) New streets and walkways are to provide access for people of all abilities through Waterloo Estate to the Metro station and new parks.

(g) New tall buildings are to be few, widely spaced and limited to the south of the estate.

2.13.13 Botany Road Precinct



This locality includes Regent Street and Botany Road from Redfern Station south to McEvoy Street, extending one block east to Cope Street and one block west to Wyndham Street. In the north it includes both sides of Gibbons Street, including Rosehill Street and Cornwallis Street.

Botany Road Precinct is Gadigal Country and is one key part of the broader area referred to as Aboriginal Redfern, which also centres on The Block to the north of Redfern Station, Redfern Street to the east, and extends through the broader Redfern Waterloo area. This area has historical and contemporary significance for Aboriginal and Torres Strait Islander peoples, being the site of civil rights movements, historical and current Aboriginal community controlled services, and the part of Sydney where many First Nations peoples moved from all over Australia.

New development in the area is to showcase "Connecting with Country" design and consultation approaches, acknowledging and respecting Country as well as the social, cultural and civic rights history of Aboriginal Redfern.

Botany Road Precinct is a busy and noise-affected transport corridor, serving as the primary route for goods transport between Central Sydney, North Sydney and beyond to Sydney Airport, Port Botany and the industrial areas of Alexandria and Mascot. Waterloo Metro Station will serve as a catalyst for urban change in the Precinct, providing a high capacity public transport connection to Central Sydney, Marrickville, North Sydney and Macquarie Park and bringing in visitors and workers.

The Precinct will be an economic connector between higher order centres, including Central Sydney to the north, Green Square Town Centre to the south, the high technology employment hub of Australian Technology Park to the west, and North Sydney and Macquarie Park via Sydney Metro. It will also connect employment centres with local centres of Redfern Street and the future George Street within Waterloo Estate, providing additional daytime patronage and supporting the diversity and viability of these centres.

Additional development potential for non-residential uses and affordable housing is being provided to take advantage of the increased accessibility of the area afforded by the Metro station, other public transport improvements, a new retail centre planned at nearby Waterloo Estate and growth of the primary employment centres of Green Square Town Centre and the Australian Technology Park. This additional development potential for targeted land uses is crucial to achieving the objectives of the Camperdown-Ultimo Collaboration Area Place Strategy and the productivity priorities for City Fringe in the City's Local Strategic Planning Statement.

To take advantage of the proximity to local services and transport options, the

provision of housing may be appropriate where it does not conflict with or restrict delivery of commercial and nonresidential development.

Regent Street will continue to grow as an extension of the Redfern Street centre, with improvements to the public domain and lowering of main road traffic activity contributing to it becoming a more comfortable retail street. The original Victorian and Federation subdivision and terrace groups will be maintained, and any new development will respond to heritage items and respect the existing fine- and medium-grain pattern.

As the Precinct develops and changes it will better balance the movement function of the road network with its place function, providing a more comfortable and attractive space for people to work and visit. The one-way pairing of Regent Street and Gibbons Street will be replaced with two way streets, speed limits will be lowered and additional crossings will be introduced. New laneways and through-site links will be delivered, providing a continuous mid-block laneway network and increasing walkable connections.

Principles

Development must achieve and satisfy the outcomes expressed in the locality statement andsupporting principles below.

Development in Botany Road Precinct is to:

(a) Showcase “Connecting with Country” approaches in line with the framework published by the Government Architect NSW.

(b) Maximise the presence, visibility and celebration of First Nations organisations, businesses and cultures.

(c) Reflect the rich social, cultural and civic rights history of “Aboriginal Redfern” alongside pre-1788 local Aboriginal histories.

(d) Ensure sensitive uses are protected from noise and pollution impacts from major roads, including consideration for future planned changes to the road network.

(e) Contribute to the emerging Camperdown-Ultimo Collaboration Area with employment generating uses and floor space.

(f) Meet the needs of the growing Redfern and Waterloo area with floor space for jobs and services.

(g) Incentivise provision of affordable housing that meets the diverse housing needs of the local community.

(h) Ensure residential uses do not impede the delivery and operation of current and future employment generating land uses.

(i) Contribute to a main street character with fine and medium-grain development patterns on Regent Street with multiple shopfronts and business entries.

(j) Provide opportunities for commissioned and informal public art on Regent Street, including window displays, front facades and secondary frontages on side streets.

(k) Contribute to a comfortable and safe pedestrian connection between McEvoy Street and the Waterloo Metro Station, especially at night time, through ground floor entertainment uses, night time activity, visible lobbies, passive lighting and public art installations on Botany Road.

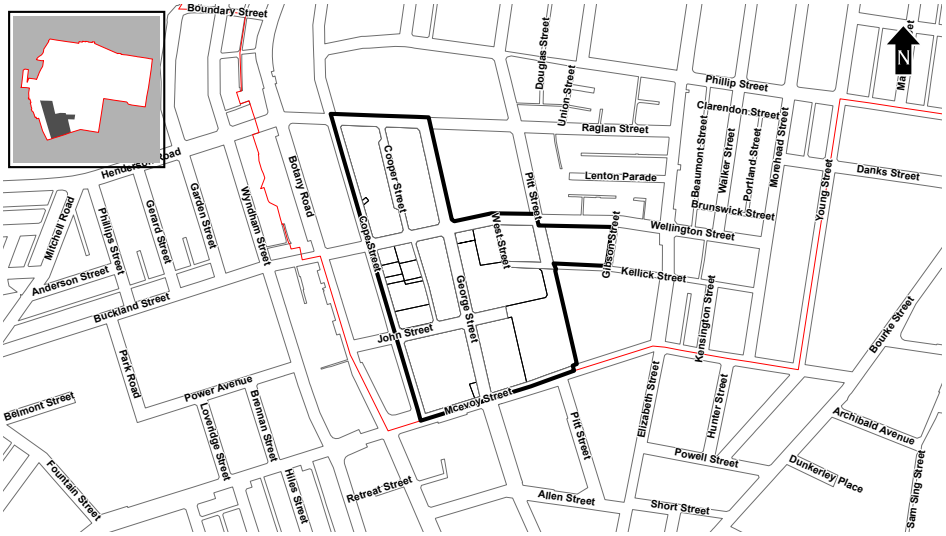
(l) Deliver lively active corners at key intersections with Botany Road, including McEvoy Street, Buckland Street and Henderson Road.

(m) Provide a transition to the quiet, low density residential area of Alexandria Park Heritage Conservation Area.

(n) Improve pedestrian access to key public transport nodes of Redfern Station, Waterloo Metro Station and the bus interchange with through-block permeability, active frontages on key pedestrian routes, maintaining sight-lines and wayfinding.

(o) Prioritise pedestrian movement on Botany Road by moving driveways and servicing to a new rear lane network.

2.13.14 Waterloo Estate (South)



Waterloo's Traditional Custodians are the Gadigal people of the Eora Nation. Aboriginal and Torres Strait Islander peoples have always lived in Waterloo. Redfern/Waterloo remains a place of cultural, social, economic and political significance for Aboriginal people and there is a strong and resilient Aboriginal and Torres Strait Islander community living in the Waterloo Estate today. It has become an entry point for people coming into the city for work opportunities, shelter and connections with community and family.

Through the 20th century the area housed working-class people of many backgrounds, and today the resident population is characterised by an ethnically diverse mix of low-income residents and ageing citizens, a high proportion of whom are long-term residents and have long-standing bonds to the area and community.

The early fine grain Victorian linear housing plots have been cleared and replaced over time, most notably during the 1960s and 1970s with large block amalgamation and major tower housing projects. This has resulted in an area distinct in form, scale and street pattern from the neighbouring areas.

The Estate plays an important role in the provision of social housing in the Sydney local government area and is home to a large existing community living in social housing.

A comprehensive redevelopment of the Waterloo Estate by the NSW Government is envisaged in response to the new transport hub at Waterloo Metro station. Waterloo Estate (South) is the first area within the Estate planned for redevelopment. Other areas, including Waterloo Estate (Central) and Waterloo Estate (North) are expected to be planned for redevelopment at a later stage.

The redevelopment will establish a local centre to capitalise on the increased density and connectivity of the locality and create a vibrant mixed-use neighbourhood with diverse housing choices, employment opportunities, local-serving commercial premises including retail, food and beverage, affordable amenities and space for community activities and cultural events.

Key changes in Waterloo Estate (South) and focal points for the neighbourhood include the creation of two public parks, new community facilities and the transformation of George Street into the neighbourhood's main street with local retail activity, including a supermarket to serve the local community.

An improved street network will be introduced to maximise legibility, permeability and accessibility for all. There will be an emphasis on making streets pedestrian and cycle friendly and street widths will accommodate multiple users and needs. Planned regional cycle paths will be completed through the locality.

A fine-grain lot pattern will be re-introduced, with flexible and varied lot sizes, allowing for a variety of separate apartment buildings in each block and a flexible approach to staging the redevelopment. The variety and quality of the architectural design and housing choices will cater to the diverse community of existing and future residents, providing a vibrant, attractive, environmentally sustainable and safe neighbourhood.

Waterloo Estate (South) will continue to play an important role in the provision of housing for people on low incomes in the local government area but will also include an equal amount of private market housing. A range of dwelling types are to be provided, including culturally appropriate housing, to support evolving family situations and structures.

Buildings will be generally arranged to form continuous street frontages around courtyards to achieve a clear delineation between public and private space.

The layout of new development will create high quality public spaces and its height and form will ensure good levels of amenity in the public domain, including comfortable wind conditions and optimised solar access. Building height and form will respond to the hierarchy of streets and open spaces and to key view corridors both over and within the locality. New development will also respond appropriately to the form and setting of heritage items in the neighbourhood.

Future development, street layout and design will respond to the topography of the locality, which is distinctly different on either side of George Street. The steeply sloping topography to the eastern side requires careful layout of streets and walkways to ensure equitable access across the site.

Overall greening of this locality will provide benefits for sustainability, health and the management of urban heat. The majority of established and significant trees which define key streets and open spaces will be protected during redevelopment and integrated into the design of each development to ensure their longevity.

The public domain will be reinforced and celebrated through public art and cultural heritage interpretation.

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting principles.

(b) The significant Aboriginal and Torres Strait culture and heritage of the area is to be acknowledged, respected and celebrated as an integral part of the development and placemaking.

(c) A legible and permeable pattern of new streets, public open space and pedestrian and cycle connections is to be provided which responds to key connections within and surrounding the ocality, stormwater management considerations, local traffic and access requirements and urban design principles.

(d) George Street is to become the main street of the community, with continuous ground floor active frontage and awnings. It is to have a generous 10 metre setback on its eastern side to receive the afternoon sunlight.

(e) Meet the community's recreation and wellbeing needs by providing one large park (over 2 hectares) adjacent to Waterloo Metro station, as the focus of community activity and containing a wide range of uses for the community's diverse needs, and one smaller park in the south of the locality for passive recreation.

(f) Community facilities and uses are to be provided in appropriate locations containing a variety of uses and to be open day and night to contribute towards safety and activation.

(g) High quality streetscapes, including new footpaths, tree planting and street furniture are to be provided. Sunlight is to be maximised to promote healthy street tree growth, for water infiltration and urban heat management.

(h) Streets are designed to maximise safety of vulnerable road users, including pedestrians and people on bicycles.

(i) The regional east-west and north-south cycle paths which cross at Wellington and George Streets are to continue through the locality, connecting the area to the city in the north; Green Square Town Centre in the south; Alexandria and Sydney parks in the west and Moore Park in the east.

(j) Retail opportunities are to be provided on George Street, Wellington Street and Cooper Street near the large park; and along McEvoy Street.

(k) The heights of buildings are to respond to the streets and parks on which they are located. Tower forms are to be limited to the southern part of the area near McEvoy Street, and to the corner of Kellick and Gibson Streets.

(l) Heights of buildings are to minimise overshadowing in both the public and private spaces and are not to generate uncomfortable wind effects at street level. Awnings and colonnades are to be incorporated along retail frontages to increase pedestrian amenity and help to minimise sunlight, rainfall and wind impacts.

(m) The impacts of noise and pollution along McEvoy Street are to be carefully addressed through careful design of buildings.

(n) Existing views of the sky and how comfortably any proposed built form sits within the existing skyline is to be considered from key public vantage points in the surrounding area, including Redfern, Alexandria, and Waterloo parks; and the new large park.

(o) A range of dwelling typologies and a diverse housing and tenure mix is to be provided to support a range of housing needs and living choices including evolving family structures and culturally appropriate housing.

(p) Varied, innovative and high-quality design is to be delivered to ensure an environmentally sustainable, attractive and diverse neighbourhood. A flexible and varied lot pattern is to support this outcome.

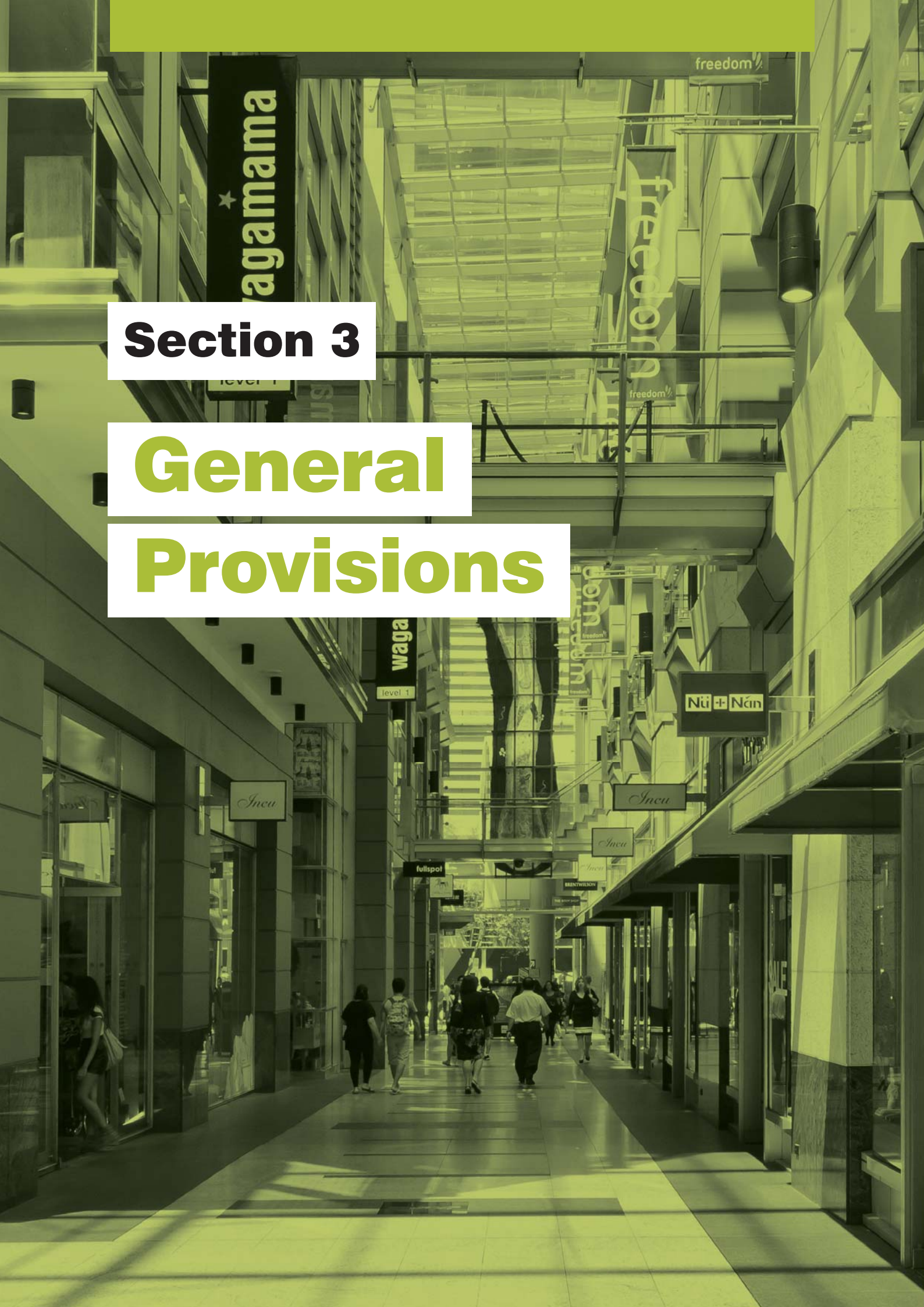
(q) Development is to be accompanied by high quality landscaping which delivers trees, greening and urban biodiversity and is supported by areas of deep soil.

(r) Trees are to be retained wherever possible throughout the precinct, particularly significant trees, including those along McEvoy Street, George Street, and at the corners of the north eastern street block bound by Wellington, Kellick, Gibson and Pitt Streets.

(s) Excellent ecologically sustainable development outcomes are to be achieved to enable a low-carbon precinct which is resilient against the impacts of climate change (including flooding and urban heat) and enables efficient use of resources by future residents.

(t) A sense of belonging and community is to be fostered, where both long-term residents and new generations can see themselves and feel they belong.

(u) Private spaces, including communal open space, will be designed to supplement the public domain with each apartment building having its principal usable communal open space on the roof. Each group of buildings will share communal courtyard space.



Section 3

General Provisions

3 General Provisions

Contents

Introduction		3.0-1
3.1	Public Domain Elements	3.1-1
3.1.1	Streets, lanes and footpaths	3.1-1
3.1.2	Pedestrian and bike network	3.1-3
3.1.3	Pedestrian underpasses and overpasses	3.1-5
3.1.4	Public open space	3.1-5
3.1.5	Public art	3.1-7
3.1.6	Sites greater than 5,000sqm	3.1-9
3.2	Defining the Public Domain	3.2-1
3.2.1	Improving the public domain	3.2-1
3.2.2	Addressing the street and public domain	3.2-1
3.2.3	Active frontages	3.2-3
3.2.4	Footpath awnings	3.2-8
3.2.5	Colonnades	3.2-11
3.2.6	Wind effects	3.2-11
3.2.7	Reflectivity	3.2-12
3.2.8	External lighting	3.2-13
3.3	Design Excellence and Competitive Design Processes	3.3-1
3.3.1	Competitive design process	3.3-1
3.3.2	Design excellence strategy	3.3-2
3.3.3	Award for design excellence	3.3-3
3.3.4	Awarding additional height	3.3-3
3.3.5	Awarding additional floor space	3.3-3
3.3.6	Distribution of additional floor space	3.3-4
3.3.7	Public art	3.3-5
3.3.8	Site specific development control plans and concept development applications	3.3-5
3.4	Hierarchy of Centres, City South	3.4-1
3.4.1	Land use	3.4-2
3.4.2	Economic impact assessment	3.4-4
3.5	Urban Ecology	3.5-1
3.5.1	Biodiversity	3.5-1
3.5.2	Urban vegetation	3.5-1
3.5.3	Tree management	3.5-2

3.6	Ecologically Sustainable Development	3.6-1
3.6.1	Energy efficiency in non residential developments	3.6-2
3.6.2	Water efficiency in non-residential development	3.6-3
3.6.3	Photovoltaic solar panels	3.6-4
3.6.4	Wind turbines	3.6-4
3.6.5	Materials and building components	3.6-4
3.7	Water and Flood Management	3.7-1
3.7.1	Site specific flood study	3.7-1
3.7.2	Drainage and stormwater management	3.7-2
3.7.3	Stormwater quality	3.7-4
3.7.4	Additional provisions for commercial and industrial properties	3.7-4
3.7.5	Water re-use, recycling and harvesting	3.7-4
3.8	Subdivision, Strata Subdivision and Consolidation	3.8-1
3.8.1	General	3.8-1
3.8.2	Subdivision and lot consolidation affecting heritage items or in heritage conservation areas	3.8-2
3.9	Heritage	3.9-1
3.9.1	Heritage Impact Statements	3.9-1
3.9.2	Conservation Management Plans	3.9-2
3.9.3	Archaeological assessments	3.9-3
3.9.4	Development of sites of State heritage significance or containing more than one heritage item	3.9-4
3.9.5	Heritage items	3.9-4
3.9.6	Heritage conservation areas	3.9-5
3.9.7	Contributory buildings	3.9-6
3.9.8	Neutral and appropriate infill buildings	3.9-7
3.9.9	Detracting buildings	3.9-8
3.9.10	Building materials for heritage items and buildings within heritage conservation areas	3.9-8
3.9.11	Conservation of public domain features in heritage conservation areas	3.9-9
3.9.12	Reduction of rising damp and salt attack in buildings constructed prior to 1920	3.9-10
3.9.13	Excavation in the vicinity of heritage items and in heritage conservation areas	3.9-10
3.9.14	Heritage inventory assessment reports	3.9-10

3.10	**Significant Architectural Building Types**	**3.10-1**
3.10.1	Warehouses and industrial buildings older than 50 years	3.10-1
3.10.2	Weatherboard buildings older than 50 years	3.10-3
3.10.3	Pubs and hotels older than 50 years	3.10-4
3.10.4	Significant Shopfronts	3.10-5
3.10.5	Public and community buildings older than 50 years	3.10-6
3.11	**Transport and Parking**	**3.11-1**
3.11.1	Managing transport demand	3.11-1
3.11.2	Car share scheme parking spaces	3.11-2
3.11.3	Bike parking and associated facilities	3.11-3
3.11.4	Vehicle parking	3.11-6
3.11.5	Car parks under the public domain	3.11-6
3.11.6	Service vehicle parking	3.11-6
3.11.7	Motorbike parking	3.11-7
3.11.8	Bus parking	3.11-7
3.11.9	Accessible parking	3.11-7
3.11.10	Vehicle access for developments greater than 1000sqm GFA	3.11-7
3.11.11	Vehicle access and footpaths	3.11-8
3.11.12	Tandem, stacked and mechanical parking areas	3.11-9
3.11.13	Design and location of waste collection points and loading areas	3.11-10
3.11.14	Parking area design	3.11-11
3.11.15	Public car parking in Central Sydney	3.11-11
3.12	**Accessible Design**	**3.12-1**
3.12.1	General	3.12-1
3.12.2	Adaptable dwelling mix	3.12-2
3.13	**Social and Environmental Responsibilities**	**3.13-1**
3.13.1	Crime prevention through environmental design	3.13-1
3.13.2	Air quality for development near the Cross City Tunnel	3.13-1
3.13.3	Social Impact	3.13-3
3.14	**Waste**	**3.14-1**
3.14.1	Waste and Recycling Management Plans	3.14-1
3.14.2	Construction and demolition waste	3.14-1
3.14.3	Collection and minimisation of waste during occupation	3.14-2

3.15	Late Night Trading Management	3.15-1
3.15.1	General	3.15-4
3.15.2	Late night trading areas	3.15-5
3.15.3	Matters for consideration	3.15-5
3.15.4	Trading hours and trial periods	3.15-6
3.15.5	Plans of management requirements	3.15-9
3.16	Signs and Advertisements	3.16-1
3.16.1	Signage strategy	3.16-5
3.16.2	Changes to content	3.16-6
3.16.3	General requirements for signage	3.16-6
3.16.4	Illuminated signage	3.16-6
3.16.5	Building identification signs	3.16-7
3.16.6	Business identification signs & on-premises advertisements	3.16-8
3.16.7	Advertising structures & third party advertisements	3.16-15
3.16.8	Special promotional signage	3.16-21
3.16.9	Light projection signage	3.16-22
3.16.10	Signage on construction hoardings, scaffolding and cranes	3.16-22
3.16.11	Signage related to heritage items and conservation areas	3.16-23
3.16.12	Signage precincts	3.16-24
3.17	Contamination	3.17-1

Introduction

The provisions in this section apply to all development to which this DCP applies, except where it is clear that they are not relevant to a particular development type or use.

The objectives and provisions describe design outcomes for the private domain, but also set out requirements for the treatment of the public domain and public domain interface. These requirements cover landscaping, heritage, transport, access and other areas where private development can make positive contributions to high quality public domain outcomes.

The order in which the provisions appear do not represent any particular order of priority or importance. The provisions are to be read in conjunction with other sections of this Development Control Plan and Sydney LEP 2012.

3.1
Public Domain Elements

This Section includes provisions to ensure that development makes a positive contribution to the public domain.

3.1.1 Streets, lanes and footpaths

Streets, lanes and footpaths provide permanent, inalienable pedestrian and vehicle connections through the city fabric at all hours. Streets and lanes define the urban hierarchy, articulate the urban grain, provide permeability of movement and define vistas and views within and beyond the city limits. In Sydney, the alignment of streets often express the topographic and landscape structure of the city.

Objectives

(a) Provide streets that prioritise pedestrians, cycling and transit use.

(b) Encourage a street hierarchy that supports sustainable travel behaviour.

(c) Provide an integrated and legible street hierarchy that is supplemented by a corresponding hierarchy for pedestrians and bike riders.

(d) Encourage water sensitive urban design and locate utilities within the street reservation.

(e) Ensure that lanes are retained and enhanced.

(f) Establish the design palette for footpaths.

(g) Provide intersections, traffic and parking lanes that naturally calm traffic.

Provisions

3.1.1.1 General

(1) New streets, lanes and footpaths are to be constructed in accordance with the Sydney Streets Design Code.

(2) Where new streets and lanes are required by Council, they are to be provided in the locations identified in the *Proposed streets and lanes map*.

(3) Street trees are to be provided in accordance with the Street Tree Master Plan.

(4) Street furniture is to be consistent with the Sydney Streets Design Code and relevant Council public domain plans.

3.1.1.2 Streets

(1) New streets or vehicle accessways are to be designed to encourage pedestrian use. Cul-de-sacs or dead ends are to be avoided, however where required, streets leading to them must be no longer than 60m and are to be straight with a direct line of sight from adjoining public space to the deepest point.

(2) New streets are to be located and orientated to enhance the relationship between built form, open space, views, active street frontages, pedestrian paths and the bicycle network identified in the Cycle Strategy and Action Plan 2007-2017.

(3) Where feasible, new streets are to incorporate water sensitive urban design techniques such as landscaped swales to improve the quality of groundwater and water entering the waterways and tree bays.

(4) New streets are to integrate utilities underground within the street reservation, with services located underground and in a manner that facilitates tree planting.

(5) Traffic and parking lanes on local streets, as defined in the Street Design Code as Local Area (Type 1) are to be designed to conform with the minimum dimensions permitted by the relevant Australian Standard for Parking Facilities under part 1: off street car parking.

(6) Provide intersections, traffic lanes and parking lanes that naturally calm traffic to 40-50m per hour on collector streets, 30km per hour on local streets and 10km per hour on laneways.

Figure 3.1
Examples of a landscaped swale



3.1.1.3 Lanes

(1) Existing lanes (including privately owned lanes) as shown on the *Proposed streets and lanes map* are to be retained.

(2) Developments adjacent to lanes in Central Sydney, business zones and the mixed use zones is to:

(a) include active uses at ground level to encourage pedestrian activity;

(b) include lighting appropriate to the scale of the lane;

(c) enhance pedestrian access and activity;

(d) avoid bridges and projections over lanes which overshadow the lane, obstruct a view or vista or impede pedestrian activity at ground level;

(e) ensure access rights of the public and other owners of property abutting the lane; and

(f) provide access for service vehicles as necessary and respond in design terms to any conflict with pedestrian functions.

Figure 3.2
Active uses at the ground level in a lane, Central Sydney



3.1.1.4 Footpaths

(1) Footpaths are to be designed:

(a) in accordance with the Sydney Streets Design Code;

(b) so that pedestrians, regardless of mobility impairments, are able to move comfortably and safely; and

(c) to allow planting, including trees consistent with the Street Tree Masterplan.

(2) Streets are to include footpath extensions at corners, pedestrian refuges and mid-block zebra crossings on raised thresholds, where appropriate.

(3) The Council may require a different design treatment for certain streets and footpaths.

3.1.2 Pedestrian and bike network

Pedestrian and bike networks increases opportunities for people to move around, maintain or improve their health and reduce the environmental and economic impacts of congestion caused by private car use. As part of *Sustainable Sydney 2030*, the City will provide a safe and attractive walking and bicycle network connecting main streets, neighbourhoods and open space. More information on cycling strategies within the City of Sydney can be found in the Cycle Strategy and Action Plan 2007–2017.

Refer to Section 5.2 Green Square, 5.3 Epsom Park and 5.8 Southern Employment Lands for additional provisions and supporting maps which show the preferred bike network proposed along new streets.

Objectives

(a) Ensure that any new public pedestrian and bike links are located on nominated sites.

(b) Ensure the pedestrian and bike network is well designed, safe, well lit, highly accessible and promotes public use.

Provisions

3.1.2.1 Bike network

(1) The provision of cycleways is to be consistent with the locations identified in the Cycle Strategy and Action Plan 2007-2017.

3.1.2.2 Through-site links

(1) Through-site links are to be provided in the locations shown on the *Through-site links map*.

(2) Through-site links are to be provided on sites:

(a) greater than 5,000sqm in area;

(b) with parallel street frontages greater than 100m apart, and

(c) where the consent authority considers one is needed or desirable.

(3) Through-site links are to be an easement on title unless identified in a contributions plan for dedication to Council.

(4) Through-site links are to be designed to:

(a) generally have a minimum width of 4m, or 6m where bike access is provided, and have a clear height of at least 6m;

(b) be direct and accessible to all, have a clear line of sight between public places and be open to the sky as much as is practicable;

(c) align with breaks between buildings so that views are extended and there is less sense of enclosure;

(d) be easily identified by users and include signage advising of the publicly accessible status of the link and the places to which it connects;

(e) be clearly distinguished from vehicle accessways, unless they are purposely designed as shareways;

(f) include materials and finishes such as paving materials, tree planting and furniture consistent with adjoining streets and public spaces and be graffiti and vandalism resistant;

(g) be clear of obstructions or structures, such as electricity substations, or car park exhaust vents;

(h) include landscaping to assist in guiding people along the link while enabling long sightlines; and

(i) be fully accessible 24 hours a day.

(5) In retail and commercial developments through-site links may be within a building provided they are:

(a) between 3m and 6m in width;

(b) at ground level and lined with active uses;

(c) designed to have access to natural light from skylights in the middle of the link;

(d) open at each end or, where air conditioned, provide entry doors that are glazed and comprise a minimum 50% of the width of the entrance;

(e) publicly accessible from 6am to 10pm each day; and

(f) connecting streets or lanes and have a clear line of sight between entrances.

Figure 3.3
Retail through-site links



3.1.3 Pedestrian underpasses and overpasses

Pedestrians should be offered opportunities to commute at the ground level as much as possible to promote a lively and safe public domain. Pedestrian overpasses are discouraged because they enclose public space and affect views along streets. New pedestrian underpasses will only be considered where they provide a direct connection to public transport and improve pedestrian safety.

Objective

(a) To maximise street life and to avoid interruptions to views and vistas along streets.

Provisions

(1) New underpasses are not encouraged unless they provide a direct connection from adjacent streets to public transport and substantially improve pedestrian safety and access.

(2) Where an underpass is permitted:

(a) access to the underpass is to be provided directly from a public footpath at the street alignment to ensure public access at all times and to enhance use of the public domain (rather than reducing the space of the footpath);

(b) it is to be a minimum width of 4.5m and clear of all fixed obstructions; and

(c) it is to be activated with retail uses.

3.1.4 Public open space

Public open space makes the city liveable and attractive for residents and workers. Public open space needs to accommodate a range of recreational and cultural activities both active and passive.

It is important that public open space is connected to the existing and planned pedestrian and bike network and, where possible, linked to biodiversity corridors and water bodies.

This provision applies to land shown in Figure 1.1 *Land covered by this DCP,* except for land in Central Sydney.

This DCP identifies the areas where public open space is required. Public open space can be provided through dedication, easements or covenants. When Council requires dedication of open space, this is identified in the Section 94 Contributions Plan. Where dedication is not required, open space may need to be provided via another means such as an easement. The requirements for public open space that is to be dedicated to the Council are described in Schedule 5 Public open space dedication and design criteria.

Objectives

(a) Provide high quality and publicly accessible open space in urban renewal areas.

(b) Ensure the design of open space provides for a variety of both passive and active uses appropriate to the location and can respond to community needs.

(c) Provide corridors of locally indigenous vegetation that link major open spaces and water bodies to enhance environmental quality and optimise opportunities for habitat for native flora and fauna species.

(d) Ensure that open space is strategically located to assist with water sensitive urban design and stormwater management.

Provisions

(1) Public open space is to be provided and designed in accordance with the *Public open space map* and in Schedule 5 Public open space dedication and design criteria.

(2) Public open space is to accommodate a range of uses that meet the needs of the present and future residents and workers population of the City.

(3) In relation to parks (i.e. non-linear public open space):

  (a) 50% of the total area is to receive sunlight for 4 hours from 9am to 3pm on 21 June;

  (b) protection from direct sun is to be available on 21 December for a minimum of 20% of the area used for passive recreation; and

  (c) protection from strong winds is to be provided, where practicable.

(4) Landscape design is to be high quality and create interest and character through measures such as indigenous tree species, well integrated public art, pavement design and other appropriate elements to the satisfaction of the consent authority.

(5) Public open space is to include native vegetation that connects native fauna habitat corridors to major open spaces and water bodies.

(6) Public open space is to be primarily soft landscaping except for civic spaces, pathways and small areas ancillary to activity areas (recreational, retail or commercial).

(7) Public open space is to provide for deep soil planting and must not have car parking or access located underneath.

(8) Public open space is to be irrigated with recycled water or harvested rainwater sources wherever possible.

(9) The design of public open space is to include native drought-tolerant plants and grasses and sub-surface drip irrigation systems controlled by timers using soil moisture or rainfall sensors.

(10) Pervious paving is to be generally used for low traffic and pedestrian areas.

(11) Landscape design is to be compatible with flood risk. Dense planting, fences and walls are not to be located within a floodway.

(12) Landscaping, plant species and structures such as walls are to be designed and constructed to withstand temporary flood inundation.

(13) Dedicated children's playgrounds are to be fenced to the satisfaction of the consent authority.

(14) Public spaces are to have clearly defined pedestrian entries and movement routes, appropriate seating, and zones for activities that are clearly defined and encourage use.

(15) Public open space is to be accessible from a variety of points within the wider public domain and located along major existing or proposed pedestrian and cycleways throughout the area.

(16) Where land use zoning permits, buildings that directly adjoin public open space are to contain predominantly active uses for the full extent of the ground floor (where practicable). Refer to Section 3.2.3 Active frontages for more details.

(17) Public open space is to be designed to be safe and secure for all users by providing:

(a) open sightlines and landscaping that allows high levels of public surveillance;

(b) a clear distinction between private and public open space;

(c) lighting in accordance with Council's Lighting Design Code and designs out any potential 'hiding spots'; and

(d) legible entrances to encourage public use of the open space.

Figure 3.4
Public open space, Sydney Park



3.1.5 Public art

Public art is a defining quality of dynamic, interesting and successful cities. The City recognises the cultural and economic benefits by integrating public art into the urban fabric. Well-integrated ecologically sustainable public art is encouraged in new development. Ecologically sustainable public art can be embedded into essential infrastructure to carry out vital processes for new development such as stormwater treatment, water collection and the generation of power in creative and innovative ways.

Developers, architects, landscape architects and artists should be involved in producing public artworks. The *City of Sydney Guidelines for Public Art in Private Development* will assist developers to provide high quality artworks that benefit the City and businesses, residents, tourists and visitors.

Developers should refer to these guidelines when planning a development so that public art is integrated into the fabric of the building and the public domain.

Objectives

(a) Increase the number and improve the quality of public artworks in private developments.

(b) Promote sustainability through public art in new development.

(c) Ensure that public art is an integrated and cohesive part of new development.

(d) Deliver essential infrastructure in creative and innovative ways through the use of public art.

(e) Recognise former uses through interpretive public art.

Provisions

(1) Integrate public art in essential ecological sustainable infrastructure.

(2) A detailed Public Art Strategy is to be submitted with a site specific DCP or a Stage 1 DA (refer to clause 7.22 of the Sydney LEP 2012),

(3) Public Art is to be provided in accordance with the *City of Sydney Guidelines for Public Art in Private Development* and the *Public Art Policy* (available at www.cityofsydney.nsw.gov.au).

Figure 3.5
An example of public art in private development, Australia Square



3.1.6 Sites greater than 5,000sqm

Streets define the size, flexibility and permeability of new urban blocks. For large sites 5000sqm and above an appropriate street pattern will ensure a fine grain, highly connected urban place. The emphasis on fine grain urban form is consistent with Sustainable Sydney 2030 and will lead to liveable, attractive and diverse urban renewal areas.

The following provisions do not apply to development in Central Sydney as defined in Section 2 Locality Statements.

Objectives

(a) Provide a 'fine grain' to the urban structure.

(b) Improve pedestrian, bike and vehicular access, permeability and connectivity through large sites.

(c) Establish a clear hierarchy of public streets that are well connected to the existing street network.

(d) Improve access and visibility to public open spaces.

(e) Provide a clear public address for all buildings within a development.

(f) Introduce a range of complimentary uses and housing types.

(g) Ensure high quality public art is included in all publicly accessible open spaces.

Provisions

(1) New streets, lanes and footpaths are to be designed in accordance with the provisions within Section 3.1 Public Domain Elements.

(2) Introduce through-site links, narrow building frontages and limiting the length and size of street blocks.

(3) Street blocks are not to exceed 120m in length. Where site frontages exceed 120m, new public streets are to be introduced.

(4) New streets are to be located to align and connect with the surrounding street network, maximising connectivity and creating view corridors.

(5) Lanes, shared ways or through-site links are to be provided at breaks between buildings.

(6) The layout of the development is to provide legible and publicly accessible through-site links.

(7) Development on sites greater than 5,000sqm is to provide a range of complimentary uses and housing types, including single storey apartments, garden apartments, and maisonette apartments or terrace houses.

(8) At least 5% of the total dwellings on a 5,000sqm or larger site are to be terrace houses or maisonette apartments.

(9) A Public Art Strategy is to be submitted with a Site Specific DCP or Stage 1 DA and is to describe the public art proposed for the development and be consistent with the City of Sydney Guidelines for Public Art in Private Development.

3.2
Defining the Public Domain

3.2.1 Improving the public domain

Private development plays an important role in defining an attractive, interesting and culturally diverse public domain. Development is to protect sunlight to parks and streets and high quality views to the built and landscape features. Part 6, Division 3 of Sydney LEP 2012 includes particular requirements for sun access to nominated public places in Central Sydney.

Refer to the Public Art Policy and Guidelines for Public Art in New Development.

Objective

(a) Enhance the public domain by ensuring adequate sun access to publicly accessible spaces and protecting significant views from public places.

Provisions

3.2.1.1 Sunlight to publicly accessible spaces

(1) Overshadowing effects of new buildings on publicly accessible open space are to be minimised between the hours of 9am to 3pm on 21 June.

(2) Shadow diagrams are to be submitted with the development application and indicate the existing condition and proposed shadows at 9am, 12 noon and 2pm on 14 April and 21 June. If required, the consent authority may request additional detail to assess the overshadowing impacts.

3.2.1.2 Public views

(1) Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art.

(2) Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained.

3.2.2 Addressing the street and public domain

A person's experience of the city will be formed by the public domain as well as private developments which adjoin the public domain. It is important that development adjacent to the public domain be attractive, comfortable, safe, functional and accessible for all. The public domain and pedestrian environment should be characterised by excellence in design, high quality materials and well integrated public art.

Objectives

(a) Ensure that development contributes to the activity, safety, amenity and quality of streets and the public domain.

(b) Present appropriate frontages to adjacent streets and public domain in terms of scale, finishes and architectural character.

(c) Provide legible and accessible entries from the street and the public domain.

(d) Reinforce street edge conditions that significantly contribute to the characteristics of a heritage conservation area.

(e) Reinforce Central Sydney's strong definition of streets and the public domain aligned with property boundaries.

(f) Ensure that in areas outside of Central Sydney new development relates to neighbouring buildings that define the street and public domain.

(g) Minimise and ameliorate the effect of blank walls (with no windows or entrances) at the ground level.

Provisions

(1) Buildings are to be designed to positively address the street.

(2) Buildings are to be designed to maximise the number of entries, visible internal uses at ground level, and include high quality finishes and public art to enhance the public domain.

(3) Development that exposes the blank side of an adjoining building or has a party wall to the public domain is to be designed with a visually interesting treatment of high quality design applied to that wall.

(4) Ground floor tenancies and building entry lobbies on sites not flood affected are to:

  (a) have entries at the same level as the adjacent footpath or public domain;

  (b) have finished floor levels between 0-1.0m above or below the adjacent footpath or public domain entry;

  (c) provide opportunities for direct surveillance of the adjacent street or public domain at maximum intervals of 6m; and

  (d) be elevated up to 1.0m above ground level for privacy for ground floor residential uses.

(5) Car parking areas at ground level are to be screened by active uses to a minimum depth of 6m from the facade visible to the street or public domain.

(6) Basement parking areas and structures:

  (a) in Central Sydney, must not protrude above the level of the adjacent street or public domain;

  (b) in other areas, must not protrude more than 1.0m above the level of the adjacent street or public domain. Where they are visible, basement structures and vent grills are to be integrated into the building and landscape design. Ventilation grills are to block views into basement areas and, in appropriate locations, be screened by landscaping in garden beds with a minimum soil plan depth of 1m.

(7) Residential developments:

  (a) are to have a street address and provide a direct line of sight from a street to the principal common building entry or entries. Where a development comprises a number of buildings with a variety of orientations, a major part of the overall development is to face the street;

  (b) are to be designed and laid out so that every 6m a dwelling, communal space or other high use space provides opportunities for direct surveillance of the adjacent street or public domain; and

  (c) are to provide individual entries directly from the street to any ground floor dwellings next to the street.

(8) Lanes are to be fronted by entries to dwellings, retail and/or commercial uses where practicable.

(9) Align breaks between buildings with nearby streets, lanes and pedestrian links to enable view connections.

(10) In village centres, new buildings are to be built to the street alignment or property boundary except where:

(a) the site is adjacent to or setback from a heritage item. In this case, the new building is to have setbacks to maintain the heritage curtilage or setting of the item as identified in the Statement of Significance;

(b) the development contributes an appropriate active public space at the street frontage;

(c) the development involves only the refurbishment of an existing building; or

(d) the site is an Opportunity Site as identified in Sydney LEP 2012.

(11) On sites outside village centres that are greater than 1,500sqm, the consent authority may allow open space at the street frontage if:

(a) the public can access and use the open space;

(b) the open space is directly fronted by active uses at ground level;

(c) the design, landscaping and furnishing satisfies the consent authority; and

(d) the space does not reduce the activity on adjoining streets or the public domain and enhances the character of surrounding areas.

3.2.3 Active frontages

A diverse range of activities should be provided at street level to reinforce the vitality and liveliness of the public domain.

Active frontages to streets are encouraged so activities within buildings can positively contribute to the public domain. Such uses include retail, customer service areas, cafes and restaurants, and other uses that involve pedestrian interest and interaction. Outdoor dining areas may also contribute to active street frontages in appropriate circumstances.

A well designed street frontage is important for pedestrian amenity and includes attractive building entries, window displays, display cases, artworks, well detailed architecture, facade modulation, clear glazed windows, and recessed visually permeable security screens.

Objectives

(a) Ensure ground floor frontages are pedestrian oriented and of high design quality to add vitality to streets.

(b) Provide fine grain tenancy frontages at ground level to street frontages.

(c) Provide continuity of ground floor shops along streets and lanes within Central Sydney and other identified locations.

(d) Allow for active frontages in other non-identified locations to contribute to the amenity of the streetscape.

(e) Encourage frequent building entries that face and open towards the street.

Provisions

(1) Active frontages are to be provided in the locations nominated on the *Active frontages map*.

(2) Active frontages are to contribute to the liveliness and vitality of streets by:

(a) maximising entries and display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction. Generally, active frontages on the ground floor of a property boundary are to be provided in accordance with Table 3.1 Ground floor active frontages;

(b) minimising blank walls (with no windows or doors), fire escapes, service doors, plant and equipment hatches;

(c) providing elements of visual interest, such as display cases, or creative use of materials where fire escapes, service doors and equipment hatches cannot be avoided.

(d) in Central Sydney, providing three floors of retail (basement, ground and first floor) in the blocks bounded by George, Market, King and Castlereagh Streets as shown in Figure 3.7 *Central Sydney retail core*. Where this is not practicable, the design of new buildings should enable the conversion of these floors to retail at a later stage; and

(e) providing a high standard of finish and appropriate level of architectural detail for shopfronts.

(3) Generally, a minimum of 70% of the ground floor frontage is to be transparent glazing with a predominantly unobstructed view from the adjacent footpath to at least a depth of 6m within the building.

(4) Generally, foyer spaces are not to occupy more than 20% of a street frontage of a building in Central Sydney and no more than 8m of a street frontage elsewhere.

(5) Active frontages are to be designed with the ground floor level at the same level as the footpath.

(6) Driveways and service entries are not permitted on active frontages, unless there is no alternative.

(7) Enclosed glazed shopfronts are preferred to open shopfronts, except for food and drink premises which are encouraged to provide open shopfronts.

(8) Security grilles may only be fitted internally behind the shopfront and are to be fully retractable and at least 50% transparent when closed.

(9) Through-site links or arcades are to have a clear width of 3-6m and a minimum clear height of 1.5 times the width or 6m, whichever is greater.

Figure 3.6
Active frontages, Crown Street, Surry Hills



Table 3.1: Ground floor active frontages

Location	Within Central Sydney		Outside Central Sydney	
	Category 1 on the Active Frontages Map	Category 2 on the Active Frontages Map	Category 1 on the Active Frontages Map	Not nominated on the Active Frontages Map
Minimum active frontage proportion at each public domain frontage	5m or 80% of each public domain frontage (whichever is the greater)	5m or 70% of each public domain frontage (whichever is the greater)	5m or 80% of each public domain frontage (whichever is the greater)	No requirement under this provision.
Uses on public domain frontage	Entries or display windows to shops and/or food and drink premises	Entries or display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction.	Entries or display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction.	
Minimum preferred "grain" of tenancies	15-20 separate tenancy entries per 100m	10-14 separate tenancy entries per 100m	10-14 separate tenancy entries per 100m	
Preferred max. average ground floor tenancy width	6.0m	10.0m	10.0m	
Provide Awnings	Fixed awnings	Fixed or retractable	Fixed awnings	
Active uses through site link (arcade) required	For properties with 2 street/lane frontages both greater than 45m in length	No requirement	As identified	

The following table should be used as a general guide when designing the ground floor of a building. To create an attractive public domain and encourage high levels of pedestrian activity between destinations and attractions, the City's preferred design of ground floors for all uses are **Grade A** – Active and **Grade B** – Friendly.

Table 3.2: Ground floor design

Grade A — Active	Small units, many doors (15 – 20 doors per 100 m) Large variation in function No blank walls and few passive units Lots of character in facade relief Primarily vertical facade articulation Good details and material
Grade B — Friendly	Relatively small units (10 – 14 doors per 100 m) Some variation in function Few blind and passive units Facade relief Many varied details
Grade C — Mixture	Large and small units (6 – 10 doors per 100 m) Modest variation in function Some blind and passive units Modest façade relief Few details
Grade D — Boring	Large units, few doors (2 – 5 doors per 100 m) Almost no variation in function Many blind or uninteresting units Few or no details
Grade E — Inactive	Large units, few or no doors (0 – 2 doors per 100 m) No visible variation in function Blind or passive units Uniform facades, no details, nothing to look at

Source: Adapted from Jan Gehl's Cities for People 2010

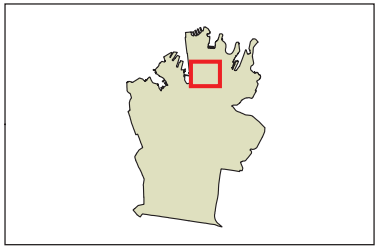
Sydney Development Control Plan 2012

Figure 3.7

Central Sydney retail core map

Legend

- Retail core
- Land excluded from this DCP



N

0 100 m

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File: SDCP2012_CS_RetailCore.mxd

3.2.4 Footpath awnings

Awnings are important for the amenity and attractiveness of streets. They provide protection from the weather and if designed well create visual interest.

It is important to provide continuous weather protection on footpaths. Awnings are the preferred form of weather protection. Appropriately designed awnings create attractive pedestrian environments and ensure clear visibility on the footpath.

Refer to the relevant Schedule 4 Projections over or into public roads.

Objective

(a) Encourage footpath awnings to enhance pedestrian amenity and provide weather protection.

Provisions

(1) An awning over the footpath is to be provided in the locations nominated on the *Footpath awning and colonnades map*.

(2) New awnings are to be compatible with the scale of host and adjacent buildings and the architectural features of the host building.

(3) Where an awning is to be provided, it is to be provided along the full extent of the street frontage of the building or for the part along the main entry or with ground floor retail or commercial uses.

(4) Awnings where provided are to be located between the ground and first floors to maximise weather protection. The height of an awning may vary between 3.2m and 4.2m above the footpath. The height of the awning must ensure continuity in appearance with adjacent awnings and to relate to any distinctive features of the building.

(5) An awning may be introduced where it reinstates a previous awning.

(6) Where there is no existing continuity of awnings on buildings within the same block on the same side of the street, or there would be a major adverse impact on the consistency of development within a heritage conservation area, awnings are not permitted.

(7) Reconstruction or renovation of existing awnings must retain any significant fabric, for example pressed metal soffits.

(8) Awnings on corner buildings are to wrap around the corner.

(9) Lighting fixtures are to be recessed into the awning. All wiring and conduits are to be concealed.

(10) Where signs are to be included on the awning they are to be consistent with the overall design of the awning and with Section 3.16 Signage and advertising.

(11) Gutters are to be concealed from the footpath. Downpipes are to be fully concealed within or recessed into the ground floor frontage of the building.

(12) Generally, awnings are to be cantilevered, non-trafficable and consistent with either Figure 3.9 *Traditional awning design* and/or Figure 3.10 *Contemporary awning design*.

(13) On sloping streets awnings are to be stepped in height with a maximum difference of 700mm between each section of the awning.

(14) Awning width is to be between 2m and 3.6m with the final width being determined to:

(a) maximise weather protection;

(b) match adjoining awnings;

(c) give a minimum setback of:

(i) 1m from the face of the kerb to accommodate smartpoles™ utility poles and vehicles in the kerbside lane; and

(ii) 1.5m from the face of the kerb to accommodate street trees.

(15) Cut out segments in awnings are not acceptable.

(16) The depth of the fascia is not to exceed 700mm with the preferred depth less than 350mm.

(17) Awnings are to have a maximum slope of 5 degrees for roofs and soffits and a roof slope towards the building so that gutters and downpipes are not required at the street edge.

(18) The conversion of awnings to verandahs or balconies is generally not permitted.

(19) Steeply sloped, arched or barrel vaulted awnings are not permitted.

Figure 3.8
The design of awnings should contribute to the attractiveness of the street



Figure 3.9
Traditional awning design

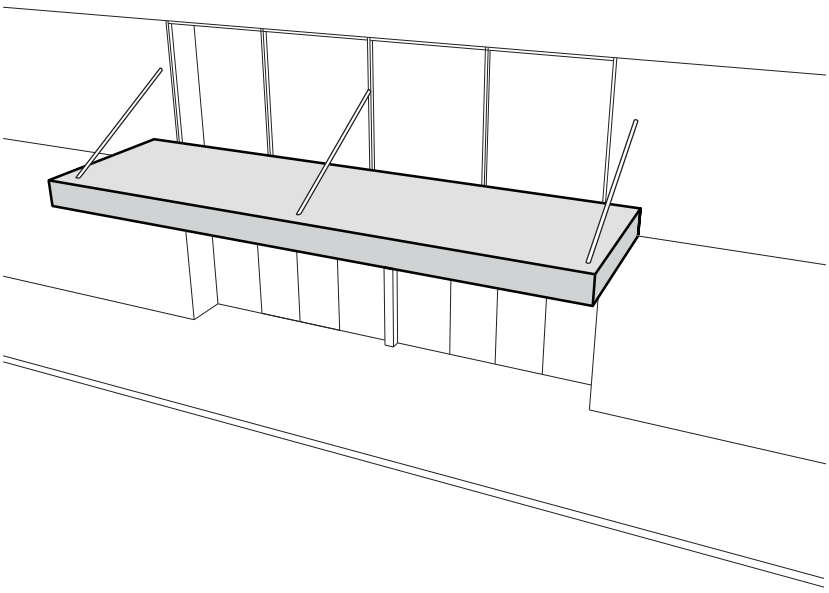
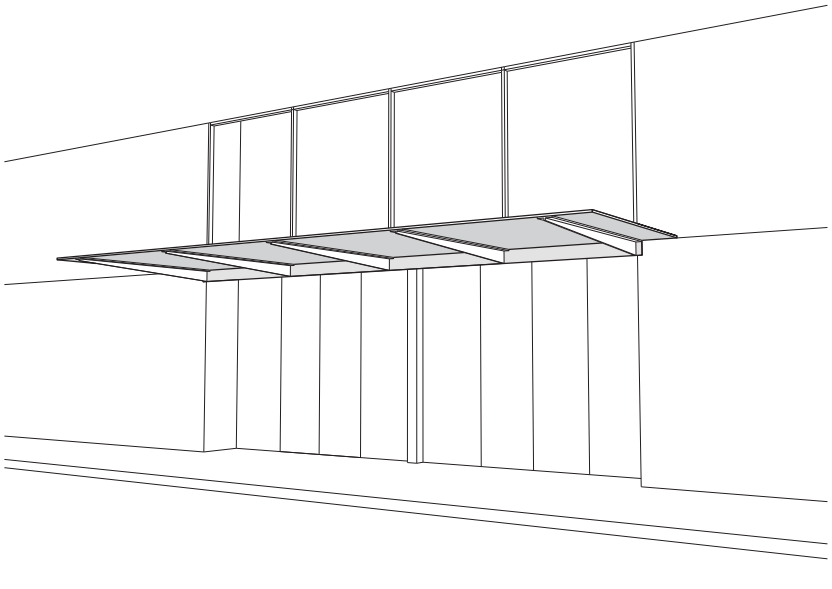


Figure 3.10
Contemporary awning design



3.2.4.1 Awnings with posts and balconies

(1) Awnings that include posts or are trafficable are acceptable where they reinstate former awnings of that configuration and can satisfy contemporary public safety requirements.

(2) Design the structure so that the awning is self-supporting in the event of removal of a corner post or any other single post. Details of the verandah design are required to be certified by a structural engineer and submitted with the development application.

(3) Reinstatement of posted verandahs is to be based on physical and documentary evidence. A posted verandah may be reinstated only where it reinforces the heritage significance of a heritage item or building in a Heritage Conservation Area.

(4) Posted verandahs are to be designed so that the awning is self supporting in the event of the removal of a corner post or any other single post. Details of the verandah design are required to be certified by a structural engineer and submitted with the development application.

(5) Applications for these awnings are to be supported by documentation based on physical and documentary evidence demonstrating that:

(a) the building originally had a similar awning and its reinstatement reinforces the heritage significance of the existing building or heritage conservation area;

(b) the design replicates the original awning or, where there is insufficient documentation, is based on reference to details of similar awnings from that period; and

(c) modifications to the structure and materials to meet current safety standards or to adopt a contemporary interpretation will not result in an adverse impact on the overall character and, where relevant, heritage significance of the property.

(6) Where the building is a heritage item, the supporting documentation to be provided is to be in the form of a Conservation Management Plan.

3.2.4.2 Other awning types

(1) Fabric canopies (including retractable canopies) may be acceptable:

(a) for cafes, food outlets and hotels where awnings are not required or in streets without a consistent awning line, particularly in areas adjacent to parks and public spaces; and

(b) on heritage buildings originally designed without awnings provided there is no impact on the heritage significance of that building.

(2) Skylights within fixed awnings:

(a) are to be less than one third of the awning width;

(b) are to be glass;

(c) are to be clear or very lightly tinted or patterned in a durable finish, such as a fritted or seraphic glass finish, to mask dirt, dust and wind blown debris; and

(d) are not required to be continuous. The length of glazed portions is to correspond to the architectural design of the ground floor by aligning skylights with ground floor entries, windows or columns.

(3) Fully glazed awnings are generally not acceptable.

3.2.5 Colonnades

Colonnades may be appropriate in exceptional circumstances for weather protection where they can extend along the entire street frontage of a street block, or for pedestrian amenity where they provide a sunlit environment for active pedestrian use including outdoor dining.

Objective

(a) Discourage the provision of colonnades, except in exceptional circumstances.

Provision

(1) Colonnades are generally not permitted as they obscure views of retail frontages and separate street frontage activity from the street.

(2) The consent authority may allow colonnades where:

(a) they are continuous for an entire street block;

(b) they are designed with finely proportioned vertical elements; and

(c) they provide a high level of visual and physical access to shopfronts.

(3) The consent authority may allow existing colonnades to be used for active uses, generally where the colonnade is discontinuous.

3.2.6 Wind effects

These provisions apply to all buildings over 45m high and other development where Council requires wind effects to be considered.

Windy conditions can cause discomfort and danger to pedestrians and downdraughts from buildings can inhibit the growth of street trees. Conversely, moderate breezes can enhance pedestrian comfort and disperse vehicle emissions and air-conditioning plant exhausts. The useability of open terraces on buildings also depends on comfortable conditions being achieved.

The shape, location and height of buildings are to be designed to satisfy wind criteria for public safety and comfort at ground level.

Objective

(a) Ensure that new developments satisfy nominated wind standards so as to maintain comfortable conditions for pedestrians and encourage the growth of street trees.

Provisions

(1) A wind effects report is to be submitted with a development application for buildings higher than 45m and for other buildings at the discretion of the consent authority. The report is to be prepared by a suitably qualified engineer and is to:

  (a) be based on wind tunnel testing, which compares and analyses the current wind conditions and the wind conditions created by the proposed building;

  (b) report the impacts of wind on the pedestrian environment at the footpath level within the site and the public domain;

  (c) provide design solutions to minimise the impact of wind on the public and private domain; and

  (d) demonstrate that the proposed building and solutions are consistent with the provisions of this DCP.

(2) Development must not create a ground level environment where additional generated wind speeds exceed:

  (a) 10 metres per second for active frontages as shown on the *Active frontages map*; and

  (b) 16 metres per second for all other streets.

(3) New developments are to incorporate design features that will ameliorate existing adverse wind conditions so that the criteria above are achieved.

(4) Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments.

(5) Balconies are to be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens, pergolas and shutters.

(6) Balconies must be recessed on building over 45m where possible.

3.2.7 Reflectivity

Reflective materials used on the exterior of buildings can result in undesirable glare for pedestrians and on occupants of other buildings and potentially hazardous glare for motorists.

Objectives

(a) Minimise the reflection of sunlight from buildings to surrounding areas and buildings.

(b) Ensure that building materials do not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.

Provisions

(1) A Reflectivity Report that analyses potential solar glare from the proposed building design may be required for tall buildings.

(2) Generally, light reflectivity from building materials used on facades must not exceed 20%.

(3) For buildings in the vicinity of arterial roads/major roads and Sydney Airport, proof of light reflectivity is required and is to demonstrate that light reflectivity does not exceed 20%.

3.2.8 External lighting

The external lighting of buildings can enhance the character of buildings at night and enliven an area. However, external lighting can create light pollution, increase energy use and greenhouse gas emissions and affect residential amenity. Often, it is more appropriate to highlight certain architectural features of a building rather than floodlighting entire facades.

Objectives

(a) Encourage appropriate external lighting of buildings that adds to the architectural character of the building.

(b) Minimise light spill to the sky.

Provisions

(1) Generally, external lighting of buildings is discouraged to avoid light pollution and the unnecessary consumption of energy and generation of greenhouse gas emissions, unless there is particular and justifiable merit in illuminating a building.

(2) Applications for decorative lighting or for the illumination of building facades, billboards or roof tops (accessible or inaccessible) are required to include a photomontage or computer modelling to illustrate the visual effect of the proposal, including the visual effect of any associated structure during the day.

(3) External light fixtures are to be integrated with the architecture of the building.

(4) The visual effects of external lighting must contribute to the character of the building, surrounds and skyline.

(5) The external lighting system must be energy efficient and subject to appropriate times of operation.

(6) External lighting must not reduce the amenity of residents in the locality.

(7) Eternal lighting must not negatively impact areas of habitat for local fauna.

(8) External lighting must minimise the light spill into the night sky.

(9) LED down lighting is preferred over up lighting to minimise light pollution.

(10) The following decorative lighting techniques are inappropriate:

  (a) bud-lights and similar festoon lighting on buildings which detract from the architectural qualities of the building;

  (b) broad floodlighting of facades from large light sources located separate to the building; and

  (c) up lighting of flag poles and banner poles.

3.3

Design Excellence and Competitive Design Processes

This section contains objectives and provisions to guide design excellence and fine grain urban form in significant development. All buildings contribute to the urban and public domain character of a city. It is important that design excellence is a fundamental consideration in the assessment of development applications.

In recognition of the additional cost of a competitive design process, a successful design competition that achieves design excellence can be awarded additional building height or floor space of up to 10% or one floor whichever is the greater.

To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Central Sydney Tower Cluster Areas, a building demonstrating design excellence through an architectural design competition can be awarded up to 50% additional floor space.

The following DCP provisions complement Division 4 Design Excellence under the Sydney LEP 2012 and must be read in conjunction with the City of Sydney Competitive Design Policy and the Model Competitive Processes Brief.

The City of Sydney contains a number of urban renewal areas and large development sites. Within these areas it is important that development achieves high design quality standards and design variety. The following objectives and provisions aim to achieve design excellence through the application of competitive design processes.

Refer to Section 3.1.6 Sites greater than 5,000sqm, Section 3.3.8 Site specific development controls plans and concept development applications.

Objectives

(a) Ensure high quality and varied design through the use of competitive design processes for large and prominent developments.

(b) Ensure development individually and collectively contributes to the architectural and overall urban design quality of the local government area.

(c) Encourage variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens the City's public realm.

Provisions

3.3.1 Competitive design process

(1) In accordance with Clause 6.21D(1) of the Sydney LEP 2012 any of the following development is subject to a competitive design process:

(a) buildings greater than 55m in Central Sydney and greater than 25m outside of Central Sydney;

(b) development having a capital value of more than $100,000,000;

(c) development in respect of which a development control plan is required to be prepared under Clause 7.20 of the Sydney LEP 2012;

(d) development for which the applicant has chosen such a process.

(1A) In accordance with Clause 6.21E of Sydney LEP 2012 a building demonstrating design excellence in a Tower Cluster Area must:

(a) be located in a Tower Cluster Area on the Locality and Site Identification Map;

(b) The unencumbered area of the subject site must be greater than 2,000 square metres, excluding areas of the site that are occupied by:

(i) heritage items

(ii) public places, including streets, lanes, parks, squares

(iii) areas above or below major infrastructure including bridges and viaducts used for rail, vehicle, cyclist and pedestrian purposes

(iv) major utility infrastructure

(v) publily accessible open spaces, easements, common acces areas and priavtely owned land

(c) contain or proposes only Commercial Premises, Centre-based child care facilities, Community facilities, Educational establishment, Entertainment facilities, Function centres, Health Services facility, Hotel or motel accommodation, Information and education facilities, Light industries and ancillary uses such as parking, utilities and storage.

(1B) For the purposes of Clause 6.21E of Sydney LEP 2012 a building demonstrating design excellence means a building where the design of the building (or the design of an external alteration to the building) is the winner of an architectural design competition and the consent authority is satisfied that the building or alteration exhibits design excellence.

(2) The competitive design process must be undertaken in accordance with the City of Sydney Competitive Design Policy and using the Model Competitive Processes Brief.

(3) The competitive design process is to be undertaken in accordance with a Design Excellence Strategy approved by Council as part of an associated site-specific DCP or concept development application (Concept Development Application).

(4) The competitive design process is to be undertaken before the detailed Development Application is submitted.

3.3.2 Design excellence strategy

(1) The Design Excellence Strategy is to define:

(a) the location and extent of each competitive design process, where each competitive design process is to be limited to a single development site or street block;

(b) the type of competitive design process(es) to be undertaken: an open or invited architectural design competition or competitive design alternatives. Competitive design alternatives is not available for buildings seeking to demonstrate design excellence in a Tower Cluster Area;

(c) the number of designers involved in the process(es);

(d) how fine grain and contextually varied architectural design is to be achieved across large sites;

(e) whether the competitive design process is pursuing additional floor space or height;

(f) options for distributing any additional floor space or height which may be granted by the consent authority for demonstrating design excellence through a competitive design process; and

(g) the target benchmarks for ecologically sustainable development.

(1A) In addition to clause (1), buildings seeking to demonstrate design excellence in a Tower Cluster Area, the Design Excellence Strategy is to:

(a) demonstrate compliance with the City of Sydney Competitive Design Policy; and

(b) demonstrate the analysis required under 3.3.8 Site Specific development control plans and concept development applications has been addressed in the application.

3.3.3 Award for design excellence

(1) In accordance with Clause 6.21D of the Sydney LEP 2012, the consent authority may grant up to 10% additional floor space or height to a building where design excellence is achieved through a competitive design process.

(1A) In accordance with Clause 6.21E of the Sydney LEP 2012, the consent authority may grant up to 50% additional floor space where a building demonstrates design excellence through an architectural design competition.

3.3.4 Awarding additional height

(1) Additional height available under Clause 6.21D of the Sydney LEP 2012 must be located on the building which is subject to the competitive design process.

(2) Awarding additional height is at the discretion of the consent authority and is dependent on the building achieving design excellence with the additional height included in the design.

(3) Despite 3.3.4(1) and (2) a building demonstrating design excellence in a Tower Cluster Area may have a building height that exceeds the maximum height shown for the land on the Sydney LEP 2012 Height of Buildings Map, but must not exceed any sun access controls, public view protections or aircraft operations related controls, as per Clause 6.21E(5).

3.3.5 Awarding additional floor space

(1) Additional floor space available under Clause 6.21D and Clause 6.21E of the Sydney LEP 2012 will be pro-rated by the area covered by the competitive design process, as a proportion of the total developable site area.

Clause 6.21D

Additional floor space bonus (%) = {Competitive design process site area / (Lot area – Land to be dedicated area)} x 10

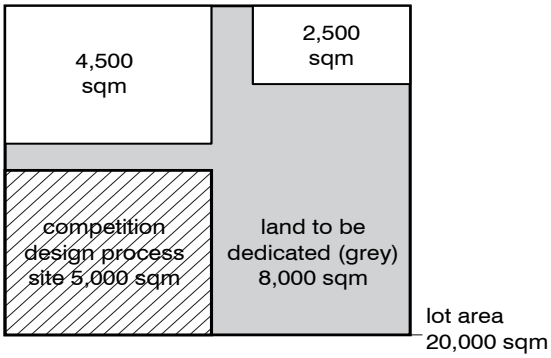
or

Clause 6.21E

Additional floor space bonus (%) = {Competitive design process site area / (Lot area – Land to be dedicated area)} x 50

For example, if a competitive design process covers half the developable site area, then the maximum additional floor space will be up to 5%.

A further example is shown below:



A competitive design process undertaken on the hatched site would result in a maximum floor space bonus of up to:

{5,000sqm / (20,000sqm – 8,000sqm)} x 10 = 4.17% floor space bonus

(2) Awarding additional floor space is at the discretion of the consent authority and is dependent on achieving design excellence and the capacity of the developable site area to absorb the additional floor space without environmental impacts.

3.3.6 Distribution of additional floor space

(1) In distributing any additional floor space within the site area covered by the competitive design process, the following considerations must be appropriately addressed:

(a) Site and context analysis;

(b) Public domain layout, including levels, uses, access and circulation, dedications and hierarchy of spaces;

(c) Built form massing and dimensioned envelopes;

(d) Overshadowing analysis;

(e) Stormwater management strategy;

(f) Traffic management and servicing strategy, parking numbers and location;

(g) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure); and

(h) Heritage impact statement.

(2) In addition to provisions 3.3.6(1)(a)-(h), for Tower Cluster Area sites subject to Clause 6.21E of Sydney LEP 2012, when distributing any additional floor space within the site area covered by the architectural design competition process, the following considerations must be appropriately addressed:

(a) Where variations to Minimum Street Setbacks, Minimum Side and Rear Setbacks, Building Form Separations and Tapering controls under Sydney DCP 2012 are proposed, a Procedure B: Wind and Daylight Equivalence report is to be prepared in accordance with Schedule 12 of Sydney DCP.

To allow multiple options to be explored during the design competition applicants are required to test at least three massing options as part of the Concept Plan (see 3.3.8). For regular shaped sites where the base case envelope results in large, functional, and regular shaped floor plates, the base case envelope may be considered as one of the three massing options.

Note: where variations to Sydney DCP 2012 Minimum Street Setbacks, Minimum Side and Rear Setbacks, Building Form Separations and Tapering controls are sought the proponent is to demonstrate that variations comply with equivalency variation tests in relation to wind impacts and daylight/sky view factor. Importantly equivalency results still require urban design and streetscape analysis to determine their acceptability.

(b) A quantitative wind effects report is to be prepared by a suitably qualified wind specialist testing the base case building massing envelope and alternative massing envelops. The report is to detail findings and compliance of wind tunnel testing conducted in accordance with Sydney DCP 2012 controls including Schedule 12, where appropriate. The report is to identify all locations and elements requiring wind management.

Note: Wind tunnel testing is a mandatory requirement. This wind tunnel testing will also apply where setback and separation variations to Sydney DCP 2012 are proposed.

(c) Provision of appropriate architectural roof feature and construction zones.

Note: Construction methodology for envelopes within 30 metres vertically of an airspace protection surface (excluding the Obstacle Limitation Surface) must be provided demonstrating no temporary penetrations of surfaces are required for cranes and other construction equipment.

A detailed site survey and demonstrated compliance via an envelope analysis of airspace protection charts detailed below is required http://www.sydneyairport.com.au/corporate/community-environment-and-planning/planning/airspace-protection.aspx

(d) Proposed new buildings (or altered buildings) must be capable of achieving best practice National Australian Built Environment Rating System (NABERS) performance that exceeds established minimum requirements of Sydney DCP 2012, as demonstrated through Energy Commitment Agreements.

3.3.7 Public art

(1) A public art strategy prepared by a suitably qualified person consistent with the City of Sydney's Guidelines for Public Art in Private Development is to inform the competitive design process and where appropriate, be included in the competition brief.

3.3.8 Site specific development control plans and concept development applications

A site specific development control plan or a concept development application is required under Clause 7.20 of Sydney LEP 2012 for certain categories of development. The development control plan must address the issues set out in Clauses 7.20(4) and Division 4 Design Excellence of Sydney LEP 2012.

(1) The following documentation is to be provided as part of a site specific development control plan application:

(a) Site, context and development options analysis;

(b) Public domain layout including levels, uses, access and circulation and dedications;

(c) Built form massing and dimensioned envelopes;

(d) Distribution of uses and floor space areas;

(e) Overshadowing analysis;

(f) Stormwater management strategy;

(g) Traffic management and servicing strategy and parking numbers and location;

(h) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure);

(i) Heritage impact statement;

(j) Design excellence strategy;

(k) Landscape concept plan;

(l) Public art strategy; and a

(m) Staging plan.

(2) The site, context and development options analysis is to document at least three different and realistic site development options and is to provide an analysis of each option.

(2A) For Tower Cluster Area sites subject to Clause 6.21E of Sydney LEP 2012, this option analysis is to incorporate:

(a) demonstrate compliance with the City of Sydney Competitive Design Policy;

(b) establish a compliant base case building massing envelope in accordance with 5.1.1 Built Form Controls;

(c) document a minimum 3 alternative massing envelopes that comply with Schedule 12;

(d) provide detailed environmental impact tests that compare the base case building massing envelope and alternative massing envelopes, including:

(i) overshadowing of protected public spaces

(ii) public view protection planes

(iii) Sydney Airport Prescribed Airspace

(iv) Special Character Area, street frontage heights, setbacks, tower heights and contextual analysis

(v) compliance with tower massing and tapering requirements of any relevant development control plan or guide

(vi) wind tunnel testing and compliance

(vii) wind and daylight equivalence form testing, and

(viii) underground infrastructure.

(e) for the purpose of providing an indicative FSR for each massing envelope, where the envelopes and estimated FSRs assume:

(i) a 15 metre architectural roof feature zone for sites where the maximum height of the building is determined by Sun Access Planes, No Overshadowing Controls or Public View Protection Planes (or an amount as demonstrated by best practice and a reference design)

(ii) a 30 metre architectural roof feature/construction zone where the maximum height of the building is determined by Sydney Airports Prescribed Airspace (excluding the Obstacle Limitation Surface) (or an amount as demonstrated by best practice and a reference design)

(iii) 5 metres clear floor to floor for ground and first floors and allowances for new pedestrian links and public domain improvements supported by urban design analysis

(iv) 3.8 metres floor to floor for typical commercial floors and structural transfer zones at steps in the building massing

(v) 3.3 metres floor to floor for typical hotel floors and structural transfer zones at steps in the building massing

(vi) a full floor plant level at least for every 20 occupied levels at minimum 6 metres floor to floor should be provided for plant and equipment with no floor space

(vii) a minimum proportion of the entire design envelope for architectural articulation and external façade depth and external sun shading (not occupied by floor space) of 8.0% plus 0.5% for each 10m in height above 120m up to a maximum value of 16% articulation.

Note: the proportion (percentage) is established according to the maximum building height, this proportion is then applied to the whole envelope.

(viii) minimum 16 per cent floor space exclusions allocated to building core and other internal non-floor space elements

(ix) vehicle access, servicing, services, balconies, voids or other areas are not counted as floor space and should be determined from demonstrated best practice and a reference design.

Note: the FSR assumptions in this provision are only for the purpose of establishing a generally acceptable indicative FSR accounting for general site constraints and commercial building efficiencies. The individual parts (i)-(ix) are not to be treated as development standards or controls for assessing detailed building designs.

(f) the base case building massing envelope, the alternative massing envelopes and indicative FSRs will form part of the architectural design competition brief

(g) consent authority may amend the indicative FSRs based on the assessment of the Concept Plan application.

(3) A design excellence strategy is to be provided that defines:

(a) the location and extent of each competitive design process, where each competitive design process limited to a single development site or street block;

(b) the type of competitive design processes to be undertaken: an architectural design competition, open or invited; or competitive design alternatives;

(c) the number of designers involved in the processes;

(d) how fine grain and contextually varied architectural design is to be achieved across large sites; and

(e) options for distributing any additional floor space area which may be granted by the consent authority for demonstrating design excellence through a competitive design process.

(3A) For Tower Cluster Area sites subject to Clause 6.21E of Sydney LEP 2012, if appropriate, the Concept DA or Site Specific DCP will be determined with an envelope capable of achieving the indicative maximum FSR.

The approved Design Excellence Strategy, the base case building massing envelope, the alternative massing envelopes and indicative FSRs will inform the Architectural Design Competition brief.

Final FSR will be applied for in the detailed design DA and assessed and determined by the consent authority at this time.

(4) A detailed Public Art Strategy, prepared by a suitably qualified person and consistent with the City of Sydney Guidelines for Public Art in Private Development is to be submitted with a Concept DA or Site Specific DCP.

3.4

Hierarchy of Centres, City South

The following objectives and provisions apply to all development within the Green Square Town Centre Primary Trade Area as shown on Figure 3.12 *Hierarchy of centres, City South*.

The City has established a hierarchy of planned centres to ensure the orderly and economic development of Green Square and the southern areas of the LGA. Green Square Town Centre will be the highest-order centre and the heart of the City South. The planned centres will accommodate more dense forms of residential development, jobs, shops, entertainment, community facilities, access to public transport and new public spaces. The benefits of a centres planning approach in the southern areas are:

- Fewer trips by private vehicle.
- The creation of engaging public spaces and focal points for communities.
- Competitive, sustainable environments for local businesses.
- Public investment in public transport, open spaces and community facilities can be focussed in centres, where it will have maximum community benefit.

To realise this vision, it is essential that new, larger retail development is clustered in the planned centres. Shops are major attractors of business and people, and will form a key component of the planned mixed-use centres.

The City commissioned the Green Square and Southern Areas Retail Study (2008) to inform land use controls for the centres. The Retail Study recommended a hierarchy of centres, based on how much retail floor area will be supported by the forecast population in 2021. To achieve these centres, the Retail Study recommends larger retailers, like supermarkets, must primarily be located in higher order centres. Outside of planned centres, retail development should be limited to smaller shops with a maximum floor area of 1,000sqm which provide convenience shopping opportunities within walking distance of homes and workplaces.

Figure 3.11
Local village, Danks Street, Waterloo



Definitions

Minor retail development means a single shop or retail tenancy that has a gross floor area of 1,000sqm or less.

Major retail development means a single shop or retail tenancy with a gross floor area greater than 1,000sqm.

Full-line supermarket means a supermarket with a full range of goods, including packaged groceries, fresh meat, bakery and deli department, fresh fruit and vegetables and frozen foods, that has a gross floor area greater than 2,500sqm. Full-line supermarkets are classified as 'shops' under the Sydney LEP 2012 definition.

Small supermarket means a supermarket with a reduced range of groceries and food that has a gross floor area less than 2,500sqm. Small supermarkets are classified as 'shops' under the Sydney LEP 2012 definition.

Discount supermarket means a supermarket that does not have a full range of groceries and food and where the products are sold for less than they are typically sold for at full-line supermarkets. Discount supermarkets are classified as 'shops' under the Sydney LEP 2012 definition.

For the purposes of this Section, discount supermarkets and small supermarkets are also considered to be either minor retail development or major retail development, depending on the gross floor area of the discount supermarket or small supermarket.

Clause 7.23 of the Sydney LEP 2012 complements this strategy by limiting the gross floor area for shops and markets outside of planned centres to 1000sqm. Clause 7.23 seeks to limit the size of individual tenancies and not the total amount of retail floor space on a site.

Objectives

(a) Encourage a viable and successful hierarchy of centres in the City South area.

(b) Promote the Green Square Town Centre as the primary retail, community and entertainment centre in the City South area.

(c) Ensure that major retail development is located within the planned centres where it will have maximum community benefit, result in fewer trips by private vehicle and create competitive, sustainable environments for local business.

(d) Provide adequate and appropriate retail development to meet the needs of existing and future workers and residents.

(e) Create a hierarchy of centres that will protect and support public investment.

(f) Promote centres as the appropriate location for entertainment uses, attractions, community facilities and services, public domain improvements and public transport improvements.

(g) Ensure that retail development in the City South area does not have an adverse impact on one or more centres, either on its own or cumulatively with recent applications or developments, or undermine the viability of any centre or its role in the economic and social life of the community.

Provisions

3.4.1 Land use

(1) Where appropriate, major retail development is to be located within the major centre, the local villages and small village identified in the *Hierarchy of Centres, City South map*.

(2) Minor retail development is permissible outside of centres provided it does not have a negative impact on the viability and economic role of the planned centres in the Southern areas retail hierarchy map and where it will result in a net community benefit.

(3) Retail development in centres is to be consistent with the function and appropriate retail use of that centre in Table 3.3 Desired character of centres.

(4) Additional neighbourhood centres may be permissible in locations where the applicant can demonstrate that there will be no significant impact on the viability or vitality of the hierarchy of centres described in Table 3.3 Desired character of centres.

(5) Appropriate minor retail development outside of centres is to activate the public domain and provide for convenient shopping opportunities within walking distance of homes and workplaces.

(6) Bulky goods development is to be located fronting O'Riordan Street where it is consistent with the zoning controls. Smaller bulky goods retailers, for example homewares stores, are best located in or adjoining the Green Square Town Centre and the local villages.

Table 3.3: Desired character of centres

Centre	Function	Appropriate retail uses
Major centre The Green Square Town Centre	The primary retail, commercial and community centre in the City South area. The range of retail and entertainment uses found in the Green Square Town Centre is to be greater than other centres and it should be the most highly-visited and vibrant centre.	A full range of retail uses aimed at attracting regional visitors, including full-line supermarkets, department stores, discount supermarkets, cinemas, markets, specialty shops, fashion, comparison shopping, homewares, convenience shops, fresh food, cafes, restaurants and bars.
Local villages Victoria Park Danks Street Ashmore Estate Waterloo Estate (South)	Existing and future local village centres will meet local daily shopping in denser residential areas. These centres are to be accessible via public transport and bikeways and be supported by services and open space.	A reduced range of retail uses providing for the local area, including one full-line supermarket, one discount supermarket, specialty stores, homewares, convenience retailers, fresh food, cafes, restaurants and bars.
Small Village Botany Road, Rosebery	The small village will continue to service the convenience retail needs of local residents and workers. Additional specialty shops and services in this location will consolidate the small village as demand increases.	Retail uses that do not provide for a full range of groceries and food, but includes one small supermarket, specialty stores, convenience retailers, fresh food, cafes, restaurants and bars.
Neighbourhood Centre Dalmeny Avenue, Rosebery Future locations to be determined by demand	A neighbourhood centre is a group of more than three neighbourhood shops that provide convenience shopping within walking distance of homes and workplaces. They should not provide so wide a range of groceries and food that people do not need to visit a village centre or the major centre. New neighbourhood centres may be developed where they are consistent with other planning controls and will not significantly detract from other centres. A neighbourhood centre is to be provided with minimal car parking spaces.	Approximately five neighbourhood shops, including delicatessens, hairdressers, newsagents, cafes and other specialty or food retailers. small supermarkets (that are also minor retail development) may be appropriate in neighbourhood centres where they are consistent with other controls and planning strategies.

3.4.2 Economic impact assessment

(1) Where a proposed retail development is inconsistent with the appropriate retail uses described in Table 3.3 Desired character of centres, the consent authority may require the applicant to prepare an economic impact assessment to demonstrate that the proposed development is consistent with:

(a) the function of that centre as described in Table 3.3 Desired character of centres;

(b) the objectives of this Section; and

(c) wider planning strategies.

(2) Where a new neighbourhood centre is proposed the consent authority may require the applicant to prepare an economic impact assessment to demonstrate that the proposed development is consistent with:

(a) the function and appropriate retail uses of a neighbourhood centre as described in Table 3.3 Desired character of centres;

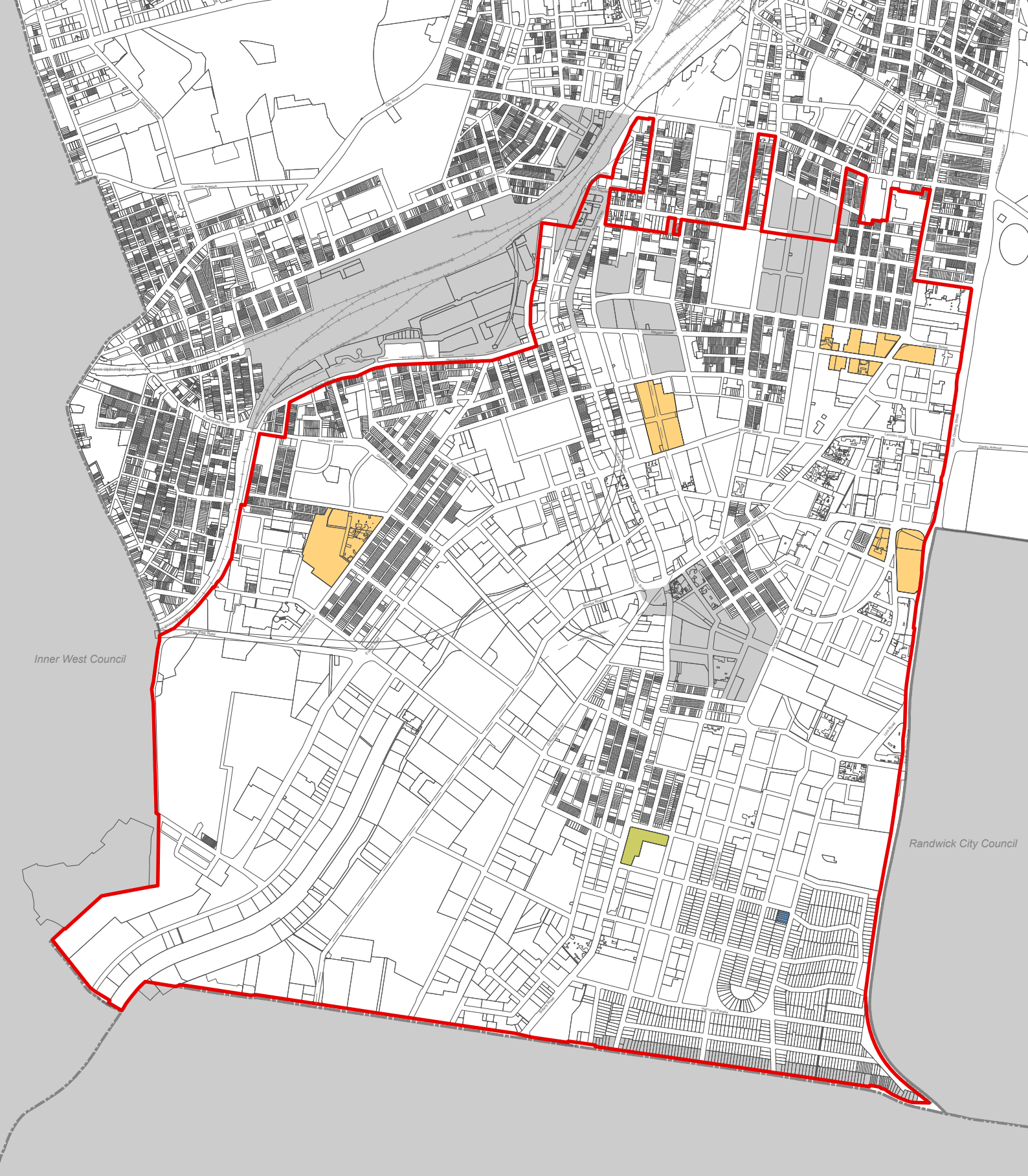
(b) the objectives of this section; and

(c) wider planning strategies.

(3) An economic impact assessment is to contain the information outlined in the City of Sydney's Practice.

Note: Retail Development in the Southern Area: Preparing Economic Impact Assessments.

(4) In the preparation of economic impact assessments, applicants are to use the Green Square and Southern Areas Retail Study (2008) and subsequent updates for the Green Square Trade Area.



Hierarchy for centres, city south map

Figure 3.12

Legend

- Green Square Town Centre Primary Trade Area
- Local Village Centre
- Small village centre
- Neighbourhood centre

Sydney Development Control Plan 2012

N

0 125 250 500m

CITY OF SYDNEY

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3.5
Urban Ecology

3.5.1 Biodiversity

This Section applies to all development that will affect existing habitat, or involves landscaping. Other policies that apply to biodiversity management in the City of Sydney include the Greening Sydney Plan, Urban Forest Strategy, the Urban Tree Management Policy, the Street Tree Master Plan, the Register of Significant Trees and the Park Tree Management Plans as well as the Urban Ecology Strategic Action Plan and Landscape Code when they are complete.

Objectives

(a) Protect existing habitat features within and adjacent to development sites.

(b) Improve the diversity and abundance of locally indigenous flora and fauna species across the LGA.

Provisions

(1) Development is to be consistent with the Street Tree Master Plan, Park Tree Management Plans and the Landscape Code.

(2) Existing habitat features including cliff lines, rocky outcrops, waterbodies, trees, shrubs and groundcover vegetation are to be retained.

(3) New habitat features including trees, shrubs and groundcover vegetation, waterbodies, rockeries and green roofs and walls are to be included, wherever possible.

(4) Link and enhance existing and potential biodiversity corridors wherever possible.

(5) Landscaping is to comprise a mix of locally indigenous tree, shrub and groundcover species as outlined in City's Landscape Code. Where this is not possible it is preferred that plants native to Australia are used.

(6) Shrubs are to be densely planted and trees are to be well-spaced, as outlined in the City's Landscape Code.

3.5.2 Urban vegetation

Urban vegetation is all of the trees and other vegetation found in our commercial and residential areas, along our streets and in our parks. This vegetation is one of the City's most important assets, with benefits ranging from reducing air pollution, managing stormwater, providing natural habitat for birds and other wildlife to enhancing our quality of life and reducing the heat of urban spaces. Vegetation will become increasingly valuable in the face of climate change. Maintaining and supplementing existing vegetation can help mitigate climate change, by absorbing carbon dioxide, and adapt to it, by helping to cool the City.

These provisions do not apply to Central Sydney.

Objective

(a) Ensure that tree canopy cover is considered in all development and provided appropriately in each development.

Provisions

(1) Development applications are to include a Landscape Plan, except where they are for single dwellings, terraces and dual occupancies.

(2) Provide at least 15% canopy coverage of a site within 10 years from the completion of development.

(3) Appropriate plant species are to be selected for the site conditions with consideration given to trees providing shade in summer and allowing sunlight in winter, or to provide habitat. Appropriate tree species include any tree (excluding noxious weed trees) that are not prone to drop fruit, seedpods, gumnuts, branches, sap and or bark.

(4) Locally indigenous species are to be used where possible and in accordance with the City's Landscape Code.

(5) Understorey plantings comprising locally-indigenous shrubs and groundcovers are encouraged.

(6) Provide soft landscaping between 1.5m and 3m in plan depth to the perimeter of ground level car parking areas to screen the car parking area from the street and integrate with streetscape planting.

(7) One tree per 4 car spaces is to be provided within ground level parking areas in addition to perimeter planting. This planting is to:

  (a) be planted in bays with a minimum dimension of 2m and soil depth of 1m unencumbered deep soil. The bays are to be provided with a raised kerb barrier and native ground cover planting;

  (b) be planted in soil with a suitable rooting volume for the required number of trees;

  (c) use trees that develop a clean trunk height greater than 4.5m and a crown canopy of at least 50sqm to provide adequate shade and vehicle clearance;

  (d) improve pedestrian amenity;

  (e) not to hinder the visibility of either drivers or pedestrians, with open sightlines maintained between parking areas, public streets and paths;

  (f) not conflict with lighting and services; and

  (g) break up large areas of impervious surfaces.

(8) Car parking areas and access aisles should be designed, surfaced and graded to reduce run-off, allow stormwater to be controlled within the site, and provide for natural infiltration of stormwater runoff through landscaping.

3.5.3 Tree management

The following objectives and provisions apply to all development that may have an impact on the health or structural stability of a tree and are to be read in conjunction with Clause 5.9 of the Sydney LEP 2012.

Clause 5.9 of the Sydney LEP 2012 does not apply to trees on land vested in the Royal Botanic Gardens and Domain Trust or the Centennial Park and Moore Park Trust.

Other policies that apply to the management of trees in the City of Sydney include the Urban Tree Management Policy, Urban Forest Strategy, Street Tree Master Plan, and Park Tree Management Plans and Register of Significant Trees. These are available at www.cityofsydney.nsw.gov.au.

Schedule 8 Tree Management provides information about notifications of proposals to remove a tree from Council's Register of Significant Trees and arborist's reports.

Definitions

Imminently dangerous includes but is not restricted to obvious instability of the root system, evidence of soil heave or cracking, loss of structural roots, root decay, storm damage and structural defects that are imminently hazardous, such as splitting branches.

Objectives

(a) Establish the trees to which Clause 5.9 Preservation of trees or vegetation of the Sydney LEP 2012 applies.

(b) Ensure the protection of trees within and adjacent to development sites.

(c) Maximise the quality and quantity of healthy tree canopy coverage across the LGA.

Provisions

(1) A permit or development consent is required to ringbark, cut down, top, lop, prune, remove, injure or wilfully destroy a tree that:

  (a) has a height of 5m or more; or

  (b) has a canopy spread of over 5m; or

  (c) has a trunk diameter of more than 300mm, measured at ground level; or

  (d) is listed in the Register of Significant Trees.

(2) Under Clause 5.10 of the Sydney LEP 2012, development consent is required for certain activities affecting a tree which is a heritage item or a tree within a heritage conservation area. However, this requirement may be waived if

  (a) the criteria in clause 5.10(3) of the Sydney LEP 2012 are satisfied; and

  (b) the work relates to a tree or activity to which provision (1) does not apply.

(3) Provision (1) does not apply to a tree of the following species that is less than 10m in height:

  (a) Cinnamomum camphora (Camphor Laurel);

  (b) Celtis sinensis (Chinese Hackberry);

  (c) Celtis occidentalis (American Nettle Tree);

  (d) Erythrina x sykesii (Coral Tree); and

  (e) Liquidambar styraciflua (Liquidambar).

(4) Provision (1) does not apply to any tree of the following species:

  (a) Ailanthus altissima (Tree of Heaven);

  (b) Bamboo sp (all species and cultivars);

  (c) Citrus sp (all varieties);

  (d) Cotoneaster sp (Cotoneaster);

  (e) Ficus elastica (Rubber Tree);

  (f) Gleditsia triacanthos – not cultivars (Wild Honey Locust);

  (g) Lagunaria patersonia (Norfolk Island Hibiscus);

(h) Ligustrum sp (Privet);

(i) Melia azedarach (White Cedar);

(j) Morus species (Mulberry);

(k) Musa species (Banana);

(l) Olea europaea var. Africana (African Olive);

(m) Robinia pseudacacia –not cultivars (False Acacia);

(n) Salix babylonica (Willow);

(o) Schefflera actinophylla (Umbrella Tree); and

(p) Syagrus romanzoffianum (Cocos Palm).

(5) A permit or development consent to prune a tree on private land in accordance with provision (1) is not required provided the pruning:

(a) provides clearances consistent with the Guideline for tree pruning, and where the branch size is less than the diameter size detailed in Table 3.4; and

(b) does not remove more than 5% of a trees canopy; and

(c) does not damage or affect the health or structural stability of the tree; and

(d) is undertaken in accordance with the relevant Australian Standard for the Pruning of Amenity Trees, using a qualified Arborist (minimum Australian Qualification Framework (AQF) Level 2 Arboriculture).

Table 3.4: Guideline for tree pruning

Location	Height to which pruning is permitted	Maximum diameter of branch which may be pruned
Major Arterial Roads	4.5m above the kerb	100mm
Local Roads	2.5m over a parking lane and 4.5m above the kerb	100mm
Council pedestrian paths	2.5m above the footpath	100mm
Buildings	1m above any approved building, measured from the surface of the structural component, such as a wall or roof on the building's edge	50mm
Domestic power or Telecommunication lines	Must be 0.5m minimum and 1m maximum clearance from the service line	50mm

Note: Branch size is measured from the point of attachment to another branch or the trunk.

(6) In relation to Clauses 5.9(5) and (6) of Sydney LEP 2012, to satisfy Council that the tree is dead, dying or a risk to human life or property, the applicant is to:

(a) record the tree's condition; identify the risk a tree may pose; and provide a statement that verifies that the works undertaken will be or were the minimum necessary to manage the risk; and

(b) a report from a qualified arborist (Minimum AQF Level 3 Arboriculture) is to be provided to Council prior to works taking place, or immediately following the works.

3.6
Ecologically Sustainable Development

This section sets out objectives and controls to provide a framework for the application of ecologically sustainable development principles in the design, construction and operation of buildings across Sydney local government area.

Council encourages the applicaion of ecologically sustainable development principles for all development. Implementing the principles means that the development will be designed and constructed so that it complies with the following objectives:

(a) Greenhouse gas emissions will be reduced.

(b) The use of cogeneration and tri-generation systems will be increased.

(c) Energy that is used will be renewable and low carbon.

(d) Potable water use will be reduced.

(e) Development can adapt to climate change.

(f) Waste will be reduced.

(g) Recycling of waste and use of products from recycled sources will be increased.

(h) Indoor environmental quality will be improved.

(i) The environmental impact from building materials will be reduced through reduction, re-use and recycling of materials, resources and building components.

(j) The biodiversity will be improved.

Section J of the Building Code of Australia contains mandatory requirements for the design of building envelopes and fixtures to minimise energy use.

The Commonwealth Commercial Building Disclosure Program requires energy efficiency information to be provided in most cases when commercial office space of 1,000 sqm or more is offered for sale or lease. The aim is to improve the energy efficiency of Australia's large office buildings and to ensure prospective buyers and tenants are informed. The Commercial Building Disclosure Program is an initiative of the Council of Australian Governments. It was established by the Building Energy Efficiency Disclosure Act 2010 and is managed by the Australian Government Department of the Environment and Energy.

In NSW, *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* (BASIX SEPP) mandates provisions that aim to reduce consumption of mains-supplied potable water, reduce emissions of greenhouse gases and improve thermal comfort in all residential development. The BASIX SEPP sets the minimum standards that a development is to achieve. The BASIX SEPP also mandates that a DCP cannot include provisions which require a development to exceed its minimum standards. However, where voluntarily proposed, Council encourages development to exceed minimum BASIX scores.

From time to time Council may provide guidelines or other relevant information that will assist applicants to implement the principles of ecologically sustainable development.

In the absence of comprehensive government standards and building rating tools which can be used to assess the environmental performance of buildings, Council encourages applicants to use an environmental building rating tool, such as Green Star or any similar rating tool, to demonstrate the environmental performance of a proposed development.

Applicants should contact the operator of the rating tool, such as the Green Building Council of Australia, if they wish to obtain a certified rating. Where an applicant voluntarily proposes achieving a Green Star or other building tool rating Council will apply a condition of development consent that requires the development to obtain the certified rating that was nominated by the applicant.

Objectives

(a) Apply principles and processes that contribute to ecologically sustainable development (ESD).

(b) Reduce the impacts from development on the environment.

(c) Reduce the use of resources in development and by development over its effective life.

(d) Reduce the cause and impacts of the urban heat island effect.

(e) Increase the resilience of development to the effects of climate change.

(f) Ensure that greenhouse gas emissions will be reduced.

(g) Increase the use of cogeneration and tri-generation systems.

(h) Replace intensive carbon power sources with low carbon and renewable energy.

(i) Reduce the use of potable water.

(j) Ensure that development can adapt to climate change.

(k) Ensure that waste will be reduced.

(l) Increase the use of products from recycled sources.

(m) Improve indoor environmental quality.

(n) Reduce the environmental impact from building materials through reduction, re-use and recycling of materials, resources and building components.

(o) Improve the biodiversity.

Provisions

3.6.1 Energy efficiency in non residential developments

(1) Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, appropriate use of thermal mass and external shading, including vegetation.

(2) Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient lighting such as LED lighting.

(3) In multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for lighting, air-conditioning and power within each tenancy or strata unit. Locations are to be identified on the development plans.

(4) Electricity sub-metering is to be provided for significant end uses that will consume more than 10,000 kWh/a.

(5) Car parking areas are to be designed and constructed so that electric vehicle charging points can be installed at a later time.

(6) Where appropriate and possible, the development of the public domain should include electric vehicle charging points or the capacity for electric vehicle charging points to be installed at a later time.

(7) Applications for new developments containing office premises with a net lettable area of 1,000sqm or more are to be submitted with documentation confirming that the building will be capable of supporting a Base Building National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of 5.5 stars with the NSW Office of Environment and Heritage. Such an agreement is to be entered into prior to any construction certificate being issued for the approved development.

(8) Applications for developments involving alterations, additions and refurbishments to existing office premises where the estimated cost of works is over $5 million, and contains a net lettable area of 1,000sqm or more, are to be submitted with documentation confirming that the building will be capable of supporting a Base Building National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of 5 stars with the NSW Office and Environment Heritage. Such an agreement is to be entered into prior to any construction certificate being issued for the approved development. Notwithstanding, a Base Building National Australian Built Environment Rating System (NABERS) Energy Commitment Agreement of 5 stars is not required where the consent authority is satisfied that:

(a) the upgrade works would negatively impact on significant heritage fabric or the heritage significance of a listed heritage item, or

(b) the costs associated with the energy efficiency upgrade works are unreasonable when compared to the overall estimated cost of works for the alterations, additions and refurbishment.

(9) Any application which may impact on significant heritage fabric or the heritage significance of a listed item is to be supported by a Heritage Impact Statement prepared by an appropriately experienced heritage consultant.

(10) Where it is asserted that the costs are unreasonable under subclause (8) (b) the development application is to be supported by a registered Quantity Surveyor's detailed cost report itemising and verifying the cost of the required energy efficiency upgrade works.

3.6.2 Water efficiency in non-residential development

(1) All new water fittings and fixtures such as showerheads, water tap outlets, urinals and toilet cisterns, in all non-residential development, the public domain, and public and private parks are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.

(2) Generally, rainwater tanks are to be installed for all non-residential developments, including major alterations and additions that have access to a roof form from which rainwater can be feasibly collected and plumbed to appropriate end uses.

(3) Where a non-residential building, the public domain, a public or private open space or a community facility is serviced by a dual reticulation system for permitted non-potable uses such as toilet flushing, irrigation, car washing, fire fighting and certain industrial purposes, the development is to be connected to the system.

(4) Generally, water used for irrigation of public and private open space is to be drawn from reclaimed water or harvested rainwater sources. Possible sources include harvested stormwater, treated greywater and wastewater and water from a decentralised local network.

(5) Separate meters are to be installed for each individual tenancy in commercial or retail buildings over 5,000sqm, such as separate tenant areas within a shopping centre.

(6) Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other major uses.

(7) Where cooling towers are used they are to be connected to a:

(a) recirculating cooling water loop; and

(b) conductivity meter so that the blow down or bleed off system in a cooling tower can be automated based on conductivity. This ensures that the water is being re-circulated an optimum number of times before being discharged to the sewer.

(8) Cooling towers are discouraged where they are a single pass cooling system.

3.6.3 Photovoltaic solar panels

(1) The use, location and placement of photovoltaic solar panels is to take into account the potential permissible building form on adjacent properties.

(2) Where possible proposals for new buildings, alterations and additions and major tree plantings are to maintain solar access to existing photovoltaic solar panels having regard to the performance, efficiency, economic viability and reasonableness of their location.

3.6.4 Wind turbines

(1) Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):

(a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;

(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

(2) Wind turbines are:

(a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;

(b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;

(c) not to affect the structural integrity of the building;

(d) not to detract from the significance of a heritage item or a heritage conservation area; and

(e) to be installed in accordance with manufacturer's specifications.

3.6.5 Materials and building components

(1) Paints and floor coverings with low levels of volatile organic compounds (VOC) and low formaldehyde wood products are to be used where possible.

(2) Where possible, use building materials, fittings and finishes that:

(a) have been recycled;

(b) are made from or incorporate recycled materials; and

(c) have been certified as sustainable or 'environmentally friendly' by a recognised third party certification scheme.

(3) Design building components, including the structural framing, roofing and facade cladding for longevity, adaptation, disassembly, re-use and recycling.

(4) Reduce the amount of materials used in the construction of a building wherever possible. Examples of potential methods include:

(a) exposing structures to reduce the use of floor, ceiling and wall cladding and finishes;

(b) naturally ventilating buildings to reduce ductwork;

(c) providing waterless urinals to reduce piping and water use;

(d) using prefabricated components for internal fit outs; and

(e) providing only one bathroom for every two bedrooms in residential developments.

3.7
Water and Flood Management

Terms used in this section are consistent with the NSW Floodplain Development Manual 2005.

Objectives

(a) Ensure an integrated approach to water management across the City through the use of water sensitive urban design principles.

(b) Encourage sustainable water use practices.

(c) Assist in the management of stormwater to minimise flooding and reduce the effects of stormwater pollution on receiving waterways.

(d) Ensure that development manages and mitigates flood risk, and does not exacerbate the potential for flood damage or hazard to existing development and to the public domain.

(e) Ensure that development above the flood planning level as defined in the Sydney LEP 2012 will minimise the impact of stormwater and flooding on other developments and the public domain both during the event and after the event.

(f) Ensure that flood risk management addresses public safety and protection from flooding.

Note: A number of flood studies are currently underway. New development will be required to conform to the flood studies once endorsed by Council.

Provisions

3.7.1 Site specific flood study

(1) When required by Clause 7.15 of Sydney LEP 2012, a site-specific flood study is to be prepared by a suitably qualified and experienced hydrologist in accordance with the NSW Floodplain Development Manual 2005, the NSW Coastal Planning Guideline: Adapting to Sea Level Rise, NSW Coastal Risk Management Guide: Incorporating Sea Level Rise Benchmarks In Coastal Risk Assessments and the NSW Flood Risk Management Guide: Incorporating Sea Level Rise Benchmarks In Flood Risk Assessments.

(2) The site-specific flood study is to include, but not be limited to:

  (a) a detailed topographical survey that defines flow paths, storage areas and hydraulic controls; and

  (b) flood modelling that uses appropriate hydrological and hydraulic techniques and incorporates boundary conditions.

(3) The site-specific flood study is to show pre-development and post-development scenarios, and at a minimum is to include the following information:

  (a) water surface contours;

  (b) velocity vectors;

  (c) velocity and depth product contours;

  (d) delineation of flood risk precincts; and

  (e) flood profiles for the full range of events for total development including all structures and works (such as revegetation and physical enhancements).

(4) The site-specific flood study is to assume the 'worst case scenario' conditions for blockages to pipes, culverts and other infrastructure, such that:

(a) kerb inlets are assumed to be 50% blocked;

(b) sag pits are assumed to be 100% blocked; and

(c) culverts and bridges with an open area less than six metres, measured on the diagonal, are assumed to be 50% blocked.

3.7.2 Drainage and stormwater management

These provisions are supported by the *Stormwater management map*. The map identifies the catchments with specific stormwater management requirements and also those areas where stormwater is required to be integrated with open space.

(1) A local drainage management plan is required for development on sites of:

(a) 1,000sqm or more in the Fowler's Creek catchment area and drains to Johnston's Creek as shown on the *Stormwater management map*; or

(b) 1,800sqm or more in other catchments.

(2) The Local Drainage Management Plan is to address:

(a) the hydrology of the locality and its relationship to the drainage system;

(b) the distribution of soil types and the scope for on-site infiltration;

(c) any expected rise in ground water level due to development;

(d) the role of the principal landscape components on the site for water conservation and on-site detention;

(e) the scope for on-site stormwater detention and retention, including collection of water for re-use;

(f) how any detrimental impacts on the existing natural hydrology and water quality are proposed to be minimised;

(g) how pedestrian safety is to be ensured; and

(h) integration of drainage management responses and open space areas.

(3) A suitably qualified engineer with experience in drainage design is to assess the site drainage requirements for the proposed development, and prepare the required local drainage management plan in accordance with the provisions of this DCP.

(4) Development on sites identified in the *Stormwater management map*, are to provide on-site stormwater detention within open space areas.

(5) Drainage systems are to be designed so that:

(a) on a site with an area less than or equal to 1,000sqm:

(i) stormwater flows up to the 20% annual exceedance probability event are conveyed by a minor drainage system; and

(ii) stormwater flows above the 20% annual exceedance probability event are conveyed by a major drainage system;

(b) on a site with an area greater than 1,000sqm:

(i) stormwater flows up to the 5% annual exceedance probability event are conveyed by a minor drainage system; and

(ii) stormwater flows above the 5% annual exceedance probability event are conveyed by a major drainage system.

(6) The development proposal must demonstrate how the major drainage system addresses any site-specific conditions and connects to the downstream drainage system.

(7) Major drainage systems are to be designed so that ensures that public safety is not compromised.

(8) Minor flows from a development site are not to be discharged to the kerb if direct connection to an existing stormwater pipe is available, unless it can be demonstrated there is sufficient capacity within the existing gutter and the flow velocity and depth within the gutter will remain below 400mm.

(9) Where the proposed development is located on a floodplain, high level overflows are permitted for roof drainage systems where the overflow is set above the 1% annual exceedance probability level.

(10) Connection to existing stormwater infrastructure are not to reduce the capacity of that infrastructure by more than 10%. The development proposal is to show the level of impact on the existing stormwater infrastructure as a result of the proposed new connection.

(11) The post development run-off from impermeable surfaces (such as roofs, driveways and paved areas) is to be managed by stormwater source measures that:

(a) contain frequent low-magnitude flows;

(b) maintain the natural balance between run-off and infiltration;

(c) remove some pollutants prior to discharge into receiving waters;

(d) prevent nuisance flows from affecting adjacent properties; and

(e) enable appropriate use of rainwater and stormwater.

(12) Post-development stormwater volumes during an average rainfall year are to be:

(a) 70% of the volume if no measures were applied to reduce stormwater volume; or

(b) the equivalent volume generated if the site were 50% pervious, whichever results in the greater volume of detention required.

(13) Stormwater detention devices are to be designed to ensure that the overflow and flowpath have sufficient capacity during all design rainfall events, discharge to the public stormwater system without affecting adjoining properties, and are free of obstructions, such as fences.

(14) Where filtration and bio-retention devices are proposed, they are to be designed to capture and provide temporary storage for stormwater.

(15) Car parking areas and access aisles are to be designed, surfaced and graded to reduce run-off, allow stormwater to be controlled within the site, and provide for natural infiltration of stormwater runoff through landscaping.

3.7.3 Stormwater quality

(1) Development of a site greater than 1,000sqm must undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:

(a) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;

(b) reduce the baseline annual pollutant load for total suspended solids by 85%;

(c) reduce the baseline annual pollutant load for total phosphorous by 65%; and

(d) reduce the baseline annual pollutant load for total nitrogen by 45%.

(2) The stormwater quality assessment is to be prepared by a suitably qualified engineer with experience in water sensitive urban design (WSUD) and include:

(a) modelling of pollutant load standards with an industry standard water quality model;

(b) the design of WSUD measures used to achieve the post-development pollutant load standards; and

(c) maintenance schedules of any proposed WSUD measure that requires maintenance or full replacement including the likely recycling or disposal location of any wastes that may be generated.

(3) Development on a site with an area less than 1,000sqm is to be designed so that the flow of pollutants from the site due to stormwater is reduced.

3.7.4 Additional provisions for commercial and industrial properties

(1) Development proposals for service stations, motor showrooms, vehicle repair stations and vehicle body repair workshops are to capture all stormwater up to the 3 month average recurrence interval event within the site to reduce the risk of stormwater pollution caused by spilled contaminants. The critical duration storm for the property and the 24 hour duration storm should be analysed.

(2) Drainage and waste disposal is to be conducted to the levels specified by the NSW Environmental Protection Authority.

3.7.5 Water re-use, recycling and harvesting

(1) Development proposals that seek to re-use water runoff from paved surfaces for irrigation and wash down purposes are to incorporate measures into the design of the development that will treat the water to ensure that it is fit for this purpose. These measures are to clean the water to exclude contaminants such as litter, sediment and oil.

3.8

Subdivision, Strata Subdivision and Consolidation

The subdivision and consolidation of land can have long term effects on the economic performance and urban form of the City.

As the City grows, older properties that have been strata titled, particularly commercial and industrial properties, can create a barrier to achieve new higher density and more sustainable development. Therefore, Council generally discourages the strata subdivision of commercial and industrial development.

The consolidation of sites is discouraged where it obscures the original subdivision patterns, removes pedestrian and bike links, or does not allow for the interpretation of the historical subdivision pattern. Proposals to consolidate adjoining buildings should ensure that the resulting rhythm and form of the building continues to be compatible with the characteristic form of the area or streetscape.

Objectives

(a) Ensure lot sizes and street frontages can support the desired building type and use and achieve internal spaces appropriate to their function.

(b) Encourage fine grain subdivision for large sites in urban renewal areas.

(c) Allow for the interpretation of an original, historically significant subdivision pattern in new development.

(d) Ensure that strata subdivision does not inhibit conservation works and adaptive re-use of heritage items.

(e) Ensure the long-term provision of rent controlled affordable housing by prohibiting the subdivision of individual dwellings in affordable housing projects.

Provisions

3.8.1 General

(1) New allotments are to be regular in shape, with an orientation and alignment that enables future buildings to face the street and optimise solar access to buildings.

(2) The strata titling of commercial and industrial development and affordable housing is discouraged.

(3) Within a strata or community title subdivision, parking spaces and spaces used for other purposes for example, storage, that are associated with an individual unit are to be included in the same strata allotment as the unit.

(4) Visitor car spaces and loading spaces are to be designated as common property in a strata subdivision.

(5) Landscaping, communal open space, access areas, service areas and directory board signage, where not part of an individual unit in a strata subdivision, are to be designated as common property.

3.8.2 Subdivision and lot consolidation affecting heritage items or in heritage conservation areas

(1) Subdivision (including strata) or lot consolidation is not to occur where the original subdivision pattern is still in evidence and contributes to the significance of the heritage item or heritage conservation area.

(2) Applications for subdivision or lot consolidation are to demonstrate that:

(a) the setting of the heritage item or contributory building on the site, or within the vicinity, is not compromised; and

(b) the relationship between the heritage item or contributory building and associated features such as landscaping trees, fences, and outbuildings is retained.

3.9
Heritage

Heritage planning aims to ensure that the significant elements of the past are appropriately managed and respected by new development. Heritage conservation does not preclude change but rather responds to different constraints and opportunities.

This DCP is consistent with the Australia International Council on Monuments and Sites (ICOMOS) Charter for Conservation of Places of Cultural Significance (The Burra Charter).

These provisions are based on the underlying principles that:

- Change should be based on an understanding of heritage significance; and
- The level of change should respect the heritage significance of the item or area.

The intention of these provisions is to ensure that decisions about change are made with due regard to heritage significance, and that opportunities to improve the understanding and appreciation of this significance are taken.

A list of heritage practitioners can be found on the website of the Heritage Branch, NSW Department of Planning at www.heritage.nsw.gov.au.

Heritage items, contributory, neutral and detracting buildings are identified on the *Building contributions map*.

Objectives

(a) Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.

(b) Enhance the character and heritage significance of heritage items and heritage conservation areas and ensure that infill development is designed to respond positively to the heritage character of adjoining and nearby buildings and features of the public domain.

Provisions

3.9.1 Heritage Impact Statements

(1) A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting:

  (a) heritage items identified in the Sydney LEP 2012; or

  (b) properties within a Heritage Conservation Area identified in Sydney LEP 2012.

(2) The consent authority may not grant consent to a development application that proposes substantial demolition or major alterations to a building older than 50 years until it has considered a heritage impact statement, so as to enable it to fully consider the heritage significance of a building and the impact that the proposed development has on the building and its setting.

(3) A Heritage Impact Statement is to be prepared by a suitably qualified person, such as a heritage consultant. Guidelines for the preparation of Statements of Heritage Impact are available on the website of the Heritage Branch, NSW Department of Planning at www.heritage.nsw.gov.au.

(4) The Heritage Impact Statement is to address:

(a) the heritage significance of the heritage item or the contribution which the building makes to the heritage significance of the heritage conservation area;

(b) the options that were considered when arriving at a preferred development and the reasons for choosing the preferred option;

(c) the impact of the proposed development on the heritage significance of the heritage item, heritage items within the vicinity, or the heritage conservation area; and

(d) the compatibility of the development with conservation policies contained within an applicable Heritage Conservation Management Plan or Conservation Management Strategy, or conservation policies within the Sydney Heritage Inventory Report.

(5) Where the site adjoins another local government area, the Heritage Impact Statement is to address the potential impact on adjoining or nearby heritage items or heritage conservation areas in the adjoining local government area.

(6) Where the development application proposes the full or substantial demolition of a heritage item, or a contributory building within a heritage conservation area, the Heritage Impact Statement is to:

(a) demonstrate why the building is not capable of retention or re-use;

(b) include a statement from a quantity surveyor comparing the cost of demolition to the cost of retention if the demolition is recommended primarily on economic grounds;

(c) include a report by a suitably qualified structural engineer if the demolition is proposed on the basis of poor structural condition; and

(d) include a pest inspection report if the building is a weatherboard building.

(7) When giving consent to the full or partial demolition of a heritage item, a building in a heritage conservation area, or a building older than 50 years, Council may require photographic recording of the building as a condition of consent.

3.9.2 Conservation Management Plans

Definition

A Conservation Management Plan (CMP) is a comprehensive document which identifies the heritage significance of a place and should be prepared in accordance with the NSW Heritage Manual published by the NSW Heritage Office, the Australian ICOMOS Burra Charter Process and the Conservation Plan by J.S Kerr, which is available from the NSW National Trust. The Conservation Management Plan is to also consider compliance with any recommended management policies contained in the Heritage Inventory Report for the property or heritage conservation area.

Provisions

(1) A conservation management plan prepared by a suitably qualified heritage practitioner for development applications is required for the following:

(a) a change of use of a heritage item of State heritage significance;

(b) any alteration to the fabric or setting of a heritage item of State heritage significance which requires consent;

(c) an award of heritage floor space under Sydney LEP 2012; or

(d) substantial alterations and or additions to a heritage item considered by the Council to be of high local significance, unless the consent authority determines that it is not required.

(2) The conservation management plan is to include:

(a) the investigation of the physical and documentary evidence of the heritage item;

(b) a comparative analysis and curtilage assessment;

(c) assessment of the significance of the heritage item;

(d) the investigation of the constraints and opportunities for the item including the owner's needs and resources, and external constraints;

(e) conservation policies which address the following:

(i) conservation of the fabric and setting of the heritage item;

(ii) appropriate uses of the heritage item;

(iii) appropriate ways to interpret the significance of the heritage item;

(iv) management of the heritage item;

(v) guidelines for future development; and

(f) priorities for instigation of conservation policies.

(3) In certain cases, the consent authority may accept a conservation management strategy in place of a conservation management plan for heritage items of local significance. A conservation management strategy is to be prepared in accordance with the format prepared by the NSW Office and Environment and Heritage.

3.9.3 Archaeological assessments

(1) An archaeological assessment is to be prepared by a suitably qualified archaeologist in accordance with the guidelines prepared by the NSW Office and Environment and Heritage.

(2) For development proposals in Central Sydney, refer to the *Central Sydney Archaeological Zoning Plan* to determine whether the development site has archaeological potential.

(3) An archaeological assessment is to be submitted as part of the Statement of Environmental Effects for development applications affecting an archaeological site or a place of Aboriginal heritage significance, or potential archaeological site that is likely to have heritage significance.

(4) An archaeological assessment is to include:

(a) an assessment of the archaeological potential of the archaeological site or place of Aboriginal heritage significance;

(b) the heritage significance of the archaeological site or place of Aboriginal heritage significance;

(c) the probable impact of the proposed development on the heritage significance of the archaeological site or place of Aboriginal heritage significance;

(d) the compatibility of the development with conservation policies contained within an applicable conservation management plan or conservation management strategy; and

(e) a management strategy to conserve the heritage significance of the archaeological site or place of Aboriginal heritage significance.

(5) If there is any likelihood that the development will have an impact on significant archaeological relics, development is to ensure that the impact is managed according to the assessed level of significance of those relics.

3.9.4 Development of sites of State heritage significance or containing more than one heritage item

(1) This provision applies to development that will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012 as being of State heritage significance or to a site containing more than one heritage item, if the development involves:

(a) demolition that will result in a reduction of the building envelope of the heritage item by more than 35%;

(b) an increase in the size of the building envelope of the heritage item by more than 20%; or

(c) building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item.

(2) When considering an application for development to which this provision applies, the consent authority is to:

(a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;

(b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and

(c) consider the advice of the committee, but is not bound by the advice of the committee.

3.9.5 Heritage items

Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item. The determination of the setting of a heritage item should consider the historical property boundaries, significant vegetation and landscaping, archaeological features, and significant veiws to and from the property.

Objective

(a) Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.

Provisions

(1) Development affecting a heritage item is to:

(a) minimise the extent of change to significant fabric, elements or spaces;

(b) use traditional techniques and materials where possible unless techniques and materials can offer substantial conservation benefits;

(c) enable the interpretation of each of the significant values of the item through the treatment of the item's fabric, spaces and setting;

(d) provide a use compatible with its significance and which with any changes proposed, including any BCA upgrade or the introduction of services will have minimal impact on significant fabric, elements or spaces;

(e) the provision of on-site interpretation, or a combination of each of these measures;

(f) not reduce or obscure the heritage significance of the item; and

(g) be reversible where necessary so new work can be removed with minimal damage, or impact to significant building fabric.

(h) be consistent with an appropriate Heritage Conservation Management Plan, Conservation Management Strategy, or policy guidelines contained in the Heritage Inventory Assessment report for the item;

(i) ensure that any changes to the original/significant room configuration is evident and can be interpreted; and

(j) respect the pattern, style, dimensions or original windows and doors.

(2) Development should enhance the heritage item by removing unsympathetic alterations and additions and reinstating missing details, building and landscape elements, where physical or documentary evidence is available.

(3) Alterations and additions to buildings and structures and new development of sites in the vicinity of a heritage item are to be designed to respect and complement the heritage item in terms of the:

(a) building envelope;

(b) proportions;

(c) materials, colours and finishes; and

(d) building and street alignment.

(4) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:

(a) providing an adequate area around the building to allow interpretation of the heritage item;

(b) retaining original or significant landscaping (including plantings with direct links or association with the heritage item);

(c) protecting, where possible and allowing the interpretation of archaeological features; and

(d) Retaining and respecting significant views to and from the heritage item.

3.9.6 Heritage conservation areas

Buildings and sites within heritage conservation areas are identified on the *Building contributions map* as being contributory, neutral or detracting to the character and heritage significance of the heritage conservation area.

The contribution of these buildings is based on studies carried out by heritage consultants for the City.

New development in heritage conservation areas must be designed to respect neighbouring buildings and the character of the area, particularly roofscapes and window proportions. Infill development should enhance and complement existing character but not replicate heritage buildings.

(1) Development within a heritage conservation area is to be compatible with the surrounding built form and urban pattern by addressing the heritage conservation area statement of significance and responding sympathetically to:

(a) topography and landscape;

(b) views to and from the site;

(c) significant subdivision patterns and layout, and front and side setbacks;

(d) the type, siting, form, height, bulk, roofscape, scale, materials and details of adjoining or nearby contributory buildings;

(e) the interface between the public domain and building alignments and property boundaries; and

(f) colour schemes that have a hue and tonal relationship with traditional colour schemes.

(2) New infill buildings and alterations and additions to existing buildings in a heritage conservation area are not to be designed as a copy or replica of other buildings in the area, but are to complement the character of the heritage conservation area by sympathetically responding to the matters identified in (1)(a) to (e) above.

(3) Infill development is not to include garages and car access to the front elevation of the development where these are not characteristic of the area.

(4) Development within a heritage conservation area is to be consistent with policy guidelines contained in the Heritage Inventory Assessment Report for the individual conservation area.

Figure 3.13
Infill development Iglu Central, Chippendale (student accommodation)



3.9.7 Contributory buildings

Contributory buildings are buildings that make an important and significant contribution to the character and significance of the heritage conservation area. They have a reasonable to high degree of integrity and date from a key development period of significance of the heritage conservation area. They are buildings:

- from a significant historical period and are highly or substantially intact; or
- from a significant historical period and are altered yet recognisable and reversible.

(1) Contributory buildings are to be retained unless the consent authority determines the replacement is justified in exceptional circumstances.

(2) Alterations and additions must not significantly alter the appearance of principal and significant facades of a contributory building, except to remove detracting elements.

(3) Alterations and additions to a contributory building are to:

(a) respect significant original or characteristic built form;

(b) respect significant traditional or characteristic subdivision patterns;

(c) retain significant fabric;

(d) retain, and where possible reinstate, significant features and building elements, including but not limited to original balconies and verandahs, fences, chimneys, joinery and shop front detailing;

(e) remove unsympathetic alterations and additions, including inappropriate building elements;

(f) use appropriate materials, finishes and colours; and

(g) respect the pattern, style and dimensions of original windows and doors.

(4) Where an addition to the building is proposed, significant external elements are to be reinstated.

(5) Foyers or other significant interior features, including hallway detailing, panelling and significant staircases, designed to be visible from the street, are to be retained especially where they form part of the building's contribution to the character of the heritage conservation area.

Figure 3.14
Single storey contributory buildings, Glebe



3.9.8 Neutral and appropriate infill buildings

Neutral buildings are buildings that do not contribute nor detract from the significant character of the heritage conservation area.

Neutral buildings are:

- From a significant historical period, but altered in form, unlikely to be reversed;
- sympathetic contemporary infill; or
- from a non-significant historical period but do not detract from the character of the Heritage Conservation Area.

(1) Demolition of neutral buildings will only be considered where it can be demonstrated that:

(a) restoration of the building is not reasonable; and

(b) the replacement building will not compromise the heritage significance of the heritage conservation area.

(2) Where demolition of a neutral building is allowed, a photographic record of the building may be required to be submitted to the City.

(3) Alterations and additions to a neutral building are to:

(a) remove unsympathetic alterations and additions, including inappropriate building elements;

(b) respect the original building in terms of bulk, form, scale and height;

(c) minimise the removal of significant features and building elements; and

(d) use appropriate materials, finishes and colours that do not reduce the significance of the Heritage Conservation Area.

3.9.9 Detracting buildings

Detracting buildings are buildings that are intrusive to a heritage conservation area because of inappropriate scale, bulk, setbacks, setting, design or materials. They do not represent a key period of significance and detract from the character of a heritage conservation area.

(1) Development on sites containing detracting buildings is to improve the contribution of the site to the character of the heritage conservation area.

(2) Alterations and additions to, or redevelopment of, detracting buildings are to:

(a) remove inappropriate elements or features that are intrusive to the heritage significance of the heritage conservation area; and

(b) respect the prevailing character of the area and street in terms of bulk, form, scale and height.

3.9.10 Building materials for heritage items and buildings within heritage conservation areas

(1) Where residential flat buildings have foyers or other significant interior features, including hallway detailing, panelling and significant staircases, that are designed to be visible from the street, these are to be retained.

(2) Existing face brickwork and stone walls are not to be coated, rendered or painted.

(3) Original materials are to be retained, unless it can be demonstrated that significant deterioration has occurred and repair is not practical. Any replacement should be with similar materials.

(4) New materials are to complement the colour, finishes and proportion of existing materials on the building and be identifiable as new on close inspection without detracting from the character and heritage significance of the building.

(5) Development along King Street, Newtown and certain properties adjacent is to be consistent with the King Street and Enmore Road Paint Scheme, available on the City's website, www.cityofsydney.nsw.gov.au.

(6) Solar water heater storage tanks, ventilators, wind generators, air conditioning units, satellite dishes and antennae and the like, are not to be located on the principal roof plane of heritage items or contributory items in heritage conservation areas.

(7) Solar collector or photovoltaic panels may be located on buildings in a heritage conservation area. Where solar collector or photovoltaic panels are proposed on the principal roof plane of a contributory building in a heritage conservation area, the panels are to be removable, parallel to the pitch of roof and preferably integrated with the roof. The panels must make minimal intrusive change to significant roof fabric.

3.9.11 Conservation of public domain features in heritage conservation areas

(1) The following elements of streets, lanes, parks and other areas of the public domain are to be retained if they contribute to the heritage significance of the heritage conservation area:

(a) evidence of early road surfaces and associated features;

(b) stone kerbing, guttering and paving;

(c) sandstone steps and retaining walls;

(d) street furniture;

(e) cast iron letterboxes;

(f) signposts;

(g) light posts;

(h) original pavement lights;

(i) fences;

(j) railings;

(k) trachyte or sandstone; and

(l) milestones and ward markers.

(2) The removal of significant public domain features will only be considered if their retention in situ is not feasible and has been demonstrated in a Heritage Impact Statement.

(3) If significant public domain features are to be removed, they are to be replaced in one of the following ways:

(a) detailed and made of materials to match the period and character of the street or park in which they are located; or

(b) a contemporary interpretation of traditional elements.



Figure 3.15
Significant public domain elements: Ward boundary marker, Cardigan Street and El Alamein fountain

3.9.12 Reduction of rising damp and salt attack in buildings constructed prior to 1920

Older masonry buildings without an effective damp proof course can suffer rising damp leading to deterioration of the walls. A well ventilated subfloor can reduce rising damp. Replacing a timber floor with a concrete floor on the ground level will cause rising damp and damage to the building. Further information can be found in the publication 'Attack and Rising Damp' by David Young available on the NSW Heritage Office website at: http://www.heritage.nsw.gov.au/docs/HVC014_Salt_Damp_tech_guide_FA_web.pdf

Provision

(1) Where a heritage item or a building within a heritage conservation area constructed prior to 1915 has no damp proof course, the ventilated sub floor space must be retained to avoid potential damage caused by rising damp and migrating salts. Concrete slabs laid directly on the ground are not permitted within such buildings, including verandahs, or as paving slabs laid adjacent to external walls.

3.9.13 Excavation in the vicinity of heritage items and in heritage conservation areas

Excavation beneath, adjacent to, or in front of early buildings has the potential to adversely impact on their structural integrity. Understanding the nature of construction of all structures on the site and neighbouring sites and the ground conditions is necessary to assess the effects of excavation.

Provisions

(1) Excavation beneath, or adjacent to heritage items and/or buildings in heritage conservation areas will only be permitted if it is supported by both a Geotechnical Engineering report and a Structural Engineering report.

(2) Exacavation will not be permitted if:

(a) it will occur under common walls and footings to common walls, or freestanding boundary walls, or under any other part of adjoining land, and

(b) it will occur under or forward of the front facade.

3.9.14 Heritage inventory assessment reports

The City maintains a database of Heritage Inventory Assessment Reports for heritage items and heritage conservation areas. The report includes a description of the item or area. Statement of Heritage Significance and Recommended Management provisions. Heritage Inventory Assessment Reports are available by contacting the City or online through the NSW Heritage Office at: www.heritage.nsw.gov.au.

Provision

(1) Development to a heritage item or within a heritage conservation area or special character area is to be consistent with the policy guidelines contained within the Heritage Inventory Assessment Report.

3.10

Significant Architectural Building Types

3.10.1 Warehouses and industrial buildings older than 50 years

The City has a variety of warehouses and industrial buildings including Victorian, Federation, and Interwar periods. These different architectural periods result in various built form characteristics and detailing.

Central Sydney, Haymarket, Chippendale, Pyrmont, Ultimo and Surry Hills have examples of Federation and pre-war, interwar and post-war warehouses. These often draw inspiration from Romanesque architecture and feature arched windows and sandstone trimmings. Federation warehouses are typically utilitarian in character and often have simple cubic or rectangular forms reinforced with vertical brick piers terminating in arches and articulated bays at regular intervals.

The following objectives and provisions relate to alterations and additions to warehouse buildings that are heritage items on Schedule 5 of the Sydney Local Environmental Plan 2012, draft heritage items or are located within a Heritage Conservation Area

Objectives

(a) Conserve warehouse and industrial buildings older than 50 years and ensure that alterations, additions and adaptive re-use maintain the legibility of the historic use.

(b) Encourage the conservation of existing warehouse buildings and fabric and ensure that alterations and additions are sympathetic in scale and style to the existing building.

Provisions

(1) Alterations and additions are to be supported by a report, prepared by a suitably qualified and practising engineer, certifying that the works will not jeopardise the structural integrity of the building.

(2) Alterations and additions are to maintain significant fabric and building elements.

(3) A proposed change of use must not compromise the significant fabric and building elements.

(4) A proposed increase in floor space outside the existing building envelope is not permitted where it would compromise the significant fabric and building elements.

(5) The provision of car parking within the existing building is not an acceptable justification for creating additional storeys above the height of the existing roof.

(6) Where scope exists for a roof addition, it is to be complementary to, rather than dominate the original building; be simple in form; and able to be distinguished as new work.

(7) Additional storeys or roof additions must not result in the removal of the original roof structure where that roof is an essential component of the original building form.

(8) Alterations and additions are to:

(a) retain the essential geometric form of the existing building when viewed from the public domain; and

(b) complement the materials and articulation of existing façade elevations, including distinguishing features that occur at regular intervals.

(9) The original or significant pattern of windows and openings is to be retained.

(10) All original window frames, sashes and lights are to be retained on prominent elevations and on secondary elevations where considered critical to the significance of the building.

(11) Work to the facade is to:

(a) retain original and significant elements and finishes including catheads, hoists and face brick detailing;

(b) reinstate or restore missing original elements;

(c) remove detracting elements;

(d) minimise new elements; and

(e) not obscure original elements.

(12) Street level doors, gates or grilles should, where possible be set back a minimum of 200mm from the external face of the building, if not, detailed in a manner that makes them recessive.

(13) External awnings, hoods and other overhanging devices are not to be attached to the building façades where they detract from the overall building form.

(14) Face brick and sandstone must not be rendered, painted or otherwise coated.

(15) Existing floor levels are to be maintained. Mezzanine or loft areas may be acceptable where they have minimal heritage impact, including on any significant structure and significant views into the interior.

(16) Any internal subdivision and change to the layout of floor areas such as the creation new units, is to respect the existing pattern of windows and openings and have minimal heritage impact including on significant structure and views into the interior.

(17) Significant original elements, fabric and features that are characteristic of the former use of the building are to be:

(a) retained;

(b) generally not obscured by new elements; and

(c) where retained, be adapted to meet contemporary needs or safety standards, alterations must be reversible and minimal, where possible.

(18) Active street frontages in the form of a retail or studio space are encouraged to help screen visible car park levels and ventilation openings. Detracting blank street walls are to be avoided at street level.

(19) Active frontages are to be integrated into the existing fabric to ensure that entrances and display windows do not alter the regularity of façade elements or compromise the external appearance.

(20) Where existing or amalgamated sites contain significant buildings of a different character, form, size and finish which reflect former uses, this difference is to be retained.

(21) Existing painted signs that relate to the history of the building, or to the surrounding area are to be retained and kept visible where possible.

(22) Development proposals that relate to warehouse and industrial buildings with courtyards are to:

(a) retain the courtyard at its existing size, with:

(i) the buildings defining the courtyard and opening onto the courtyard at all levels; and

(ii) the courtyard remaining open to sky (although a glazed roof structure may be acceptable if it does not obscure views in and out);

(b) maximise opportunities for active uses within the buildings defining the courtyard and within the courtyard itself; and

(c) preserve original vertically aligned openings to the courtyard and replace later unsympathetic openings with reconstructed original or similarly proportioned openings.

Figure 3.16
An example of a warehouse that has been adaptively re-used



3.10.2 Weatherboard buildings older than 50 years

The following objectives and provisions relate to alterations and additions to weatherboard buildings that are heritage items under Schedule 5 of the Sydney LEP 2012 or are located within a Heritage Conservation Area.

Weatherboard buildings are important because they are among the oldest buildings in the City and demonstrate particular aspects of 19th and early 20th century life. Weatherboard buildings contribute to the character of the streets in which they are located and to the diversity of housing stock. They are now rare in the City.

Weatherboard buildings are typically modest in scale and simple in design. Alterations and additions should maintain this characteristic and be compatible with the scale of the original building.

Objectives

(a) Ensure alterations and additions maintain significant fabric and building elements of weatherboard buildings.

(b) Ensure modifications to weatherboard buildings are sympathetic in scale and style to the existing building.

Provisions

(1) Alterations and additions to weatherboard buildings are to:

(a) retain the general form and scale of the building, its setting and relationship with the street;

(b) be compatible with the scale of the original building;

(c) retain early building elements, fabric, finishes and detailing;

(d) remove building elements and fabric that are intrusive later additions; and

(e) incorporate new materials that are complementary in form and detailing to the design and heritage values of the building.

(2) Additional decorative details that are not part of the original building character are not permitted to weatherboard buildings.

(3) The addition of storeys above the existing significant timber framed buildings is not permitted.

(4) Replacement weatherboards must match the profile of original weatherboards, where evidence of this exists. Where no evidence exists, replacement weatherboards should be of a profile typical of the period and style of the building.

(5) Where permission is sought to demolish a weatherboard building, the applicant will need to demonstrate, with independent documentary evidence, that the building has little significance or that retention of the building is no longer viable for either structural or pest management reasons.

Figure 3.17
A single storey weatherboard dwelling and a two storey weatherboard terrace



3.10.3 Pubs and hotels older than 50 years

Pubs and hotels often date from several periods of construction and significant elements can therefore be associated with different periods of a building's history and can show the evolution of drinking practices and laws. A number of pubs and hotels in the City have contemporary and later additions designed by prominent architects in high quality contemporary styles.

Objectives

(a) Ensure that alterations, additions and change of use of pubs and hotels:

(i) retain significant fabric and building elements from all periods of construction; and

(ii) provide for the ongoing use primarily as pubs and hotels.

Provisions

(1) Alterations and additions are to maintain significant fabric and building elements including:

(a) external design details such as wall tiles, wall signs and advertising, awnings, pressed metal and patterned awning soffits, balconies and verandahs, doors, windows and joinery;

(b) internal design details such as bars, ceiling details, fireplaces, bathroom tiling and fittings, joinery;

(c) wall tiles, or external face brickwork or stonework are not to be painted over or otherwise obscured; and

(2) Street verandahs, balconies and post-supported awnings should only be constructed where there is documentary or physical evidence of an early verandah, balcony, or post-supported awning attached to the building.

(3) New colours schemes are to reflect the most significant design period of the building.

3.10.4 Significant Shopfronts

Many of the City's Heritage Conservation Areas are characterised by their significant retail shopfronts and facades. As well as being important individually, such shopfronts often contribute to the important character of the street and area. It is particularly important to understand the style and period of the shopfront, particularly where this forms part of a significant row or streetscape. Materials and detailing should be appropriate to the predominant style and period, and avoid the use of materials that were unavailable during the significant period of development.

Objective

(a) Encourage the retention of original, early significant shopfronts and ensure the design of street frontages is not detrimental to the aesthetic quality of the street.

Provisions

(1) Alterations and additions to significant shopfronts within heritage conservation areas must not compromise the heritage significance.

(2) New shopfronts within heritage conservation areas may be contemporary in style, but respond to the characteristic elements of traditional and significant shopfronts in the street, such as facade and fenestration detailing, engaged columns, pilasters or mullions and the typical narrow frontage width.

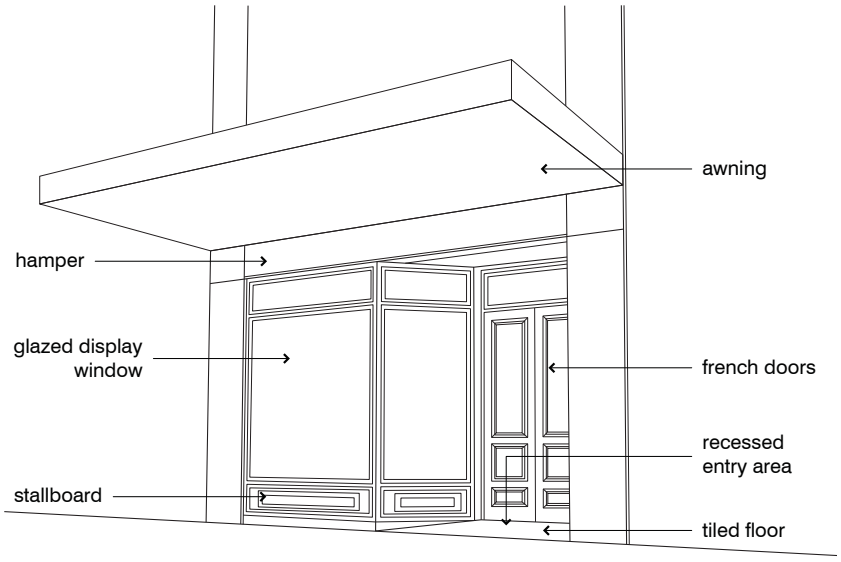
(3) New street verandahs or balconies on infill development are to complement the streetscape rather than replicate traditional forms, materials and embellishments.

(4) Where original shopfronts or facades within heritage conservation areas have been altered, significant contributory detailing and other characteristic elements are to be reinstated where there is evidence of the original style or detailing on the building or within the row or group.

(5) Shopfronts are not to be introduced into traditional residential terrace properties where the change would have a detrimental impact on the heritage significance of a heritage item or heritage conservation area.

(6) Where there is evidence of early suspended awnings, such as original suspension points and suspension devices, these are to be retained or reinstated.

Figure 3.18
Typical building elements within early shopping strips



3.10.5 Public and community buildings older than 50 years

Public and community buildings include churches, schools, hospitals and community halls. Current and former public and community buildings often provide a landmark within an area or streetscape and may have social and aesthetic significance in addition to their built form character and detailing.

Objectives

(a) Ensure alterations, additions and change of use of current and former public and community buildings:

(i) are sympathetic to the existing fabric and design of the building and do not compromise its particular qualities from all periods of construction;

(ii) allow for and encourage, the ongoing public or community use for which the building was constructed;

(iii) retain significant fabric and building elements; and

(iv) retain significant internal features and spaces.

Provisions

(1) Alterations and additions to current and former public and community buildings are to retain:

(a) significant external fabric or building elements including original design details like lead lighting, doors, windows and joinery;

(b) significant internal fabric and building elements including original design details, structural elements associated with roofing, fixed joinery, galleries, lighting and fixtures; and

(c) sufficient evidence of the significant internal layout to enable interpretation.

(2) External stone and face brickwork are not to be painted over or otherwise obscured.

(3) New colour schemes are to reflect the most significant design period of the building.

Figure 3.19
Glebe Town Hall is an example of an early community building



3.11
Transport and Parking

This section contains provisions for managing the transport and parking needs of the city so that the environmental and economic impacts of private car use can be managed. The provisions also encourage walking, cycling, public transport and car sharing.

Schedule 7 Transport, parking and access of this DCP is to be read with this section. It contains information on how to prepare reports required by this section, including Transport Impact Studies, Parking and Access Reports, Green Travel Plans and Transport Access Guides.

This section is to be read in conjunction with the parking Clauses under Sydney LEP 2012 (refer to Part 7 Local Provisions – General, Division 1 Car parking ancillary to other development of the LEP).

Objectives

(a) Ensure that the demand for transport generated by development is managed in a sustainable manner.

(b) Ensure that bike parking is considered in all development and provided in appropriately scaled developments with facilities such as change rooms, showers and secure areas for bike parking.

(c) Establish requirements for car share schemes for the benefit of people living and or working within a development.

(d) Design vehicle access and basement layouts and levels to maximise pedestrian safety and create high quality ground level relationships between the building and the public domain.

(e) Provide accessible car parking.

Provisions

3.11.1 Managing transport demand

'Managing transport demand' refers to the measures taken which minimise the need to travel and the length of trips, particularly by car, and encourages travel by the most sustainable mode of transport.

Applicants are to refer to Sydney LEP 2012 for maximum on-site car parking rates and for the associated *Land Use and Transport Integration* (LUTI) and *Public Transport Accessibility Level* (PTAL) *Maps*.

(1) A Transport Impact Study is required to address the potential impact of the development on surrounding movement systems where the proposed development is:

  (a) a non-residential development equal to or greater than 1,000sqm GFA;

  (b) car park with more than 200 spaces;

  (c) for 25 or more dwellings; or

  (d) in the opinion of the consent authority, likely to generate significant traffic impacts.

(2) Commercial development is to include initiatives to promote walking, cycling and the use of public transport, through the submission of a Green Travel Plan, where the estimated peak trip generation is greater than or equal to:

(a) 100 vehicles per hour for non-residential development; or

(b) 50 vehicles per hour for residential development within Green Square and shown as Category A on the *Land Use and Transport Integration Map*; or

(c) 60 vehicles per hour for residential development within Green Square and shown as Category B or C on the *Land Use and Transport Integration Map*; or

(d) is likely to generate significant traffic impacts according to Council.

(3) A Transport Access Guide and a strategy for the future availability of the Guide to residents, employees and visitors of a development is to be prepared for all developments except:

(a) individual dwelling houses and dual occupancies;

(b) residential flat buildings of less than 25 units;

(c) individual businesses and services in existing shopping strips and retail centres;

(d) developments having a floor area of less than 1,000sqm GFA; and

(e) businesses employing less than 10 staff.

3.11.2 Car share scheme parking spaces

Car share scheme means car share scheme as defined in Sydney Local Environmental Plan 2012.

These provisions apply to development that provides parking spaces for exclusive use by an organised car share scheme (car share parking spaces).

Land Use and Transport Integration (LUTI) *Map* means the *Sydney LEP 2012 Land Use and Transport Integration Map.*

Public Transport Accessibility Level (PTAL) Map means the Sydney LEP 2012 Public Accessibility Level Map.

Land in accessibility category A, B or C is shown on the *LUTI Map* and land in accessibility category D, E or F is shown on the *PTAL Map*.

(1) Car share parking spaces are to be provided in addition to the maximum number of car parking spaces permitted in the development.

(2) The minimum number of on-site parking spaces to be made available for car share scheme vehicles is to be provided according to the following rates:

(a) residential development, other than dwelling houses and dual occupancies, on land shown on the *Land Use and Transport Integration (LUTI) Map* in the Sydney LEP 2012 as:

(i) Category A - 1 per 50 car spaces provided;

(ii) Category B - 1 per 60 car spaces provided; or

(iii) Category C - 1 per 90 car spaces provided.

(b) office premises, business premises or retail premises on land shown on the *PTAL Map* in the Sydney LEP 2012 as:

(i) Category D - 1 per 30 car spaces provided;

(ii) Category E - 1 per 40 car spaces provided; or

(iii) Category F - 1 per 50 car spaces provided.

(3) Clearly marked plans identifying the location of all car share parking spaces must be submitted with the development application.

(4) All car share parking spaces are to be:

(a) publicly accessible 24 hours a day seven days a week;

(b) located together;

(c) located near and with access from a public road and integrated with the streetscape through appropriate landscaping where the space is external; and

(d) clearly designated by signs as being for car share scheme use.

(5) Car share parking spaces located on private land are to be retained as common property by the Owners Corporation of the site and not to be sold or leased to an individual owner or occupier at any time.

3.11.3 Bike parking and associated facilities

(1) All development is to provide on-site bike parking designed in accordance with the relevant Australian Standards for the design criteria of bike parking facilities.

(2) Bike parking spaces for new developments are to be provided in accordance with the rates set out in Table 3.5 On-site bike parking rates, except where:

(a) an apartment in a residential building has a basement storage area on title that is large enough to accommodate a bike and is no smaller than a Class 1 bike locker, then additional bike parking for that apartment is not required; and

(b) a proposed use is not included in Table 3.5 On-site bike parking rates, an applicant is to provide bike facilities to accommodate Council's mode share target for trips by bike as described in the *Cycle Strategy and Action Plan 2007-2017*.

Note: The minimum number of bike parking spaces is to be rounded up to the nearest whole number if it is not a whole number.

Table 3.5: On-site bike parking rates

Proposed use	Residents/Employees	Customer/Visitors
Residential		
Residential accommodation	1 per dwelling	1 per 10 dwellings
Tourist and Visitor Accommodation		
Hotel or motel accommodation or serviced apartment	1 per 4 staff	1 per 20 rooms
Backpackers accommodation	1 per 4 staff	1 per 10 beds
Commercial		
Office premises or business premises	1 per 150sqm GFA	1 per 400sqm GFA
Bulky goods premises	1 per 600sqm GFA	1 per 1,000sqm GFA
Shop, Restaurant or cafe	1 per 250sqm area	2 plus 1 per 100sqm over 100sqm GFA
Shopping centre	1 per 200sqm GFA	1 per 300sqm sales GFA

Proposed use	Residents/Employees	Customer/Visitors
Pub	1 per 100sqm GFA	1 per 100sqm GFA
Entertainment facility	-	Greater of 1 per 15 seats or 1 per 40sqm GFA
Place of public worship	-	Greater of 1 per 15 seats or 1 per 40sqm GFA
Industry		
Industry or warehouse or distribution centre	1 per 10 staff	-
Community		
Child care centre	1 per 10 staff	2 per centre
Medical centre, Health Consulting rooms	1 per 5 practitioners / professionals	1 per 200sqm GFA
Tertiary educational institution	1 per 10 staff and 1 per 10 students	-
Swimming pool	1 per 10 staff	2 per 20sqm of pool area
Library	1 per 10 staff	2 plus 1 per 200sqm GFA
Art gallery or museum	1 per 1000sqm GFA	1 per 200sqm

(3) Secure bike parking facilities are to be provided in accordance with the following:

(a) Class 1 bike lockers for occupants of residential buildings;

(b) Class 2 bike facilities for staff/employees of any land use; and

(c) Class 3 bike rails for visitors of any land use.

(4) Where bike parking for tenants is provided in a basement, it is to be located:

(a) on the uppermost level of the basement;

(b) close to entry/exit points; and

(c) subject to security camera surveillance where such security systems exist.

(5) A safe path of travel from bike parking areas to entry/exit points is to be marked.

(6) Access to bike parking areas are to be:

(a) a minimum of 1.8m wide to allow a pedestrian and a person on a bike to pass each other and may be shared with vehicles within buildings and at entries to buildings);

(b) accessible via a ramp;

(c) clearly identified by signage; and

(d) accessible via appropriate security or intercom systems.

(7) Bike parking for visitors is to be provided in an accessible on-grade location near a major public entrance to the development and is to be signposted.

(8) For non-residential uses, the following facilities for bike parking are to be provided at the following rates:

(a) 1 personal locker for each bike parking space;

(b) 1 shower and change cubicle for up to 10 bike parking spaces;

(c) 2 shower and change cubicles for 11 to 20 or more bike parking spaces are provided;

(d) 2 additional showers and cubicles for each additional 20 bike parking spaces or part thereof;

(e) showers and change facilities may be provided in the form of shower and change cubicles in a unisex area in both female and male change rooms; and

(f) locker, change room and shower facilities are to be located close to the bike parking area, entry and exit points and within an area of security camera surveillance where there are such building security systems.

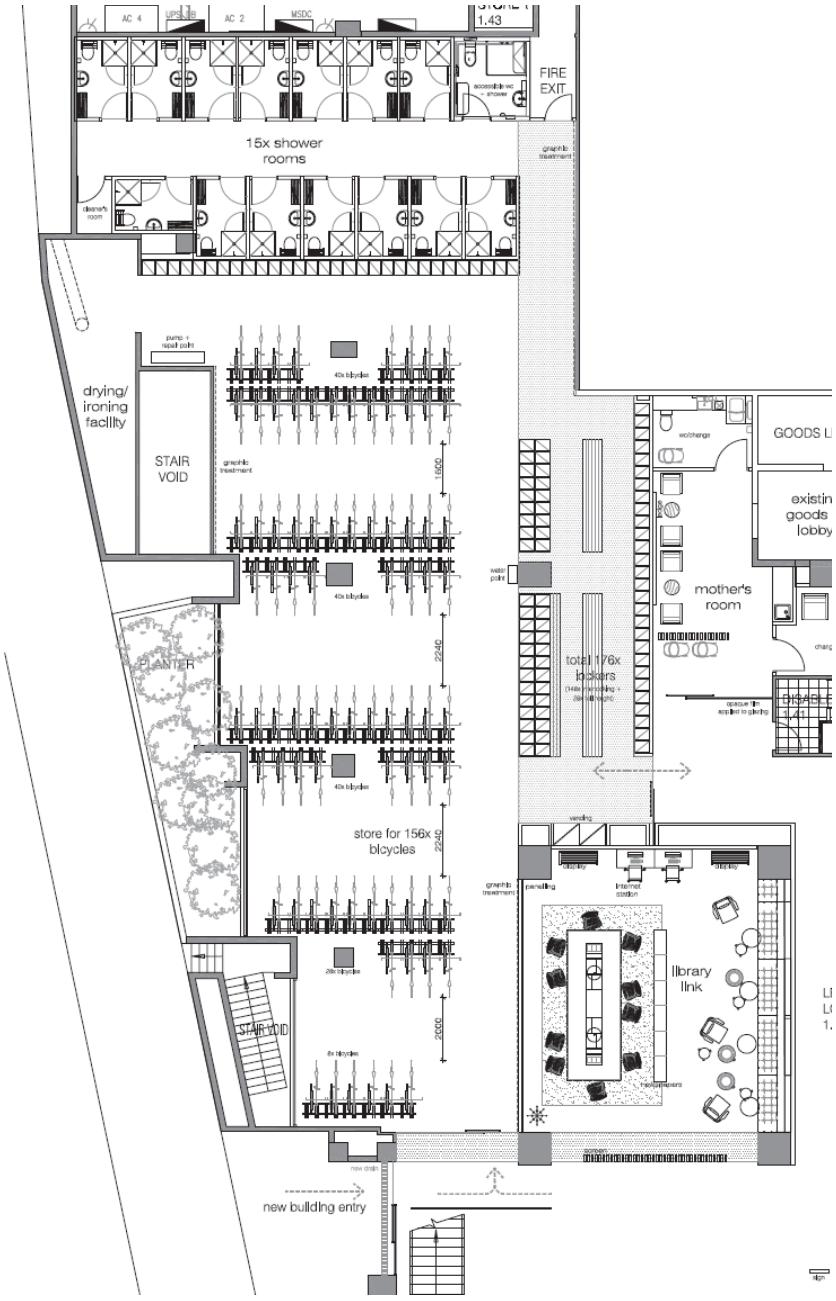


Figure 3.20
Example of bike parking and associated facilities planned for Town Hall House with parking for 80 bikes, 104 lockers and 15 showers and a drying and ironing room

3.11.4 Vehicle parking

(1) Where the development comprises a land use not specified in the Sydney LEP 2012, the proposed rate of car parking provision is to be justified via a Parking and Access Report.

(2) For residential buildings, car parking spaces are to be allocated to dwelling units in accordance with parking rates in the Sydney LEP 2012 and are to be a part lot to a dwelling unit in a strata plan so that they remain connected to the dwelling.

(3) All visitor spaces are to be grouped together in the most convenient locations relative to car parking area entrances, pedestrian lifts and access points and are to be separately marked and clearly sign-posted.

(4) Development applications are to indicate how visitor parking is to be accessed, including arrangements for access into a secure area if proposed.

(5) New developments are to achieve high quality ground level relationships between the buildings and all public domain interfaces even where this will result in inefficient basement car parking layouts including: spilt basement levels or additional excavation.

(6) Where a residential development proposes less than the maximum number of car parking spaces permissible under Sydney Local Environmental Plan 2012, the reduction in the number of spaces should be shared proportionally between resident parking spaces and visitor parking spaces.

(7) Development proposing less than the maximum number of parking spaces permissible under *Sydney Local Environmental Plan 2012* must adjust the number of visitor parking spaces in accordance with the reduction of total car parking spaces.

3.11.5 Car parks under the public domain

(1) Underground car parks are not permitted under public domain areas required for dedication to Council, except for tunnels that connect two or more car park areas as this reduces the number of vehicular entry and exits at the street level.

(2) If site constraints result in a car park being located under a public street or lane, the following criteria will apply:

(a) only common areas such as circulation space or unallocated visitor parking spaces are to be located below the street or lane; and

(b) ownership of the street or lane by the City shall be in stratum above the water-proofing membrane, and to a minimum depth of 1m for clearance for services as measured from the road levels approved by Council.

3.11.6 Service vehicle parking

(1) Separate parking spaces for service vehicles are to be provided in accordance with Schedule 7 Transport, parking and access, and are not to be shared with parking provided for any other purpose. Service vehicle parking spaces, including spaces for bike couriers are to be:

(a) located near vehicle entry points and near lifts;

(b) clearly designated and signposted for service vehicles only;

(c) screened from the street where possible; and

(d) located completely within the boundary of the site, clear of parked vehicles; and clear of through traffic.

(2) Parking spaces for service vehicles are not to be used for other purposes such as storage of goods and equipment.

3.11.7 Motorbike parking

(1) Parking spaces for motorbikes are to be included in the allocation of car parking and provided according to parking rates in Schedule 7 Transport, parking and access.

3.11.8 Bus parking

(1) Where the proposed land use is a hotel, factory outlet store or another use that attracts persons arriving or leaving by bus, a development application is to include a Parking and Access Report which assesses the provision of bus set-down and parking.

(2) Parking spaces for buses are to be provided in addition to other parking requirements.

(3) Bus parking is to be provided in accordance with the rates in Schedule 7 Transport, parking and access, and in addition to other parking requirements.

(4) If the consent authority considers that the proposed arrangements for passenger pick-up and set-down by buses will lead to undesirable on-street traffic and parking conditions, the development may be restricted by a condition of consent from receiving buses.

(5) The use of on-street space for passenger pick-up and set-down may be possible in exceptional circumstances if off-street provision is impractical or detrimental to pedestrian amenity and urban design. Any proposed use of on-street space for passenger pick-up and set-down should be discussed at an early stage with Council and may require the agreement from the Sydney Traffic Committee.

3.11.9 Accessible parking

(1) Accessible car parking spaces for people with a mobility impairment are to be included in the allocation of car parking for a development and provided in accordance with the rates specified in Schedule 7 Transport, parking and access.

(2) Accessible parking is not required in car parking areas where a parking service is provided and direct access to any of the car parking spaces is not available to the general public or occupants.

(3) For residential development, accessible car parking spaces are to be allocated to adaptable units, or as visitor parking. Accessible car parking spaces allocated to adaptable dwelling units are to form part of the lot of the associated adaptable unit in the strata plan.

3.11.10 Vehicle access for developments greater than 1000sqm GFA

(1) For developments equal to or greater than 1,000sqm GFA, vehicle access to a site is to be located so the safety of those using the access and the street is not likely to be compromised. Vehicle access is not to be located in the following locations:

(a) within 10m of an uncontrolled intersection, including intersections with laneways;

(b) within 25m of the property boundary adjacent to a signalised intersection;

(c) within 60m of the approach side of an intersection on a state road and within 30m on its departure side;

(d) within 12m of a 'stop' or 'give way' sign or hold line at intersections;

(e) opposite a busy side road for a distance of 6m beyond the alignment of the property boundaries adjacent to that side road;

(f) opposite a busy driveway for a distance of 6m beyond the alignment of the driveway edges;

(g) within 15m of the alignment of an intersection where the proposed vehicle access is to be used by service vehicles;

(h) within 30m of the alignment of an intersection where the proposed vehicle access is used by service vehicles to access 3 or more loading spaces;

(i) where there is insufficient 'weaving' distance to or from a nearby road that could be used by traffic generated by the development;

(j) within 2m of other access driveways or within 1m of any common boundary, except where access is off a laneway; and

(k) within 20m of the approach to, and 10m of the departure from an existing or proposed pedestrian crossing.

3.11.11 Vehicle access and footpaths

(1) Vehicle access points are restricted in places of high pedestrian activity identified on the *Pedestrian priority map.*

(2) Where a driveway is proposed across a major pedestrian thoroughfare or footpath, additional safety measures may be required including a parking attendant or signals to manage access. The driveway is to cross the footpath at footpath level.

(3) Car parks are to be designed so that vehicles do not queue or reverse across pedestrian crossings or footpaths.

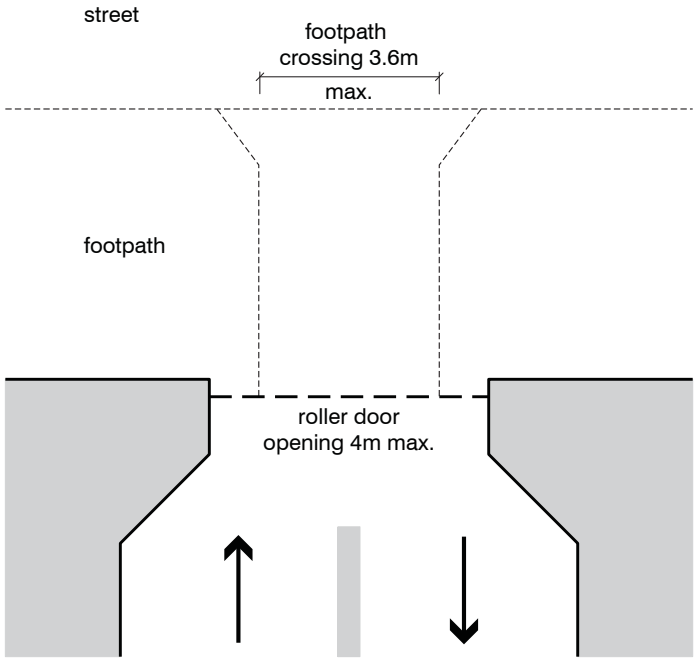
(4) Parking and driveway crossovers are to be designed to minimise impact on existing street trees and to maximise opportunities for new street tree plantings.

(5) Walking routes through car parks with more than 150 car spaces are to be clearly delineated with appropriate markings, pedestrian crossings and signposting.

(6) Vehicular access is to be designed to give priority to pedestrians and cyclists by continuing the type of footpath material and grade.

(7) Wherever practicable, vehicle access and egress is to be a single crossing with a maximum width of 3.6m over the footpath, and perpendicular to the kerb alignment as shown in Figure 3.21 *Vehicle crossing layout*.

Figure 3.21
Vehicle crossing layout



(8) Subject to urban design, heritage and streetscape considerations, access is to be designed to avoid reversing movements into or out of a public street for all developments other than dwelling houses. If necessary, a mechanical turntable may need to be installed to achieve this requirement.

(9) On-site parking may be refused where the required access arrangements would have an adverse impact on on-street parking.

(10) Where possible adjoining developments are to share or amalgamate vehicle entry and exit points. Internal on-site signal equipment is to be used to allow shared access.

(11) Direct access to a designated arterial or sub-arterial road is not permitted wherever an alternate access can be provided.

(12) Where rear lane access is achievable, car parking is to be designed to be accessed from the rear lane only.

(13) Where vehicular access to parking is not accessed from the laneway it is to be located on a secondary street.

(14) Where there is no parking on an original lot and off-street parking is not characteristic, vehicle access from the street is not allowed.

(15) Service vehicle access is to be combined with parking access and provided in accordance with other controls for vehicular access in this DCP.

3.11.12 Tandem, stacked and mechanical parking areas

Definitions

Mechanical parking installations means mechanical car stackers, car lifts and turntables.

Stacked parking means sharing a parking space vertically through use of a mechanical car stacker.

Tandem parking means two or more vehicles sharing a parking space at the same level configured nose to tail.

Provisions

(1) Where development includes a mechanical parking installation, such as car stackers, turntables, car lifts or another automated parking system, the development application is to include a Parking and Access Report.

(2) Access to mechanical parking installations is to be in accordance with the relevant Australian Standards.

(3) Tandem or stacked parking will only be permitted where:

(a) each tandem or stacked parking arrangement is limited to a maximum of two spaces;

(b) the maximum parking limit for spaces is not exceeded;

(c) they are not used for service vehicle parking;

(d) the spaces are attached to the same strata title in residential buildings and small commercial or retail developments;

(e) in residential buildings and serviced apartments, they are used for tenant parking only;

(f) in commercial or retail development, they are used for staff parking only; and

(g) the manoeuvring of stacked vehicles is able to occur wholly within the premises.

(4) Mechanical parking installations will be considered for developments involving the adaptive re-use of existing buildings where site or building constraints prevent standard parking arrangements and no inconvenience arises from their use.

(5) Mechanical parking installations, tandem or stacked parking are not to be used for visitor parking or parking for car share schemes.

(6) The minimum length of a tandem space is to be 10.8 m.

3.11.13 Design and location of waste collection points and loading areas

(1) Waste collection and loading is to be in accordance with the City of Sydney's Guidelines for Waste Management in New Developments (the Guidelines) and accommodated wholly within new development in order of preference:

(a) in the building's basement; or

(b) at grade within the building in a dedicated collection or loading bay; or

(c) at grade and off street within a safe vehicular circulation system where in all cases vehicles will enter and exit the premises in a forward direction.

Consideration will only be given to less preferable options if the consent authority is satisfied the preferred options are unreasonable.

(2) The waste collection and loading point is to be designed to:

(a) allow waste collection and loading operations to occur on a level surface away from vehicle ramps; and

(b) provide sufficient side and vertical clearance to allow the lifting arc for automated bin lifters to remain clear of any walls or ceilings and all ducts, pipes and other services.

(3) Vehicle access for collection and loading will provide for:

(a) a 9.25m Council garbage truck and a small rigid delivery vehicle;

(b) minimum vertical clearance of 4.0 metres clear of all ducts, pipes and other services, depending on the gradient of the access and the type of collection vehicle;

(c) collection vehicles to be able to enter and exit the premises in a forward direction. Where a vehicle turntable is necessary to meet this requirement, it is to have a capacity of 30 tonnes;

(d) maximum grades of 1:20 for the first 6m from the street, then a maximum of 1:8 with a transition of 1:12 for 4m at the lower end;

(e) a minimum driveway width of 3.6m; and

(f) a minimum turning circle radius of 10.5m.

(4) Where vehicle access is via a ramp, design requirements for the gradient, surface treatment and curved sections are critical and must be analysed at an early stage in the design process.

3.11.14 Parking area design

(1) In Central Sydney, basement parking areas and structures must not protrude above the level of the adjacent street or public domain.

(2) Vehicle ramps must not be visible from the public domain and are to be located inside the building.

(3) Car parking areas are to:

(a) be well lit, visible, and avoid hidden and enclosed areas to allow for casual surveillance;

(b) include, mirrors or similar devices where hidden and enclosed areas such as staircases and lift lobbies cannot be avoided;

(c) be well ventilated and provide natural rather than mechanical ventilation where practicable; and

(d) be subordinate in appearance to the main building.

(4) Car parking spaces are not to be located in areas used for the manoeuvring of service vehicles.

(5) Where parking is at ground level, it is to be:

(a) located to the rear or side of buildings and not visible from the street and public domain;

(b) incorporated into the building and screened by other uses; and

(c) designed with materials, details, proportions and landscaping to complement the building and adjoining buildings.

3.11.15 Public car parking in Central Sydney

To discourage commuter car parking and provide short stay car parking in Central Sydney, a fee structure and restriction on hours of use is to apply to public car parking. Both the restricted hours of use and the fee structure support the efficient use of spaces for people within Central Sydney for retail, recreation and cultural activities and discourage commuter parking. The implementation of the fee structure alone is not acceptable.

(1) Approval for the operation of a public car park will include the following conditions:

(a) the car park is not to be accessible to vehicles between 5.30am and 9.30 am Monday to Friday, other than on public holidays, unless access during this period is, in the opinion of the consent authority, warranted in the circumstances of the case; and

(b) between 9.30am and 6.00pm Monday to Friday, other than on public holidays, the car park is to have in place at least the following fee structure to discourage long stay parking:

1st to 4th hours of parking:	n* per hour
5th hour of parking and each hour thereafter:	Greater than or equal to 1.5n per hour

* where n equals the hourly rate determined by the public car park operator. The value of n may increase for each subsequent hour but it may not decrease.

3.12

Accessible Design

The City of Sydney is committed to creating an inclusive and accessible city. The City recognises that by improving access to the built environment for people with a disability there are wider community benefits as a result of the increased opportunities for people with a disability to participate. This DCP aims to provide non-discriminatory, equitable and dignified access for everyone in the City. It also aims to ensure that new dwellings cater for the needs of elderly people and people who have a disability.

The Access Guideline provides advice to building owners and applicants and references relevant standards from the Building Code of Australia (BCA) and Australian Standards relevant to equitable access and adaptable housing.

The City encourages applicants to use the Universal Housing Guidelines which provide best practice examples of accessible design. Applicants should also refer to the Disability Discrimination Act 1992 (DDA) which ensures areas accessible to the public are also accessible to people with a disability for new and existing buildings.

Objectives

(a) Ensure that the public domain of new development provides equitable and safe and legible access for everyone.

(b) Provide equitable access and facilities for all people to all new development and upgraded or intensified uses in existing buildings.

(c) Provide a reasonable proportion of residential units in multi-unit developments which are designed to be flexible and easily modified to cater for occupants with an existing or progress disability.

(d) Encourage consideration of access issues early in the development design process.

(e) Establish adaptable dwelling standards for easy modification to cater for occupants with a disability.

(f) Raise awareness and understanding of access issues for people with disability through investigation of best practice.

Provisions

3.12.1 General

(1) All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements; and *Disability Discrimination Act 1992*. Complex developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.

(2) The provision of equitable access is to have minimal impact on the significant fabric and setting of heritage items and of contributory buildings within heritage conservation areas; and be reversible.

(3) Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available.

(4) Encroachment onto public land to achieve access requirements is generally not permitted except when:

(a) access by other means will result in a substantial loss of original fabric of a heritage-listed property impacting on the heritage significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available; or

(b) the proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available.

(5) Access for pedestrians and vehicles are to be separated.

(6) Access arrangements are to be:

(a) integral with the overall building and landscape design and not appear as 'add-on' elements or as of secondary importance;

(b) as direct as possible; and

(c) designed so that a person does not need to summon help.

(7) Required egress routes in residential development are to allow for safe escape for persons with a disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments.

3.12.2 Adaptable dwelling mix

Adaptable housing is designed to enable easy modification in the future for occupation and visitation by people with a disability or people who may acquire a disability gradually as they age. Design criteria for adaptable housing are set out in the relevant Australian Standards.

(1) Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes.

(2) Adaptable dwellings are to be provided in all new development in accordance with the following rates:

Total number of dwellings	Number of adaptable dwellings to be provided
Between 0 and 7	Nil
Between 8 and 14	1 dwelling
Between 15 and 21	2 dwellings
Between 21 and 29	3 dwellings
30 or more	15% of total dwellings

3.13
Social and Environmental Responsibilities

3.13.1 Crime prevention through environmental design

Objective

(a) Provide a safe environment and minimise opportunities for criminal and anti-social behaviour.

Provisions

(1) Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space.

(2) In commercial, retail or public buildings, facilities such as toilets and parents rooms are to be conveniently located and designed to maximise casual surveillance to facility entries.

(3) Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment.

(4) Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development. Where practicable lift lobbies, stairwells, hallways and corridors should be visible from the public domain.

(5) Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night.

(6) Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.

(7) Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.

(8) Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.

3.13.2 Air quality for development near the Cross City Tunnel

Objective

(a) Ensure potential air quality impacts from the Cross City Tunnel plume of emissions are considered in the assessment of a development.

Definitions

Sensitive receptor means a location where people are likely to work or reside and may include a dwelling, school, hospital, office or public recreational area. An air quality impact assessment should also consider the location of known or likely future sensitive receptors.

Provisions

(1) These following provisions apply to development that:

(a) has a building height relative to distance from the Cross City Tunnel ventilation stack as nominated in Table 3.6 Development near the Cross City Tunnel ventilation stack;

(b) may, in the opinion of the consent authority, have an adverse impact on air quality of any sensitive receptor, including neighbouring buildings and/or any area open to air due to the developments potential to disperse the plume of emissions from the Cross City Tunnel ventilation stack; or

(c) may be adversely impacted in terms of the effect of the emissions from the Cross City Tunnel ventilation stack on occupants of the development.

(2) The consent authority is to consider:

(a) the impact of the development on the occupants of other existing and future development and people using a place open to the public due to the potential of the development to disperse the plume of emissions from the Cross City Tunnel ventilation stack;

(b) the likely impact of emissions from the Cross City Tunnel ventilation stack on occupants of the proposed development;

(c) whether the concentration of emissions at any sensitive receptor exceeds the Air Quality Goal of 246ug/m^3 of NO2 due to emissions from the Cross City Tunnel;

(d) an Air Quality Impact Assessment Report which:

(i) has been prepared by a suitably qualified person in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales, published by the Department of Environment and Climate Change in 2005 and any relevant Council guideline or the Air Quality Assessment Process – Cross City Tunnel: Protocol to Address Provisions of Condition of Approval 247 (Roads and Traffic Authority 11 February 2008); and

(ii) identifies the predicted concentration of Nitrous Oxide at all sensitive receptors; and

(iii) includes an assessment of the matters outlined in sub-clauses (a) through to (c).

Table 3.6: Development near the Cross City Tunnel Ventilation Stack

Distance of development from Cross City Tunnel ventilation stack in metres	Height of proposed development above ground level Proposed building height in metres
0 – 50	greater than 25
50 – 100	greater than 30
100 – 150	greater than 40
150 – 200	greater than 50
200 – 250	greater than 60
250 – 300	greater than 70
300 – 400	greater than 90
400 – 500	greater than 100

3.13.3 Social Impact

A Social Impact Assessment may also be required for development applications proposing significant residential development, hazardous or offensive uses, major infrastructure, community and recreational uses, large medical facilities, educational facilities, and some business premises. At the discretion of Council, the preparation of a Social Impact Assessment may be required for any development.

Objective

(a) Ensure that development applications are accompanied by sufficient information so that social issues and impacts resulting from development can be adequately assessed.

Provisions

(1) The following development types will generally be required to submit a comprehensive Social Impact Assessment Report with a development application for:

  (a) a group home where the proposal is for a new premise accommodating more than 15 people, alterations and additions which will increase the capacity to more than 15 people or a change of use from a group home;

  (b) health services facilities that provide specialist drug, alcohol or mental health rehabilitation services where the proposal is for a new premises, alterations and additions that would increase the intensity of the premise by more than 50%, or change of use from the premise;

  (c) places of public worship where the proposal is for a new premises greater than 250sqm GFA or alterations and additions that would increase the size of the premises to greater than 250sqm GFA;

  (d) new social housing development of 20 or more units; and

  (e) strata subdivision of low cost rental housing with 6 or more units.

(2) Where a Social Impact Assessment is not required, social impacts are to be addressed in the Statement of Environmental Effects (SEE) accompanying a development application. At a minimum, the Statement of Environmental Effects is to consider:

  (a) the potential social impacts;

  (b) the scale of those impacts;

  (c) the likely extent of those impacts including when and where they might occur;

  (d) outcomes of any discussions with affected people or groups; and

  (e) any measures to maximise the positive impacts and eliminate or minimise negative impacts.

3.14
Waste

The City of Sydney's *Guidelines for Waste Management in New Developments* (the Guidelines) provide the minimum waste management requirements for all new and 'change of use' developments requiring consent and are to be used in the design, management and operation of a building's waste and recycling systems. They include design and construction specifications for waste storage areas, the typical dimensions of collection vehicles, what streams need to be recovered in the design and operation and waste generation rates to help calculate the number, size and type of bins required.

The purpose of the Guidelines is to ensure all new buildings will provide for the efficient storage, separation, collection and handling of waste to maximise resource recovery and provide safe and healthy spaces for people to live and work in.

Waste and Recycling Management Plans are to be prepared in accordance with the Guidelines and the City's *Waste Management Local Approvals Policy*, which outlines how waste and recycling must be managed, stored and collected in public places.

Objectives

(a) Reduce the amount of construction and demolition waste going to landfill.

(b) Reduce amount of waste generated in the operation of a development from going to landfill and maximise resource recovery.

(c) Ensure waste from within developments can be collected and disposed in a manner that is healthy, efficient, minimises disruption to amenity, and is conducive to the overall minimisation of waste generated.

Provision

3.14.1 Waste and Recycling Management Plans

(1) A Waste and Recycling Management Plan is to be submitted with the Development Application and will be used to assess and monitor the management of waste and recycling during construction and operational phases of the proposed development. The Waste and Recycling Management Plan is to be consistent with the City of Sydney *Guidelines for Waste Management in New Developments*.

3.14.2 Construction and demolition waste

(1) The Waste and Recycling Management Plan is to address construction and demolition waste and include:

(a) details regarding how waste is to be minimised within a development;

(b) estimations of quantities and types of materials to be re-used or left over for removal from the site;

(c) details regarding the types of waste and likely quantities of waste to be produced;

(d) a site plan showing storage areas away from public access for reusable materials and recyclables during demolition and construction and the vehicle access to these areas;

(e) targets for recycling and reuse;

(f) nomination of the role/person responsible for ensuring targets are met and the person responsible for retaining waste dockets from facilities appropriately licensed to receive the development's construction and demolition waste;

(g) confirmation that all waste going to landfill is not recyclable or hazardous; and

(h) measures to reuse or recycle at least 80% of construction and demolition waste, either on site or diverted for reuse and recycling with receipts sufficient to demonstrate the target will be achieved.

3.14.3 Collection and minimisation of waste during occupation

(1) The Waste and Recycling Management Plan is to address the generation of waste from the occupants of the development and include:

(a) plans and drawings of the proposed development that show:

(i) the location and space allocated to the waste and recycling management systems;

(ii) the nominated waste collection point/s for the site; and

(iii) identify the path of access for users and collection vehicles.

(d) details of the on-going management of the storage and collection of waste and recycling, including responsibility for cleaning, transfer of bins between storage areas and collection points, maintenance of signage, and security of storage areas; and

(c) where appropriate to the nature of the development, a summary document for tenants and residents to inform them of waste and recycling management arrangements.

(2) Waste incineration devices are not permitted.

(3) Development is to include sufficient space in kitchens to separate food waste collection or compostable material for composting or worm farming.

(4) Development is to include a separate space in a room or screened area for the storage and management of bulky waste (this can include furniture, mattresses and stripout waste) and problem waste (this can include light bulbs and electronic waste) for recycling collection.

3.15

Late Night Trading Management

This section assists in encouraging diverse late night trading in the city to meet the social and cultural needs of the community, while managing the effects of these uses on the neighbourhoods in which they are located.

The City's night-time economy is an integral part of its commercial, cultural and social fabric. Late night trading premises are an important part of Sydney social and cultural life and play an important role in contributing to the City's economic growth and standing as a global city. Late night trading supports a 24 hour economy where residents, workers and tourists can access a diverse range of businesses for convenience, leisure and entertainment. Late night trading premises also provide employment and jobs with flexible hours.

The following provisions provide greater certainty to the community and proponents of late night trading premises in respect to appropriate operating hours and location. The provisions do not set out to curb or increase potential trading hours in a blanket fashion throughout the City, but allow opportunities for late night trading hours in appropriate locations and with appropriate management actions.

The provisions also identify shorter operating hours for late night trading in areas within a predominantly residential context. Longer trading hours are contemplated for premises located in places where impacts on amenity in residential neighbourhoods are likely to be lower and are considered capable of being adequately managed.

The provisions encourage a mix of late opening shops and businesses, like grocery stores, bookshops, hairdressers and galleries, as well as licensed theatres, pubs, cafes, small bars and restaurants in late night precincts. Having more diverse forms of late night trading attracts a wide range of people of all ages and interests, creating a safer and more balanced night time economy.

To encourage more live entertainment in a range of locations in the city, the provisions provide the possibility for additional trading hours for dedicated performance venues and licensed venues which host cultural uses and live performance.

Late trading hours are considered by the City of Sydney Council to be a privilege. Late trading hours will only be approved in circumstances where an ongoing commitment to good management is evident through a series of successful trial periods. It is particularly important for proponents of late night trading premises with greater effects on surrounding uses to demonstrate responsible management over time. This commitment should be demonstrated both at the application stage and throughout the history of the operation of the premises.

Late night trading area character statements and guidelines for preparing plans of management are included in Schedule 3 and should be referred to when preparing your application.

Generally, late night trading areas are places within the City of Sydney that already or have historically been characterised by late night trading and related activity, for example George Street and the wider CBD, or are suitable areas identified for late night trading in the future. Longer trading hours may be permitted where it is considered that there is capacity for more late night uses to operate which reinforce the existing character of late night trading areas and do not create adverse impacts on residential areas.

There are a number of sites in the city LGA which are excluded from the Sydney Development Control Plan 2012 because Minister is the consent authority. The City is however the consent authority for proposals of less than $10 million in value, and applies the provisions of the Late Night Trading DCP 2007 when it assesses proposals. Green Square Town Centre DCP 2012 applies to the Green Square Town Centre, which is excluded from the Sydney DCP 2012.

The Late Night Trading DCP 2007 and the Green Square Town Centre DCP 2012 will adopt the relevant provisions of the amended Sydney DCP 2012, with the late night trading maps of each plan amended accordingly.

Definitions

Category A - High Impact Premises means any of the following premises:

(i) a hotel within the meaning of the Liquor Act 2007 that is not designated as a general bar licence;

(ii) a hotel within the meaning of the Liquor Act 2007 that has a capacity of more than 120 patrons and is designated as a general bar licence;

(iii) an on-premises licence within the meaning of the Liquor Act 2007 where the primary business or activity carried out on the premises is that of a nightclub with a capacity of more than 120 patrons;

(iv) A dedicated performance venue, which may be licensed and includes theatres, cinema, music hall, concert hall, dance hall or other space that is primarily for the purpose of performance, creative or cultural uses, with the capacity of 250 patrons or more, but does not include a pub, bar, karaoke venue, small bar, nightclub, adult entertainment venue or registered club;

(iv) a club within the meaning of the Liquor Act 2007;

(v) a premises that has a capacity of more than 120 patrons where the primary purpose is the sale or supply of liquor for consumption on the premises; or

(vii) premises that are used as a karaoke venue where the owner or occupier sells or supplies liquor for consumption on the premises.

Category B – Low Impact Premises means any of the following premises:

(i) a hotel within the meaning of the Liquor Act 2007 that has a capacity of 120 patrons or less and is designated as a small bar or general bar licence;

(ii) premises that have a capacity of 120 patrons or less where the primary purpose is the sale or supply of liquor for consumption on the premises;

(iii) an on-premises licence within the meaning of the Liquor Act 2007;

(iv) any premises where the owner or occupier sells or supplies liquor for consumption on the premises that is not a Category A Premises;

(vi) any other commercial premises, other than Category C premises, which in the opinion of the Council may impact on the amenity and safety of a neighbourhood resulting from its operation at night, including but not limited to, food and drink premises, takeaway food and drink premises, theatres, karaoke venues, convenience stores, entertainment facility and stand-alone gyms in buildings with residential accommodation and the like; or

(vii) A dedicated performance venue, which may be licensed and includes theatres, cinema, music hall, concert hall, dance hall or other space that is primarily for the purpose of performance, creative or cultural uses, with the capacity of up to 250 patrons, but does not include a pub, bar, karaoke venue, small bar, nightclub, adult entertainment venue or registered club.

Category C – means any of the following premises:

(i) Any retail premises or business premises which does not sell, supply or allow the consumption of liquor on or off the premises or hold any license under the Liquor Act 2007. This may include premises selling groceries, personal care products, clothing, books/stationery, music, homewares, electrical goods and the like, or businesses such as drycleaners, banks and hairdressers and the like. It does not include convenience stores, food and drink premises, takeaway food and drink premises, gyms in buildings with residential accommodation, or adult entertainment venue or sex services premises.

Note: Category A, B and C Late night trading premises do not include sex services premises.

Base hours are the standard range of trading hours that a late night trading premises is entitled to if an application is approved.

Convenience store is a shop that:

- primarily offers pre-packaged, processed snack food for sale in addition to soft drinks, cigarettes, magazines and other miscellaneous grocery and convenience items; and
- has a floor area generally under 200 square metres; and
- located at street level in places with medium to high volume of passing traffic.

  In all cases, the discretion as to what development is considered to be a 'convenience store' for the purposes of this DCP shall be solely that of the consent authority and generally in accordance with this DCP.

Extended hours mean trading hours that may be approved above base hours on a trial basis.

Outdoor areas are any areas that are not considered an enclosed place within the meaning described in the *Smoke-free Environment Regulation 2007*.

Patron capacity means the maximum number of patrons permitted in a development consent. Outdoor seating is included in patron capacity calculations.

Performance, creative or cultural uses include:

- Live entertainment, being an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which the performers (or at least some of them) are present in person; or
- Display, projection or production of an artwork, craft, design, media, image or immersive technology; or
- Rehearsal, teaching or discussion of art, craft, design, literature or performance.

  Note: The definition of live entertainment is consistent with clause 102 of the Liquor Regulation 2018.

Objectives

(a) Identify appropriate locations and trading hours for late night trading premises.

(b) Ensure that late night trading premises will have minimal adverse impacts on the amenity of residential or other sensitive land uses.

(c) Ensure that a commitment is made by operators of late night trading premises to good management through the monitoring and implementation of robust plans of management.

(d) Encourage late night trading premises that contribute to vibrancy and vitality, as appropriate for a Global City.

(e) Encourage a broad mix of night time uses with broad community appeal that reflect the diverse entertainment and recreational needs of people who work and live in the City of Sydney as well as people who visit the City.

(f) Encourage a diversity of night-time activity in defined areas.

(g) Encourage a diversity of night time activity by incentivising performance, creative or cultural uses in licensed premises and dedicated performance venues.

(h) Prevent the proliferation of poorly managed high impact late night premises.

(i) Ensure that new late night trading premises do not reduce the diversity of retail services in an area.

(j) Encourage diverse retail and services to meet the needs of communities.

(k) Ensure that applications are accompanied by sufficient information so that proposals for late night trading premises can be fully and appropriately assessed.

(l) Provide the possibility of extensions of trading hours for premises where they have demonstrated good management during trial periods.

(m) Encourage premises with extended trading hours that are of a type that do not operate exclusively during late night hours and may be patronised both day and night.

(n) Ensure that appropriate hours are permitted for outdoor trading; and

(o) Ensure a consistent approach to the assessment of applications for premises seeking late night trading hours.

Provisions

3.15.1 General

(1) These provisions apply to applications made under Part 4 of the Environmental Planning and Assessment Act 1979 which includes development applications and applications to review a determination or modify a consent.

(2) These provisions apply to applications for new and existing Category A, B and C premises that:

(a) seek approval for trading hours;

(b) seek refurbishment, additions or extensions that will result in an intensification of an existing use;

(c) seek an extension or renewal of trial trading hours as prescribed in this section of the DCP; or

(d) seek approval for outdoor trading.

(3) These provisions do not apply to Category B and C premises that do not trade after 10pm, and Category A premises trading only between 10am to 10pm.

(4) Generally standard trading hours between 7am and 10pm will apply in business zones.

Note: These provisions are not retrospective and do not derogate from existing consents. Existing consents, and past operation under those consents, will be taken into account in assessing new applications.

3.15.2 Late night trading areas

(1) These provisions identify a hierarchy of three late night trading areas located throughout the City of Sydney. Late night trading areas are described in Schedule 3 Late night trading and identified on the late night trading areas map and include:

(a) Late Night Management Areas;

(b) City Living Areas; and

(c) Local Centre Areas.

(2) Notwithstanding the above, all proposals for premises located outside of the late night trading areas will be subject to the requirements of these provisions.

3.15.3 Matters for consideration

These matters for consideration provide the basis for a consistent approach to the determination of appropriate trading hours and create greater certainty for the community and proponents of late night trading premises.

Once these factors are taken into consideration, late night trading hours may be permitted in appropriate circumstances, particularly in areas within the City that already exhibit a vibrant night-time character, as opposed to parts of the City that are predominantly residential in character where amenity impacts can be the greatest and most difficult to manage.

(1) Appropriate trading hours for late night trading premises will be determined by taking into account a number of issues, where relevant, which include, but are not limited to:

(a) the location and context of the premises, including proximity to residential and other sensitive land uses and other late night trading premises;

(b) the specific nature of the premises, its activities and the proposed hours of operation;

(c) the likely impact on the amenity of surrounding sensitive land uses, including noise, and the ability to manage the impacts.

(d) the provision of indoor performance, creative or cultural use and how this increases the diversity of late night activities in the area

(e) the provision of indoor space for performance, creative or cultural uses in a licensed premises, including the nature of the space available for the use, programming and entertainment being provided.

(f) the contribution that late night trading proposals make to street activation and vibrancy of an area at night.

(g) the likely impacts arising from the closing times and patron dispersal of the proposed and existing late night uses, including consideration of unlicensed late night trading in an area, such as shops, businesses and food and drink premises.

(h) the existing hours of operation of surrounding business uses;

(i) the size and patron capacity of the premises;

(j) the impact of the premises on the mix, diversity and possible concentration of late night uses in the locality;

(k) the likely operation of the proposal during day time hours, including the potential for street front activation.

(l) submission of a plan of management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain;

(m) the diversity of retail and business services within an area and the impact of a late night trading proposal on this diversity;

(n) measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding, the premises; and

(o) the accessibility and frequency of public transport during late night trading hours.

3.15.4 Trading hours and trial periods

These provisions identify base and extended trading hours within the three late night trading areas and for premises located outside of these areas.

Approvals for late night trading premises will be limited in time to enable Council to assess the ongoing management performance of a premise and its impacts on neighbourhood amenity. These trial periods allow Council the flexibility to review the conditions on development consents and respond to such things as changes in the late night character of a neighbourhood and changes in management.

(1) Base and extended hours that apply to particular late night trading areas are identified in Table 3.7 Late night trading hours.

Table 3.7: Late night trading hours

		Category A		Category B		*Category C Unlicensed premises Indoor*
		Indoor	Outdoor	Indoor	Outdoor	
Late Night Management Area	Base	6am to midnight	10am to 10pm	6am to 2am	7am to 10pm	24 hours
	Extended	24 hours	9am to 1am	24 hours	7am to 1am	
City Living Area	Base	7am to 11pm	10am to 8pm	7am to 1am	7am to 8pm	24 hours
	Extended	7am to 5am	9am to midnight	7am to 5am	7am to midnight	
Local Centre Area	Base	10am to 10pm	10am to 8pm	7am to 11pm	7am to 8pm	7am to 2am
	Extended	10am to midnight	9am to 10pm	7am to midnight*	7am to 10pm	
All other areas	Base	10am to 10pm	10am to 8pm	7am to 10pm	7am to 8pm	7am to midnight
	Extended	10am to midnight	10am to 10pm	7am to midnight	7am to 10pm	

*Refer to (2) below

(2) Notwithstanding Table 3.7, proposals for extended indoor hours of Category B premises in Local Centre Areas up to 2am may be approved but only if Council is satisfied that entry and egress of all patrons will be onto a main street and not onto a laneway which abuts residential properties, or into a predominantly residential area.

(3) Any hours that are beyond base hours will be subject to a trial period.

(4) Council may permit trading hours that exceed extended hours for 'all other areas' if it has considered matters in 3.15.3 and provided that:

(i) The premises is not located in a R1, R2 (residential) or B4 (mixed use) zone; and

(ii) The premises is located within 800 metres walking distance of the public entrance to railway station or ferry wharf with operating and available services, or 400 metres to the public entrance to a light rail station or platform, or a bus stop with operating and available services.

(5) Council will consider proposals for stand-alone gyms in Local Centres to exceed the trading hours in Table 3.7 if:

(i) the gym is not located in a building with residential accommodation;

(ii) the tenancy within which the gym will be located has no common wall to residential accommodation;

(iii) Council is satisfied that entry and egress of all patrons will be onto a main street and not onto a laneway which abuts residential properties, or into a predominantly residential area;

(iv) no outdoor operation of the gym is proposed;

(v) a Plan of Management is approved which addresses noise impacts described in Schedule 3, 3.2(d).

(6) Extended trading hours beyond base hours may be permitted at the initial application stage, but only where the Council has determined that the premises have been or will be well managed, including compliance with an approved Plan of Management

(7) At the completion of a trial period a new application must be lodged to either renew existing trial hours or to seek an extension of trading hours.

(8) Premises seeking extended trading hours may be permitted up to two additional operating hours per trial period if a previous trial period is considered by the Council to have been satisfactory, unless eligible for an additional one trial hour under sections 3.15.4 (16) and (17).

(9) Trial periods may be permitted up to the following durations:

(a) First trial – 1 year;

(b) Second trial – 2 years;

(c) Third and subsequent trials – 5 years.

(10) Once the full range of extended trading hours is reached an application must be lodged every 5 years to renew trading hours.

(11) Applications for a renewal or extension of trial trading hours should be lodged 30 days prior to the expiry period and applicants will be allowed a period of 'grace' from the termination of the trial period until the new application has been determined. During this period, the premises may continue to trade during existing approved trial hours.

(12) If an application is not lodged 30 days prior to the expiry of the trial period, then approved trading hours will revert to base trading hours.

(13) A renewal or extension of trading hours that are subject to a trial period may only be permitted if Council is satisfied that a late night trading premises has demonstrated good management performance and compliance with a plan of management, following the completion of a satisfactory trial period.

(14) When Council is assessing trial period applications, it will consider whether a venue has demonstrated good management performance, based on matters including but not limited to:

(i) Whether the trial period hours have been utilised;

(ii) the nature and extent of any substantiated non-compliances with development consent or liquor license conditions, particularly those relating to public safety and impacts on amenity;

(iii) responses to substantiated complaints , including complaints recorded on the venues complaints register;

(iv) Compliance with the approved Plan of Management for the venue;

(v) consideration of complaints to Council and the State licensing authority under the Liquor Act 2007;

(vi) an assessment of inspections by Council Officers during trial periods; and

(vii) consideration of any submission made by Police.

(15) If the Council determines that a trial period has been unsatisfactory then trading hours will revert to the base late night trading hours or whatever hours have been approved as the maximum trading hours prior to the commencement of this DCP. Council will consult with an applicant prior to making such a determination.

Additional hour for dedicated performance venues

(16) Venues which are a Category B dedicated performance venue (identified in the Definitions at Category B (vii)) and located within a late night trading area, may be permitted one additional indoor hour at closing time on a trial period basis in accordance with 3.15.4 (9).

Additional operating hour for venues including performance, creative or cultural uses

(17) Category A and B premises, excluding dedicated performance venues, karaoke venues, or adult entertainment venues, which are located within a late night trading area and provide indoor space with the capacity for performance, creative and cultural uses may be permitted an additional indoor operating hour at closing time on the night the premises provides performance on a trial period basis in accordance with section 3.15.4 (9).

This hour may be in addition to any other extended hours approved as part of a trial period application. To be eligible, venues must demonstrate the capacity to provide performance.

NOTE: Venues seeking to demonstrate their capacity to provide performance as required by section 3.15.4 (17) may support their application by submitting information including the following:

- A description of the type of music, visual or performance art or other cultural events that may be staged at the premises
- Submission of details of the space to be used and permanent or semi-permanent structure(s) and equipment to present live performance and creative and cultural uses. This may include any stage and audience standing or seating area; and
- Arrangements for booking and promoting performance, creative and cultural uses.

(18) The performance, creative and cultural use must occur for a minimum of 45 minutes after 6pm.

(19) Venues seeking to apply for an additional operating hour for providing a performance, creative or cultural use are required to update their Plans of Management to reflect the operation of the performance, creative and cultural use and management of the additional hour of trade.

(20) Venues seeking to extend trial periods for an additional hour are to demonstrate that they have provided performance in accordance with the requirements of 3.15.4(16) and (17).

Category C premises

(21) Category C premises may be approved for trading hours up to the maximum described in Table 3.7 subject to an assessment of the relevant matters in 3.15.3. Trial periods may be imposed for premises that propose trading hours after midnight, are in sensitive locations or include uses that may be considered by the Council to be higher risk.

3.15.5 Plans of management requirements

Where the Council is of the opinion that proposals for late night premises have the potential to impact adversely on amenity and neighbourhood safety, applicants are required to prepare and submit with their application Plans of Management that include verifiable data and actions.

3.15.5.1 Preparation

Plans of Management are to include information about the operational and contextual aspects of a premises, for example locality description, security numbers, noise emission and trading hours, as well as details about what actions will be taken to ensure that premises will be responsibly managed, for example, crowd control procedures, noise minimisation and waste management.

This will ensure that proponents of late night trading premises have considered and addressed any potential impacts that may arise from their operation during late night hours, as well enabling the Council to effectively assess any impacts of a proposal. It is the responsibility of the licensee to facilitate a well managed premises and display sensitivity about the impact of the premises on the liveability of neighbourhoods.

(1) A Plan of Management, prepared in accordance with the guidelines in Schedule 3 Late night trading, is required to accompany an application for the following late night trading premises:

(a) new Category A Premises;

(b) existing Category A Premises that seek a renewal or extension of existing approved trading hours;

(c) new Category B premises;

(d) existing Category B premises that seek a renewal or extension of existing approved trading hours;

(e) existing Category A Premises that seek extensions, additions or refurbishment which will lead to an intensification of that use;

(f) existing Category B Premises that seek extensions, additions or refurbishment which will result in the premises becoming a Category A premises;

(g) applications for outdoor trading on the same lot as a Category A or Category B Premises;

(h) Category A or B premises that seek an additional operating hour for the provision of performance, creative or cultural uses; and

(i) Category B dedicated performance venues that seek an additional operating hour at closing.

(2) Plans of Management must be assessed and approved concurrently with the application for an extension of trading hours.

(3) The operators of late night trading premises are required to review their Plan of Management following every trial period and make revisions necessary to maintain a level of amenity and safety in the vicinity of the premises which is at an acceptable community standard.

(4) Council may request that an applicant amend their Plan of Management to provide further information in addition to the minimum requirements listed in Schedule 3 Late Night Trading in their Plan of Management where it is considered necessary.

3.15.5.2 Monitoring and Review

At the termination of a trial period, applicants should consider changes in the nature of the operation that have occurred during the operation of a premises that have given rise to unforeseen impacts on the amenity of the area or have been the basis for a substantiated complaint made to Council or the State licensing authority against the premises.

In reviewing a Plan of Management at the termination of a trial period, it will be necessary for this information. This should be in the form of a new Plan of Management which includes a statement of revisions of the previous Plan of Management, if any are required to accompany an application for a renewal or extension of trading hours so that Council can determine whether adequate steps have been taken to resolve any problems that may have arisen from the operation of the premises during a trial period.

The Council will undertake its own review of the level of compliance with the Plan of Management and whether the current operation has been successful on any application to extend a trial period or on any review. The matters considered by Council will include, but not be limited to:

(i) consideration of complaints to Council and the State licensing authority under the Liquor Act 2007;

(ii) an assessment of inspections by Council Officers during trial periods; and

(iii) consideration of any submission made by Police.

3.16

Signs and Advertisements

These provisions encourage signs and advertisements (signage) that contribute positively to the public domain by achieving high design quality. The provisions promote signage that is appropriately located and will protect the significant characteristics of buildings, streetscapes, vistas and the city skyline. They also protect the amenity of residents, workers and visitors, and ensure the safety of all road users.

A range of business and building identification signs can be undertaken without council approval if they meet the specific criteria in State Environmental Planning Policy *(Exempt & Complying Development Code) 2008*. These include building identification signs, wall signs, fascia signs, under awning signs, top hamper signs and window signs. Council approval is needed if the proposed sign does not meet all the criteria of the SEPP.

Objective

To minimise environmental impacts from light spill.

Provisions

Top of building signs should reduce light spill impacts on viewing the night sky from Sydney Observatory by:

(a) locating signs so they are not in the line of sight of the Observatory,

(b) minimising the emission of blue wavelengths of light below 550nm, or

(c) reducing the light emitted above the sign by using shields and non-reflective materials.

Relationship with other environmental planning instruments

These provisions apply to signs and advertisements that are not exempt or complying development under an environmental planning instrument.

Note: *Refer to State Environmental Planning Policy (Exempt & Complying Development Code) 2008 and Sydney Local Environmental Plan 2012 (Schedule 2 and 3).*

The provisions are to be applied in conjunction with Clause 8 and Schedule 1 of *State Environmental Planning Policy 64*.

Signage not covered by this DCP will be assessed against State Environmental Planning Policy 64, the objectives of this section, the provisions of any relevant signage precinct and the locality statements contained in Section 2 of this DCP.

How to use this section

All signage proposals need to address multiple sections of this DCP. The sections that apply depend on the sign or advertisement's location, purpose, format and media.

Primary development standards

- All signage proposals are to be assessed against the Objectives and Sections 3.16.1, 3.16.2 and 3.16.3.
- Signage within a signage precinct, as shown on the Signage precincts map, is to be assessed against Section 3.16.12.
- Signage on a heritage item or within a heritage conservation area is to be assessed against 3.16.11.

Purpose of signage

- Signage used to identify a building on the land where the signage will be located is to be assessed against Section 3.16.5.
- Signage used to identify or advertise the business on the site is to be assessed against Section 3.16.6.
- Signage used to identify or advertise a business, brand, product, good or service not available on the site is to be assessed against Section 3.16.7.
- Temporary signage that promotes a civic or community activity and event is to be assessed against Section 3.16.8.
- Signage displayed on a construction hoardings, scaffolding or crane is to be assessed against Section 3.16.10.

Format and media of signage

- Internally or externally illuminated signage is to be assessed against Section 3.16.4.
- Business signs with electronic screens are to be assessed against Section 3.16.6.9.
- Advertising structures with electronic screens are to be assessed against Section 3.16.7.2.

The objectives, signage precincts and heritage provisions take precedence over other controls in the event of any inconsistency.

Objectives

(1) To recognise the City of Sydney council area as a globally competitive city with a strong retail sector and promote innovative, unique and creative signs that support retailers and show design excellence.

(2) To recognise that well designed and located signs can have a positive effect on the economy of the City of Sydney council area.

(3) To deliver and maintain a high quality public domain.

(4) To promote signage that demonstrates design excellence and contributes positively to the appearance and significant characteristics of buildings, streetscapes and the city skyline.

(5) To deliver coordinated and site-specific approaches to signage that respond to, complement and support the architectural design of a building and any heritage significance.

(6) To protect the amenity of residents, workers and visitors.

(7) To ensure signs and advertisements do not create a road safety risk or hazard, confuse, distract or compromise road user safety in any road environment.

(8) To ensure signage does not detract from a high quality pedestrian experience of streets and other public spaces and prioritises way finding and other signs that are in the public interest.

(9) To encourage signs and building frontages that provide and allow for interesting and active streets preferably through views in to and from a premises but also through architectural detailing of the sign and building.

(10) To encourage and provide opportunities for innovative, unique and creative signs.

(11) To ensure that upgrades to existing third party advertising structures deliver improved design quality and community benefits.

(12) To reduce energy consumption and minimise the negative amenity impacts of signs and advertisements.

(13) To ensure signage contributes to the character of identified precincts and is consistent with land uses throughout the city.

Definitions

Accommodation land use means any land use providing overnight accommodation, including (but not limited to) residential accommodation, tourist and visitor accommodation, hospital or eco-tourist facility as defined in the Sydney LEP 2012.

Advertisement has the same meaning as in the *Environmental Planning & Assessment Act 1979*.

Note: *The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.*

Advertising structure has the same meaning as in the *Environmental Planning & Assessment Act 1979*.

Note: *The term is defined as a structure used or to be used principally for the display of an advertisement.*

Animation means any content on a sign or advertisement that incorporates movement, motion or changes in colour and light intensity, but does not include the transition between content associated with variable content signage or changes in sign brightness necessary to comply with luminance and illuminance requirements.

AS means Australian Standard, or Australian / New Zealand Standard.

Building identification sign has the same meaning as in Sydney Local Environmental Plan 2012.

Note: *The term means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.*

Business identification sign has the same meaning as in Sydney Local Environmental Plan 2012.

Note: *The term means a sign (a) that indicates (i) the name of the person or business, and (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed; (b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.*

Daylight hours means the time between the end of morning twilight hours and the commencement of evening twilight hours, as outlined in Clause 11.4 of Schedule 11 (Electronic variable content advertising structures) of this DCP.

Dwell time means the period of time that content on a sign remains static without any movement.

Dynamic content sign means a small format sign that has a digital, LCD, LED, plasma or other electronic display area capable of displaying animated, variable or multimedia content and requires a continual power supply for the display area to show content.

Electronic advertising structure means a large format advertising structure that has a digital, LCD, LED, plasma or other electronic display area capable of displaying variable content and requires a continual power supply for the display area to show content.

Glare has the same meaning as contained in AS/NZS 1158-2005.

Note: *The term is defined as the condition of vision in which there is discomfort or a reduction in ability to see, or both, caused by an unsuitable distribution or range of luminance, or to extreme contrasts in the field of vision. The term includes 'Disability glare' (glare that impairs the visibility of objects without necessarily causing discomfort) and 'Discomfort glare' (glare that causes discomfort without necessarily impairing the visibility of objects).*

Illuminance has the same meaning as contained in AS/NZS 1158-2005.

Note: *The term is defined as the physical measure of illumination. It is the luminous flux arriving at a surface divided by the area of the illuminated surface. Unit: lux (lx). The term includes 'Horizontal illuminance' (the value of illuminance on a designated horizontal plane at ground level) and 'Vertical illuminance' (the value of illuminance on a designated vertical plane at a height of 1.5m above ground level. Where the vertical illuminance is considered in the situation of potentially obtrusive light at a property boundary it is referred to as environmental vertical illuminance).*

Luminance has the same meaning as contained in AS/NZS 1158-2005.

Note: *The term is defined as the physical quantity corresponding to the brightness of a surface (e.g. a lamp, luminaire or reflecting material such as the road surface) when viewed from a specified direction. Unit: candela per square metre (cd/ sqm).*

Light projection signage means any sign or advertisement that has its content displayed through the projection of light from a light projection device onto a surface.

Night time hours means the time between the end of evening twilight hours and the commencement of morning twilight hours, as outlined in Clause 11.4 of Schedule 11 (Electronic variable content advertising structures) of this DCP.

Obtrusive light has the same meaning as contained in AS 4282-1997.

Note: *The term is defined as spill light which, because of quantitative, directional or spectral attributes in a given context, gives rise to annoyance, discomfort, distraction or a reduction in the ability to see essential information, e.g. signal lights.*

On-premises advertisement means any representation that advertises or promotes specific products, goods or services available at the premises where the advertisement is displayed, but does not include the display of a name, logo or profession related to the occupant of the premises.

Road user means any person using a public road and associated road areas and includes a pedestrian, cyclist, motorcycle rider and driver.

Signage has the same meaning as in Sydney Local Environmental Plan 2012.

Note: *The term is defined as any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following: (a) an advertising structure; (b) a building identification sign; (c) a business identification sign; but does not include a traffic sign or traffic control facilities.*

Special promotional signage has the same meaning as special promotional advertisement in State Environmental Planning Policy 64.

Note: *The term is defined as an advertisement for an activity or event of a civic or community nature, but does not include a wall advertisement.*

Third party advertisement means any advertisement that relates to a business, products, goods or services not available at the premises where the advertisement is displayed.

Threshold increment has the same meaning as contained in AS 4282-1997.

Note: *The term is defined as the measure of disability glare expressed as the percentage increase in contrast required between an object and its background for it to be seen equally well with a source of glare present. Higher values of threshold increment correspond to greater disability glare.*

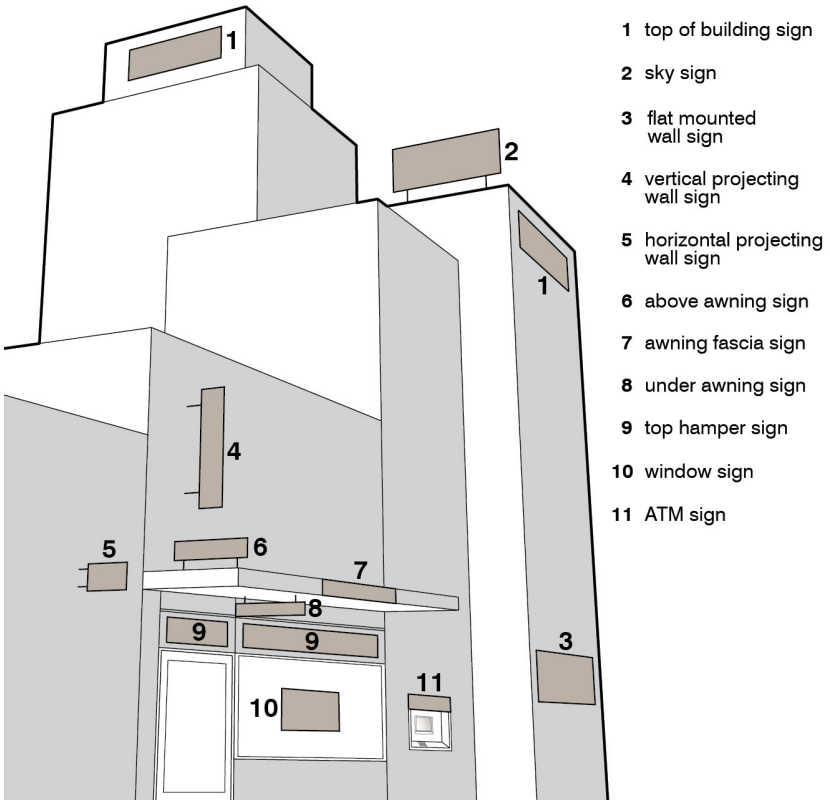
Transition time means the period of time taken for content to change on a variable content sign.

Twilight hours means the time of transition between daylight hours and night time hours, as outlined in Clause 11.4 of Schedule 11 (Electronic variable content advertising structures) of this DCP.

Variable content means static content that changes automatically on a specified time cycle by electronic or programmable methods.

Note: *All other terms used in this section are to be in accordance with the definitions and interpretations in the relevant environmental planning instrument.*

Figure 3.22
Signage types referred to in this section



3.16.1 Signage strategy

(1) A signage strategy is to be prepared for all signage applications:

(a) in a heritage conservation area or involving a heritage item;

(b) on sites that are strata titled or contain more than four business premises; or

(c) seeking variations to the requirements of this section.

(2) The requirement for a signage strategy may be waived by the consent authority where it is satisfied that a proposal is minor in nature and satisfies the objectives of this section.

(3) A signage strategy is to be prepared in accordance with Council guidelines.

3.16.2 Changes to content

(1) A new development consent is not required for changes to the content of approved signage.

3.16.3 General requirements for signage

(1) Signage is to be compatible with the architecture, materials, finishes and colours of the building and the streetscape.

(2) Signage attached to a building is to be positioned in locations or on panels in between any architectural elements (such as awnings, windows, doors and parapet lines). Signs are not to conceal or detract from integral architectural features or cover any mechanical ventilation systems.

(3) Signage is to be installed and secured in accordance with relevant Australian Standards.

(4) Signage that will detract from the amenity or visual quality of heritage items, heritage conservation areas, open space areas, waterways or residential areas is not permitted.

(5) Signage should not create unacceptable visual clutter taking into account existing signs, neighbouring buildings, the streetscape and the cumulative effect of signs.

(6) Signs should allow the main facades of buildings from the first floor to the rooftop or parapet to be uncluttered and generally free of signage.

(7) Signage is not to be supported by, hung from or placed on other signs or advertisements.

(8) Signage that will distract road users, or could be mistaken for a traffic control device, is not permitted.

(9) Signage that will unduly obstruct the passage or sightlines of vehicles, cyclists or pedestrians is not permitted.

(10) Advertisements, dynamic content signs and light projection signs on or within the vicinity and visible from a classified road are to be consistent with the road safety criteria in section 3 of the NSW Transport Corridor Advertising and Signage Guidelines.

(11) Signage is not to contain reflective materials, colours and finishes.

(12) Signage is not to incorporate sound, vibration, odour or other emissions, unless the emission is necessary as part of a community message, an approved public artwork or to meet accessibility requirements.

(13) Signage is not to result in the gathering of people in any manner that will limit the movement of motorists, cyclists or pedestrians along a public road, thoroughfare, footway or other access way.

3.16.4 Illuminated signage

(1) Any illuminated signage is to be designed to ensure that the illuminance and luminance from the sign or advertisement is, in the opinion of the consent authority, consistent with the existing light level of the streetscape or environment within which it is located and does not cause glare.

(2) Unless otherwise provided for in this Section, the illuminance, luminance and threshold increment of illuminated signage is to comply with the recommended values of AS 4282-1997. The maximum night time luminance of any sign is not to exceed 300 cd/sqm.

(3) Signage is only permitted to be illuminated while a premises is open and trading where the sign is on, or within 25m of and visible from, land zoned R1 General Residential or R2 Low Density Residential.

(4) Any externally illuminated signage is to have a downward facing light source focused directly on the display area. Upward facing light sources are not permitted.

(5) Signs with flashing, chasing, pulsating or flickering lights are not permitted unless part of an approved public artwork.

(6) Where the consent authority is of the opinion that an illuminated sign or advertisement is expected to generate high levels of energy use based on size, hours of operation or illumination source, the signage is to be powered by:

(a) onsite renewable energy of a capacity to provide the energy required to illuminate the sign; or

(b) the purchase of a renewable energy product offered by an electricity supplier equivalent to the estimated annual amount of electricity used.

3.16.5 Building identification signs

3.16.5.1 General requirement

(1) Unless otherwise provided for in Section 3.16.5.2 (Top of building signs), a building identification sign should be located at or near the major pedestrian entry to a building and be designed to fit within the architectural elements of a building.

3.16.5.2 Top of building signs

(1) Unless provided for in a signage precinct in Section 3.16.12 (Signage precincts), a building identification sign should not be higher than 15m above the existing ground level or the top of any existing parapet, whichever is lower, unless the sign is for a building on land zoned B8 Metropolitan Centre or B3 Commercial Core.

(2) Sky signs and other roof signs that project vertically above the roof of a building are not permitted.

(3) Top of building signs are not permitted on heritage items, except where the consent authority is satisfied that the sign is compatible with the heritage significance of the building.

(4) Top of building signs are permitted to incorporate the registered name and a logo of the building or development.

(5) Top of building signs are only to be allocated to a significant tenant of the building or to the building's owner, if the owner occupies a significant amount of floor space within the building relative to other tenants or there is an exceptional circumstance where the owner has owned the building for over 50 years and can demonstrate an historically significant association with the building. Signs must be removed within three months of the relevant circumstances changing.

(6) A top of building sign is not to be located within 500m of the lot boundary of a building with a top of building sign containing the same name or logo unless exceptional circumstances prevail.

(7) The maximum number of top of building signs per building is two, with no more than one top of building sign per elevation. Each top of building sign is to be similar in size and appearance.

(8) Top of building signs are, in the opinion of the consent authority, to achieve a high degree of integration and compatibility with the architectural design, materials, finishes and colours of the building.

(9) Top of building signs are to have a maximum vertical height equivalent to one typical floor of the building.

(10) The display area of a top of building sign is to be orientated at right angles to the ground.

(11) Top of building signs are to comprise of individual raised letters, numbers or symbols affixed directly to the building with a concealed static light source. Light boxes and variable content displays are not permitted as top of building signs.

(12) The illumination of top of building signs is to comply with the requirements of Section 3.16.4 (Illuminated signage). The illumination is to be powered by a renewable energy source(s) in accordance with clause 3.16.4(6) of this DCP.

(13) Top of building signs are not to be used, sold or leased as any form of business or third party advertisement.

(14) Development consents for top of building signs are to be limited to 5 years. Applications for renewal in the form of a Section 96 Application to modify the original consent or a new development application can be lodged up to 6 months before the expiration of a development consent.

(15) Signs painted on or applied to the surface of a building roof in order to be visible from the air are not permitted.

3.16.6 Business identification signs and on-premises advertisements

3.16.6.1 General requirements

(1) The arrangement, individual size and aggregate area of business identification signs is to:

(a) avoid clutter to the street and building elevation; and

(b) be compatible with and not cover architectural elements of a building.

(2) Unless otherwise provided for in Section 3.16.12 (Signage precincts), all business identification signs and on-premises advertisements on land zoned Business (B1-B8) are to be located below the height of a ground floor awning, or 5m where no awning exists.

(3) Unless otherwise provided for in Section 3.16.12 (Signage precincts), all business identification signs and on-premises advertisements on land zoned R1 General Residential or R2 Low Density Residential are to be located below the height of a ground floor awning, or 3.5m where no awning exists and are not permitted on a side or rear elevation.

(4) The location and aggregate area of business identification signs and on-premises advertisements on land zoned RE1 Public Recreation is to be considered by the consent authority on its merits.

(5) Corporate colour schemes associated with business identification are only permitted where the consent authority is satisfied that the colour scheme is compatible with the character of the streetscape and will not detract from the appearance of the building.

3.16.6.2 Signs with design excellence

(1) A business identification sign that varies the standards of this section may be approved if the consent authority is satisfied the variation provides for a sign that demonstrates design excellence and is a better outcome for the public domain and the building. In determining whether the proposed sign achieves design excellence, the consent authority is to consider the following:

(a) Does the sign enhance the character of the area, the streetscape and the architecture of the building on which the sign is located?

(b) Does the sign positively contribute to and is it consistent with the range of uses in the area and the intensity of activity in the public domain?

(c) Does the sign and building facade create interest and activity in the public domain through architectural detailing, use of materials or the provision of views into and out of the premises;

(d) Does the design quality of the sign demonstrates creativity and innovation, including through the use technology or artistic, cultural or human endeavour?

(e) Is there discernible artistic quality or a designer or artist involved?

(f) Is there a commitment and demonstrated capacity to provide high quality and well-designed content for any dynamic content signs?

(g) Does the sign decrease the cumulative visual clutter in the area and on the building?

(h) Does the sign meet objectives and general requirements for signage of this DCP and the assessment criteria under Schedule 1 of State Environmental Planning Policy 64?

(i) Is there an impact on road safety?

(j) Is there an impact on the amenity of surrounding land uses and users of the public domain?

(2) A signage strategy submitted in support of a sign proposal under 3.16.6.2 is to include an analysis of the design quality of the sign prepared by a registered architect, including a written statement addressing each of the matters in 3.16.6.2(1).

3.16.6.3 Flat mounted wall signs

(1) Flat mounted wall signs for business identification that are not exempt and complying development may be permitted on blank side elevations of existing buildings if the consent authority is of the opinion that the sign improves the elevation of the building, it's contribution to the public domain and does not contribute to sign clutter.

(2) Flat mounted wall signs for business identification are to have a maximum height above ground level (existing) of:

(a) 4.5m on land zoned Business (B1-B8) or Residential (R1-R2);

(b) 15m on land zoned Industrial (IN1-IN2); and

(c) At the discretion of the consent authority on land zoned RE1 Public Recreation.

3.16.6.4 Projecting wall signs

(1) Projecting wall signs are to be located at ground floor level. No part of a projecting wall sign is to be higher than 5m above ground level (existing), unless otherwise provided for in Section 3.16.12 (Signage precincts).

(2) Projecting wall signs are not to be used for on-premises business advertisements or third party advertisements.

(3) Projecting wall signs are, in the opinion of the consent authority, to achieve a high level of design excellence and utilise high quality materials that are compatible with the character of the building and streetscape.

(4) Projecting wall signs are to be generally square or vertically proportioned, have an appropriately designed bracket, be suspended at right angles to the building and should not extend more than 1m from the building.

(5) Having regard to Section 3.16.6.1 (General requirements for business identification signs and on-premises advertisements), the maximum area of a projecting wall sign is to be 0.5 sqm.

(6) The height to the underside of a projecting wall sign is to be consistent with the approved height of projecting wall signs and under awning signs on adjoining properties. The minimum height to the underside of a projecting wall sign is 2.6m above ground level (existing) of the footway below.

(7) Projecting wall signs are to have a minimum setback of 0.6m from the alignment of kerb within a public road and a minimum separation distance of 3m any other projecting wall sign or under awing sign.

(8) Illuminated projecting wall signs are to satisfy the requirements of Section 3.16.4 (Illuminated signage).

(9) Unless otherwise provided for in Section 3.16.12 (Signage precincts), projecting wall signs are not permitted to have any dynamic, variable, interactive, flashing or moving content unless associated with an approved public artwork.

3.16.6.5 Under awning signs

(1) Under awning signs are not permitted to be used for on-premises advertisements or third party advertisements.

(2) Under awning signs are to be suspended at right angles to the building and are not to project beyond the awning fascia.

(3) The height to the underside of an under awning sign is to be consistent with the approved height of projecting wall signs and under awning signs on adjoining properties. The minimum height to the underside of an under awning sign is 2.6m above ground level (existing) of the footway below. An under awning sign is not to hang more than 1m below the underside of an awning and should not be more than 400mm high.

(4) An under awning sign is to be set back a minimum of 0.6m from the alignment of a kerb within a public road.

(5) An under awning sign is to have a minimum separation distance of 3m from any other under awning sign.

(6) An under awning sign may be permitted for an upper level or basement tenancy that has a ground level entry to the street provided the sign is separated from any other under awning sign by 3m and does not contribute to sign clutter.

(7) Illuminated under awning signs are to satisfy the requirements of Section 3.16.4 (Illuminated signage).

(8) Unless otherwise provided for in Section 3.16.12 (Signage precincts), under awning signs are not permitted to have any dynamic, variable, interactive, flashing or moving content.

3.16.6.6 Awning fascia signs

(1) Awning fascia signs are not permitted to be used for on-premises advertisements or third party advertisements.

(2) The size of any awning fascia sign is to have regard to Section 3.16.6.1 (General requirements for business identification signs and on-premises advertisements).

(3) Awning fascia signs are not to project below, above or beyond the sides of the fascia.

(4) Awning fascia signs are to be flat mounted and are not to project outwards from the awning. The minimum setback of the sign from the alignment of the kerb within a public road is 0.6m.

(5) Awning fascia signs are not to be illuminated.

3.16.6.7 Above awning signs

(1) Signs mounted on top of an awning or canopy, including real estate signs, are not permitted.

3.16.6.8 Window signs and top hamper signs

(1) Having regard to Section 3.16.6.1 (General requirements for business identification signs and on-premises advertisements) the size and location of window signs are to maintain active frontages by allowing views into and out of the premises.

(2) Window signs should not occupy more than one third of the area of all the window and door openings of the shop frontage. Internal signage visible from the public domain does not need to be included in the calculation where it is located more than 2m from the glass line of an external window or door.

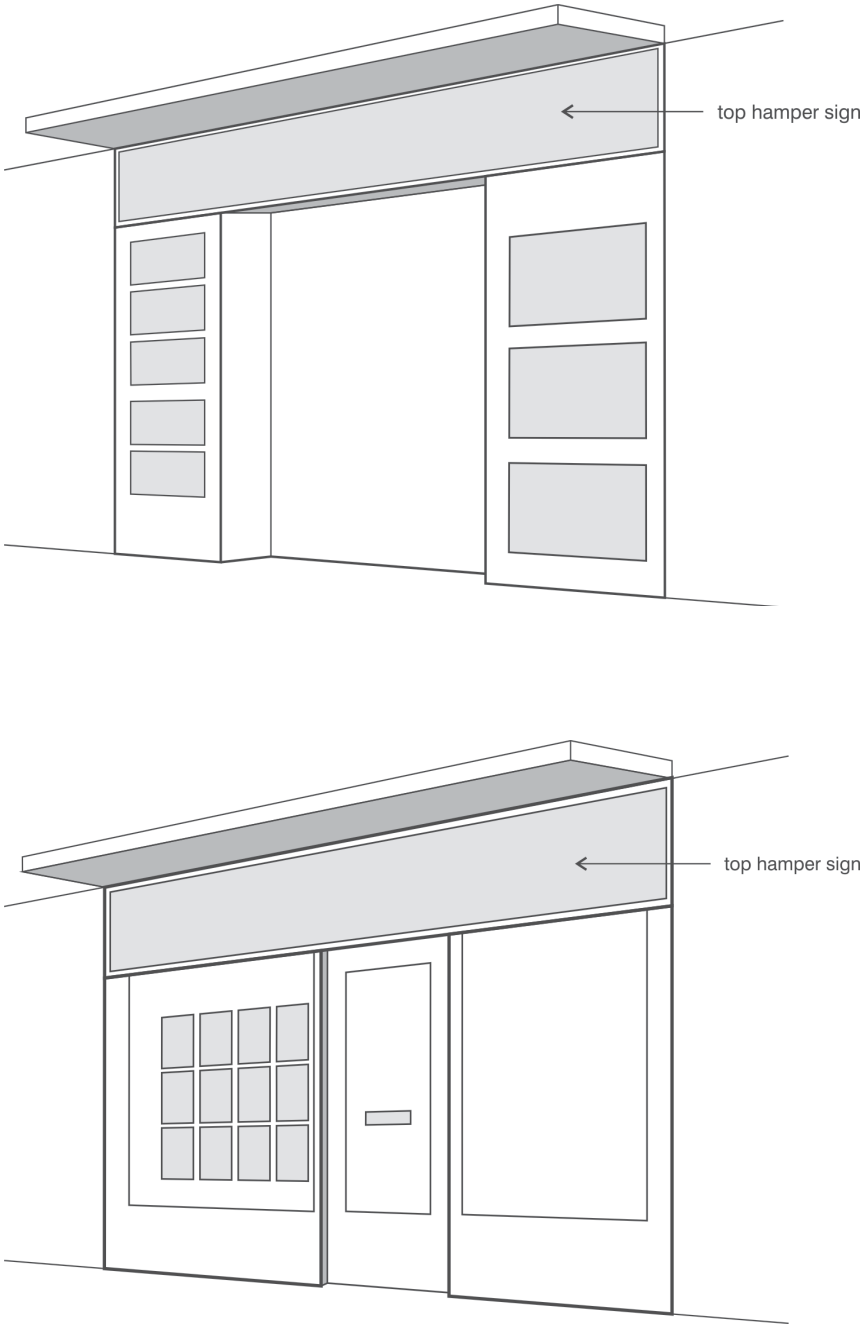
(3) Window signs should be arranged so that the area of the window between 1m and 2m above ground level is predominantly open to views into and out of the premises unless the signs comprise self-adhesive letters, numbers or symbols that do not obstruct views into and out of the premises.

(4) Window signs and top hamper signs are to have a maximum height of 3.5m above ground level (existing).

(5) A top hamper sign may be permitted for a basement or upper level tenancy that has a ground level entry to the street provided the sign does not contribute to sign clutter.

(6) Illuminated or dynamic content signs are only permitted in shop windows subject to consent and compliance with the requirements of Section 3.16.4 (Illuminated signage) and Section 3.16.6.9 (Dynamic content signs) are achieved.

Figure 3.23
Possible arrangements of shop window signs that cover about one third of window and door openings to allow views into and out of the premises



3.16.6.9 Dynamic content signs

(1) Unless otherwise provided for in Section 3.16.12 (Signage precincts), dynamic content signs may be permitted in business zones (B1-B8) and industrial zones (IN1 and IN2).

(2) Dynamic content signs in the B1, B2 or B4 zones and visible from a residential premises are:

(a) not to operate between 11pm and 7am; and

(b) to have an image dwell time of at least 10 seconds, transition time of 0.1 seconds and not be animated.

(3) Dynamic content signs are to be entirely within a building and setback at least 0.3 metres from the glass line. Council may consider reducing the setback for an interactive sign.

(4) Any dynamic content signs should not occupy more than 20 per cent of window and door openings of the shop frontage. Dynamic content signs are to be included in the calculation of the area of window sign allowed under section 3.16.6.8 and are to comply with the height controls for window signs under section 3.16.6.8. Greater coverage may be considered under section 3.16.6.2 Signs with design excellence.

(5) Any single dynamic content sign should not be larger than 1.5 sqm in area. Larger signs may be considered under section 3.16.6.2 Signs with design excellence.

(6) Dynamic content signs, including any animation, video or moving or changing images, are not flash, strobe, pulsate, flicker or contain fast moving images. Any animation and motion of images is to be slow and smooth at all times.

(7) Dynamic content signs must not be able to be mistaken for a prescribed traffic control device or as text providing instructions to a driver.

(8) Dynamic content signs are:

(a) to satisfy the requirements of Section 3.16.4 (Illuminated signage);

(b) to have a default setting that will display an entirely black display area when no content is being displayed or if a malfunction occurs;

(c) to have light sensors that automatically adjust the display brightness of the display area to ambient light conditions where the aggregate display area of a dynamic content sign on the premises is greater than 4 sqm. Where the aggregate display area of a dynamic content sign is between 0.3 sqm to 4 sqm, manual or remote adjustability is to be integrated into the device so that the brightness can be reduced during night time hours.

(9) Dynamic content signs may have interactive technology or technology that enables opt-in direct communication with pedestrians who are within 1m of the premises provided:

(a) the sign does not face a classified road or school zone;

(b) the sign faces a pedestrianised area or is greater than 20m from a road intersection or crossing; and

(c) the consent authority is satisfied there will be no direct communication with or road safety risk for road users of a public road with moving vehicles.

3.16.6.10 Automatic teller machine (ATM) signs

(1) Having regard to Section 3.16.6.1 (General requirements for business identification signs and on-premises advertisements), ATM signs are to be contained entirely within the structure of the ATM.

(2) ATM signs are not to be used for third party advertisements.

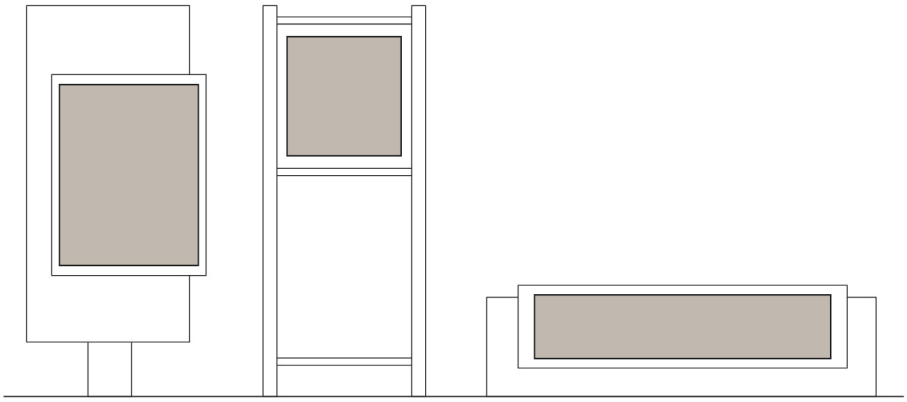
(3) ATM signs with static illumination are permitted subject to compliance with the requirements of Provisions 3.16.4 (Illuminated signage).

(4) ATM signs with dynamic content are to comply with Section 3.16.6.9 (Dynamic content signs).

3.16.6.11 Freestanding signs

(1) Freestanding business identification signs are permitted subject to consent on land zoned B5 Business Development, B6 Enterprise Corridor, B7 Business Park, IN1 General Industrial, IN2 Light Industrial and RE1 Public Recreation. Unless otherwise provided for in Section 3.16.12 (Signage precincts), freestanding signs are not permitted in any other zone.

Figure 3.24
Examples of freestanding signs



(2) Freestanding signs for business identification are not permitted to display on-premises advertisements or third party advertisements.

(3) Freestanding signs are to satisfy the following requirements:

Table 3.8: Requirements for freestanding signs

		Street frontage		
		<15m	15-45m	>45m
Maximum number of freestanding business identification signs		0	1	2
Maximum size per sign	One occupant	n/a	8 sqm	8 sqm
	Two or more occupants	n/a	16 sqm	16 sqm
Maximum height above ground level (existing)		n/a	6m	6m

(4) Freestanding business identification signs are to be permanently fixed or mounted to the ground in accordance with Australian Standards.

(5) Each occupant of a multiple tenancy property is permitted to have a maximum of one business identification panel on each face of a freestanding business identification sign.

(6) Illuminated freestanding business identification signs may be permitted subject to consent and compliance with the requirements of Provision 13.16.4.

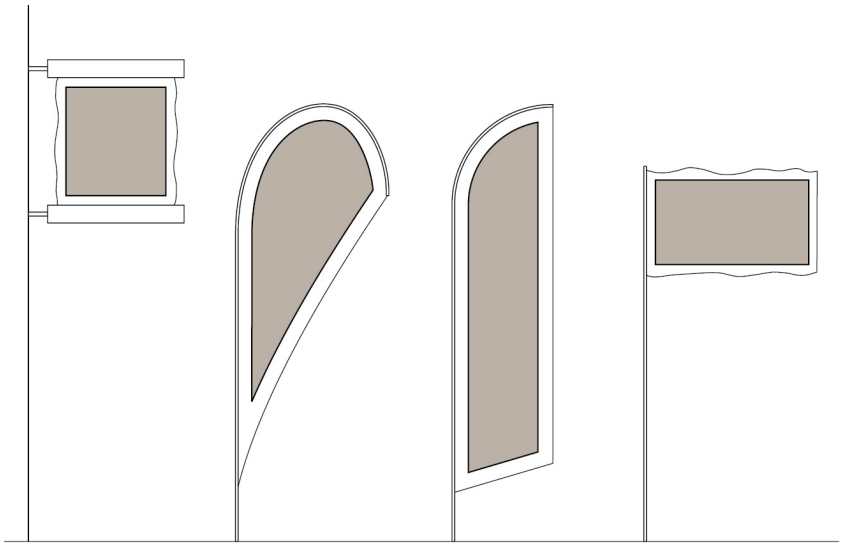
(7) Illuminated freestanding business identifications signs are not permitted to display animated, dynamic or variable content. The consent authority may give special consideration for one freestanding variable content sign with a maximum display area of 20 sqm where the sign relates directly to a cultural, diplomatic, educational, government, institutional or religious land use on the land where it is displayed. In these instances, the sign is to be considered on its merit having regard to the objectives of this section, the preservation of amenity for nearby accommodation land uses, any heritage significance and the character of the streetscape.

(8) A freestanding business identification sign is to have the street number of the property prominently displayed.

3.16.6.12 Banners, flags and fabric signs

(1) Unless otherwise provided for in Section 3.16.12 (Signage precincts), banners, flags and other fabric signs are not permitted. The consent authority may give special consideration for flags, banners and fabric signs associated with cultural, diplomatic, governmental, institutional or religious land uses. In these instances, proposals are to be considered on their merits having regard to the objectives of this section, any heritage significance and the character of the streetscape.

Figure 3.25
Examples of banners, flags and fabric signs



3.16.6.13 Other business identification signage

(1) Business identification signage that is not specified in this section may be considered where the signage is of high visual quality, appropriate in size, suitable in location and satisfies the objectives of this section.

3.16.7 Advertising structures and third party advertisements

3.16.7.1 General requirements

(1) Generally, new advertising signs and third party advertisements are not permitted. The exceptional circumstances where advertising signs and third party advertisements are permitted shall be assessed against the following criteria:

(a) Whether the sign is advertising a civic or community event in the City of Sydney area;

(b) Whether the sign can be considered as public art in accordance with the City's policies in relation to public art;

(c) Whether the signs are consistent with the provisions for signage in this DCP;

(d) Whether part of the sign occupied by corporate markings, logos, branding or similar is not more than 5% of the total sign area;

(e) Whether the number of existing signs on the site and in the vicinity do not cumulatively create unacceptable visual clutter;

(f) Whether the sign is associated with the surrender of a consent for an existing sign on a heritage item or on a contributory building in a heritage conservation area.

(2) Commercial advertising signs on street furniture, other than furniture provided by or for Council, are not permissible unless undertaken in accordance with the Footways dining policy.

(3) Development consents for advertising structures and third party advertisements are limited to the time period specified in State Environmental Planning Policy 64.

3.16.7.2 Replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure

(1) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with the following requirements.

(2) When considering the replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure, a consent authority is to have regard to:

(a) the compatibility of the electronic advertising structure with the site context based on zoning, surrounding land use, built form and the existing and desired character of the area;

(b) whether the structure reduces the amenity of areas with sensitive amenity values, including environmentally sensitive areas, recreation areas, residential properties and other accommodation land uses;

(c) whether the structure maintains or enhances the significance of heritage conservation areas or heritage items;

(d) whether the structure improves the appearance of the existing advertising structure it will replace;

(e) whether the structure improves the streetscape appearance and integration with buildings on the land;

(f) whether light emitted by the structure reduces the amenity of nearby land uses, users of the public domain and the surrounding precinct;

(g) whether the signs and advertisements create a road safety risk or hazard or confuse, distract or compromise road user safety in any road environment;

(h) the cumulative impact and visual clutter of signage in the locality, including its effect on the pedestrian experience of the public domain;

(i) whether the structure reduces the quality of important views and the visual amenity of the skyline, streetscape and site where the advertising structure is located;

(j) the extent of public benefit that will be provided in connection with the structure;

(k) the environmental performance and energy use of the structure; and

(l) the suitability of the structure's operation and on-going maintenance.

(3) Electronic variable content advertising structures are not to result in a visual impact that detracts from the existing visual character of the site, streetscape or skyline. A visual impact assessment report is to be prepared in accordance with Council guidelines in Clause 11.1 of Schedule 11 (Electronic variable content advertising structures) of this DCP. The consent authority may waive the requirement for a visual impact assessment report where it is satisfied the proposal is minor in nature and satisfies the matters identified in this clause. In order to minimise the visual impact, the structure is to:

(a) have an advertising display area that improves the visual contribution of the advertising structure to the building and the area in which it is located and should have a smaller advertising display area than the existing approved advertising structure it is replacing;

(b) be integrated with a building in a manner that does not conceal or detract from important architectural features;

(c) where replacing, converting or modifying an existing approved roof or sky advertising structure, be designed to reduce, and where possible eliminate, the amount of vertical projection above the building's roofline, eaves or top of parapet;

(d) have the brightness of the display area limited based on existing light conditions and the likely impact on surrounding land uses, having regard to clause 3.16.7.2(4) of this DCP;

(e) be of high design quality and finish; and

(f) have a minimum dwell time of 45 seconds per advertisement. The minimum dwell time may be decreased to be consistent with the *NSW Department of Planning and Environment Transport Corridor Advertising Signage Guidelines* if the sign is within:

(i) the B6 Enterprise Corridor, B7 Business Park or B8 Metropolitan Centre zone; or

(ii) the Broadway and Parramatta Road Signage Precinct, or

(iii) the Darling Harbour Signage Precinct.

(4) Electronic variable content advertising structures are not to result in obtrusive light that will create unacceptable glare, affect the safety of public domain users or detract from the amenity of accommodation land uses. A light impact assessment report is to be prepared in accordance with Council guidelines in Clause 11.2 of Schedule 11 (Electronic variable content advertising structures) of this DCP. In order to minimise obtrusive light impacts, the structure is to:

(a) comply with the requirements of Table 3.9 when calculated in accordance with Clause 11.2 of Schedule 11 (Electronic variable content advertising structures) of this DCP and when measured in accordance with Clause 11.3 of Schedule 11: Electronic variable content advertising structures of this DCP;

Table 3.9: Illumination requirements for electronic variable content advertising structures

		Business (B1-B8) or Industrial (IN1-IN2) Zone and not within 100m of accommodation land use	Business (B1-B8) or Industrial (IN1-IN2) Zone and within 100m of accommodation land use	Residential (R1- R2) or RE1 Public Recreation Zone
Daylight Hours	Max Luminance	6000cd/ sqm	6000cd/ sqm	6000cd/ sqm
Daylight Hours – cloud cover and inclement weather	Max Luminance	600cd/ sqm	600cd/ sqm	600cd/ sqm
Twilight Hours	Max Luminance	600cd/ sqm	600cd/ sqm	600cd/ sqm
	Max Threshold Increment	20% based in adaptation luminance of 10cd/ sqm	20% based in adaptation luminance of 10cd/ sqm	20% based in adaptation luminance of 0.5cd/ sqm
Night Time Hours	Max Illuminance	3 lux above existing light conditions measured at the plane of windows to habitable rooms of accommodation uses	2 lux above existing light conditions or not greater than illuminance from existing advertising structure (whichever is less) measured at the plane of windows to habitable rooms of accommodation uses	1 lux above existing light conditions or not greater than illuminance from existing advertising structure (whichever is less) measured at the plane of windows to habitable rooms of accommodation uses
	Max Luminance	350cd/ sqm	200cd/ sqm	100cd/ sqm
	Max Threshold Increment	20% based on adaptation luminance of 10cd/ sqm	20% based on adaptation luminance of 10cd/ sqm	20% based on adaptation luminance of 0.5cd/ sqm
	Hours of Operation	Nil	As determined and conditioned by the consent authority	Not permitted to operate between 10:00pm and 7:00am

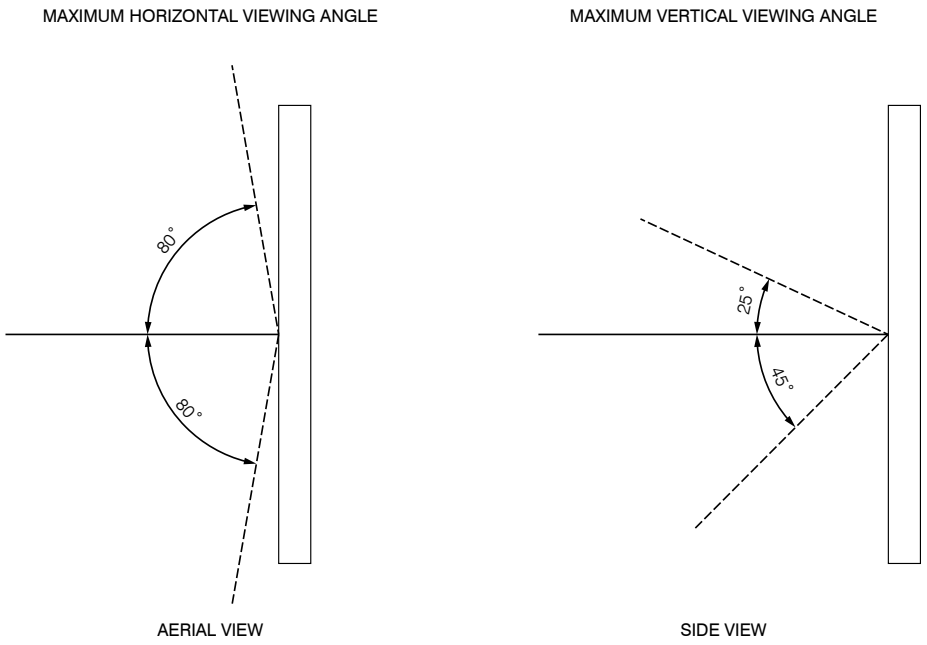
(b) have a multi-directional light sensor (to at least three areas with different ambient light conditions) that automatically adjusts the brightness of the advertising display area to prevailing light conditions. The change in maximum luminance between day time hours, twilight hours and night time hours is to be programmed to automatically make a gradual transition, with the dimming of the display area accelerated ahead of the reduction in day light during evening twilight hours;

(c) have a timing device to ensure compliance with the requirements during twilight hours and night time hours;

(d) ensure advertisements are designed so that the use of white or any other light or bright colour palette is limited;

(e) have a maximum horizontal viewing angle of 160 degrees (+80 degrees and -80 degrees) and a maximum vertical viewing angle of 70 degrees (+25 degrees and -45 degrees), as shown in Figure 3.26, to limit the potential for sky flow and upward light spill; and

Figure 3.26
Maximum horizontal and vertical viewing angles for electronic variable content advertising structures



(f) have a light impact audit undertaken by a professional lighting engineer within 12 months of operation and to be submitted to the consent authority to confirm the operational effect of the sign with recommendations for necessary action to be taken where unacceptable glare, negative safety outcomes for road users or loss of amenity for accommodation land uses are identified.

(5) Electronic variable content advertising structures are not to result in a negative safety impact for road users using a road corridor. Where visible from a road corridor, a road safety report is to be prepared in accordance with Council guidelines in Clause 11.5 of Schedule 11 (Electronic variable content advertising structures) of this DCP. To minimise negative road safety impacts, a structure that is visible to road users using a public road is to:

(a) have a minimum height above ground level (existing) of 5.5m, which may be reduced to 2.5m having regard to road safety, pedestrian amenity, the architecture of the building and the height of an existing sign;

(b) be no closer than 150m to any other advertising structure with an electronic display area that is visible in the same line of sight, except where the consent authority and any relevant concurrence authority is satisfied that there will be no safety impacts for road users and no cumulative clutter from multiple changing signs in the same line of sight;

(c) only display advertisements that are completely static without any motion, animation or special effects for the duration of its display;

(d) have a minimum transition time of 0.1 seconds;

(e) ensure advertisements are designed so that the amount of text and information is kept to a minimum, no more than a driver can read at a short glance and is preferably displayed in the same font and size;

(f) ensure advertisements are designed so that content is not capable of being mistaken for a prescribed traffic control device, and should not have red, amber or green circles, octagons, crosses or triangles, or patterns that may result in the advertisement being mistaken for a prescribed traffic control device;

(g) ensure advertisements are designed so that content is not mistaken as providing driving instructions to drivers;

(h) not have message sequencing designed to make a driver anticipate the next message across images presented on a single sign and across a series of signs;

(i) not have images that dazzle or distract drivers or contain flickering or flashing content;

(j) be switched to a static display during school zone hours if the sign is visible from the school zone;

(k) changes to the speed limit in the area of the sign may require changes to the operation of the sign if there is a detrimental effect on road safety;

(l) have a road safety check undertaken by an RMS accredited road safety auditor after the first 12 months of operation and before 18 months after installation for any sign over 20sqm and in accordance with RMS Guidelines for Road Safety Audit Practices and provided to the RMS and the Council with recommendations for changes to the sign to address any identified road safety issues;

(m) not emit any sound, vibration, odour or other emission unless associated with an approved public artwork; and

(n) not have any technology, process or mechanism that facilitates real-time direct communication with passing road users. This includes any technology, process or mechanism that allows interactivity, transmission or receipt of data, telecommunication, internet or radio signals or the generation of targeted messages. This provision does not restrict the display of a public safety message by a public authority.

(6) Electronic variable content advertising structures are not to detract from the significance of a heritage item or heritage conservation area. Where on, or within 100m of, land that contains a heritage item or that is within a heritage conservation area, a heritage impact statement prepared by a qualified heritage professional is to be prepared in accordance with Section 3.9.1 (Heritage Impact Statements) of this DCP. The structure is to satisfy the requirements of Section 3.16.11 (Signage related to heritage items and conservation areas).

(7) Electronic variable content advertising structures are to be powered by a renewable energy source in accordance with clause 3.16.4(6) of this DCP. An environmental performance report prepared by a qualified environmental professional is to be provided to identify the annual energy use of the structure and the required energy offset arrangements to ensure the advertising structure will be carbon neutral.

(8) Electronic variable content advertising structures are to have a high standard of operation and maintenance. A management plan is to be provided that identifies the operational, content management, maintenance and complaints handling arrangements for the advertising structure. The structure is to:

(a) have a default setting that will display an entirely black advertising display area when no content is being displayed or if a malfunction occurs;

(b) keep an electronic log of activity that is maintained by the operator for the duration of the development consent and be available to the consent authority or Roads & Maritime Services to monitor compliance with any conditions; and

(c) be regularly monitored and maintained for the duration of the development consent.

(9) Electronic variable content advertising structures are to provide a public benefit in accordance with State Environmental Planning Policy 64. Unless otherwise specified by Council, the public benefit is to be satisfied by making 10 per cent of the advertising time (rounded to the nearest whole number) available free of cost for use by the City of Sydney to display public information, community messages and promotion of Council events and initiatives. The advertising time is to be equally distributed throughout the hours of operation of the structure. Other public benefits that may be provided in lieu of the advertising time depending on the nature of the proposal may include:

(a) heritage conservation works for heritage items;

(b) decommission and removal of other existing advertising structure assets in the vicinity of the land;

(c) provision of community services, community infrastructure or public domain enhancements; or

(d) any other public benefit arrangement acceptable to Council.

3.16.8 Special promotional signage

(1) Special promotional signage will only be permitted where it is in the public interest or will provide an identifiable public benefit.

(2) Special promotional signage is not permitted on land zoned R1 General Residential or R2 Low Density Residential.

(3) Special promotional signage is to comply with section 3.16.4 Illuminated signage and any illumination is to be turned off between 11pm and 7am if the sign is visible from a residential premises.

(4) No land or premises is to have more than two special promotional signage schemes per calendar year.

(5) The timeframe for the display of special promotional signage is to be determined by the consent authority based on the location, purpose, format and size of the entire signage scheme and in accordance with State Environmental Planning Policy 64. The consent authority should not permit the display of a special promotional signage scheme for an activity or event:

(a) earlier than 14 calendar days prior the activity or event; and

(b) more than two calendar days following the activity or event.

(6) Special promotional signage is, in the opinion of the consent authority, to be of high visual quality and compatible with the character of the building, site and streetscape.

(7) Where applicable, special promotional signage is to be compatible with the significance of a heritage item or heritage conservation area.

(8) Where applicable, special promotional signage is to comply with the illumination requirements of Section 3.16.4.

(9) Special promotional signage with variable content is to comply with the requirements of Section 3.16.7.2 (Replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure).

(10) Content that is animated, interactive, or involves transmission or receipt of data, telecommunication, internet or radio signals or the generation of targeted messages is not permitted, unless the consent authority has considered a road safety report and is satisfied that there will no negative impact on the amenity of the streetscape, nearby land uses, heritage significance and safety for road users.

(11) Where attached to an occupied building, special promotional signage is not to restrict access to daylight, outlook or ventilation, or access to and from the building.

(12) Special promotional signage is to be professionally installed and secured in accordance with Australian Standards.

(13) Special promotional signage is to be comprised of materials that are resistant to all weather elements.

(14) A special promotional sign is not to reduce the safety of road users. A road safety report is to be submitted if the special promotional sign is visible from classified road or may in the opinion of the consent authority reduce the safety of road users.

3.16.9 Light projection signage

(1) Light projection signage is not permitted, except:

(a) where provided for in Section 3.16.12 (Signage precincts); or

(b) as a special promotional advertisement compliant with Section 3.16.8 (Special promotional signage).

(2) Light projection signage is not to be displayed during day time hours and not after 10:00pm on Sunday to Thursday, and a time determined by the consent authority on Friday and Saturday.

(3) Light projection signage is to satisfy the illumination requirements of Section 3.16.4 (Illuminated signage).

Note: *An application for planning approval for a light projection sign must be accompanied by consent of the landowner(s) of the property that contains the source of projection and any property that forms part of the surface for the image to be projected upon.*

3.16.10 Signage on construction hoardings, scaffolding and cranes

(1) Signage on construction hoardings and scaffolding is to comply with the requirements of the City's Guidelines for hoardings and scaffolding.

(2) Third party advertisements on construction hoardings and scaffolding may be permitted subject to consent where:

(a) The third party advertising is designed as an integrated component of an artwork that occupies the entire surface of the hoarding fence, fascia or scaffolding for the development. The artwork is to satisfy the City's public art requirements. The aggregate area of corporate branding and product image is not to exceed 5 per cent of the surface area of the hoarding fence, fascia or scaffolding of the development; and

(b) The artwork and third party advertising is, in the opinion of the consent authority, designed to be unified, consistent in presentation and of exceptionally high visual quality.

(3) Signage on construction cranes is only to identify the name or logo of the crane owner, the development, the developer or the construction company. Crane signs are not permitted to display any other content, including third party advertisements.

(4) Signage on construction hoardings, scaffolding or cranes is not to extend beyond, or project outwards from, the hoarding, scaffolding or crane to which it is attached.

(5) If illuminated, signage on construction hoardings, scaffolding or cranes is to comply with Section 3.16.8 (Illuminated signage).

3.16.11 Signage related to heritage items and conservation areas

(1) Prior to development consent being granted for signage related to a heritage item or conservation area, the consent authority may require a heritage impact statement and signage strategy is to be prepared. The signage strategy is to incorporate all existing and future signage and have regard to all relevant policies and recommendations of any Conservation Management Plan and/or heritage inventory report.

(2) Existing signage that has heritage value is to be retained and conserved in its original location.

(3) New signage is to be compatible with the heritage significance of the conservation area or the item, including the built form architectural style and existing signage. Signage is to be appropriately located to prevent significant components or distinguishing features of heritage buildings from being obscured.

(4) The design, style, materials, colours, images and lettering of new signage shall be high quality and consistent with the relevant heritage style and period, such as bronze, brass and stainless steel. Plastics, such as coloured or clear acrylic, are only to be used as an ancillary material. Corporate branding and colour schemes are to be modified to fit in with the character and significance of the area or item.

(5) The construction and installation of new signage is to be high quality and undertaken in a reversible manner that does not damage significant fabric of heritage items. Where signage is attached to stone or brick walls, it is to be attached with non-corrosive fixings to mortar joints rather than to the stone or brickwork. Projecting and cantilevered signage is to use a bracketed system that avoids bulky structural components attached to the stone or brick work.

(6) New signage located between the first floor level and parapet for any building is not permitted for heritage items or in heritage conservation areas. This may be varied where upper level signage is an important aspect of the heritage significance of the conservation area or item on which the sign is located.

(7) Where appropriate to the heritage style and period, traditional style hand painted signage on window glazing at ground floor level may be permitted subject to consent provided the area of the text is less than 0.1 sqm in order to maintain a high level of visual transparency into the premises.

(8) Business identification signs for single dwelling houses that are heritage items or contributory items in a heritage conservation area are to be limited to one non-illuminated sign per building with a maximum area of 0.25 sqm. The sign shall be located on the ground floor elevation of the building only and address the main entrance to the premises.

(9) New internally illuminated signage is only permitted where:

  (a) it is a reconstruction of an original significant sign;

  (b) it can be demonstrated that internally illuminated signage is an important aspect of the heritage significance of the heritage conservation area or item; or

  (c) the illumination is low voltage and visible through cut out lettering in high quality metal consistent with the heritage significance.

(10) Externally illuminated signage is only permitted where:

  (a) the design of the signage achieves a high degree of compatibility with the heritage significance of the conservation area or item;

  (b) the signage is lit from a concealed or discrete energy efficient source; and

  (c) any cabling and conduits are completely concealed;

(11) The name or building identification of a heritage item is not to be changed without first considering any relationship with its heritage significance.

(12) Dynamic content business signs are only permitted where:

(a) the requirements of Section 3.16.6.9 (Dynamic content signs) are satisfied; and

(b) the consent authority is satisfied that the heritage character or significance of the conservation area or item will not be undermined.

(13) New advertising structures and third party advertisements are not permitted on heritage items or within heritage conservation areas.

(14) The replacement, modification or conversion of an existing approved advertising structure with an electronic variable content advertising structure on a heritage item or in a heritage conservation area is only permitted where:

(a) The requirements of Section 3.16.7 (Advertising structures and third party advertisements) are satisfied; and

(b) The consent authority is satisfied that there will be no adverse impact on the heritage character or significance and the relationship and appearance between the building and advertising structure will be improved.

3.16.12 Signage precincts

(1) The following provisions apply to areas identified as signage precincts on the *Signage Precincts Map*.

(2) Signage within a signage precinct is to satisfy all development standards for the relevant precinct. The general development standards contained in this section continue to apply where a component of a sign or advertisement is not referred to in the signage precinct standards.

(3) All signage within a signage precinct is to have regard to the locality statements in Section 2 of this DCP, any statement of significance in a heritage inventory sheet and any approved signage strategy applying to the land.

Note: *Heritage inventory sheets are available on the Department of Environment's heritage website: http://www.environment.gov.au/heritage*

3.16.12.1 Millers Point signage precinct

(1) Signage is to be designed to be minimal and discreet in recognition of the areas role as a predominantly residential heritage precinct, as outlined in the locality statement in section 2 of this DCP and the relevant heritage statement of significance.

(2) Signage is to be compatible with the style and period of the building to which it is attached.

(3) Flat mounted wall signs, window signs, top hamper signs, awning fascia signs and under awning signs may be permitted subject to consent.

(4) Top of building signs, projecting wall signs, dynamic content signs, freestanding signs, third party advertisements and banners, flags and fabric signs are not permitted.

(5) Signage is not to be located higher than 3.5m above ground level (existing), unless upper level signage is an integral component of the heritage significance.

(6) Any back mounting or sign plate is to be constructed of high quality materials, such as bronze, brass or timber. Non-corrosive fixings are to be used.

(7) All signs are to have a colour palette that is respectful of the building and its surrounds. Fluorescent tones are not permitted.

(8) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure is not permitted.

3.16.12.2 Circular Quay signage precinct

(1) Signage is to be designed to respond to the significant role of the precinct as transit hub, tourist precinct and public gathering space, as outlined in the locality statement in section 2 of this DCP and the relevant heritage statement of significance.

(2) Signage is to be designed to avoid visual clutter and limit negative impact on the visual importance of landmarks and public domain way finding. Regard shall be given to development controls applying to adjacent areas for which the Council is not the consent authority.

(3) New signage is to be designed to be consistent with the format, size, materials and colours of other existing approved signs on the same site or premises.

(4) Business identification signs are not to be located above an awning or canopy, or higher than 4m where there is no awning or canopy.

(5) For sites and premises on the north side of Alfred Street:

(a) building identification signs directly facing Sydney Cove and the Circular Quay wharfs are to be non-illuminated raised letters, numbers or symbols; and

(b) business identification signs (other than window signage) are not permitted to directly face Sydney Cove, including the Circular Quay wharfs.

(6) For sites and premises on the south side of Alfred Street, all awning fascia signs and wall signs are to contain individual raised letters, numbers or symbols, which may be illuminated.

(7) Projecting wall signs are not permitted.

3.16.12.3 Bridge Street signage precinct

(1) Signage is to be designed to respond to the significant heritage, ceremonial and institutional character of the precinct, as outlined in the locality statement in section 2 of this DCP and the relevant heritage statement of significance.

(2) Signage on heritage items is to utilise individual lettering where attached to a building having regard to the potential impact from attaching a sign to significant fabric. Where a back mounting or sign plate is required, it is to be constructed of a high quality material that is reflective of the heritage significance, such as bronze, brass or stainless steel. Business identification signs are not permitted to be displayed on the facades of buildings, unless such signage is an integral component of the heritage significance.

(3) Signage on non-heritage items is to be complementary to the significance of heritage items in the precinct.

(4) Dynamic content signs for business identification or on-premises advertisements are not permitted in tenancies fronting Bridge Street or Macquarie Place. Dynamic content signs are only to be considered where:

(a) associated with an approved civic, curatorial, institutional or public interest land use where this signage is integral to convey community information related to the approved use; or

(b) the sign achieves design excellence under Section 3.16.6.2.

(5) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure is not permitted.

3.16.12.4 Wynyard signage precinct

(1) Signage is to be designed to respond to the role of the precinct as a major transport interchange, as outlined in the locality statements in section 2 of this DCP and the relevant heritage statement of significance.

(2) Signage is to be minimised in order to avoid visual clutter and not detract from public domain way finding.

(3) Signage on non-heritage items is to be complementary to the significance of heritage items in the precinct.

(4) Dynamic content signs for business identification or on-premises advertisements are not permitted fronting Barrack Street between George Street and York Street or fronting Regimental Square. Dynamic content signs are only to be considered where:

(a) associated with an approved civic, curatorial, institutional or public interest land use where the signage is integral to convey community information related to the approved use; or

(b) the sign achieves design excellence under Section 3.16.6.2.

3.16.12.5 George Street signage precinct

(1) Signage is to be designed to respond to the significant role of George Street as the city spine, a retail area, public gathering place and pedestrianised light rail corridor as outlined in the George Street 2020 Public Domain Activation Strategy, the locality statements in section 2 of this DCP and the relevant heritage statement of significance.

(2) Signage is to be designed with high quality materials and integrated with the architecture of a building in order to avoid visual clutter and detraction from public domain way finding.

(3) Illuminated signage is not to have a night time luminance greater than 300 cd/sqm in accordance with the George Street Lighting Masterplan.

(4) Internally illuminated light boxes should be avoided. Under awning signs and projecting wall signs are to achieve design excellence, be designed to integrate with the design of the awning or wall of the building and have concealed illumination or use neon illumination.

(5) Dynamic content signs for business identification or on-premises advertisements are not permitted fronting Barrack Street (between George Street and York Street), Regimental Square or the Cenotaph Block of Martin Place. Dynamic content signs are only to be considered where:

(a) associated with an approved civic, curatorial, institutional or public interest land use where the signage is integral to convey community information related to the approved use; or

(b) the sign achieves design excellence under Section 3.16.6.2.

(6) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.6 Macquarie Street and College Street East signage precincts

(1) Signage is to be designed to respond to the significant heritage, ceremonial and institutional character within these precincts, as outlined in the locality statements in section 2 of this DCP and the relative heritage statement of significance.

(2) Signage on heritage items is to utilise individual lettering where attached to a building having regard to the potential impact from attaching a sign to significant fabric. Where a back mounting or sign plate is required, it is to be constructed of a high quality material that is reflective of the heritage significance, such as bronze, brass or stainless steel. Business identification signs are not permitted to be displayed on the facades of buildings, unless such signage is an integral component of the heritage significance. Signs inside windows are to be setback a minimum of 1m from the glass.

(3) Signage on non-heritage items is to be complementary to the significance of heritage items in the precinct.

(4) Dynamic content signs for business identification or on-premises advertisements are not permitted fronting Macquarie Street between Queens Square and Bent Street. Dynamic content signs are only to be considered where:

(a) associated with an approved civic, curatorial, institutional or public interest land use where the signage is integral to convey community information related to the approved use; or

(b) the sign achieves design excellence under Section 3.16.6.2.

(5) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure is not permitted.

3.16.12.7 Town Hall and Martin Place signage precincts

(1) Signage is to be designed to respond to the significant heritage, ceremonial and institutional character within these precincts, as outlined in the locality statements in section 2 of this DCP, the relative heritage statement of significance and any relevant Public Domain Plan endorsed by the Council.

(2) Signage on heritage items is to utilise individual lettering where attached to a building having regard to the potential impact from attaching a sign to significant fabric. Where a back mounting or sign plate is required, it is to be constructed of a high quality material that is reflective of the heritage significance, such as bronze, brass or stainless steel. Business identification signs are not permitted to be displayed on the facades of buildings, unless such signage is an integral component of the heritage significance. Signs inside windows are to be setback a minimum of 1m from the glass.

(3) Signage on non-heritage items is to be complementary to the significance of heritage items in the precinct.

(4) Dynamic content signs for business identification or on-premises advertisements are not permitted fronting Martin Place. Dynamic content signs are only to be considered where:

(a) associated with an approved civic, curatorial, institutional or public interest land use where the signage is integral to convey community information related to the approved use; or

(b) the sign achieves design excellence under Section 3.16.6.2.

(5) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure is not permitted in Martin Place.

3.16.12.8 Pitt Street Mall signage precinct

(1) Signage is to be designed to respond to the areas significant role as a pedestrian retail area, as outlined in section 2 of this DCP and any relevant heritage statement of significance.

(2) Signage is to be designed to avoid visual clutter and not detract from the public domain way finding.

(3) No signage is permitted above a ground level awning, or 4.5m where no awning exists. Upper level signage is only permitted where it is an integral component of the significance of a heritage item, or where a building has a multi-level ground floor elevation.

(4) Horizontal dimensioned projecting wall signs may be permitted subject to consent at ground floor level where no awning exists. The height and design of projecting wall signs shall be consistent with under awning signs on adjoining properties.

(5) Under awning signs and projecting wall signs are encouraged to use illuminated slimline metal cut outs with concealed illumination in lieu of light boxes.

(6) For premises with multi-level ground floor elevations, one flat mounted wall sign may be permitted subject to consent on the upper portion of the ground floor elevation to a maximum area of 5 per cent of the ground floor elevation or 7.5 sqm (whichever is less). In these cases, the wall sign is to contain individual cut letters, numbers or symbols with internal illumination.

(7) Light projection signage may be considered where appropriate to the location, setting and building architecture and there is no impact on the amenity of surrounding accommodation uses or road safety.

(8) Dynamic content signs for business identification and on-premises advertisements should have a maximum height of 4m.

(9) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.9 Chinatown signage precinct

(1) Signage is to be vibrant, visually interesting and consistent with the role of Chinatown as a significant cultural node and night-time activity precinct, as outlined in the locality statement in section 2 and any relevant heritage statement of significance.

(2) Light boxes may be permitted, and modern interpretations of neon are encouraged. Light projection signage may also be considered where appropriate to the location and setting.

(3) Signage is encouraged to incorporate traditional and contemporary interpretations of Chinese typefaces, letters, numbers, characters and colours. Where used, English translations are to be included.

(4) Vertical projecting wall signs between the first floor and the parapet may be permitted on non-heritage buildings where:

(a) there is a maximum of one projecting wall sign per street frontage;

(b) the sign is located at the lower levels of the building and not mounted on any awnings or canopies;

(c) the sign is of a height that relates to the architecture of the building and does not exceed two storeys in vertical dimension;

(d) the sign does not project by more than 1m from the wall of the building; and

(e) the sign will not obstruct significant architectural features of the building.

(5) Dynamic content signs should not exceed a maximum height of 4m above ground level (existing). The incorporation of cultural and public benefit content in conjunction with business identification and on-premises advertisements is encouraged.

(6) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.10 Darlinghurst Road Kings Cross signage precinct

(1) Signage is to be visually interesting and consistent with role of Darlinghurst Road as a night-time activity and entertainment precinct, as outlined in the locality statement in section 2 of this DCP. Notwithstanding this role, signage is to be designed to be respectful of nearby residential accommodation land uses.

(2) Signage is to be illuminated and designed using interesting and aesthetic shapes that contribute to the existing character of the area. Light boxes may be permitted subject to consent, and modern interpretations of neon are encouraged. Animated business identification signs are to be considered on their merits.

(3) Vertical projecting wall signs between the first floor and the parapet may be permitted subject to consent on non-heritage items where:

(a) there is a maximum of one projecting wall sign per street frontage;

(b) the sign is located at the lower levels of the building and not mounted on any awnings or canopies;

(c) the sign is of a height that relates to the architecture of the building and does not exceed two storeys in vertical dimension;

(d) the sign does not project by more than 1m from the wall of the building; and

(e) the sign will not obstruct significant architectural features of the building.

(4) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.11 Oxford Street West signage precinct

(1) Signage is to be visually interesting and respond to the role of the Oxford Street as a retail and night-time activity precinct, as outlined in the locality statement in section 2 of this DCP and any relevant heritage significance statement.

(2) Signage is not to be located above awning level, or 4m where no awning exists. This may be varied where upper level signage is an integral part of the significance of a heritage building.

(3) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.12 William Street signage precinct

(1) Signage is to be complementary to the precinct's role as a retail and business area, as outlined in the locality statement in section 2 of this DCP. Signage on the south side of William Street is to have regard to the any relevant heritage significance statement.

(2) Signage is not to be located above awning level. Where no awning exists, signage is not to exceed a height of 3.5m above ground level (existing).

(3) Vertical projecting wall signs between the first floor and the parapet may be permitted subject to consent on properties that are not heritage items or contributory buildings where:

(a) there is a maximum of one projecting wall sign per street frontage;

(b) the sign is located at the lower levels of the building and not mounted on any awnings or canopies;

(c) the sign is of a height that relates to the architecture of the building and does not exceed two storeys in vertical dimension;

(d) the sign does not project by more than 1m from the wall of the building; and

(e) the sign will not obstruct significant architectural features of the building.

(4) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.13 King Street Newtown signage precinct

(1) Signage is to be consistent with the precinct's role as diverse retail, entertainment and cultural area, as outlined in the locality statement in section 2 of this DCP and any heritage significance statement.

(2) Signage is to be located within bays created by facade articulation and is to be compatible with the geometry and proportion of these bays.

(3) No signage is permitted above the awning or first floor level unless it is an existing sign that contributes to the heritage significance of a heritage item or a contributory building.

(4) Signage is not to obscure important architectural features, not to be located above the cornice lines of parapets, not to be located on rooftops of buildings and is to be at least 700mm from the alignment of the 'string of pearl' under awning lights.

(5) The number of signs on a building façade (excluding under awning signs) is not to exceed one per premises.

(6) Painted wall signs for business identification may be permitted subject to consent on the side elevation of a building where:

(a) the maximum area is 5 sqm;

(b) the maximum height does not exceed 4m above ground level (existing);

(c) the paint work is not directly applied to any exposed face brick. Where exposed face brick exists, a face plate with a maximum thickness of 5mm is to be used; and

(d) no third party advertisements are incorporated.

(7) Colours used for signs are to complement the Heritage Colour Scheme for King Street and Enmore Road, which is contained within the Main Street *Heritage Paint Scheme for King St, Newtown, Enmore Rd, Enmore*.

(8) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.14 Broadway and Parramatta Road signage precinct

(1) Signage is to be complementary to the precinct's role as a mixed use arterial road with a mix of commercial, light industry, retail, residential and other land uses. Signage is to be designed with regard to the locality statements in section 2 of this DCP and any heritage statement of significance.

(2) Signage is not to be located above awning level. Where no awning exists, signage is not to exceed a height of 3.5m above ground level (existing).

(3) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.15 Mixed Use Village Main Street signage precinct

(1) Signage is to respond to the role of these precincts as village main streets with mixed of local retail, commercial and residential land uses, as outlined the locality statements in section 2 of this DCP and any relevant heritage statement of significance.

(2) Signage is not to be located above a ground floor awning, or greater than 3.5m above ground level (existing) where no awning exists.

(3) The replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure may be permitted subject to consent and compliance with Section 3.16.7 (Advertising structures and third party advertisements).

3.16.12.16 The Rocks signage precinct

(1) Signage shall comply with Schedule 6 – Signage in The Rocks which provides detailed guidelines on requirements for signage in this precinct. This includes permissible types of signage for each area within the precinct.

3.16.12.17 Darling Harbour signage precinct

(1) Signage shall be designed with regard to any relevant policy of the Sydney Harbour Foreshore Authority.

(2) Light projection signage may be considered where appropriate to the location, setting and building architecture and there is no impact on the amenity of surrounding accommodation uses or road safety.

3.17
Contamination

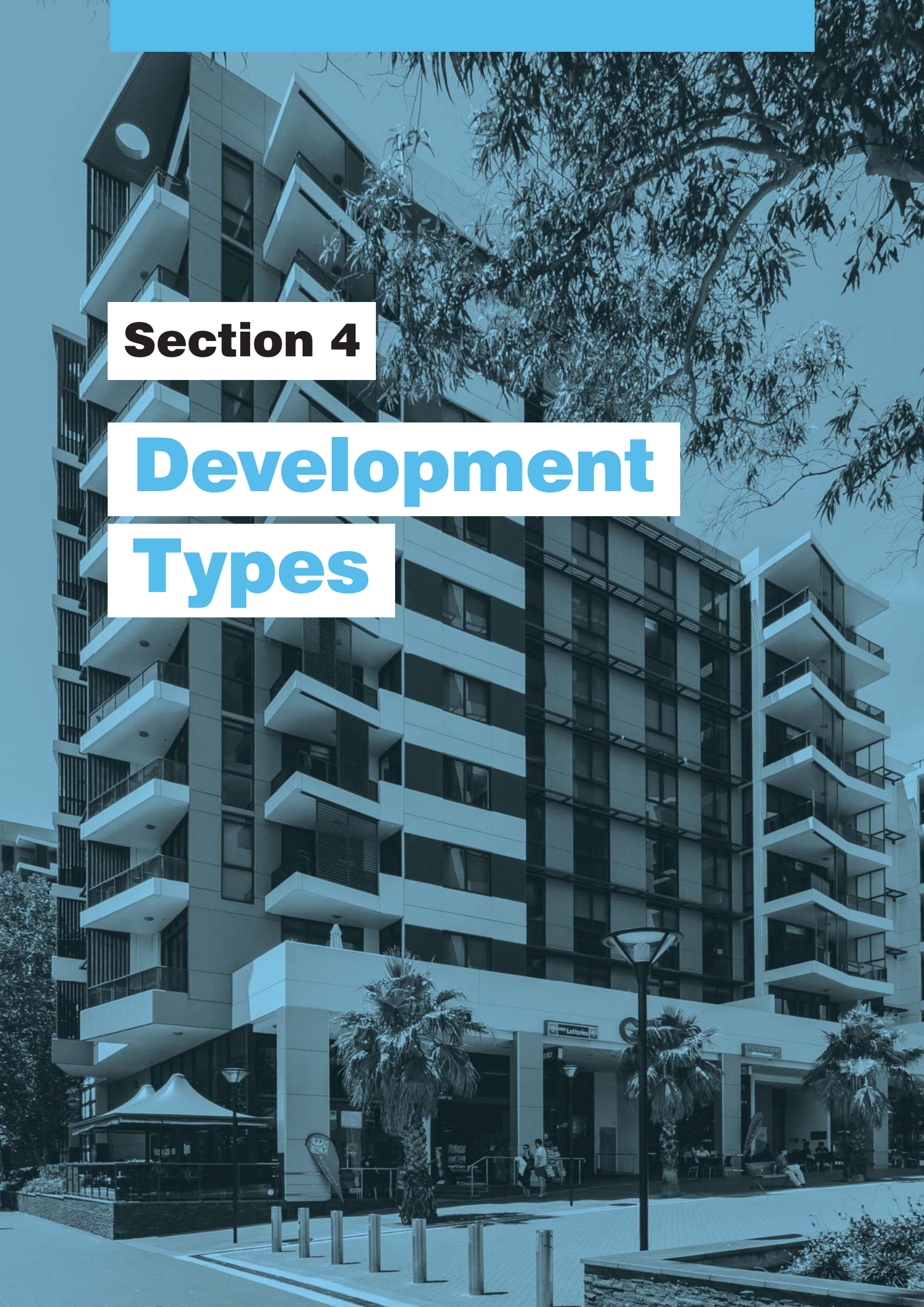
Objective

(a) Minimise the risk to human and environmental health on land contaminated by past uses.

Provisions

(1) Each development application is to include information sufficient to allow Council to meet its obligation to determine whether development should be restricted due to the presence of contamination.

Note: These obligations are outlined in State Environmental Planning Policy No.55 at the time of adoption of this plan.



Section 4

Development Types

4 Development Types

Contents

Introduction		4.0-1
4.1	**Single Dwellings, Terraces and Dual Occupancies**	**4.1-1**
4.1.1	Building height	4.1-1
4.1.2	Building setbacks	4.1-3
4.1.3	Residential amenity	4.1-4
4.1.4	Additions and alterations	4.1-7
4.1.5	Roof alterations and additions	4.1-9
4.1.6	Secondary and laneway dwellings	4.1-17
4.1.7	Fences	4.1-18
4.1.8	Balconies, verandahs and decks	4.1-20
4.1.9	**Car parking**	**4.1-21**
4.2	**Residential Flat, Non-Residential and Mixed Use Developments**	**4.2-1**
4.2.1	Building height	4.2-1
4.2.2	Building setbacks	4.2-3
4.2.3	Amenity	4.2-4
4.2.4	Fine grain, architectural diversity and articulation	4.2-12
4.2.5	Types of development	4.2-15
4.2.6	Waste nd recycling management	4.2-18
4.2.7	Heating and cooling infrastructure	4.2-21
4.2.8	Letterboxes	4.2-21
4.2.9	**Non-residential development in the B4 Mixed Uses zone**	**4.2-21**
4.3	**Industrial Developments**	**4.3-1**
4.3.1	**General requirements**	**4.3-1**
4.4	**Other Development Types and Uses**	**4.4-1**
4.4.1	Boarding houses and student accommodation	4.4-1
4.4.2	Bulky goods retailing	4.4-5
4.4.3	Car showrooms	4.4-7
4.4.4	Child care centres	4.4-8
4.4.5	Convenience stores	4.4-12
4.4.6	Sex industry premises and adult entertainment	4.4-13
4.4.7	Telecommunications	4.4-20
4.4.8	Visitor accommodation	4.4-22
4.4.9	Small scale and other cultural activities	4.4-27

Introduction

This Section establishes provisions for certain types of developments including: Single dwellings, terraces and dual occupancies; residential flat, commercial and retail developments; industrial developments; boarding house; child care centres; visitor accommodation etc.

All development proposals must reference the provision or provisions that best describes that type of development.

4.1

Single Dwellings, Terraces and Dual Occupancies

This Section applies to single dwellings, terraces and dual occupancies.

Not all provisions within this Section apply to the Rosebery Estate. Refer to Section 5.6 Rosebery Estate, Rosebery, of this DCP for additional provisions relating to single dwellings, terraces and dual occupancies in the Rosebery Estate, which take precedence if the provisions are inconsistent with those in this Section.

4.1.1 Building height

The following objectives and provisions relate to the height in storeys and the street frontage height in storeys. These controls work together with the building height in metres control in the *Sydney Local Environmental Plan 2012* which establishes the maximum permissible height for every property.

The street frontage height control is not identified for all areas and is defined in the locations where the street frontage height needs to be maintained for streetscape amenity and consistency.

The height in storeys control works with the maximum height in metres control to ensure development relates to the character of a neighbourhood and streetscape. The maximum height in metres allows for expressive pitched roofs or roof structures, such as enclosed plant or lift overrun, in addition to the number of storeys. Figure 4.2 demonstrates the relationship between the controls on a typical terrace building with a pitched roof. The difference between the height in storeys and maximum height does not imply that an additional storey is permitted or that there is a mismatch in controls

Definitions

Street frontage height in storeys is the vertical height of the part of the building closest to the street boundary and does not apply to laneways. Refer to Figure 4.1 *Street frontage height*.

Figure 4.1
Street frontage height

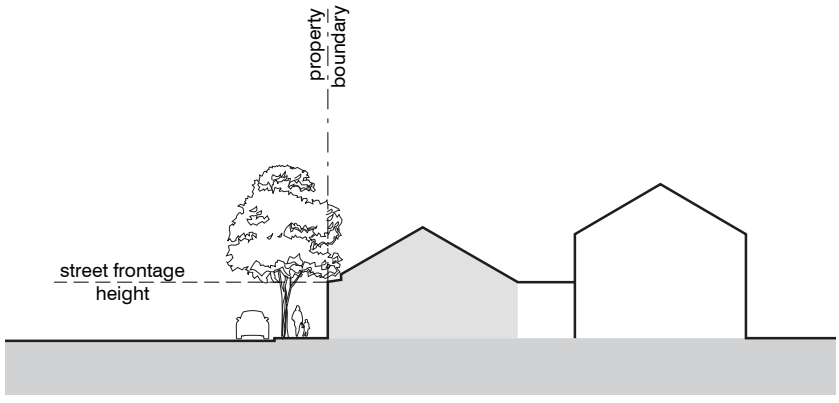


Figure 4.2
Relationship between height in metres control in Sydney LEP 2012 and height in storeys control shown for a typical two storey terrace

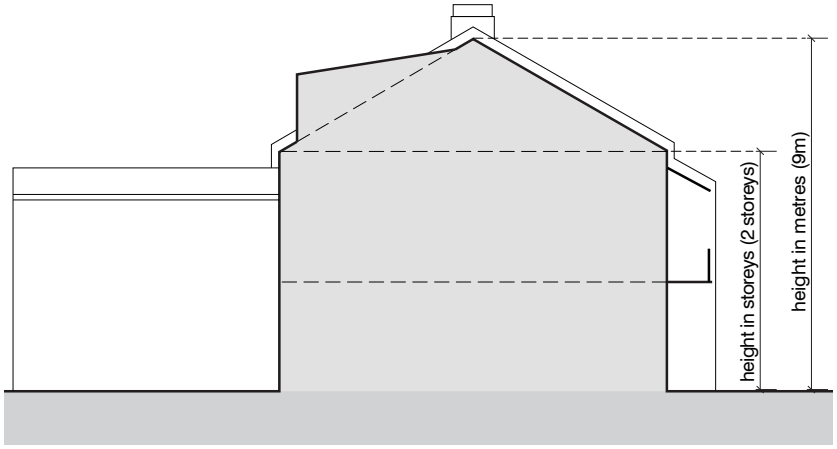
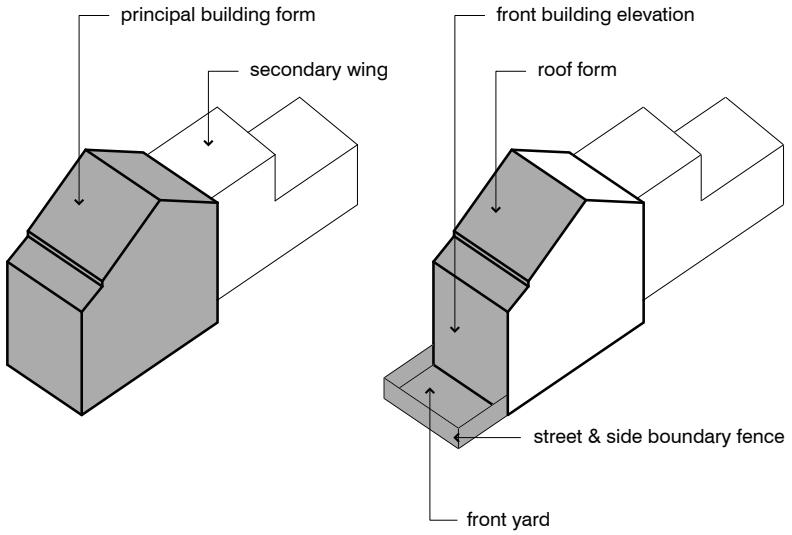


Figure 4.3
Retain and conserve the principle built form



Objectives

(a) Ensure development reinforces the existing and desired neighbourhood character with an appropriate height in storeys and street frontage height in storeys.

(b) Ensure development in heritage conservation areas relate to the existing neighbourhood character in terms of height in storeys and street frontage height in storeys.

(c) Retain and conserve the principle building form and its relationship to the street for heritage items and contributory buildings in heritage conservation areas.

Provisions

(1) Development is not to exceed the maximum number of storeys as shown on the *Building height in storeys map*. The maximum may only be achieved where it can be demonstrated that the proposed development:

(a) reinforces the existing and desired neighbourhood character;

(b) is consistent with the character, scale and form of surrounding buildings in heritage conservation areas; and

(c) does not detract from the character, and significance of the existing building.

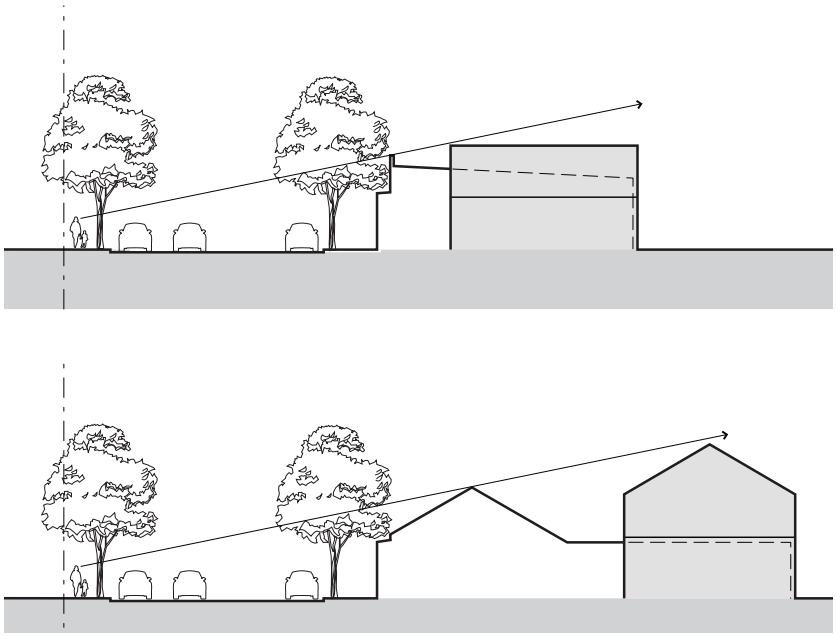
(2) The street frontage height of a building must not exceed the maximum height shown for the street frontage on the *Building street frontage height in storeys map*.

(3) Where the *Building street frontage height in storeys map* does not indicate the maximum height, the maximum street frontage height is to generally be consistent with the street frontage heights of adjacent buildings, or the predominant street frontage height in storeys in the vicinity of the proposed building.

(4) In a heritage conservation area, an additional storey must not be visible above the ridge line or parapet of the existing building on the primary street frontage as shown below in Figure 4.4.

(5) The cutting of a sloping site is to minimise excavation. For sites that slope to the rear where the ground floor is raised above street level, the area of blank retaining fences and walls fronting the public domain is to be minimised.

Figure 4.4
Additional storeys viewed from the street. These examples demonstrate how a single storey building fronting the street may have two storeys behind



4.1.2 Building setbacks

Objectives

(a) Ensure that new development relates to the existing setback patterns.

(b) Maintain the setting of heritage items and of buildings within a Heritage Conservation Area.

Provisions

(1) Front setbacks are to be consistent with the *Building setbacks map*. Where no front setback is shown on the map, the front setback is to be consistent with the predominant setting in the street.

(2) Within heritage conservation areas, new development is to relate to the established development pattern including the subdivision pattern, front, side and rear setbacks.

(3) A greater front, side or rear setback may be required for development within the vicinity of a heritage item in order to maintain the visual setting of the heritage item. This is to be determined on a site by site basis.

(4) New development and alterations and additions must respect and be sympathetic to the predominant rear building line.

(5) Corner buildings are to be built to the street boundary in areas where corner buildings are typically built to the street boundary on one or more frontages.

Figure 4.5
An example of new development that relates to the existing setback pattern



4.1.3 Residential amenity

The following objectives and provisions will ensure high quality residential amenity for dwellings.

Objectives

(a) Maintain or enhance residential amenity by ensuring adequate solar access, landscaping, deep soil planting, visual and acoustic privacy and ventilation.

(b) Reduce urban heat load and increase canopy coverage and ground absorption of water.

4.1.3.1 Solar access

Objectives

(a) Buildings are to be designed and sited to provide solar access to:

(i) private open space within the site and of adjoining dwellings;

(ii) habitable rooms within the development and in adjoining developments;

(iii) public open space including bushland reserves; and

(iv) solar collectors of adjoining development.

Provisions

(1) Development sites and neighbouring dwellings are to achieve a minimum of 2 hours direct sunlight between 9am and 3pm on 21 June onto at least 1sqm of living room windows and at least 50% of the minimum amount of private open space.

(2) New development must not create any additional overshadowing where solar access is less than two hours between 9am and 3pm on 21 June. This control does not apply to windows on a side boundary or windows only separated from a side boundary or passageway.

(3) The development application is to include diagrams in plan and elevation that show the shadow impact of the proposal at 9am, 12 noon, and 3pm at midwinter.

(4) Address solar access by:

(a) optimising orientation and placement of windows and habitable rooms;

(b) providing skylight or clerestory windows to improve solar access and provide shared light to poorly lit parts of a dwelling; and

(c) locating non-habitable rooms, such as service areas and circulation areas on the south side of the buildings where possible.

(5) Overshadowing of windows along side boundaries by new development is permissible, except in the circumstances within provision (6) below.

(6) Daylight access is to be addressed where:

(a) the side windows of an adjoining dwelling are facing and/or perpendicular to the boundary and are less than 1.5m from the side boundary; and

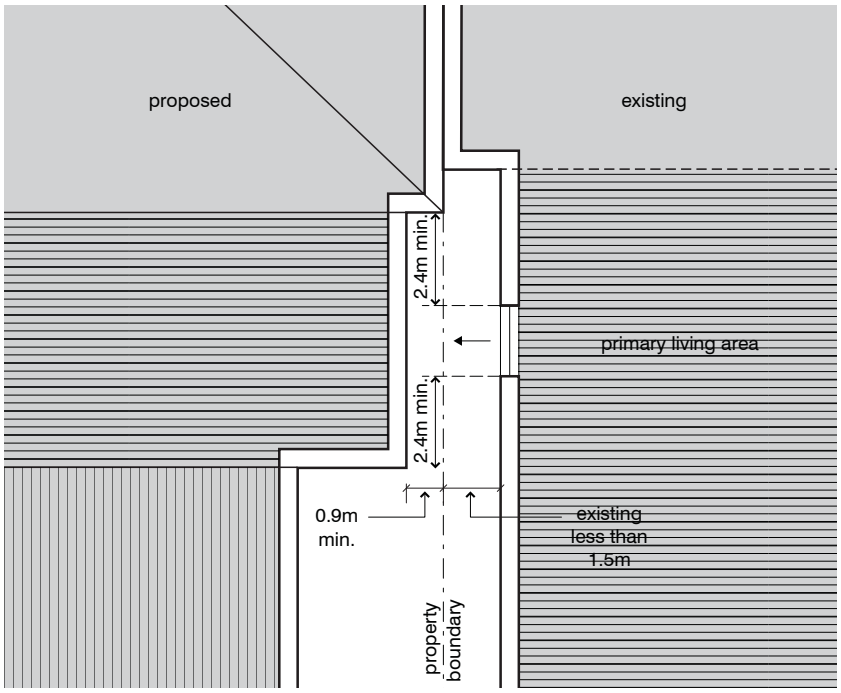
(b) the side windows in (a) are the only windows to the primary living area of a neighbouring dwelling;

then the proposed development is to be set back by a minimum of 900mm (inclusive of gutters and eaves) from the boundary opposite these windows extending for a minimum distance of 2.4m to either side of these windows. Refer to Figure 4.6.

(7) Generally, the depth of a habitable room should not exceed 10m from the openings that receive daylight.

(8) Extensive glazing that is unprotected from mid-summer sunlight is to be avoided. The reliance upon high performance tinting or glazing as a mid-summer sun control device instead of shading devices is not appropriate.

Figure 4.6
Daylight access to primary living areas of existing dwellings



4.1.3.2 Solar collectors

(1) The use, location and placement of photovoltaic solar panels is to take into account the potential permissible building form on adjacent properties.

(2) Where possible, proposals for new buildings, alterations and additions to buildings or major tree plantings are to maintain solar access to existing photovoltaic solar panels having regard to performance, efficiency, economic viability and reasonableness of their location. A development proposal may be modified to protect solar access to existing solar collectors.

4.1.3.3 Landscaping

(1) A landscape plan may be required to be prepared and submitted with the development application concerning heritage items. The landscape plan is to be prepared by a landscape architect experienced in dealing with heritage gardens and at a minimum is to include:

(a) the retention of original and or significant landscaping (including plants with direct links or association with the heritage item);

(b) reinstatement of significant landscape features and plantings that have been removed; and

(c) details of how new plantings retain significant views to and from the heritage item.

(2) Natural features such as cliff lines and rocky outcrops, are to be retained.

(3) Existing trees are to be retained and protected by locating paved areas, underground services such as water tanks and detention tanks and external structures where there will be minimum impact on the growing conditions needed by those trees.

(4) Landscaping is to include permeable surfaces to assist with on-site management of stormwater.

(5) Generally, landscaping is to limit turf and give precedence to species with low water needs, include native plant species. Select and position trees and shrubs to manage sun access and wind impacts.

4.1.3.4 Deep soil planting

For the purposes of this provision 'deep soil area' is an area of natural ground with relatively natural soil profiles and it excludes areas above a structure, pools and non-permeable paved areas.

(1) For lots greater than 150sqm, the minimum amount of deep soil is to be 15% of the site area. The deep soil area can include porous paving of up to 1.2m wide providing there is a deep soil area on one side level with the paved area.

(2) Where site conditions allow, the deep soil area should be consolidated to one location on site for effective planting and to assist with detention of stormwater.

4.1.3.5 Private open space

(1) Private open space at the ground level is to have a minimum area of 16sqm and minimum dimension of 3m.

(2) Private open space is to be directly accessible from the living area of the dwelling and capable of serving as an extension of the living area.

4.1.3.6 Visual privacy

(1) Development is to maximise visual privacy to side and rear boundaries through the following measures:

(a) offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;

(b) building to the boundary where appropriate;

(c) setting back the first floor from the side boundary;

(d) providing sill heights of 1.4m above finished floor level; and

(e) screening devices such as landscaping, fencing, obscure glazing, timber screens, external ventilation blinds or window hoods and shutters.

(2) Screening devices such as obscure glazing, timber screens, external ventilation blinds, window hoods and shutters are to be at least 60% obscure, permanently fixed and made of durable material.

4.1.4 Additions and alterations

Additions to a building generally consist of adding more rooms or extending the floor area. The potential for additions is dependent upon the size of the site, the context of the building, heritage significance of the building and the impact upon neighbouring properties and the wider area.

This Section includes objectives and provisions for additions and more specific examples of addition types. The illustrations show examples of additions to a terraced property however, the types of additions detailed may also be appropriate for other forms of development.

Objectives

(a) Achieve sympathetic development and maintain the fabric of existing terraces.

(b) Protect and respect the traditional character and heritage significance of heritage items and heritage conservation areas and contributory buildings by:

(i) ensuring additions are of an appropriate scale and appearance and relate to the scale and character of the existing building and the street;

(ii) minimising alteration of the original building and respecting the uniformity of an intact pair, group or row of buildings.

Provisions

4.1.4.1 General

(1) Additions must not remove significant building or site elements or outbuildings that contribute to the heritage significance of the heritage item or conservation area.

(2) Additions must maintain the profile and form of the original building, including the roof form, and allow the original building to be discerned.

(3) Additions must not extend beyond the predominant rear building alignment at any level of a group or row of buildings.

4.1.4.2 Lean-to additions

Lean-to additions are the most traditional form of rear extension and are suitable for most buildings.

(1) Generally, lean-to additions are to have a skillion roof with a low pitch falling away from the main building as shown in Figure 4.7 *Example of a lean-to addition*.

4.1.4.3 Wing additions

Wing additions allow for larger floor areas and ceiling heights.

(1) The roof pitch of a wing addition is to respect the roof pitch and gutter line of the existing building sloping to the side as shown in Figure 4.8 *Example of a wing addition*.

(2) Wing additions must respect characteristic detailing of the existing building.

Figure 4.7
Example of a lean-to addition

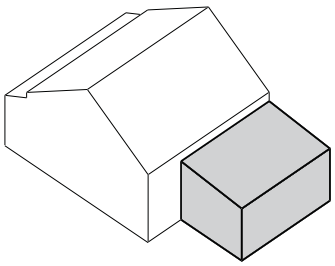
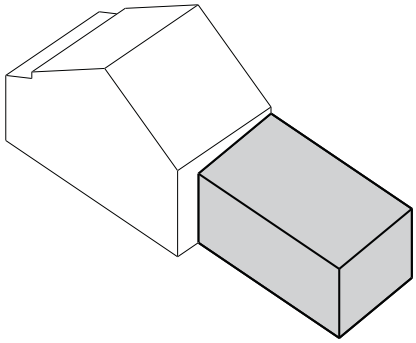


Figure 4.8
Example of a wing addition



4.1.4.4 Pavilion additions

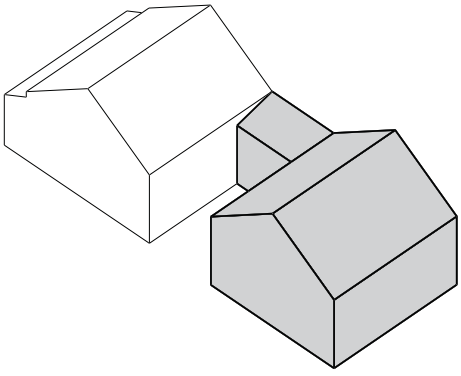
Pavilion additions offer design flexibility and are often suited to buildings of heritage significance or in situations where it is best to leave the existing building intact.

(1) The roof pitch of pavilion additions must respect the roof pitch of the existing building, and be suitable to the particular building and its setting as shown in Figure 4.9 *Example of a pavilion addition*.

(2) The element that links the pavilion extension to the existing building is to be of low scale and minimise the impact on significant building fabric as shown in Figure 4.9 *Example of a pavilion addition*.

(3) The roof of a pavilion addition is not to accommodate a roof terrace or useable open space.

Figure 4.9
Example of a pavilion addition



4.1.4.5 Basement additions

Basement additions may be suited to sloping sites and sites where basements can be accommodated with minimal excavation.

Applications that propose basement additions may be required to provide a Structural Report to confirm that the proposed excavation will not adversely affect the building or adjoining properties. The report should be provided as part of the development application.

(1) External entrances and exits to basement additions are to be located to the rear, except where a front or side entry or exit is prevalent in the street.

(2) Windows and light wells are to match the details and layout of those on the existing building and adjacent buildings where possible.

4.1.4.6 Additional storeys

Upper floor additions to the rear that retain the main form of a building and do not exceed the main roof ridge height are generally more acceptable than changes that alter the height, scale or form of the original building.

Refer to the *Street frontage height in storeys map* to determine the street frontage height in storeys.

Converting an existing roof space for a useable attic is not an additional storey.

(1) Additional storeys to the main building or street frontage are generally not supported where:

(a) a building is part of an intact group or streetscape;

(b) the existing building height is comparable to a consistent or predominant building height in the streetscape; or

(c) the character of an area is part of its heritage significance and the additional storey would compromise the character.

(2) Additional storeys are to respect the height of the parapet or ridge line of immediately adjoining buildings.

(3) Additional storeys located behind parapets to buildings with flat or skillion roofs are only appropriate where the addition:

(a) will not be visible from the surrounding streets and lanes, and

(b) will not have an adverse impact upon the uniformity of a group, row or semi-pair of buildings.

(4) Where the rear of a terrace group displays a consistent form and strong rhythm visible from a public space, additions are restricted to the ground floor.

4.1.5 Roof alterations and additions

Roof additions include rear roof extensions and dormer windows. Roof additions should be designed to permit the original roof form, slope and ridge of the building to be easily discerned, and should not overwhelm the integrity of a contributory building.

Objectives

(a) Minimise the impact of dormers and skylights on the form, appearance and fabric of the principal roof form.

(b) Ensure dormers to Victorian and Federation period terraces are traditional in form, proportions, scale and material.

(c) Minimise interference to the original form of the building.

(d) Minimise the impact on original and existing building elements.

(e) Retain original roofing materials on heritage items and contributory and neutral buildings in heritage conservation areas.

4.1.5.1 Ensuring sympathetic roof alterations and additions

(1) Roof alterations and additions must:

(a) complement the details and materials of the original roof;

(b) not detract from the architectural integrity of the principal elevation of a heritage item, contributory building, or an intact group of buildings in a heritage conservation area; and

(c) respect the form, pitch, eaves and ridge heights of the original building.

(2) Roof additions are to be set below the ridge line to allow the original form of the main roof to be clearly discerned.

(3) The existing ridgeline of the building is to be maintained and not raised to accommodate a roof addition.

(4) Roof additions are not to include inset balconies, roof terraces or external staircases.

(5) Roof additions are not permitted on buildings with front or side parapets where the addition will adversely affect the silhouette of the parapet line.

(6) Windows in roof extensions must relate to the proportion and orientation of original windows in the building.

Figure 4.10
Examples of additions to terraces houses, demonstrating appropriate building forms

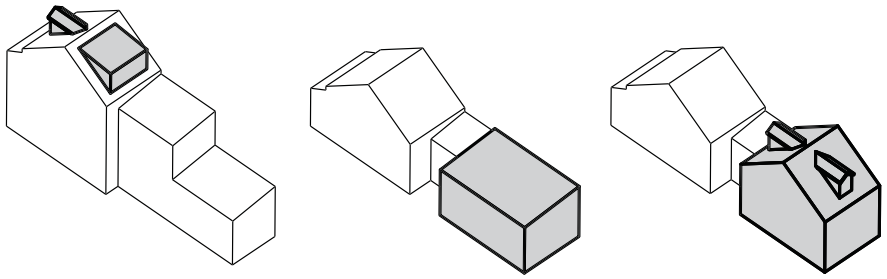
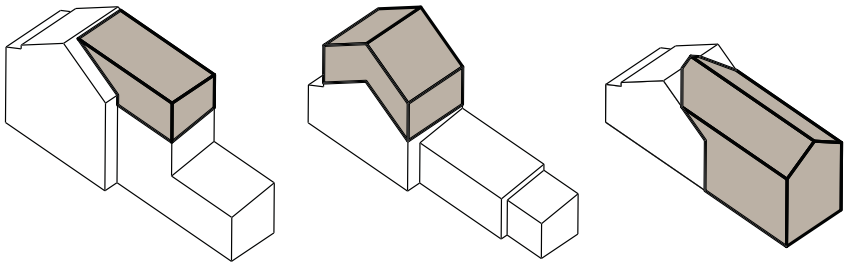


Figure 4.11
Examples of additions to terraces houses, demonstrating inappropriate building forms



4.1.5.2 Roof features

(1) On heritage buildings and contributory and neutral buildings in heritage conservation areas:

(a) chimneys, and chimney detailing, are to be retained, even where fireplaces are no longer working;

(b) significant or original roof features, such as gables and finials, are to be retained; and

(c) missing significant or original roof features are to be reinstated when major works to the roof are proposed.

(2) Solar water heater storage tanks, ventilators, wind generators, air conditioning units and satellite dishes and antennae are not to be located on the principal roof elevations of heritage items or buildings in heritage conservation areas.

(3) Solar collector panels may be located on roof plane visible from the public domain where they are parallel to the roof plane, there is minimal change to structure or fabric of the roof, removable and do not exceed 25% of the area of the roof plane.

(4) Notwithstanding provision (3), the installation of solar collectors and photovoltaic panels are not acceptable if it results in adverse impacts on the subject building and the streetscape.

4.1.5.3 Roof materials on heritage buildings and in heritage conservation areas

Roofing materials include the roof covering, details, joinery and plumbing features. The appearance of a building can be significantly influenced by the form and profile of roofing materials, including the detailing of eaves and ridgelines. Where re-roofing is proposed on heritage items and buildings in heritage conservation areas, this should be based on evidence of the traditional form and materials of the existing building.

The original presentation to the street can be maintained and enhanced by transferring good tiles or slates from side and rear elevations to the front elevation, or through the use of second-hand materials with a similar aging pattern to the original material. Corrugated galvanised steel in an unpainted finish or dark tone may be suitable where corrugated iron requires replacement.

(1) Original roofing materials on heritage items and contributory and neutral buildings in heritage conservation areas are to be retained, unless it can be demonstrated that significant deterioration has occurred and repair is not practical.

(2) New materials are to match original materials as closely as possible in terms of the colours, materials, finishes, sizes and profiles. Where contemporary materials are proposed, they are to be compatible with the period or architectural style of the building.

(3) Where an application proposes re-roofing a building, the applicant may be required to reinstate a traditional verandah or balcony roof.

(4) Reinstate appropriate roofing materials and detailing, original separate verandah or balcony roofs and exposed party walls above roofs.

4.1.5.4 Traditional front dormers

Dormer windows are vertically proportioned windows providing natural light and ventilation to an attic room. Due to their limited size and traditional detailing they may be appropriate on the front plane of the roof in very limited circumstances. If the primary function of the dormer is to provide additional headroom, it will be considered under the provisions for roof extensions, and is only appropriate for the rear of the building.

(1) Front dormer windows are not permitted on:

(a) the front roof of buildings within the Lang Road and Martin Road Heritage Conservation Areas; or

(b) buildings where the roof pitch is shallow; or

(c) buildings with a scale, style or architectural character not suited to dormer windows; or

(d) sections of roof with gable ends.

(2) Dormer windows are not permitted unless there is an established pattern of dormer windows on adjacent properties that form a consistent row or group and the proposed front dormer windows match those in the row. Exceptions will only be supported where the detailing, materials and proportions are traditional and will serve as an appropriate precedent for adjoining properties.

(3) When the width of the building is:

(a) less than 6m wide, one dormer window is preferred, except where there is a predominant two dormer precedent along the row. The width of one dormer window must not exceed one third of the width or the roof up to a maximum of 1.3m, including the width of the frame, refer to Figure 4.12; and

(b) greater than 6m wide, two dormer windows may be considered, except where there is a predominant single dormer precedent along the row. The width of any dormer is not to be more than 1.3m, refer to Figure 4.13.

(4) The existing pitch or ridge height of a building must not be altered to accommodate a dormer.

(5) Dormer windows are to be proportioned at a height to width ratio of between 1.5 to 1 and 2 to 1 measured from head to sill of the window frame, and placed symmetrically on the roof. Refer to Figure 4.14.

(6) The total width of the architraves must not exceed 140mm.

(7) Dormer windows must not include finials and decorative fretworks, unless documentary or physical evidence showing the original detail is available.

(8) The apex of the gable or top of the dormer roof is to be at least 200mm below the ridge height of the main roof. Refer to Figure 4.15.

(9) The top of the dormer window sill must be set at least 400mm above the finished floor level. Refer to Figure 4.15.

(10) Depending on the period and architectural style of the building, the window frame within the dormer window is to be timber framed and a single sash, double hung or double casement type.

(11) Dormer windows must not include windows or skylights to the side walls or within the apex of the gable.

(12) The external side walls of dormers are to be of timber weatherboards of a profile and section consistent with the period and style of the building.

(13) A curved dormer window is only appropriate where ground floor windows have a curved head, and there is no established pattern of gabled dormers in the vicinity of the site.

(14) Plans for dormer windows must be submitted at a scale no smaller than 1:50.

(15) Dormer windows are not to be fitted with external louvers, shutters or other external shading devices. Shading control measures are to be internal only.

Figure 4.12
Single dormer window on a building less than 6m in width



Figure 4.13
Two dormer windows on a building more than 6m wide

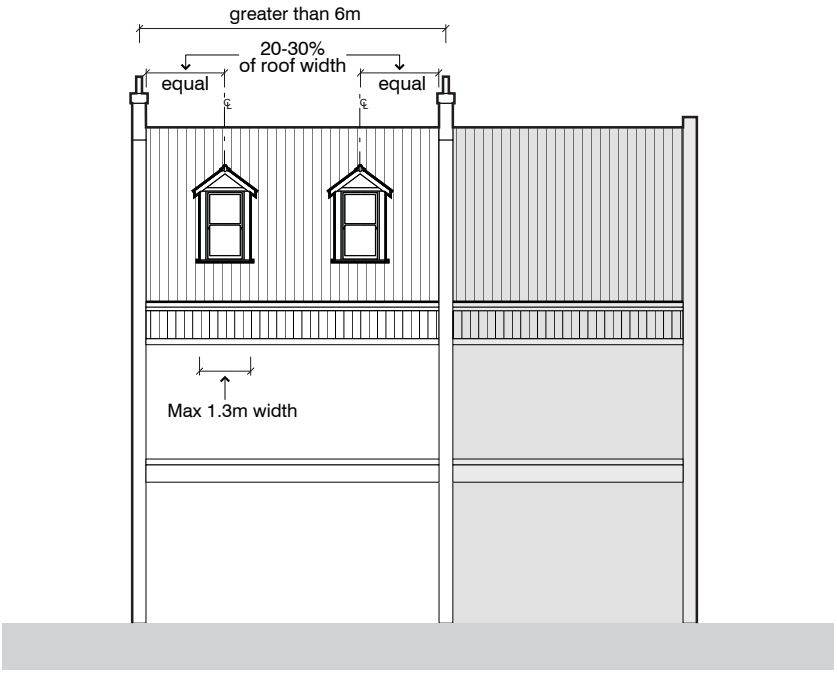
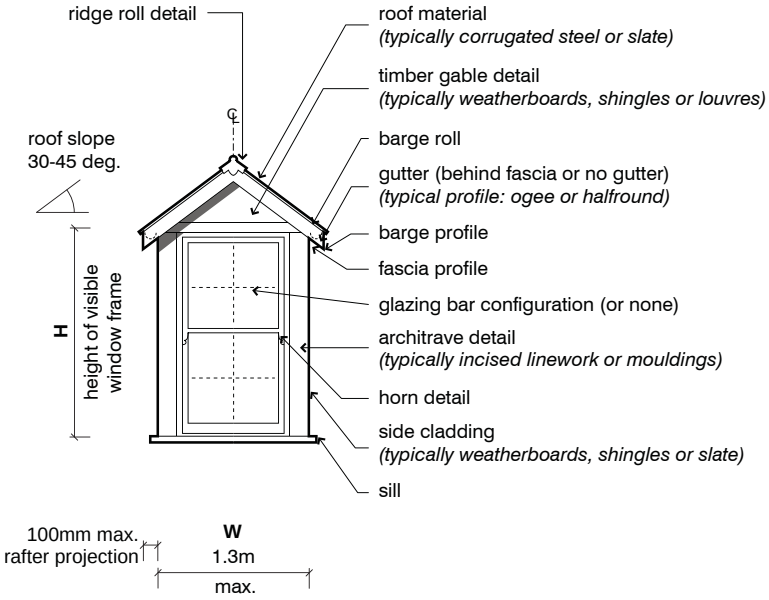


Figure 4.14
Proportion and ratio of a dormer window and dormer window details



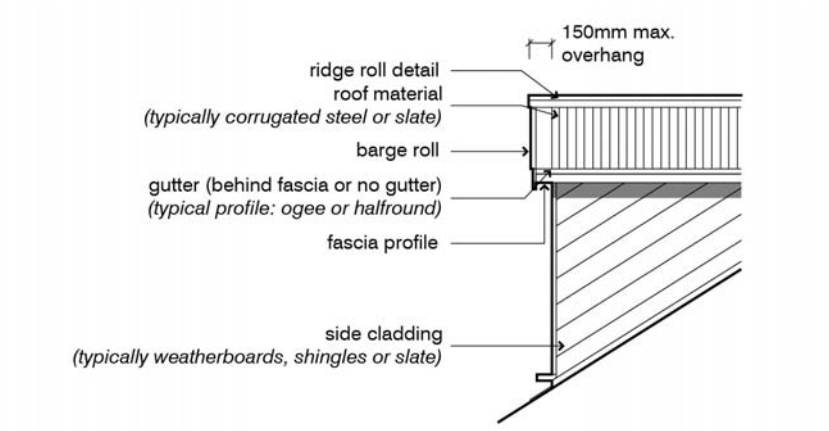
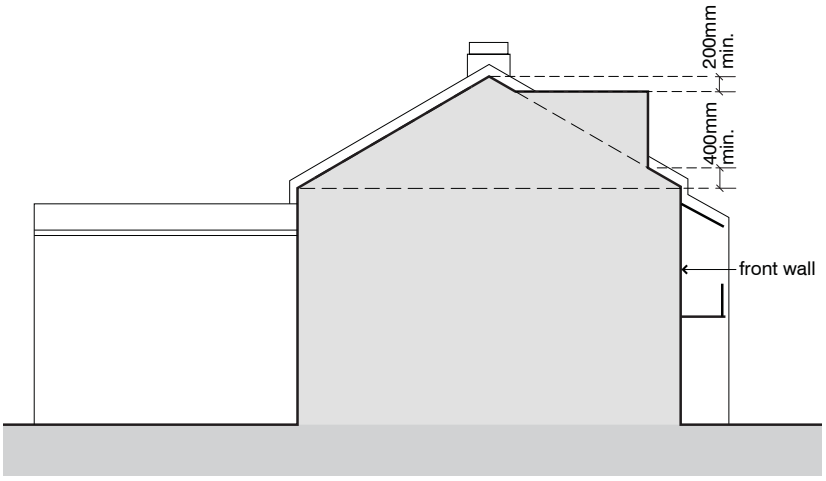


Figure 4.15
The apex of the gable or top of the dormer roof is to be at least 200mm below the ridge line of the main roof



4.1.5.5 Rear roof extensions

Rear roof extensions are usually large structures with horizontal proportions and skillion roofs. They are typically used to increase useable space and headroom within a roof space or attic, and to provide natural light and ventilation. The design of rear roof extensions needs to consider impacts on the building's heritage significance, particularly where it is part of an intact pair or row. This is particularly important where the rear elevation is visible from an adjoining public place such as a reserve, square, major street or laneway.

In the case of buildings greater than 5m in width, multiple traditional dormer windows may be a more appropriate solution than a single rear roof extension.

Provisions

(1) Rear roof extensions may not be appropriate:

- (a) on a heritage item where the skillion form will adversely impact on the building's significance;
- (b) where it replaces traditional dormers that are a consistent feature of a pair, row or group;
- (c) where there is no established pattern of rear roof extensions;
- (d) on sites where the rear of the roof is highly visible from a public place. In these instances a traditional dormer form may be permitted; and
- (e) where rear roof forms in the immediate locality are highly intact.

(2) Rear roof extensions are to be:

- (a) set back a minimum of 500mm from side walls as measured from the inner edge of the buildings side or party walls as shown in Figure 4.16;
- (b) set back a minimum of 200mm from the rear wall as measured along the roof plane from the outer face of the rear wall as shown in Figure 4.17.
- (c) set down a minimum of 200mm below the ridge line as measured along the roof plane from the ridge as shown in Figure 4.17, except in the following circumstances where no set down may be acceptable:
  - (i) where the rear roof junction cannot be viewed from a rear lane, street or public way; or
  - (ii) where it is required to match an appropriately designed precedent on an immediately adjoining property; or
  - (iii) where it relates to a small terrace (generally less than 4.2m wide) where there is minimal roof space and the set down would make the ceiling head height generally unusable.

(3) Rear roof extensions are to use skillion or single pitch roofs sloping down from the ridge towards the rear elevation of the property as shown in Figure 4.17.

(4) The design of the rear roof dormer window is to be vertically proportioned with suitable proportioned timber frames.

(5) The external width of the roof attic including side walls and roof is not to exceed 4000mm.

(6) Flashing or waterproofing of rear roof extensions must not span the roof ridge and are not to be visible from the street to the front of the building.

(7) Windows are to be traditionally proportioned, timber frame, double hung or casement windows.

(8) Windows located on rear roof extensions must contain fixed, opaque glazing, up to a sill height of 1.4m above the floor level.

(9) Windows to bathrooms must contain fixed, opaque glazing up to a sill height of 1.4m.

(10) Where a traditional dormer to a rear roof extension is preferred, it is to comply with the design controls for front dormers.

Figure 4.16
Rear roof extensions are to be set in by a minimum of 500mm from side walls

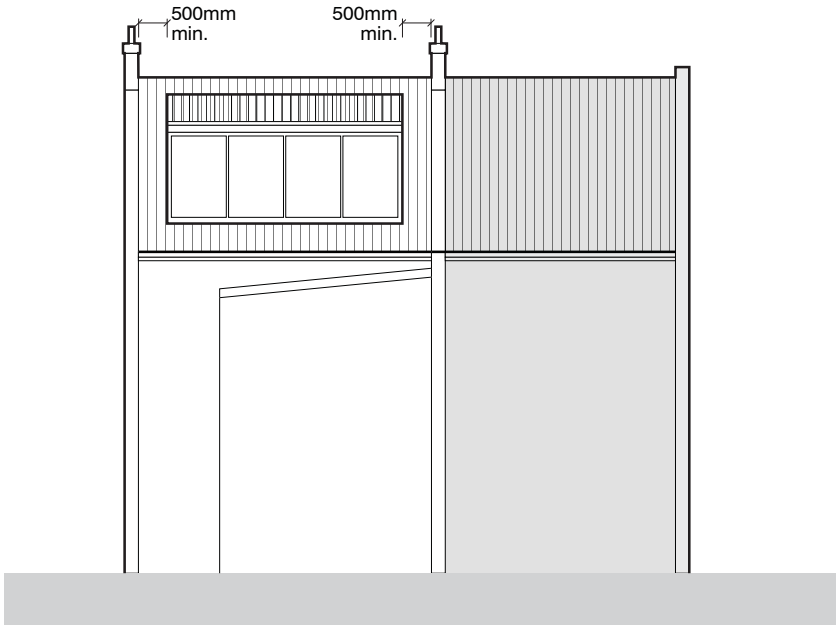
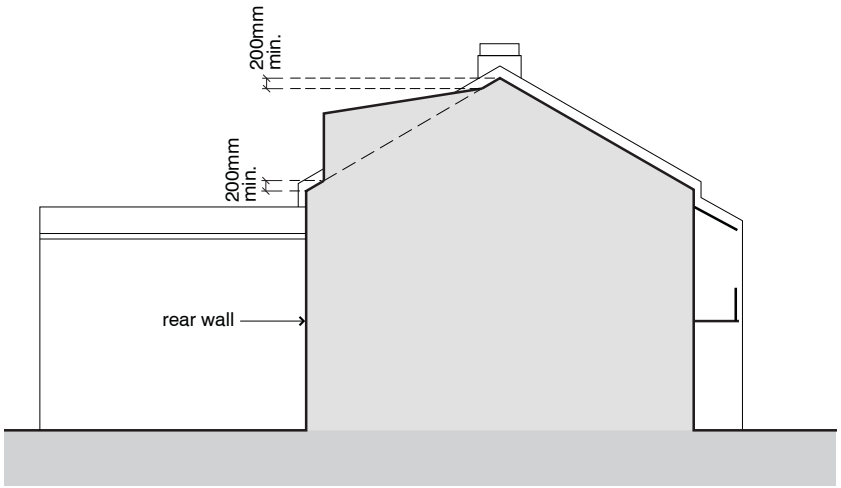


Figure 4.17
Rear roof extensions are to be set down a minimum of 200mm below the ridge line and a minimum of 200mm up from the rear wall



4.1.5.6 Skylights

Skylights are a simple and cost effective way to increase natural light and ventilation to an attic or roof space.

Provisions

(1) Skylights are not to be located on the front roof plane of heritage items or buildings in heritage conservation areas where they are visible from the public domain.

When the width of the property is:

(a) less than 6m wide, one skylight is preferred. Two skylights will be considered when they relate to the pattern of openings on the building below. Where only one skylight is possible it is not to exceed one third of the width of the roof up, to a maximum of 1300m; and

(b) greater than 6m wide, two skylights are permissible, except where there is a predominant single skylight precedent along the row. The width of any one skylight must not be more than one fifth of the roof width.

(2) Skylights are to be fitted flush with the roof plane and have vertical proportions.

(3) Skylights are to be predominantly glazed with simple unobtrusive detailing and the frame of the skylight is to have the same colour as the roofing material.

4.1.6 Secondary and laneway dwellings

A secondary dwelling is a self-contained dwelling located on the same land title as the principal dwelling. The *Sydney LEP 2012* defines and permits secondary dwellings in certain zones and establishes their maximum size.

Objectives

(a) Ensure secondary dwellings activate lanes and address the public domain.

(b) Maintain a reasonable level of amenity to the principal dwelling, the site, surrounding properties, and any adjoining lane.

(c) Ensure the scale and type of development is compatible with the width of the lane, the significance and the scale of heritage items and heritage conservation areas.

Provisions

4.1.6.1 General

(1) A one storey structure with an attic above is permissible adjacent to a rear lane, provided the height does not exceed 5.4m and amenity to adjacent sites is maintained.

(2) On lots smaller than 150sqm, a secondary dwelling is not permitted unless it can achieve a minimum consolidated area of private open space for the principal dwelling of 16sqm with a minimum dimension of 3m.

(3) The roof pitch of a rear lane building must not exceed 40°.

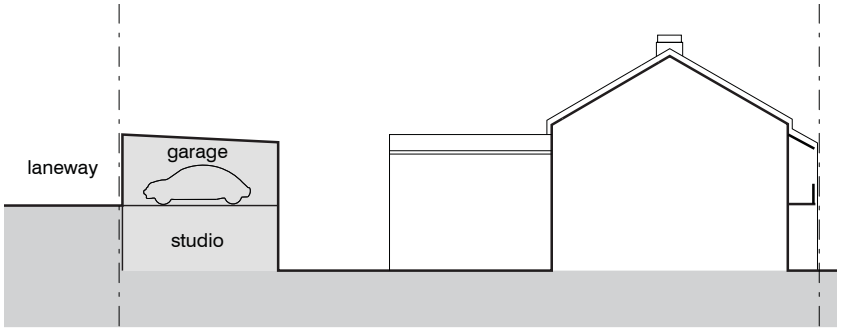
(4) The secondary dwelling on a lot adjoining a rear lane is to be clearly subservient to the principal dwelling.

(5) A habitable space may be located below a garage where:

(a) where the rear lane is at a higher level than the private open space for the principal dwelling; and

(b) the floor level of the habitable space is at the same level and contiguous with the private open space for the principal dwelling, as shown in Figure 4.18 *Habitable space located below a garage*.

Figure 4.18
Habitable space located below a garage



4.1.6.2 Heritage items and heritage conservation areas

(1) Despite provision (1) in Section 4.1.6.1, a two storey structure to the rear lane may be appropriate where there is an existing pattern in the laneway.

(2) Where a property is a heritage item or is located within a heritage conservation area, development to the rear lane is only possible where it is consistent with the heritage significance of the property, particularly:

(a) the ability to appropriately accommodate additional development at the rear of the property; and

(b) in terms of its scale and configuration.

(3) Retain stables or significant structures that contribute to the history, character and significance of the heritage item or heritage conservation area.

(4) Where a rear lane is highly intact, the pattern of original outbuildings, fences and laneway widths must be retained.

(5) Development is to retain the predominant scale of the lane, particularly where that scale is single storey, and any landscape features including mature trees.

4.1.7 Fences

Objectives

(a) Maintain passive surveillance between public and private spaces.

(b) Contribute to the character of the street.

(c) Respond to the style of the building.

(d) Conserve the setting and character of heritage items and contributory buildings.

Provisions

4.1.7.1 Front fences

(1) Front fences are to be provided where it is a predominant feature of a street frontage within a street block.

(2) Front fences are to align with the front property boundary or reflect the predominant fence alignment along the street.

(3) Height, materials and architectural design and styling of new fences must be consistent with fences that were typical of the period in which the street was predominantly developed, or period the dwelling was built.

(4) The height of the fence above footpath level excluding the height of any retaining wall and as shown in Figure 4.19 is to be:

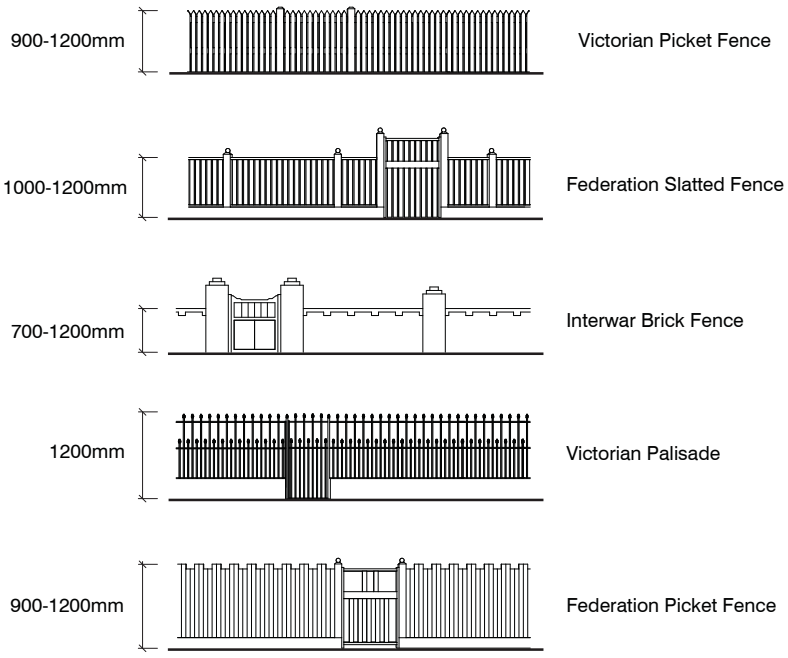
(a) 0.9m for solid masonry fences; and

(b) 1.2m on open or partially transparent styles such as palisade or picket fences, and any associated posts and piers are to be no higher than 1.5m.

(5) The height of the fence must step to follow any change in level along the street boundary.

(6) Fencing is to be located to ensure sight lines between pedestrians and vehicles exiting the site are not obscured and so gates do not open over the public roadway or footpath.

Figure 4.19
Examples of typical front fences



4.1.7.2 Side and rear fences

When proposing a side or rear fence applicants must also refer to the *Dividing Fences Act 1991*.

(1) Side and rear fences are to be a maximum of 1.8m high.

(2) Side fences between the front building line and the front boundary are to have a maximum height of 1.5m.

(3) Where a property is located on a corner, a higher side fence is acceptable if required for privacy or security.

4.1.7.3 Heritage items and within heritage conservation areas

(1) Retain and repair original or sympathetic later fences that are significant elements of the heritage item or Heritage Conservation Area. Where retention and repair of significant fences is not practical, new fencing is to match the original proportions, materials and details of the original fencing.

(2) Where original or later sympathetic fencing does not exist, the design of the new fence is to be:

(a) based on physical or documentary evidence of the original fence on the site, or the original fence on properties of a similar period and style in the locality; or

(b) a contemporary reinterpretation of the original fence type.

(3) Within heritage conservation areas, appropriate front fence types and materials include:

(a) iron palisade fences on a stone or rendered brick base;

(b) masonry garden walls with or without rails or cast iron infill;

(c) timber picket or slat fences; and

(d) timber post and rail fences with wire mesh of fabric wire infill.

(4) Within heritage conservation areas, inappropriate fence types and materials include concrete block or reconstituted stone fences, metal panel fences, and aluminium picket or palisade fences.

Figure 4.20
Single storey contributory buildings, Glebe



4.1.8 Balconies, verandahs and decks

Objectives

(a) Retain and conserve verandahs and balconies of heritage items and buildings within heritage conservation areas.

(b) Ensure balconies, verandahs and decks contribute to building design quality and respect the visual and acoustic privacy of neighbours.

(c) Reinforce infill developments with the repetitive elements of verandahs and balconies where they are characteristic of the streetscape within heritage conservation areas.

Provisions

4.1.8.1 General

(1) Balconies and decks above the ground floor are to be:

(a) located and designed to minimise overlooking of surrounding buildings;

(b) of a size, location and design appropriate to the proportions of the building; and

(c) avoided at the rear and side of a dwelling.

(2) The height, scale and alignment of new balconies and verandahs on the façade are to complement existing balconies or verandahs on adjoining dwellings as illustrated in Figures 4.21.

(3) A front balcony, verandah or deck must not be enclosed.

4.1.8.2 Heritage items and heritage conservation areas

(1) A new building proposed adjacent to a heritage item or within a group, pair or row of buildings within a heritage conservation area that feature verandahs or balconies as original elements is to:

(a) include a new verandah or balcony of similar dimensions, location and orientation; and

(b) adopt, in either a traditional or contemporary manner, original detail and materials from surrounding buildings.

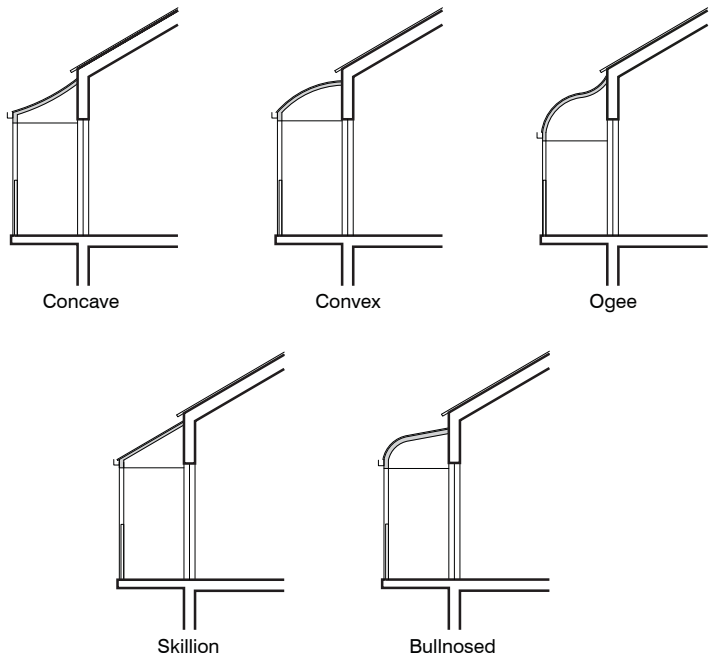
(2) Where a front balcony or verandah that was originally open has been enclosed, the consent authority may require:

(a) the complete removal of the enclosure as part of any major alterations and additions; and

(b) improvements to the appearance of the enclosure by restoring missing details based on physical or historic evidence or using sympathetic cladding materials.

(3) Alterations or the reinstatement of an existing balcony on the street frontage must retain or reinstate the original separation between the main roof and the balcony roof.

Figure 4.21
Diagrams showing the traditional types of roofs over balconies for terrace housing



4.1.9 Car parking

Sydney LEP 2012 identifies the maximum number of car spaces permitted for dwelling houses, attached dwellings and semi-detached dwellings.

Refer to the relevant Australian Standard which includes templates for vehicle turning circles for vehicular access to properties.

Objective

(a) Establish the requirements for the design and location of car parking for dwelling houses, attached dwellings and semi-detached dwellings.

Provisions

(1) The maximum width of a driveway is 2.7m.

(2) Car parking spaces and structures are to be located behind the main building line, and be subordinate in appearance to the main building.

(3) Excavated basement garages for single dwellings are not permitted unless they can be accessed from a rear lane.

(4) Where design and site constraints dictate, the provision of smaller spaces will be considered provided these spaces have a minimum dimension of 2.3m wide by 5.0m long, and a maximum of one vehicle crossing for each dwelling.

(5) Car access is not permitted across the front boundary for terrace houses or properties in heritage conservation areas.

4.2

Residential Flat, Non-Residential and Mixed Use Developments

The following objectives and provisions apply to residential flat, commercial and mixed use developments only.

Not all provisions in this Section apply to development in Central Sydney and Green Square. This section should also be read in conjunction with Sections 5.1 Central Sydney and 5.2 Green Square under Section 5 Specific Areas.

NSW Residential Flat Design Code 2002 (RFDC)

In addition to the provisions within this DCP, the RFDC is adopted by this DCP for residential flat development. Applicants are required to comply with the RFDC and this DCP when preparing their development proposal. In the event of an inconsistency between the RFDC and a provision within this DCP, the DCP will prevail to the extent of that inconsistency.

4.2.1 Building height

4.2.1.1 Height in storeys and street frontage height in storeys

Refer to *Sydney LEP 2012* for the height in metres control that establishes the maximum height permitted.

Definitions

A storey is the space between a floor and the next floor level above. It does not include an attic, a mezzanine or a space that contains only a lift shaft, stairway or meter room.

Street frontage height in storeys is the vertical height the part of the building closest to the street boundary.

Objective

(a) Ensure the height in storeys and street frontage height in storeys reinforces the existing or future neighbourhood character.

Provisions

(1) Development must not exceed the maximum number of storeys as shown in the *Building height in storeys map*.

(2) The maximum may only be achieved where it can be demonstrated that the proposed development:

  (a) reinforces the neighbourhood character;

  (b) is consistent with the scale and form of surrounding buildings in heritage conservation areas; and

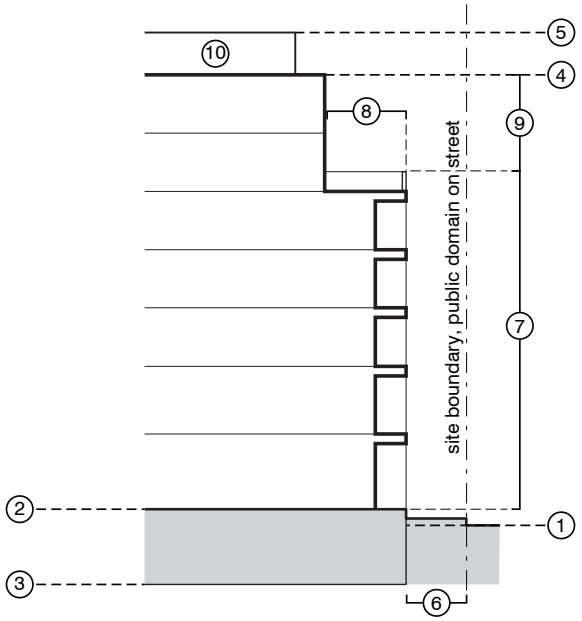
  (c) does not detract from the character and significance of the existing building.

(3) The street frontage height of a building must not exceed the maximum height shown on the Building street frontage height in storeys map. Refer to provision 4.2.2 Building setbacks, to determine the street frontage height setback.

(4) Where the *Street frontage height of buildings map* does not indicate the maximum height, the maximum street frontage height must generally be consistent with the street frontage height in storeys of adjacent buildings, or the predominant street frontage height in storeys in the vicinity of the proposed building.

(5) Height of buildings and the street frontage height in storeys should not match anomalous tall neighbouring buildings that are inconsistent with the neighbourhood.

Figure 4.22
Building form controls



1 Footpath level
2 Ground floor level
3 Basement level
4 Maximum building height in storeys
5 Maximum building height in metres
6 Primary building setback
7 Street frontage height
8 Secondary building setback
9 Building form above the street frontage height
10 Building services

4.2.1.2 Floor to ceiling heights and floor to floor heights

Objective

(a) Promote daylight access into building interiors and contribute to the flexible use of buildings.

Provisions

(1) Buildings with a commercial or retail use are to have a minimum floor to floor height of:

(a) 4.5m on the first basement floor to enable conversion to retail uses for all development in Central Sydney;

(b) 4.5m on the ground floor; and

(c) 3.6m on the first commercial floor and any commercial floor above.

(2) The minimum floor to floor height of an above ground parking level must be 4.5m on the ground floor and 3.6m on any parking level above to facilitate the conversion of above ground car parking to other uses.

(3) The design of ground and first floor residential units in a mixed use area or mixed use building are to be flexible with multiple configurations and finished floor to finished ceiling heights of at least 3.3m to enable both residential and commercial uses.

(4) Habitable rooms in multi-unit residential development and mixed use development are to have a minimum floor to ceiling height of 2.7m.

Note: A floor to ceiling height of 2.7m requires a minimum floor to floor height of 3.1m and a floor to ceiling height of 3.3m require a minimum floor to floor height of 3.6m.

4.2.2 Building setbacks

Objectives

(a) Ensure development:

(i) is generally consistent with existing, adjacent patterns of building setbacks on the street; and

(ii) maintains the setting of heritage items and is consistent with building setbacks in heritage conservation areas.

(b) Establish the street frontage setback of the upper levels of residential flat buildings, and commercial and retail buildings.

(c) Encourage new building setbacks where appropriate to reinforce the areas desired future character.

Provisions

4.2.2.1 Setbacks

(1) Setbacks are to be consistent with the setbacks shown in the *Building setback and alignment map*. Where no setback or alignment is shown on the map, the setback and alignment must be consistent with adjoining buildings. When the setback or alignment varies, either the adjacent or average front setback or alignment is to be adopted.

(2) Underground parking structures, balconies and bay windows may encroach into the front setback by a maximum of 1m.

(3) The rear setback and alignment is to be consistent with adjoining buildings. When the setback or alignment varies, either the adjacent or average rear setback or alignment is to be adopted.

(4) In areas where corner buildings are typically built to the street boundary on one or more frontages, new development on a corner may also build to the street boundary.

(5) Where the site boundary includes a splay at the corner, the building is to be built to the boundary of the splay at ground level.

4.2.2.2 Setbacks above the street frontage height

(1) Setbacks above the street frontage height are to be included where:

(a) adjacent buildings include upper level setbacks; and

(b) new development is adjacent to a heritage item to reduce visual impact and to respect the heritage item.

(2) A setback above the street frontage height is to be a minimum of 3m for residential above non-residential and for residential above residential.

(3) Where the setback area incorporates screening or similar structures, the design of the screens or structures is to be secondary to the street wall of the building. For example, a secondary structure or screen should be visually recessed or setback at least 300mm from the street wall.

4.2.3 Amenity

Objective

(a) Ensure that residential amenity is enhanced with landscaping, private and common open space, sun access, ventilation and acoustic privacy.

Provisions

4.2.3.1 Solar access

(1) Development applications are to include diagrams in plan and elevation that show solar access to proposed apartments and the shadow impact on neighbouring development at hourly intervals between 9am, 12noon and 3pm on 22 March and 21 June. In some cases, Council may require hourly intervals.

(2) Proposed apartments in a development and neighbouring developments must achieve a minimum of 2 hours direct sunlight between 9am and 3pm on 21 June onto at least 1sqm of living room windows and a minimum 50% of the required minimum area of private open space area.

Note: This provision applies to at least 70% of the apartments in a development (in accordance with the requirements of the NSW Residential Flat Design Code 2002).

(3) New development must not create any additional overshadowing onto a neighbouring dwelling where that dwelling currently receives less than 2 hours direct sunlight to habitable rooms and 50% of the private open space between 9am and 3pm on 21 June.

(4) Where the consent authority considers that the level of daylight access to living rooms of proposed dwellings may be inadequate, the applicant will be required to provide a Daylight Report. A Daylight Report is to include an analysis of daylight levels in principal living spaces of residential units and serviced apartments with and compliance with the DCP.

4.2.3.2 Lightwells

(1) Daylight may be provided by a lightwell, provided the lightwell:

(a) is consistent with the building separation and daylight access requirements of the *NSW Residential Flat Design Code 2002*;

(b) is not the only source of daylight to a habitable room;

(c) is fully open to the sky;

(d) where shared with other uses such as indoor atria, voids over entry lobbies or indoor planted areas, does not generate undue noise or visual privacy effects; and

(e) provides a reasonable outlook from windows in dwellings and does not have exposed services.

4.2.3.3 Internal common areas

(1) Internal common areas, corridors and lift lobbies are to have access to daylight and an outlook.

(2) Provide modulation and adequate dimensions to common corridors to give a feeling of spaciousness. Common corridors must also be designed to maximise safety and security.

(3) Common corridors are to be at least 2m wide in front of lifts.

4.2.3.4 Design features to manage solar access

(1) Fixed shading devices are not to substantially restrict access to natural daylight or outlook.

(2) Extensive glazing that is unprotected from mid-summer sunlight is to be avoided and reliance upon high performance tinting or glazing as a mid-summer sun control device is not appropriate.

(3) Landscaping is to be carefully considered and may include:

(a) wide canopied deciduous trees, vines and pergolas to the north of a building to provide shade, reduce glare during summer months and allow sunlight through winter; and

(b) deciduous vegetation to the west and east of buildings to reduce glare, heat intake and the effects of prevailing winds.

4.2.3.5 Landscaping

(1) For new development, submit a landscape plan prepared by a suitably qualified landscape architect with the development application that shows the:

(a) planting schedule with numbers and species of plants including botanical and common names;

(b) number and name including botanical and common names of mature trees on site;

(c) type, levels and detail of paving, fencing, retaining walls and other details of external areas of the site; and

(d) response to other requirements of this provision.

(2) Natural features, such as cliff lines and rocky outcrops are to be retained.

(3) All development proposals are to be designed to minimise the impact on significant trees on site, street trees and trees on adjoining land.

(4) Landscaping is to give preference to species with low water needs, including native plant species, and trees and shrubs are to be selected and located to manage sun and wind impacts.

4.2.3.6 Deep soil

The following deep soil provisions do not apply to development in Central Sydney.

(1) The minimum amount of deep soil is to be 10% of the site area.

(2) For lots greater than 1,000sqm, the deep soil area is to be consolidated with a minimum dimension of 10m.

(3) All remaining deep soil areas are to have a minimum dimension of 3m.

(4) Where site conditions allow, the deep soil is to be consolidated as one area to assist with the ease of drainage and allow for effective deep soil planting.

4.2.3.7 Private open space and balconies

Balcony means an area of private open space elevated above the ground level by one or more storeys. Balconies exclude any areas for common horizontal circulation which are open, partially open or enclosed. This definition should also be used to interpret references to balconies in *Sydney LEP 2012*.

(1) Private open space may be in the form of courtyards, decks and balconies and is to be provided for at least 75% of dwellings in a development.

(2) Private open space is to have a north west to north east aspect where practicable.

(3) Private open space is to be directly accessible from the living area of the dwelling and capable of serving as an extension of the living area.

(4) Private open space for ground floor dwellings is to be located at the ground level where possible, with a maximum gradient of 1 in 20.

(5) Up to 25% of dwellings in a development may have 'juliet' balconies only or a floor to ceiling window to living rooms with a balustrade to the window.

(6) Private open space is to have the following minimum consolidated area and dimensions for all dwelling sizes within a development:

(a) ground level dwellings: 25sqm with a minimum dimension of 4m; and

(b) upper level units: 10sqm with a minimum dimension of 2m.

(7) Balconies are to have external finishes to walls, floor and ceilings.

(8) A planting bed adjacent to the street boundary is to be provided for all ground floor dwellings. Where a level courtyard is not possible, a deck or split level courtyard is to have a levelled area with a minimum dimension of 2m.

(9) Where environmental conditions including wind and noise effects, could significantly diminish the amenity of private open space, the consent authority may waive the requirement for the provision of private open space.

(10) Wind and acoustic treatments of private open space must not result in the space being enclosed where it becomes part of the building envelope as defined by the BCA. Where, in the opinion of the consent authority, the private open space has the character of a habitable room it will be included as GFA.

(11) Swimming pools are not to be included in any calculation of consolidated private open space area.

Figure 4.23
Balconies, Walsh Bay
The balconies are well integrated into the overall design of the building and utilise operable sun screens



4.2.3.8 Common open space

(1) Provide an area of common open space under common title that is at least 25% of the total site area and has a minimum dimension of 6m. The calculation of the required area of common open space is to exclude driveways, parking areas, essential access paths such as fire escape routes, indoor gymnasiums and outdoor clothes drying areas.

(2) The common open space is to be located and designed to achieve good amenity for the dwellings in terms of solar access, natural air flow and ventilation, and outlook. At least 30% of the required common open space area is to receive 2 hours of direct sunlight between 9am and 3pm on 21 June.

(3) Common open space may be located on elevated gardens or roof tops provided that the area and overall design can be used for the recreation and amenity needs of residents.

(4) Roof top areas designed for use as recreation facilities are to have a high standard of finish and design. The design of exterior private open spaces such as roof top gardens must address visual and acoustic privacy, safety, security and wind effects.

(5) Common open space is to be located and designed to:

(a) be seen from the street between buildings;

(b) have a northerly aspect where possible;

(c) be additional to public and common thoroughfares;

(d) be clearly demarcated as a private area for use by residents only;

(e) include passive surveillance from adjacent internal living areas or pathways;

(f) provide for active and passive recreation needs of all residents; and

(g) provide soft landscaping.

(6) Unpaved soft landscaped area must comprise a minimum of 50% of the total area of common open space.

(7) The minimum consolidated area of common open space will only be permitted above the ground level where:

(a) a location at ground level is not possible due to conditions of the site;

(b) the proposed common open space will provide a similar level of amenity as a common open space at ground level; and

(c) there will be no significant impact on surrounding properties in respect to the loss of privacy.

Figure 4.24
Example of common open space, Camperdown. The space exhibits good passive surveillance and combines both soft and hard landscaping



4.2.3.9 Ventilation

(1) Adequate natural ventilation makes an important contribution to the amenity of dwelling units.

(2) Natural cross ventilation in dwelling units is to be achieved by having window openings facing different directions where possible. For single facing apartments, the depth of the apartment is to be less than the width of its external face to encourage good ventilation.

(3) Dwelling units must not solely rely on lightwells or building setbacks enclosed on three sides by other buildings for natural ventilation.

Note: In a temperate climate such as Sydney's, achieving ventilation for dwelling units provided solely by air conditioning is considered unacceptable.

4.2.3.10 Outlook

(1) Provide a pleasant outlook, as distinct from views, from all apartments.

(2) Views and outlooks from existing residential development should be considered in the site planning and massing of new development.

Note: Outlook is a short range prospect, such as building to building, while views are more extensive or long range to particular objects or geographic features.

4.2.3.11 Acoustic privacy

(1) A Noise Impact Assessment prepared by a suitably qualified acoustic consultant may be required when submitting a development application for commercial and retail uses which may affect the acoustic privacy of the adjacent residential use.

(2) Where necessary, a residential development is to include acoustic measures to reduce the impact of noise from existing or planned external sources (for example busy roads, adjoining industries, live music venues and public parks and plazas in which people may congregate or host live music or events).

(3) Development is to incorporate measures that reduce the entry of noise from external sources into dwellings.

(4) Where possible, the attenuation of noise at its source is preferred. Where this option is adopted, the applicant will need to demonstrate that the measures to be undertaken:

(a) have the consent of relevant parties associated with that noise source; and

(b) last for the life of the development proposal.

(7) The repeatable maximum LAeq (1 hour) for residential buildings and serviced apartments must not exceed the following levels:

(a) for closed windows and doors:

(i) 35dB for bedrooms (10pm-7am); and

(ii) 45dB for main living areas (24 hours).

(b) for open windows and doors:

(i) 45dB for bedrooms (10pm-7am); and

(ii) 55dB for main living areas (24 hours).

(8) Where natural ventilation of a room cannot be achieved, the repeatable maximum LAeq (1hour) level in a dwelling when doors and windows are shut and air conditioning is operating must not exceed:

(a) 38dB for bedrooms (10pm-7am); and

(b) 48dB for main living areas (24 hours).

(9) These levels are to include the combined measured level of noise from both external sources and the ventilation system operating normally.

(10) To limit the transmission of noise to and between dwellings, all floors are to have a weighted standardised impact sound level (L'nT,w) less than or equal to 55 where the floor separates a habitable room and another habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like.

(11) The overall design and layout of dwellings, where appropriate, is to include:

(a) a limit on window size and number where oriented towards an intrusive noise source;

(b) seals at entry doors to reduce noise transmission from common corridors or outside the building;

(c) minimisation of the number of shared walls with other dwelling units;

(d) storage, circulation areas, and non habitable rooms to buffer noise from external sources;

(e) double or acoustic glazing; and

(f) operable acoustic screens to balconies.

(12) Mixed-use development which includes two or more dwellings is to provide separate lift access and a separate entrance for use exclusively for the dwellings.

4.2.3.12 Flexible housing and dwelling mix

Objectives

(a) Encourage a range of dwelling types within all residential development of more than 20 dwellings.

(b) Provide a mix of dwellings to cater for the needs of the existing and future resident population and to encourage a diverse population and achieve social diversity.

(c) Encourage flexible building design to enable future changes in use and internal configurations.

Provisions

(1) Developments that propose more than 20 dwellings are to provide a mix of dwellings consistent with the following percentage mix:

(a) Studio: 5 - 10%;

(b) 1 bedroom: 10 – 30%

(c) 2 bedroom: 40 – 75%; and

(d) 3+ bedroom: 10 - 100%

The maximum percentage of 1 bedroom dwellings may be increased above 30% provided that the numbers of studio dwellings and 1 bedroom dwellings combined does not exceed 40% of the total dwellings proposed.

(2) Adaptive re-use of existing structures may propose an alternative mix where it can be demonstrated that the existing structure restricts compliance with provision (1) above.

(3) New development is to demonstrate that internal designs allow adaptation to different uses over time by:

(a) showing internal walls that can be easily removed;

(b) locating services where they will not impede the future conversion of the unit into a different configuration; and

(c) incorporating, in at least 10% of dwellings in a development, the opportunity for parts of a dwelling to be separately or independently occupied, for example, dual key apartments without reducing the total percentage of any dwelling types below the minimum percentages defined in (1) above.

(4) Dwellings comprising two or more bedrooms may be configured as dual key apartments provided that:

(a) both apartments are accessed from a shared private lobby or have dual access;

(b) where a strata plan exists, both apartments are contained within a single strata unit; and

(c) it does not impact on significant fabric or spaces of a heritage item.

4.2.3.13 Wind affected balconies

(1) A wind screen protected balcony proposed in accordance with clause 4.5A of the Sydney LEP 2012 is to be designed and constructed as a private external balcony with drainage, natural ventilation and finishes acceptable for an outdoor space.

(2) Where a building elevation is required to have or provides a podium with a setback to the tower, wind screen protected balconies will only be permitted above the podium. For other towers or tall buildings, wind screen protected balconies are permitted only on the tower component of the building.

(3) Wind screens are to be well designed and contribute to the high quality of the building facade.

(4) To allow adequate natural ventilation of the balcony and the apartment, the wind screen design must have openings that are at least 25 per cent of the external face of the balcony (X by Y) or as required by Clause (5) whichever is greater, including an opening at the top of the enclosure which:

(a) is permanently open;

(b) is the width (X) of the balcony; and

(c) has a minimum height that is the greater of 300mm or 10 per cent of the distance between the balcony floor and the finished balcony ceiling.

(5) The floor area of a wind protected balcony is to be included in the calculation of floor area when determining the area of unobstructed window openings for naturally ventilated apartments under the Apartment Design Guide.

Note: The Apartment Design Guide guideline for natural ventilation of habitable rooms states the area of unobstructed window openings should be equal to at least 5% of the floor area served.

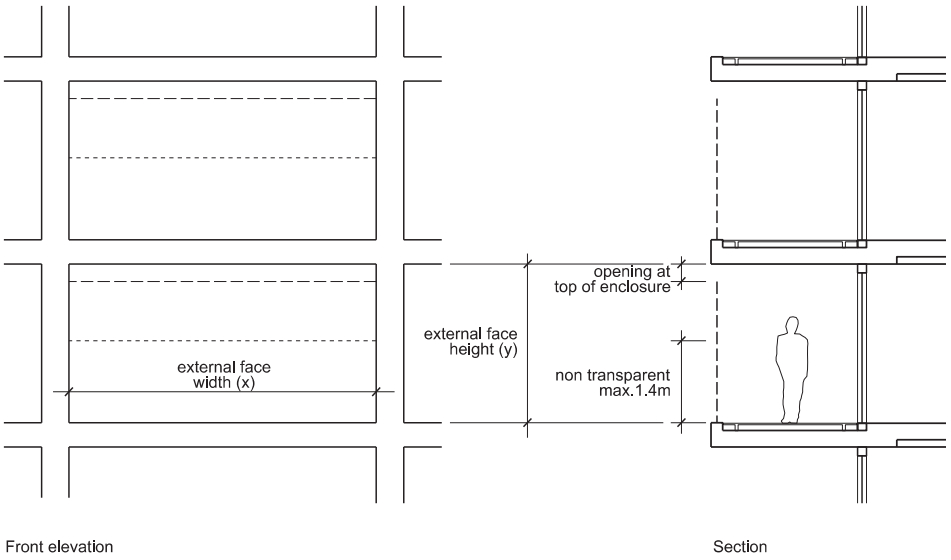
(6) Wind screens are to adopt transparent materials that maximise daylight access and views. Any non-transparent materials must not exceed a height of 1.4m above the floor level of the balcony.

(7) The average depth of the balcony must be less than the width.

(8) Wind screens fitted to balconies on existing buildings are to be implemented consistently across the whole building with a single system agreed to by the Owners Corporation and that complements the design quality of the facade.

(9) Wind screens will not be allowed on original balconies of heritage items or contributory buildings in heritage conservation areas.

Figure 4.25
Wind affected balconies



4.2.3.14 Apartments with setback bedrooms

(1) The total number of apartments with setback bedrooms cannot exceed 10 per cent of the units in a building.

(2) The apartments with setback bedrooms are only permitted where the orientation of the window to the setback bedroom is a maximum of 90 degrees either side of true north.

(3) The window to the recessed bedroom is to be at least 1.5m wide (X), full height (spandrel to ceiling) and operable to provide amenity and usable space.

(4) The building indentation adjacent to the window to the setback bedroom is not to have any horizontal or vertical projections beyond the window and is to be clear to the sky.

(5) No internal structures are to be built in the space from the window to the setback bedroom area.

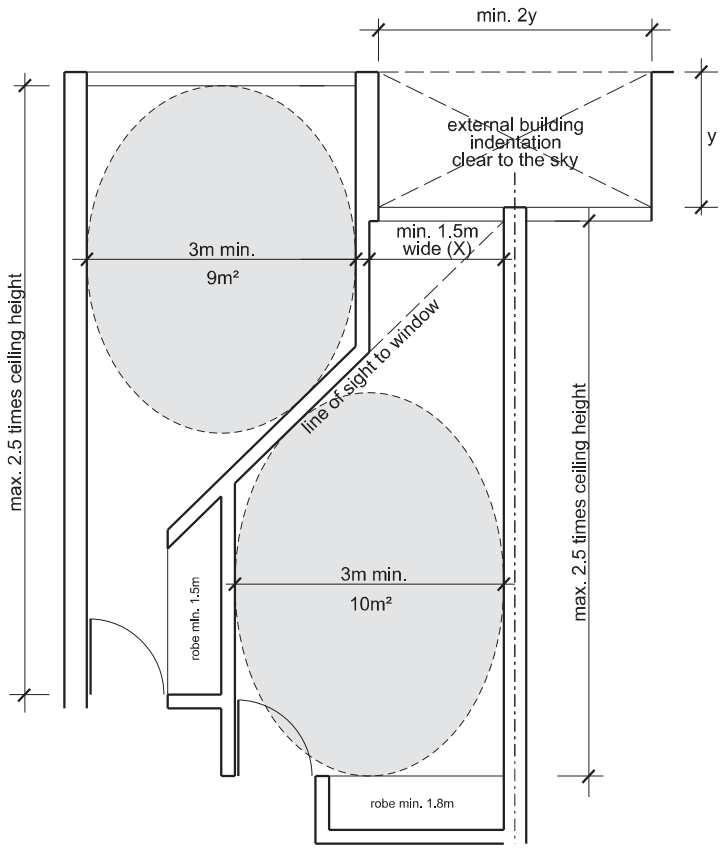
(6) An operable fan light is to be included above the recessed bedroom door to increase air flow.

(7) The design excellence bonus will not be awarded where a building includes apartments with setback bedrooms.

Note: The NSW Government's Apartment Design Guideline (ADG), provides relevant design criteria and guidance relating to:

- Natural ventilation of habitable rooms (Section 4B-1 and 4B-2).
- The location and visibility of windows (Section 4D-1).
- Habitable room depths (Section 4D-2).
- Location of bedrooms on the external face of the building (Section 4D-2).
- Minimum areas and dimensions (Section 4D-3).

Figure 4.26
Layout for an apartment with a setback bedroom



4.2.4 Fine grain, architectural diversity and articulation

Council's policy promoting 'fine grain' encourages elements with different scales within each street block. This can be best achieved through 'fine grain' site subdivision. Where subdivision is not proposed then a number of buildings should be introduced. Where large buildings are proposed, they are to have a contextual variety of different architectural character to provide an individual identities for residents.

Architectural character includes massing, articulation, composition of building elements including fenestration, material use and details including building entrances, fenestration, balconies, balustrades, awnings, planters, pergolas, boundary walls, fences etc.

Objectives

(a) Promote the subdivision of large sites.

(b) Introduce fine grain built form and varied architectural character in large developments.

(c) Provide identity for residents in large developments by visually differentiating groups of dwellings.

(d) Ensure that the scale, modulation and façade articulation of development responds to its context.

Provisions

(1) The maximum street frontage length of an individual building is:

(a) 65m on streets with a width greater than or equal to 18m wide; and

(b) 40m on streets with a width less than 18m wide (refer to Figure 4.27).

(2) Where the street frontage of the building exceeds the maximum length identified in provision (1), it is to be broken into two or more buildings each with different architectural characters to the street or public domain.

(3) Each building facade is to be articulated into smaller elements at a scale or grain that reflects:

(a) the use of the building and the various components of the building;

(b) the location of the building, or that part of the building relative to pedestrian or outdoor recreation activity; and

(c) the details and building elements including building entries, ground floor, lower floors, top floor and roof.

(4) Any two buildings are required to be separated by full height breaks consistent with the building separation provisions of the RFDC or as per below whichever is greater. Where the lower of the two buildings is (refer to Figure 4.28):

(a) up to 3 storeys, the break is to be at least 4m wide; and

(b) 4 storeys and above, the break is to have a width of 1m for each storey of the lower building.

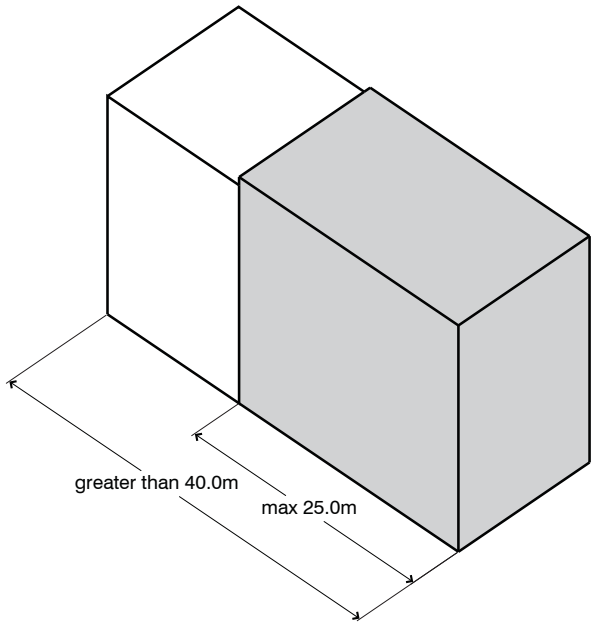
For example, where a 7 storey building must be separated from a 12 storey building, a minimum 7m separation is to be provided.

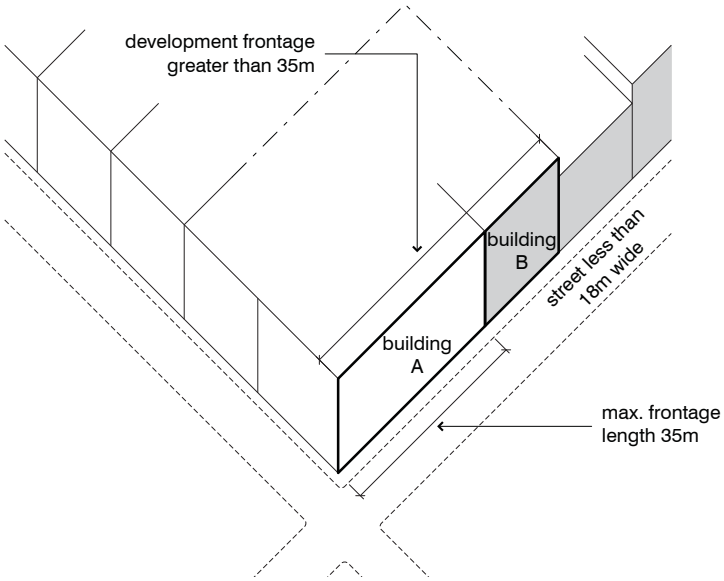
(5) Within long street blocks, buildings are to be limited in length, have a variety of facades, articulation, massing and architectural character so the street block presents as a group of buildings rather than a single building.

(6) Generally street block development is to provide at least two full height breaks between buildings to enable low level air flow and visual connections between the street and courtyards. Where possible, breaks between buildings are to be aligned with streets and lanes in the surrounding area.

(7) Where active frontages are nominated on the *Active frontages map*, two buildings may be separated by adjoining party walls to ensure continuity of active frontages at ground level.

Figure 4.27
The maximum street frontage length of a building





(8) Design variety is to be consistent with an approved Design Excellence Strategy, refer to the provisions under Section 3.3 Design excellence and competitive design process.

(9) Any part of a building less than 35m high and in excess of 40m long must be designed with at least two distinct building components, each of which is to:

(a) have its own architectural character;

(b) not exceed 25m in length with a preferred length of less than 20m.

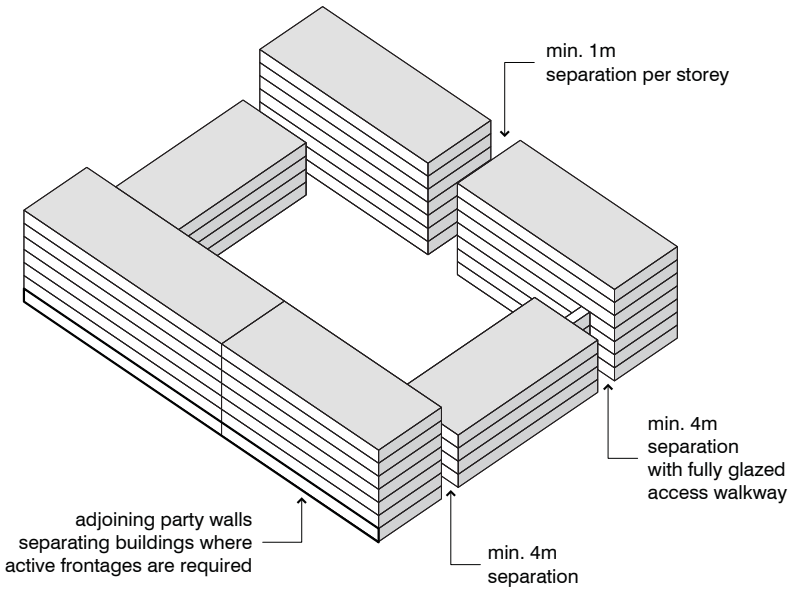
(10) Groups of dwellings served by the same vertical circulation lift or stair are to be designed as a distinct 'building component'. Generally for buildings up to 8 storeys high, these groups must not exceed 25 dwellings per core.

(11) Buildings less than or equal to 40m in length, may have a single architectural character provided that the facade elements establish a 'fine grain' articulation.

(12) Car parking areas at ground level must be sleeved by other uses with a minimum depth of 6m to front and activate the street.

(13) Where possible, breaks between buildings are to be aligned with streets and lanes in the surrounding area.

Figure 4.28
Buildings are required to be separated by a corridor



4.2.5 Types of development

4.2.5.1 Tall buildings

The following objectives and provisions do not apply to Central Sydney. Tall buildings (towers) are buildings greater than 35m in height.

Objectives

(a) Ensure that tall buildings exhibit high quality design.

(b) Ensure the location of tall buildings reinforce the urban structure and street hierarchy.

(c) Ensure the location, orientation, and form of tall buildings address overshadowing impacts on neighbouring buildings, and public and private open spaces.

(d) Ensure that tall buildings are vertically proportioned with a slender form; and

(e) Limit the size and dimension of floor plates for tall buildings to minimise building bulk.

Provisions

(1) The component of a residential building that is above 35m high must have a maximum floor plate size of 750sqm including balconies.

(2) Tall buildings are to be generally separated from other tall buildings by a minimum of 60m. This spacing may be reduced where buildings are offset, preserve views or the urban structure and street hierarchy is reinforced by the location of tall buildings.

(3) Generally, tall buildings are to be vertically proportioned in height, form and architectural articulation.

4.2.5.2 Courtyard buildings and perimeter street block buildings

The following objectives and provisions do not apply to development within Central Sydney.

Objectives

(a) Encourage publicly accessible or communal courtyards in suitable locations to supplement the public open space network and provide amenity for residents.

(b) Design communal courtyards as focal spaces that are visually connected to the public domain.

(c) Encourage publicly accessible through-site pedestrian links.

Provisions

(1) Where the courtyard is private and does not facilitate a publicly accessible through-site link, the space is to have a visual connection to the public domain through entrances and breaks in the building.

(2) In mixed-use courtyard buildings, the central courtyard may function as a semi-private, mixed commercial space, being privately maintained and is to have public access during suitable hours set at the discretion of the consent authority.

4.2.5.3 Development on busy roads and active frontages

The following provisions apply to, sensitive uses on sites that are to have an active frontage as shown on the *Active frontages map*, or sites with a frontage to a busy road that carries more than 20,000 vehicles a day. Sensitive uses include:

- buildings for residential use (including mixed use buildings);
- places of public worship;
- hospitals; and
- educational establishments or childcare centres

Noise and air quality mitigation measures are required for new developments along road corridors carrying more than 20,000 Annual Average Daily Traffic. A copy of the 'Traffic volume maps on noise assessment for buildings on land adjacent to busy roads' can be accessed on the Roads and Maritime Services website www.rta.nsw.gov.au.

These provisions also provide a design solution to achieve acceptable amenity for residential uses that may be affected by noise from busy roads and active uses.

Applicants proposing development on busy roads should also refer to *State Environment Planning Policy (Infrastructure) 2007* and the NSW Government's *Development near Rail Corridors and Busy Roads – Interim Guidelines* which includes design guidelines and requirements to manage the impacts from road and rail noise and vibration.

Objectives

(a) Mitigate the impacts of noise for sensitive uses located along busy road corridors.

(b) Ensure visual privacy for residential dwellings when viewed from the adjacent public domain.

(c) Ensure acoustic amenity for sensitive uses by attenuating noise from external sources.

(d) Ensure reasonable internal daylight levels within sensitive uses.

Provisions

(1) Where sensitive uses are proposed, council may require an Acoustic Assessment prepared with reference to NSW Government's Development near Rail Corridors and Busy Roads – Interim Guidelines.

(2) Where sensitive uses are proposed, development is to be appropriately designed to minimise the impact of road noise and vibration.

(3) Where development fronts roads with more than 40,000 vehicles per day, non–residential uses are required on the ground floor and first floor.

(4) Where development fronts roads with more than 20,000 vehicles per day, non–residential uses are required on the ground floor.

(5) Non-residential uses require a minimum ceiling height of:

  (a) 3.6m where located on the ground floor; and

  (b) 3.3m where located on the first floor or above.

(6) Non-residential uses on the ground floor and first floor require a minimum internal depth from the street frontage of 10m measured from the glass line.

(7) Where a development has residential uses with habitable rooms that front a busy road with more than 20,000 vehicles per day or is located on an active frontage and has a floor level within 10m of the ground level, it must be designed to have a street frontage that has:

  (a) a minimum 65% of the elevational area, including the balustrade, as solid masonry; and

  (b) a sun room behind the street frontage with a minimum clear depth of 1.2m; and

  (c) fully retractable privacy screens at the street frontage alignment; and

  (d) fully retractable glazed screens directly behind the privacy screens which create a full acoustic seal and reasonable acoustic amenity in habitable rooms when closed.

4.2.5.4 Residential uses on the ground and first floor

Objectives

(a) Design ground floor apartments with a similar appearance as two storey terrace houses.

(b) Balance ground floor dwelling privacy with surveillance to the street.

(c) Activate the street with individual building entries.

(d) Create a fine-grain and varied rhythm of built form along the street.

(e) Create opportunities at the street level for planting or landscaped areas and visually extend open areas at the lower levels.

Provisions

(1) Ground floor residential uses are to be provided with a minimum of:

  (a) 3m primary building setback, except where a zero lot line has been established by existing adjacent development;

  (b) 4m setback from the site boundary to the glass line enclosing an internal space at the ground and first floor; and

  (c) 3m wide deep soil landscape setback as a private front garden. The garden may be located up to 1m above the street level.

(2) Ground floor private open space facing the street is to be provided as a deck up to 2m deep.

(3) Ground floor level is to be a maximum of 1.0m above the adjacent public domain level. On a sloping site step the ground floor levels to maintain an optimal relationship to the street for each dwelling.

(4) Sills or opaque treatments to ground floor windows are to be a minimum of 0.8m above ground floor level to provide privacy.

(5) Ground floor dwellings that face the street are to have individual entries to the street.

(6) Balustrades to ground floor decks are to be predominantly open, with preference for contemporary steel palisade types.

(7) A predominantly open contemporary steel palisade fence up to a maximum of 1.2m high may be located on the site boundary.

(8) Minimise the size of first floor balconies where possible, to ensure adequate light reaches ground floor living areas.

Figure 4.29
An example of development with frequent building entries and residential uses at the ground and first floor



4.2.6 Waste and recycling management

Refer to more detailed waste management and recycling controls in the City of Sydney's *Guidelines for Waste and Recycling Management in New Developments* (the Guidelines) are to be considered in conjunction with the City's *Waste Management Local Approvals Policy*, which outlines how waste and recycling must be managed, stored and collected in public places.

Development must also comply with Section 3.14.1 Waste and Recycling Management Plans.

Objectives

(a) Ensure that each dwelling has adequate space to manage waste and recycling.

(b) Ensure that buildings provide appropriate facilities to manage waste and maximise recovery of resources.

(c) Ensure that residential amenity is not impacted by waste systems and collection.

Provisions

4.2.6.1 General

(1) Comply with the City of Sydney's *Guidelines for Waste Management in New Developments*.

4.2.6.2 Residential flat buildings and serviced apartments

(1) A space is to be provided inside each dwelling for separate storage of at least two day's volume of general waste, recyclables and compostable material.

(2) Provide a centralised waste and recycling storage area(s) near the collection point with capacity to store all waste and recycling likely to be generated in the building in the period between normal collection times.

(3) Provide a separate space such as a room or screened area (in a designated area or room in or attached to the waste and recycling storage area) for the storage and recycling of bulky waste, textile waste and problem waste for collection.

(4) The maximum walking distance from any entrance of a residential dwelling to the waste and recycling storage area is not to exceed 30 metres (lift travel distance not included) and should be located close to lifts and/or stairwells.

(5) Space for composting and worm farming is to be available for all residents in a communal facility or in small private courtyards. Composting facilities are to be sited on an unpaved area with soil depth of at least 300mm.

(6) If a chute system is used, a dual chute system (two separate chutes, one for waste and one for recycling) is to be provided for buildings with more than nine storeys.

(7) If a chute system is used in buildings with nine or less storeys, a waste chute is required plus space for recycling bins within chute rooms (at least two 240L recycling MGB per six residences serviced by that chute). A second recycling chute can be provided but is not required.

(8) A chute room is required on each habitable floor that has a chute system. The chute room is to be designed in accordance with Section B in the *Guidelines for Waste Management in New Developments*.

(9) Minimise noise from the operation of the waste and recycling management system to residential units by:

  (a) locating chutes away from habitable rooms, and

  (b) provide acoustic insulation to the waste service facilities or residential units adjacent to or above chutes, waste storage facilities, chute discharge, waste compaction equipment and waste collection vehicle access points.

4.2.6.3 Additional provisions for mixed use developments

(1) The waste handling, storage and collection systems for residential and non-residential waste are to be separate and self-contained, this includes separate keys and locking systems.

(2) Provide easy access from each central waste and recycling storage area to the nominated collection point.

(3) The Waste Management and Recycling Plan is required to separately identify the collection points and management systems for both residential and non-residential waste streams.

(4) Demonstrate that noise and odour from the non-residential waste and recycling management system does not impact on other occupants within the development.

(5) The design and management of the waste management system is to physically and actively discourage non-residential tenants from using residential waste and recycling systems.

4.2.6.4 Additional provisions for non-residential development

(1) Provide a waste service compartment or a waste and recycling area on each floor of the building with sufficient capacity to store at least two day's volume of waste and recycling.

(2) Storage facilities for separated waste, such as paper, cardboard, containers and food waste on each floor and in the centralised waste storage area, are to be included in all non-residential developments and indicated on the plans. The storage of paper and cardboard is to be in a dry, vermin proof area.

(3) Kitchens, office tearooms, service and food preparation areas are to be designed with sufficient space for the interim storage of recycling, food and general waste in separate receptacles and is to be indicated on plans.

(4) Provide a dedicated space for storing bulky waste and problem waste for recycling as appropriate but no less than:

(a) $2m^2$ for developments under $100m^2$;

(b) $4m^2$ for developments between $100m^2$ and $2,000m^2$; and

(c) An additional $4m^2$ is required for each retail, accommodation or entertainment development over 2,000 m^2 and for every 20,000 m^2 of office space.

(5) Where communal composting areas are proposed, it is preferred they are managed by a gardener or caretaker and located:

(a) in an accessible and visible area to increase awareness and so that it is well maintained;

(b) away from dwellings on site and on adjacent properties, so they are not affected by potential odours; and

(c) so that potential run-off is away from site drainage points.

(6) Waste and recycling storage facilities are to be easily accessible to building occupants and removal vehicles and of a sufficient size and capacity to service the building.

(7) Screen storage facilities from any public place or adjoining property.

(8) In addition to the standard provision for wastes and recyclables, premises are to allocate sufficient space for the separate storage of:

(a) reusable items such as crates, pallets, kegs so that storage in a public place is avoided; and

(b) liquid wastes such as oils with storage areas bunded, and drained to a grease trap, in accordance with the requirements of state government authorities and agencies.

(9) If more than 10m cubic metres of uncompacted waste and recycling is likely to be generated per day the central waste and recycling room is to be separate from the goods receiving dock and waste is to be collected in a compaction unit.

(10) For specific premise types refer to Section D in the *Guidelines for Waste Management in New Developments* for additional provisions.

4.2.7 Heating and cooling infrastructure

Heating and cooling infrastructure in large residential developments is more efficient if consolidated in a centralised area. Centrally located services also allow buildings to readily adopt newer environmental technologies as they arise.

Objective

(a) Ensure that heating and cooling infrastructure within residential developments is consolidated in a centralised location to accommodate future environmental technologies.

Provision

(1) For building maintenance and to future proof residential buildings to enable infrastructure upgrades, heating and cooling infrastructure is to be consolidated into a centralised basement location and near the street frontage where possible.

4.2.8 Letterboxes

Provisions

(1) Provide individual letterboxes where ground floor residential flat building units have direct access to the street.

(2) Provide a mailbox structure that meets the relevant Australia Post requirements. The mailbox structure is to be located close to the major street entry to the site. All letterboxes are to be lockable.

4.2.9 Non-residential development in the B4 Mixed Uses zone

The following provisions apply to development within the B4 Mixed Uses zone under *Sydney LEP 2012*. The B4 Mixed Uses zone allows a variety of compatible land uses as residential, business, office, retail and other development.

- Provide a mix of compatible land uses.
- Integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- Ensure uses support the viability of centres.

Whilst the City continues to encourage diversity within mixed use neighbourhoods, it is important that pockets of residential development within the mixed uses zone are maintained and complemented by future development.

Objectives

(a) Ensure non-residential development is compatible with, and does not detract from the amenity of residential development.

(b) Protect existing intact pockets of residential development.

(c) Ensure that any impacts generated by non-residential development such as operating hours, noise, privacy, vehicular and pedestrian traffic are adequately managed to preserve the quality of life for residents in the area.

Provision

(1) In granting development consent for non-residential development on sites within proximity to residential uses within the B4 Mixed Uses zone, the consent authority will have regard to the potential impacts on the amenity of existing residential uses. The following matters must be considered and addressed:

(a) noise impacts;

(b) operating hours;

(c) privacy;

(d) vehicular and pedestrian traffic;

(e) vibration;

(f) reflectivity;

(g) overlooking; and

(h) overshadowing.

4.3
Industrial Developments

4.3.1 General requirements

Objectives

(a) Provide general requirements for industrial development outside of the Southern Employment Lands.

Provisions

(1) Industrial development is to have regard to the objectives and provisions of Section 5.8.2 Development.

4.4

Other Development Types and Uses

4.4.1 Boarding houses and student accommodation

The BCA has two classifications for boarding houses. Class 1b boarding house does not exceed 300sqm of floor area of accommodate no more than 12 residents and no other building class is above or below. All other boarding houses are Class 3 buildings. Class 3 boarding houses are subject to different requirements, including more stringent fire safety requirements. Reference should also be made to the *Affordable Rental Housing SEPP 2009*, which sets out certain requirements for boarding houses.

The following objectives and provisions are to also be read in conjunction with the City of Sydney Boarding Houses Guideline.

Objectives

(a) Ensure an acceptable level of amenity and accommodation in boarding houses to meet the needs of residents and owners.

(b) Minimise the adverse impacts associated with Boarding Houses on adjoining properties and the vicinity.

Provisions

4.4.1.1 Subdivision

(1) The strata subdivision or community title subdivision of boarding houses or student accommodation is not permitted.

4.4.1.2 Bedrooms

(1) The gross floor area of a bedroom is to be at least:

(a) 12sqm (including 1.5sqm required for wardrobe space); plus

(b) 4sqm when a second adult occupant is intended, which must be clearly shown on plans; plus

(c) 2.1sqm for any en suite, which must comprise a hand basin and toilet; plus

(d) 0.8sqm for any shower in the en suite; plus

(e) 1.1sqm for any laundry, which must comprise a wash tub and washing machine; plus

(f) 2sqm for any kitchenette, which must comprise a small fridge, cupboards and shelves and a microwave.

(2) Each bedroom must have access to natural light, from a window or door with a minimum aggregate area of 10% of the floor area of the room. Skylights are not to be the sole source of light.

(3) Ensure the ceiling height in any bedroom containing double bunks is 2.7m. Triple bunks are not permitted.

(4) In boarding houses classified as Class 3 by the BCA, each bedroom is to meet the fire safety standards of a sole occupancy unit for a Class 3 building in the BCA, whether it is provided as a sole occupancy or not.

4.4.1.3 Communal kitchen areas

(1) A communal kitchen area is to be provided with a minimum area that is the greater of 6.5sqm in total or 1.2sqm for each resident occupying a bedroom without a kitchenette.

(2) The communal kitchen is to contain:

(a) one sink for every 6 people, or part thereof, with running hot and cold water; and

(b) one stove top cooker for every 6 people, or part thereof, with appropriate exhaust ventilation.

(3) The communal kitchen is to contain, for each resident occupying a bedroom without a kitchenette:

(a) 0.13 cubic metres of refrigerator storage space;

(b) 0.05 cubic metres of freezer storage space; and

(c) 0.30 cubic metres of lockable drawer or cupboard storage space.

4.4.1.4 Communal living areas and open space

(1) Provide indoor communal living areas with a minimum area of 12.5sqm or 1.25sqm per resident and a width of 3 metres. The communal living area can include any dining area, but cannot include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like.

(2) Indoor communal living areas are to be located:

(a) near commonly used spaces, such as kitchen, laundry, lobby entry area, or manager's office, with transparent internal doors, to enable natural surveillance from resident circulation;

(b) adjacent to the communal open space;

(c) to receive a minimum 2 hours solar access to at least 50% of the windows during 9am and 3pm on 21 June;

(d) on each level of a multi-storey boarding house, where appropriate; and

(e) where they will have minimal impact on bedrooms and adjoining properties.

(3) Communal open space is to be provided with a minimum area of 20sqm and a minimum dimension of 3m.

(4) Communal outdoor open space is to located and designed to:

(a) generally be north-facing to receive a minimum 2 hours solar access to at least 50% of the area during 9am and 3pm on 21 June;

(b) be provided at ground level in a courtyard or terrace area, where possible;

(c) provide partial cover from weather;

(d) incorporate soft or porous surfaces for 50% of the area;

(e) be connected to communal indoor spaces, such as kitchens or living areas;

(f) contain communal facilities such as barbecues, seating and pergolas where appropriate; and

(g) be screened from adjoining properties and the public domain with plantings, such as a trellis with climbing vines.

(5) 30% of all bedrooms are to have access to private open space with a minimum area of 4sqm in the form of a balcony or terrace area.

4.4.1.5 Bathroom, laundry and drying facilities

(1) Communal bathroom facilities accessible to all residents 24 hours per day are to be provided with at least:

(a) one wash basin, with hot and cold water, and one toilet for every 10 residents, or part thereof, for each occupant of a room that does not contain an en suite; and

(b) one shower or bath for every 10 residents, or part thereof, for each occupant of a room that does not contain a shower.

(2) Laundry facilities are to be provided and include:

(a) one 5kg capacity automatic washing machine and one domestic dryer for every 12 residents or part thereof; and

(b) at least one large laundry tub with hot and cold running water.

(3) Drying facilities, such as clotheslines located in a communal open space, are to be located to maximise solar access and ensure that the usability of the space is not comprised.

4.4.1.6 Amenity, safety and privacy

(1) Boarding houses are to maintain a high level of resident amenity, safety and privacy by ensuring:

(a) communal spaces, including laundry, bathroom, kitchen and living areas are located in safe and accessible locations;

(b) bedrooms are located so that they are separate from significant noise sources and incorporate adequate sound insulation to provide reasonable amenity between bedrooms and external noise sources;

(c) structural fittings and fixtures for all internal rooms that enhance nonchemical pest management of the building, with all cracks and crevices sealed and insect screening to all openings;

(d) all appliances achieve an energy star rating of 3.5 or higher, unless otherwise legislated;

(e) where fewer than 12 occupants are accommodated, at least two bedrooms have north or east windows and at least one bedroom is adaptable for residents with a disability.

(2) Boarding houses are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbouring buildings by locating:

(a) the main entry point at the front of the site, away from side boundary areas near adjoining properties;

(b) communal areas and bedroom windows away from the main living area or bedroom windows of any adjacent buildings;

(c) screen fencing, plantings, and acoustic barriers in appropriate locations; and

(d) double glazed windows where noise transmission affects neighbouring buildings.

(3) The consent authority may request an acoustic report prepared by a suitably qualified acoustical consultant, if there is the potential for significant impacts from noise emissions. The investigation shall include, but not be limited to the following:

(a) the identification of sensitive noise receivers potentially impacted by the proposal;

(b) the quantification of the existing acoustic environment at the receiver locations;

(c) the formulation of suitable assessment criteria;

(d) details of any acoustic control measures that will be incorporated into the proposal;

(e) the identification of all noise that is likely to emanate from the boarding house and the subsequent prediction of resultant noise at the identified sensitive receiver locations; and

(f) a statement certifying that the development is capable of operating without causing a nuisance or result in an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

(4) Boarding Houses classified as Class 3 by the BCA are to make private contracting arrangements for garbage disposal.

(5) An application for a boarding house incorporating 75 or more bedrooms is to be supported by a Traffic Report prepared by a suitably qualified person, addressing as a minimum the following factors:

(a) the prevailing traffic conditions;

(b) the likely impact of the proposed development on existing traffic flows and the surrounding street system;

(c) pedestrian and traffic safety; and

(d) an assessment of the impacts from any proposed on site parking.

4.4.1.7 Plan of Management

(1) An operating 'Plan of Management' is to be submitted with a development application for demand for and new or existing boarding houses to ensure that it operates with minimal impact on adjoining owners and maintains a high level of amenity for residents. At a minimum, the Plan of Management is to include details of:

(a) the boarding house staffing arrangements, including the location or 24 hour contact details of any on-site manager, off-site manager or resident caretaker, who has overall responsibility for the operation, administration, cleanliness, maintenance and fire safety of the premises;

(b) any house rules, including details of how they will be publicised to residents, that cover guest behaviour, activities and noise, visitor policy, and the use of alcohol or drugs and any other relevant rules;

(c) plans outlining the occupancy rate for each sleeping room, room furnishings, provisions of communal areas and facilities, and access and facilities for people with a disability;

(d) measures to minimise unreasonable impact to the habitable areas of adjoining properties, including the management of communal open spaces. For boarding houses located within residential areas or where adjoining sites contain residential activities this use of open space should be restricted to before 10pm;

(e) waste minimisation, recycling and collection arrangements, including the servicing of 'sharps' and sanitary napkin receptacles;

(f) professional cleaning and pest and vermin control arrangements, which, at a minimum, should include the weekly professional cleaning of shared facilities such as kitchens and bathrooms;

(g) safety and security measures, including, but not limited to:

(i) perimeter lighting;

(ii) surveillance or security camera systems;

(iii) fencing and secure gates;

(iv) room and access key arrangements; and

(v) a landline telephone for residents to ring emergency services; and

(h) internal signage, including:

(i) the name and contact number of the property caretaker or manager;

(ii) emergency contact numbers for essential services;

(iii) house rules;

(iv) a copy of the annual fire safety statement and current fire safety schedule; and

(v) floor plans that will be permanently fixed to the inside of the door of each bedroom to indicate the available emergency egress routes from the respective bedroom.

4.4.2 Bulky goods retailing

Objectives

(a) For bulky goods retail development to positively contributes to the streetscape and public domain with high quality architecture, materials and finishes.

(b) Establish the requirements for bulky goods retailing including the minimum size of individual tenancies and ancillary retailing.

Provisions

(1) An individual tenancy within a bulky goods retail development is to have a minimum sales floor area accessible to the public of 500sqm.

(2) Cafes and fast food restaurants are only permissible in bulky goods tenancies with a sales area accessible to the public larger than 2,000sqm. The maximum size of a café or fast food restaurant is 150sqm.

(3) Bulky goods retail developments are to be designed to:

(a) address and activate street frontages with large display windows;

(b) define and enhance the public domain and introduce setbacks consistent with surrounding development;

(c) be in scale with surrounding buildings;

(d) incorporate detail and architectural interest particularly at visually prominent building locations such as lower level front facades, roof tops and at the termination of street vistas;

(e) avoid ambiguously designed external spaces with poor pedestrian amenity and security;

(f) provide a clearly identifiable and dedicated pedestrian access to the building and across the site from the primary street frontage;

(g) create a visually interesting place for pedestrians, and where possible, connect the site and building to pedestrian and bike networks; and

(h) provide active uses that address the street and can be seen from the public domain.

(4) Provide high ceilings and adaptable open planning for the ground and first floors to cater for different future uses of the building.

(5) Retain and adaptively re-use buildings that significantly contribute to the streetscape.

(6) Buildings are to be sited close to the street alignment, and designed so that key operational spaces are legible from the street.

(7) Parking is not permitted between any street frontage and the building.

(8) Public toilets are to be provided in a bulky goods retail development at the minimum rate of:

(a) 1 male toilet per 1,200 customers visiting the site per day;

(b) 1 male urinal per 600 customers visiting the site per day;

(c) 1 female toilet per 300 customers visiting the site per day; and

(d) 1 unisex disabled toilet.

(9) A bulky goods retail development is to provide at least one independent non gender specific parent room.

(10) Signage is not to cover windows or detract from the architectural quality of the building.

(11) Where an allotment has frontages to a classified road and a local road, the development should provide vehicle access from the local road.

Note: Refer to www.rta.nsw.gov.au for the Schedule of Classified Roads.

(12) Pick-up areas are to be provided to avoid the necessity for customers to carry large items to vehicles.

(13) Development is to provide sufficient manoeuvring areas on site to accommodate large truck and bus movements, frequency of servicing, and high turnover of customer vehicles.

(14) Prepare a staging plan for the development that addresses access to and from the site, building form and scale, landscaping and the location of breakout open space on site.

Figure 4.30
Bulky goods retail development along O'Riordan Street, Alexandria



4.4.3 Car showrooms

Objective

(a) Ensure the design of car showrooms positively contributes to the streetscape and public domain with high quality architecture, materials and finishes.

Figure 4.31
Car Showroom with large display windows and built close to the street alignment, South Dowling Street



Provisions

(1) Development is to provide high ceilings and flexible open plan areas for the ground and first floor level.

(2) The minimum site coverage required for car showrooms is 40% to avoid prominent expanses of parked cars and enable a well designed building that contributes to the street.

(3) Retain and adaptively reuse an existing building where it positively contributes to the streetscape.

(4) Design and locate car showrooms to:

- (a) be close to the street alignment;
- (b) include key operational and active spaces that can be seen from the street through large display windows;
- (c) relate appropriately to the surrounding buildings;
- (d) have continuous uniform setbacks with surrounding development;
- (e) incorporate detail and architectural interest particularly at prominent building locations such as lower level front facades, roof tops and at the termination of street vistas;
- (f) avoid ambiguous external spaces with poor pedestrian amenity and security; and
- (g) enhance public open space and public streets.

(5) Landscaping is to respond to the different street types as specified by the *Council's Street Tree Masterplan 2011*.

(6) The storage of any vehicles on site must be behind the front building line and to the rear of the site.

(7) Signage is not permitted to cover architectural fenestration or detract from the architectural quality of the building design.

4.4.4 Child care centres

Applicants should refer to the City of Sydney Childcare Centres Guideline for more information.

Objectives

(a) Establish child care centres that are well designed and meet the needs of children in terms of design, amenity, health, access and safety.

(b) Ensure child care centres do not unreasonably impact on the amenity of surrounding residences.

(c) Ensure that a child care centre is provided where a development generates the need for an increase in child care facilities.

(d) Encourage child care centres in new commercial and residential development based on the need generated by the new development.

(e) Consider the need for child care centres in the preparation of site specific DCPs and stage 1 development applications.

Provisions

4.4.4.1 Site specific DCPs and stage 1 development applications

(1) The planning and design provisions of this section are to be applied when developing a site specific DCP or stage 1 development application.

4.4.4.2 Allocation of child care places

(1) Proposals for child care centres are to:

(a) Not exceed 90 child care places;

(b) Provide a minimum of 33% of childcare places for children aged under two years.

(2) Child care places in residential development are encouraged to be provided on the basis of 6 child care places per 100 households.

(3) Child care places in commercial development are encouraged to be provided on the basis of 1 child care place per 1,450sqm of GFA.

4.4.4.3 Location

It is recognised there may be a need to accommodate above ground level child care centres higher density areas. Child Care Centres may be located above the ground level where it is not possible to provide them at ground level.

(1) Child care centre may be located above the ground floor when:

(a) there are no viable alternatives for a location at ground level in the building or the surrounding site;

(b) the location of the child care centre at the ground level will detrimentally impact the significance of the heritage item;

(c) access to outdoor space is available; and

(d) emergency access and egress points are suitable.

(2) Child care centres are not to be located:

(a) within sight of injecting rooms, drug treatment clinics, sex industry premises and other such uses; or

(b) within no through roads unless, in the opinion of the consent authority, there would be adequate parking and turning space either within the roadway or the centre grounds; or

(c) in close proximity to cooling towers; or

(d) where there are undue health risks on the site or in the vicinity.

(3) Child care centres are not to have direct street frontage access to a classified road, or any other road which in the opinion of the consent authority is unsuitable for a child care centre, having regard to:

(a) the prevailing traffic conditions;

(b) pedestrian and vehicle safety; and

(c) the likely impact of the development on traffic.

(4) Where a child care centre is proposed within 300m of a mobile phone tower or base station, a transmission line easement, or other source of significant electromagnetic radiation, a report prepared by a suitably qualified person assessing the potential exposure impact on the centre and its occupants must accompany the development application. The report must detail how the proposal complies with relevant Australian Standards.

4.4.4.4 Design of play areas

(1) Indoor play areas must have:

(a) access to sunlight, natural ventilation and views to the outdoors;

(b) convenient access between indoor and outdoor areas; and

(c) enable clear lines of sight to allow for staff to supervise from other areas of the child care centre.

(2) Outdoor areas are to be located away from:

(a) areas where objects can be dropped from above onto play areas;

(b) main entrances, car parking areas, vehicle circulation areas, existing noise and environmental pollution sources; and

(c) living and bedroom windows of surrounding dwellings in predominantly residential areas.

(3) Outdoor areas must:

(a) be a minimum size of 7sqm of usable outdoor space per child;

(b) provide space for active play;

(c) be provided with at least 3 hours of solar access to 50% of the required outdoor area between 9am and 3pm on 22 June;

(d) be directly accessible from indoor areas;

(e) enable clear lines of sight to all outdoor areas to allow staff to supervise from other areas of the child care centre;

(f) be secure from public access except to provide emergency evacuation or for deliveries such as sand replacement;

(g) have gates which are self-closing and child proof, with child-proof locks and latches and which are able to be permanently locked;

(h) provide separate areas for different age groups that suit their needs and abilities;

(i) include landscaping which creates visual interest and provides shading where appropriate; and

(j) be designed to protect users of the area from adverse wind, solar and other dramatic conditions.

(4) Outdoor areas are to be adequately fenced on all sides, with a minimum height of 1.8m and are to:

(a) provide for the safety and security of children;

(b) prevent children climbing over, under or through fences and leaving the premises unsupervised;

(c) prevent persons from outside the centre accessing the site;

(d) be designed so that the fence is integrated with the building design and landscape through materials and colours;

(e) the integration with existing and proposed landscaping; and

(f) prevent objects being thrown over the edge where outdoor areas are elevated.

(5) A proportion of the required outdoor space may be provided as indoor area, but only where:

(a) the location of the child care centre makes it impracticable to provide the required amount of useable play space outdoors;

(b) the area provided is in addition to other indoor space requirements;

(c) the indoor area is designed and equipped to permit children to participate in activities that promote gross motor skills;

(d) the area has a northern orientation for access to sunlight; and

(e) the floor to ceiling heights are higher than those in the rest of the child care centre.

4.4.4.5 Control of noise impacts to child care centres

(1) An operational Plan of Management is to be submitted with any application to allow consideration of potential noise impacts.

(2) The repeatable maximum LAeq1hour) must not exceed 40 dBA (Leq1hr) within the internal spaces of the child care centre.

(3) An acoustic assessment, including recommended noise attenuation measures and prepared by a suitably qualified acoustic consultant must be submitted with the development application to demonstrate that these provisions can be achieved.

4.4.4.6 Parking and pedestrian safety

(1) Vehicle and pedestrian access points are to be appropriately marked and sign posted.

(2) Vehicles must be able to enter and leave the site in a forward direction.

(3) Areas used by vehicles must be separated from areas used by children with appropriate fencing and gates.

(4) Where parking spaces are within a mixed use development, the spaces for the child care centre are to be located and grouped together and conveniently located near the access point to the centre.

4.4.4.7 Safety and security

(1) Public entry to a child care centre is to be limited to one secure point which is:

(a) located to ensure easy access;

(b) adequately signposted and well lit;

(c) located away from areas used by vehicles;

(d) visible from the street, or visible from a building foyer if located within a multi-unit building;

(e) not accessed through outdoor space used by children;

(f) of a sufficient size to prevent congestion, consider the capacity of the child care centre;

(g) monitored through either natural or camera surveillance; and

(h) to incorporate a transitional space between the entry point and entrance into the child care centre.

(2) Entry into the child care centre must be limited to authorised persons only, through the provision of an electronic security system, for example, swipe cards.

(3) Incorporate windows on the front façade to enable natural surveillance.

4.4.4.8 Additional considerations for child care centres located above ground level

(1) The child care centre is to be provided with either a safe haven or an emergency lift within the centre.

(2) The safe haven is to:

(a) be centrally located within the child care centre, and open directly onto a dedicated fire-isolated stair; and

(b) have a floor area calculated at a rate of 0.25sqm per person for the capacity of the child care centre, including staff.

(3) Indoor areas are to be well proportioned to provide flexibility of uses and should be uninterrupted by internal features such as columns.

(4) Playrooms should be enclosed by floor to ceiling height glass.

(5) The design and location of the required outdoor space is to:

(a) include measures that will protect users of the space from adverse wind and climatic conditions; and

(b) incorporate fencing that:

(i) is unable to be climbed over, under or through by children;

(ii) includes a safety zone and alarm system;

(iii) prevents objects being thrown over the edge where outdoor areas are elevated;

(iv) allows egress in the event of an emergency evacuation by the Fire Brigade or others, consistent with the required Emergency Evacuation Plan; and

(c) be integrated with the building design.

4.4.5 Convenience stores

Objective

(a) Minimise potential adverse amenity impacts from convenience stores on the streetscape and surrounding properties.

Provisions

(1) Prevent adverse impacts on the streetscape and local amenity from excessive advertising signage. Limit each store to:

  (a) one under awning sign, or where no awning exists, one horizontally projecting wall sign, if appropriate in its local context. Signs are to have maximum dimensions of 2.5m by 0.3m with a minimum vertical clearance of 2.7m above the footpath and may be illuminated, but not flashing;

  (b) one non-illuminated awning fascia sign with a maximum length of 3m and a height of no greater than the awning fascia; and

  (c) one window or flush mounted wall sign (which may be illuminated) with a maximum area of 1sqm and designed to fit within the architectural style of the shop front. If the sign is a hamper sign, it must comply with the Signage and Advertising provisions within Section 3.16 of this DCP.

(2) Convenience stores must not to have:

  (a) corporate paint schemes and logos that present the exterior of the shop or building as an advertising panel;

  (b) signage, banners or corporate paint schemes above awning level;

  (c) external free-standing signs, including sandwich boards;

  (d) banners, flags and promotional materials, either externally or internally adjacent to windows, excluding public transport information;

  (e) decals, opaque films, and stickers attached to shopfronts and windows.

(3) Shopfront windows must be clear of all obstructions to enable viewing into the shop from the public domain.

(4) Signage may be further restricted where the store is in a heritage item or heritage conservation areas.

(5) Illumination that impacts on the streetscape and local amenity and is considered excessive for the reasonable and necessary carrying out of the business will not be permitted.

(6) Illumination, when measured from any place in the public domain is not to exceed:

  (a) within Central Sydney, a maximum horizontal illuminance level of 220lux including the reflectivity of exterior finishes;

  (b) outside Central Sydney, a maximum horizontal illuminance level of 200lux including the reflectivity of exterior finishes; and

  (c) the horizontal illuminance uniformity ratio (Eavg/Emin) of 4:1 to ensure safe movement of pedestrians.

(7) Demonstrate that lighting will not be directed towards any nearby residence including those located above the store.

(8) If, at any time in the opinion of Council, adverse impact is being caused to the amenity of the area, the intensity, colour and hours of illumination of convenience stores and associated signage are to be changed to mitigate that impact.

(9) The following types of illumination are not permitted:

(a) lighting located above the awning, spotlights, fluorescent lighting, flashing lights, neon tubes or neon writing either internally adjacent to windows or external; and

(b) illuminated signs and lighting in addition to that normally required to illuminate the retail floor area and is mounted within 2m of the windows.

(10) Prevent unsympathetic changes to buildings and streetscapes from the installation of standardised shopfronts:

(a) internal and external changes to the building are to avoid removing or replacing architectural elements where elements positively reflect the style and character of the building and contribute to the , the architectural character and the streetscape;

(b) the design of new building work is to be sympathetic with the architectural style and heritage significance of both the building and the street;

(c) the application is to show all fittings and features to be removed or replaced as part of the fit-out of the premises; and

(d) shelving and machinery are not to be placed within 1m of the shopfront.

(11) To prevent loss of amenity to residents and pedestrians from poorly located or managed convenience stores, each application for a convenience store is to be accompanied by a Plan of Management to describe how on-going operations will be managed with respect to:

(a) deliveries and services including the frequency, timing and location of parking and loading areas;

(b) location of adequate storage areas for merchandise, rubbish, recycled and reusable packaging materials;

(c) the minimisation, recycling and clean-up of the litter is in the vicinity of the store and from the merchandise sold; and

(d) security threats to staff and customers, including details about closed circuit television, internal and external view lines, heights of shelving greater than 1.2m above floor level, internal mirrors, security lighting and staffing numbers.

(12) The Plan of Management is to include requirements about the on-going management of the premises that arise from any conditions placed on the Development Consent, if granted.

4.4.6 Sex industry premises and adult entertainment

Refer to the City of Sydney Sex Industry and Adult Entertainment Premises Guideline for supporting information.

Definitions

Adult entertainment premises means a premises that:

(a) provides entertainment involving nude or semi-nude performers; or

(b) sells or shows restricted material but at which sex services or sexual activity between people does not occur.

Brothel as defined in the *Restricted Premises Act 1943*, means a premises:

(a) habitually used for the purposes of prostitution, or

(b) that have been used for the purposes of prostitution and are likely to be used again for that purposes, or

(c) that have been expressly or implicitly:

  (i) advertised (whether by advertisements in or on the premises, newspapers, directories or the internet or by other means), or

  (ii) represented as being used for the purposes of prostitution, and that are likely to be used for the purposes of prostitution.

Home occupation (sex services) as defined in the *Sydney LEP 2012* means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

(a) the employment of persons other than those residents, or

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or

(c) the exhibition of any signage, or

(d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

(e) but does not include a home business or sex services premises.

Performance area means an area in a striptease club premises where striptease acts, tabletop, or podium performances, or peepshows are performed and includes private performance areas and peepshow booths.

Primary access means the entrance or exit, determined by the consent authority, to be the main access or egress for visitors, and may consist of direct street level entrances and exits, or the primary entrance or exit to a building, part of a building or site containing adult entertainment or sex industry premises.

Restricted material means publications classified Category 1 restricted, Category 2 restricted or RC under the (Cth) *Classification (Publications, Films and Computer Games) Act* 1995.

Restricted premises, as defined in the *Sydney LEP 2012*, means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

Sensitive land use includes day care or child-minding centres, primary or secondary schools, places of worship, parks, playgrounds, or any other place regularly frequented by children.

Sex industry premises means:

(a) sex service premises, and

(b) premises used for sex between clients, but where sex services do not take place in exchange for payment, for example, sex on premises venues or swingers clubs.

Sex on premises venue means a premises that gains income from an entrance or membership fee paid to use the premises for sex between the clients but are not premises where sex services take place, or are arranged in exchange for payment. Sex on premises venues include swingers clubs and sauna clubs that accommodate sexual encounters.

Sex services as defined in the *Sydney LEP 2012*, means sexual acts or sexual services in exchange for payment. For the purposes of these provisions, sexual acts or sexual services include acts of prostitution, including sexual intercourse as defined in s61A of the Crimes Act 1900, being:

(a) sexual connection occasioned by the penetration to any extent of the genitalia, including surgically constructed vagina of a female person or the anus of any person by:

  (i) any part of the body of another person, or

  (ii) any object manipulated by another person

  except where the penetration is carried out for proper medical purposes, or

(b) sexual connection occasioned by the introduction of any part of the penis of a person into the mouth of another person, or

(c) cunnilingus, or

(d) the continuation of sexual intercourse as defined above.

Sex service premises as defined in the *Sydney LEP 2012* means a brothel, but does not include home occupation (sex services).

Spruikers means persons located in the public domain who seek to entice customers to enter premises.

Staff means persons working at, or providing services to, a premises and may include a person directly employed by the premises or business, or a contractor working at or from the premises.

Striptease club means premises providing striptease acts, erotic dancing (including pole dancing), tabletop, or podium performances, private dancing, peepshows, or nude or semi nude bar or waiting staff but where sex services do take place on site.

Working room means a place where sexual activity occurs within a brothel.

Application

Where more than one type of sex industry or adult entertainment use is proposed for a site:

(a) the proposal will be considered as a single premises for the purposes of the location provisions only;

(b) the proposal will be assessed as two or more separate uses and the relevant provisions will be applied to each use; and

(c) the different uses must be clearly identified in the development application and Plan of Management.

These provisions, including the location of premises provisions in Section 4.4.6.1, apply equally to proposals that intensify an existing adult entertainment or sex industry premises. Intensification of use may occur through, for example, the introduction of a new use, an increase in the number of working rooms, an increase in the number or size of sexual activity areas, or an increase in floor area.

Exemption may be given to works proposed to an existing adult entertainment or sex industry premises where the consent authority considers those works to be of a minor nature.

Note: Section 17 of the *Summary Offences Act 1988* makes it an offence for an owner, occupier, manager, or person assisting in the management of a premises held out as being for: 'massage, sauna baths, steam baths, facilities for physical exercise, taking of photographs or services of a like nature' to knowingly allow or permit the premises to be used for prostitution or soliciting for prostitution.

Where development consent is sought for massage premises, additional information demonstrating measures to ensure compliance with this law may be required. Massage businesses, or any other businesses providing sex services are sex service premises.

It is an offence under the *NSW Liquor Act 2007* to allow sex services to take place in premises that also have a liquor license.

Objectives

(a) Provide criteria for the location, design and ongoing management of premises used for the purpose of adult entertainment and sex industry uses to:

(i) address the health and safety of staff and visitors;

(ii) minimise adverse impacts that may be generated by the premises including traffic and noise; and

(iii) ensure high levels of internal and external amenity.

(b) Ensure sex service premises do not interfere with the amenity of the neighbourhood.

Provisions

4.4.6.1 Location of Premises

(1) Adult entertainment and sex industry premises must not be located:

(a) within buildings containing a residential use;

(b) immediately adjacent or directly opposite land developed for residential purposes;

(c) adjacent or directly opposite a sensitive land use as defined in the definitions above unless separated by at least:

(i) one other non-sensitive land use; or

(ii) a waterway, an un-developed site or a road, each of which are to be greater than 30m in width; or

(iii) within a radius of 75m of an existing, approved adult entertainment or sex industry premise as measured from the centre of the primary access to the proposed and existing premises. This includes premises located within a neighbouring local government area.

4.4.6.2 Design of Premises

(1) All entrances and exits are to be:

(a) designed to facilitate the privacy of staff and visitors without compromising personal safety;

(b) visible from public areas and not obstructed by any existing or proposed landscaping;

(c) provided with adequate lighting; and

(d) designed to maximise surveillance and safety.

(2) The external appearance of the premises must ensure is not a prominent feature in the street.

(3) Premises are to be clearly numbered, with the number clearly visible from the street, subject to the signage provisions under Section 3.16.

(4) There must be no display of restricted material, sex-related products, sex workers, performers, or nude or semi-dressed staff in windows or doors, or outside the premises.

(5) The interior of the premises must not be visible from any place in the public domain.

(6) Where the interior is visible from neighbouring buildings, adequate measures are to be taken to screen the interior of the building, for example through the use of blinds or screens.

4.4.6.3 Scale of sex services premises

(1) The consent authority may exercise discretion for an increase in the number of working rooms in a sex services premises where it can be demonstrated that the site can accommodate additional working rooms without adverse impacts, including traffic generation, noise and other amenity impacts on the surrounding area.

4.4.6.4 Health, safety and security

(1) All adult entertainment and sex industry premises must include measures that provide for and ensure adequate health, safety and security of staff and visitors including where appropriate:

(a) the separation of reception and waiting rooms from other areas, such as working rooms and staff areas;

(b) the elimination or minimisation of alcoves and other potential entrapment spaces; and

(c) safety and surveillance systems.

(2) Activities involving specialist equipment such as slings, poles, douching facilities, restraints, suspension equipment or performance props, must ensure the safety of participants and comply with the Building Code of Australia (BCA) and any relevant Australian Standards.

(3) Ensure the health and safety of all staff and visitors is facilitated with well designed facilities that are maintained in accordance with Council policies and guidelines.

(4) Utilise operations and procedures that prevent transmission of infection and reduce the risk of violence and crime at all times.

(5) Provide adequate lighting in working rooms and sexual activity areas to enable checking for signs of sexually transmitted infections and effective cleaning procedures.

(6) At a minimum, sex service premises and striptease club premises are to provide the following staff facilities:

(a) sanitary facilities including toilet, hand basin and shower;

(b) a rest area with seating;

(c) a dining area with food preparation and storage areas;

(d) a sink with hot and cold running water, water boiling facilities and fridge; and

(e) lockers to store personal belongings.

(7) The facilities must be located within the premises, adjacent to and accessible from work areas, and in a secure area that is inaccessible to visitors to prevent inadvertent client contact.

(8) Provide secure entry and controlled internal and external access, preferably with remote door release mechanisms.

(9) Design working rooms and sexual activity areas that enable external entry in case of emergency and allow persons within the room to communicate with others outside the room.

(10) Where a sex services premises contains three or more working rooms, all working rooms and staff areas must be provided with intercoms or duress alarm systems linked to a central base and monitored at all times.

(11) Design of private performance areas and rooms must include secure entry and controlled access, and a duress alarm system linked to a central base that is monitored at all times.

(12) Provide separate storage spaces for both soiled and clean linen, and safe sex equipment.

(13) Design dressing rooms for the sole use of performers in striptease clubs that include:

(a) adequate preparation facilities restricted from visitor access and located adjacent to performance areas; and

(b) intercom or duress alarm systems linked to a central base and monitored at all times.

(14) Facilities for the preparation of beverages for clients are to comply with the relevant Australian Standard.

(15) All stages, podiums and other performance areas are to be:

(a) no smaller than 2.5sqm;

(b) a minimum of 0.5m from the floor;

(c) with a minimum clearance of 2.5m from the ceiling;

(d) provided with a railing of a height no less than 150mm around all open edges or a balustrade, where required to comply with the BCA; and

(e) provided with a non-slip surface.

(16) Spruikers are not permitted in association with the operation of any adult entertainment or sex industry premises.

4.4.6.5 Signs

Refer to Section 3.16 for additional objectives and provisions relating to signage in the Darlinghurst Road precinct.

(1) Signs for adult entertainment and sex industry premises must:

(a) not interfere with the amenity of the locality;

(b) not exceed 600mm in height or width;

(c) not contain neon, illumination, animation or flashing lights, except in the Darlinghurst Road signage precinct; and

(d) set out:

(i) the name of the person who conducts the business at the restricted premises or sex services premises or the registered name of the business carried on at the restricted premises or sex services premises; and

(ii) in the case of development for the purpose of restricted premises, the words “RESTRICTED PREMISES” in capital letters not more than 50mm in height.

(2) No more than one sign is to be displayed to public view in the window, or on the building, or in, outside, or directly above an access way to the restricted premises or brothel, where permitted by the provisions of this DCP for the Darlinghurst Road signage precinct.

4.4.6.6 Management of operations

(1) Applications for adult entertainment and sex industry premises must be accompanied by a Plan of Management describing how ongoing operations are to be managed with respect to:

(a) identifying security staff, or other staff or contractors who may, as part of their responsibilities, need to work outside the premises; and

(b) systems for ensuring safety for staff and visitors including:

(i) risk management procedures appropriate to the nature of the proposed activities, for example accident and injury, violent behaviour;

(ii) procedures that respond to situations where staff are placed under duress;

(iii) the number and role of security personnel; and

(iv) procedures for the safe handling of money;

(c) providing access for the attendance of health service providers;

(d) cleaning and cleanliness, including details of:

(i) cleaning systems and procedures including methods, frequency and staff allocations;

(ii) the surface materials of equipment and facilities;

(iii) cleaning products and equipment to be used;

(iv) identified areas for cleaning equipment and other removable items; and

(v) cleaning and management systems for swimming pools and spas where applicable;

(e) waste management, including details for:

(i) the disposal of commercial waste;

(ii) managing the safe disposal of sharps; and

(iii) how any specialist equipment is to be used, cleaned and maintained.

(2) The Plan of Management must include:

(a) the name and contact details of the proprietor and operator;

(b) the registered business name and trading name of the premises;

(c) comprehensive details of all health and safety procedures for staff providing services on the premises and providing services offsite;

(d) details of training and induction procedures to ensure that staff are aware of health and safety procedures and the provisions of the Plan of Management; and

(e) any requirements in respect to the on-going management of the premises that arise from any conditions placed on the Development Consent, if granted.

(3) The operator and manager of the premises are to ensure compliance with the approved Plan of Management.

(4) Where the Plan of Management relates to sex industry premises, it is to include the following additional information:

(a) details of the provision, storage and cleaning of linen and mattresses or other sexual activity surfaces;

(b) details of the provision and storage of condoms, safe sex products and other equipment; and

(c) procedures that support the health and safety of sex worker staff and sex on premises venue customers, including health education.

(5) Where the Plan of Management relates to premises used for bondage and discipline or where otherwise required by Council due to the nature of the activities proposed for the premises, it is to include the following additional information:

(a) details of all activities likely to be conducted on the premises that may be high risk conduct including:

(i) documentation about how the activities will be undertaken in a safe manner; and

(ii) procedures to control infection, with details for each separate activity, including the safe practice of each activity, cleaning and disinfection methods and agents, and any sterilisation procedures;

(b) induction and training procedures that enable workers to perform skilled or higher risk activities only after they have been trained in the procedures and observed by experienced staff performing these safely; and

(c) monitoring and safety strategies, both within the working rooms and through external monitoring of the working room by other staff or management.

4.4.7 Telecommunications

The following objectives and provisions apply to telecommunication and radio communications facilities, its supporting infrastructure and ancillary development under the following legislation:

- *Telecommunications Act 1997*;
- *Telecommunications Code of Practice 1997*;
- *Radiocommunications Act 1992*; and
- *Telecommunications (Low-impact Facilities) Determination 1997 [LIF Determination]*.

The City of Sydney does not have regulatory control over "low impact facilities". These are facilities are described in the *Telecommunications (Low Impact Facilities) Determination 1997* which also exempts them from State and Territory planning and environmental laws.

Development consent is required for facilities that are not "low impact facilities" as described in the "non-low impact" facilities under the terms of the *Environmental Planning and Assessment Act 1979*.

The *Telecommunications Code of Practice 1997* (TCoP 1997) does not directly require a Carrier to notify a council of their intent to construct a low-impact facility unless Council is the landowner or occupier of the land. There is no direct provision for a Council to object to a notice provided under Chapter 4 of the TCoP 1997 unless it is the landowner or occupier.

While this DCP cannot override the *Telecommunications (Low-Impact Facilities) Determination 1997*, it is the City's intention that service providers use the controls within this DCP as a guideline for the siting and construction of any telecommunication and radiocommunication facilities within the City of Sydney. Telecommunications facilities that are not covered by the *Telecommunications Act 1997* or a determination are likely to require approval under state or territory law, usually at the local government level.

The types of facilities that require local council planning approval include broadband overhead cable and all freestanding mobile phone towers.

This DCP does not apply to a number of temporary facilities including but not limited to those for a defence organisation and use for defence purposes as described under the *Telecommunications Act 1997*. In addition, other facilities as described in Division 4 of Part 1.4 of the *Radiocommunications Act 1992* describes may also be exempt.

Definitions

Environmental significance refers to areas of environmental significance as identified in the *Telecommunications Act 1997* made by the Australian Federal Government.

Low impact facility (LIF) means a telecommunications facility exempted from State and Council planning control under the Telecommunication Act 1997.

Non-Low impact facility – means a telecommunications facility that is NOT exempted from State and Council planning control under the *Telecommunications Act 1997*.

Sensitive land use includes day care or child-minding centres, primary or secondary schools, places of worship, parks, playgrounds, or any other place regularly frequented by children.

Objectives

(a) Provide for the effective, efficient and equitable provision of telecommunications and radio communications facilities.

(b) Ensure facilities are designed to be visually compatible with the environmental character and visual context of the surrounding locality with particular regard to heritage items and heritage conservation areas.

Provisions

(1) The design and installation of telecommunication and radio communication facilities, and associated infrastructure is to achieve compliance with relevant Australian Standards, and the Australian Communications and Media Authority (ACMA) guide "Accessing and Installing Telecommunications Facilities – A Guide, 1999".

(2) The application is to demonstrate that:

  (a) the proposed facility complies with the relevant Australian exposure standard as specified by the ACMA and certification;

  (b) a precautionary approach has been adopted for site selection to minimise impact from electromagnetic radiation exposures (EMR), consistent with Section 5.1 Objectives of the Australian Industry Communications Code (ACIF Code); and

  (c) the consideration of the results of a mapped analysis of the cumulative electromagnetic radiation exposures (EMR) effect of the proposal. The location and design of the facility has been determined to minimise EMR exposure to the public.

(3) Noise caused by the facility must not result in the transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* or any subsequent relevant Act to any place of habitable use.

(4) Proposals are to consider the range of available alternative infrastructure, including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under Section 5.2.3 of the ACIF Code.

(5) Facilities are not to be located within 300m of a sensitive land use.

(6) The design of the facility is to include measures that restrict public access to the antenna. Approaches to the antenna are to contain signage warning of EMR and provide contact details for the owner or manager of the facility.

(7) Antennae and supporting infrastructure must minimise the visual impact from the public domain and adjacent areas and avoid or minimise visual impact on nearby Heritage Items and heritage conservation areas. The *Telecommunications (Low-impact Facilities) Determination 1997* excludes facilities proposed on heritage listed property from being 'low impact'. A development application is required for these facilities on heritage items.

(8) A development application for a telecommunications facility on a heritage item must be accompanied by a Conservation Management Plan or a Heritage Impact Statement in accordance with the heritage requirements of this DCP.

(9) Upmost care is to be taken to protect and conserve any potential archaeological relics, places and sites identified or revealed in the course of undertaking the development.

(10) Facilities and associated infrastructure must:

(a) be finished in colours selected to match the colour scheme of the building unless the consent authority agrees otherwise;

(b) integrated with the existing building including being suitably proportioned in relation to the size of the building);

(c) have concealed cables where practical and be unobtrusive.

(11) Where practicable, telecommunication lines are to be located within an existing underground conduit or duct, and antennae and similar structures must be attached to existing utility poles, towers, structures, buildings or other telecommunication facilities subject to EMR exposure considerations.

(12) Locate facilities away from the street frontage or any public or private property adjacent to the site and adequately set back from the perimeter wall or roof edge of buildings.

(13) Facilities no longer in operation are to be removed.

(14) Facilities are not to encroach upon any easement, right-of-way, vehicular access or parking spaces required for the property.

4.4.8 Visitor accommodation

The following objectives and provisions apply to visitor accommodation including the conversion, alterations or additions to existing visitor accommodation. Visitor accommodation includes hotels, motels, guesthouses, backpacker accommodation, bed and breakfast accommodation and serviced apartments for the temporary accommodation of travellers, visitors and tourists.

Objectives

(a) Ensure the design, development and management of visitor accommodation provides acceptable levels of health, safety, cleanliness, amenity and administration for guests, whilst not adversely impacting on the amenity of the surrounding locality.

(b) Ensure serviced apartment developments provide a level of health and amenity for residents to ensure any future conversion to residential flats is not compromised by poor amenity.

(c) Encourage a mix of serviced apartment sizes to provide choice.

(d) Ensure backpacker accommodation is located within close proximity to public transport, services and facilities and away from predominantly residential uses.

Provisions

4.4.8.1 General

(1) New development must be self contained with no common access ways with adjoining properties.

(2) A site manager must be on site when guests have access to the premises. For premises with less than 20 residents, a resident caretaker may be acceptable.

(3) For safety reasons, sleeping rooms are not to include triple-tier bunks and cooking facilities in sleeping rooms.

(4) Internal partitions must be considered within sleeping rooms to provide privacy between beds.

(5) All toilet and shower facilities, including communal facilities, are to be screened for privacy.

(6) A Plan of Management and a Noise Management Plan must be submitted with the development application.

4.4.8.2 Additional provisions for bed and breakfast accommodation

(1) The accommodation is to be occupied and operated by a permanent resident.

(2) Persons not permanently residing on the site must not be employed to assist in the operation of the business.

(3) The occupancy rate of each sleeping room must not exceed 2 adults and 1 child.

(4) The maximum permitted length of stay is 3 months.

(5) Individual secure lockable storage facilities with a minimum capacity of 0.6 cubic metres per person are to be provided to allow guests to individually store baggage and travel items within the sleeping room.

(6) Where dead locks are provided on guest bedrooms and exit doors, they must be able to be opened from the inside with a key.

(7) Windows to guest bedrooms are not to include bars or other restrictions to egress.

(8) Kitchens whether provided for use of guests or for the preparation of food for guests, must contain:

(a) a single or double bowl sink;

(b) a commercial grade dishwasher capable of heating water to a minimum of 60 degrees celsius; and

(c) a separate hand wash basin in addition to any single or double bowl sink.

(9) Cooking facilities or kitchenettes are not permitted within sleeping rooms.

(10) Provide a minimum of 1 fully equipped bathroom with a bath or shower, a toilet and wash basin, in addition to a fully equipped bathroom for the permanent residents.

4.4.8.3 Additional provisions for hotels, private hotels and motels

(1) The maximum number of persons accommodated in a bedroom or dormitory is to be determined on the basis of a minimum of:

(a) 3.25sqm per person per sleeping room; and

(b) 5.5sqm per person for rooms occupied by guests staying longer than 28 days.

(2) The maximum permitted length of stay is 3 months.

(3) Where accommodation is provided for more than 28 consecutive days, no more than two adults and one child are permitted per room.

(4) Individual, secure, lockable storage facilities of a minimum capacity of 0.6 cubic metres per person is to be provided to allow guests to individually store baggage and travel items within the sleeping room.

(5) Where rooms include a small kitchenette, provide adequate cupboards and shelves.

4.4.8.4 Additional provisions for backpacker accommodation

(1) Backpacker accommodation is to be located within 400m of public transport and within easy access to facilities and services.

(2) For sleeping rooms:

(a) the maximum number of persons to be accommodated in a bedroom, or in a dormitory, must be determined on the basis of 3.25sqm per person per sleeping room;

(b) shared or dormitory-style accommodation in a single room must not accommodate more than 8 guests;

(c) the maximum length of stay for guests is 28 consecutive days;

(d) individual, secure lockable storage facilities of a minimum capacity of 0.6 cubic metres per person is to be provided to allow guests to individually store baggage and travel items within the sleeping room; and

(e) where the premises comprise more than 30 beds, a range of room sizes and bed types are to be provided.

(3) Communal recreational areas:

(a) are to be provided within the premises at a rate of 0.75sqm per person based on the maximum number of guests;

(b) are to be a minimum total floor area of 20sqm with a minimum width of 3m where the maximum number of guests is less than 30; and

(c) are to be provided internally where possible and in addition to any outdoor communal recreation area. Dining areas may be included as a communal recreation area.

Note: The floor area of bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like do not count towards the calculation of the required communal recreation area.

(4) Where communal outdoor facilities are proposed:

(a) they should generally be no greater than 20% of the total communal recreational area;

(b) the design and location is to ensure that the noise impact to surrounding property is minimised;

(c) the use should be restricted to before 10pm, particularly if there are residential uses nearby; and

(d) details on the management of the space including any restricted hours of access, for example, no access later than 10:30pm, are to be included in the Plan of Management.

(5) For kitchen and dining areas:

(a) an internal self-catering kitchen and a separate dining room for use by guests is to be provided with capacity for at least 15% of the maximum number of guests to prepare and consume meals at any one time; and

(b) cooking facilities or kitchenettes are not permitted in sleeping rooms.

(6) For bathrooms:

(a) toilets are to be in a separate compartment from common showers and bathrooms;

(b) a minimum of one bathroom for males and one bathroom for females is to be provided;

(c) walls separating toilet and shower compartments in single sex facilities, must be a minimum of 1.8m high and a maximum 250mm off the ground; and

(d) in unisex facilities, partitions separating adjacent compartments are to extend from floor level to ceiling.

(7) Provide the following laundry facilities for every 50 occupants or part thereof:

(a) a washtub, clothes washing machine;

(b) a clothes dryer, or a clothesline with a minimum length of 20m and which can be retractable in an outdoor area or drying room.

(8) Provide the following additional rooms:

(a) a staff room;

(b) a site manager's office;

(c) a sleeping room where there is to be a resident and caretaker and is not a shared or dormitory room.

4.4.8.5 Additional provisions for serviced apartments

(1) The maximum number of persons accommodated in a bedroom or dormitory is to be determined on the basis of a minimum of:

(a) 5.5sqm per occupant staying more than 28 consecutive days;

(b) or 3.25sqm per occupant staying 28 or less consecutive days in accordance with the *Public Health (General) Regulation 2002*.

(2) Serviced apartments are to be designed so that the level of residential amenity within each apartment is equivalent to the requirements of a residential flat development.

(3) Visitor accommodation including serviced apartments and residential apartments must not to co-exist on the same floor of any building. The two uses may only co-exist in the same building if:

(a) each use is wholly located on separate floors;

(b) they are serviced from the street by separate foyers, lift access and circulation; and

(c) it can be demonstrated, through an approved Plan of Management, that the visitor accommodation will not reduce the quiet enjoyment of uses by implementing appropriate measures. Where no approved Plan of Management for the visitor accommodation exists, then the introduction of residential uses into that building, either through additional floor area or change of use, is not permitted unless it is for the entire building.

(4) Developments of more than 20 serviced apartments must provide the following mix of apartments:

(a) studio and 1 bed apartments: 60% maximum; and

(b) 2 or more bedroom apartments: 40% minimum.

Note: Where serviced apartments are to be converted to residential flats, the unit mix is different. Refer to Provision 4.2.3.12 (1) of this DCP.

(5) The required mix of apartments may be varied where the applicant can demonstrate the requirement is inappropriate in the circumstances.

(6) Provide a wash tub, washing machine and clothes dryer or clothesline within each apartment.

(7) Provide a garbage room or garbage receptacle storage area with space for recyclables.

(8) Each bedroom is not to accommodate more than two adults and one child.

(9) A sign advising the maximum residential capacity of each bedroom is to be displayed on each bedroom door or other obvious locations within the apartment.

(10) A Plan of Management must be submitted with every application for a serviced apartment describing how on-going operations are to be managed with regard to:

(a) ensuring maximum occupancy requirements are not exceeded;

(b) minimising the impact of noise from the premises to adjoining properties;

(c) waste minimisation, storage and collection procedures;

(d) staffing arrangements including the number of staff to be employed;

(e) any proposed shuttle service providing a pick up and drop off service to guests, including details of the timetable and set down arrangements;

(f) the maintenance and cleanliness of the premises;

(g) ensuring the on-going workability of emergency systems including lighting and smoke detectors, sprinkler systems, and air conditioning;

(h) ensuring staff are trained in relation to the operation of the approved Emergency Management and Evacuation Plan;

(i) ensuring the placement and composition of furnishing and fittings achieve the appropriate fire safety requirements;

(j) ensuring premises are regularly checked to ensure fire safety including that all required exits and egress paths are clear and free of locks and obstructions; and

(k) on-site security.

4.4.9 Small scale and other cultural activities

This section guides the provision of small-scale and other cultural activities in the city, to provide social and economic benefits for residents, workers and visitors and meet the community's expectations for a vibrant, diverse and evolving cultural life.

These activities involve making or presenting creative content such as film, music, art, craft or performance. They may be irregular or one-off events held in adapted spaces on a small-scale or regular activities in permanent venues, theatres, galleries or entertainment spaces.

Advice on fire safety upgrades

The *National Construction Code* (NCC) and NSW land use planning definitions do not address the potential range and unique characteristics of creative uses. Despite their size and sometimes temporary nature, these uses can be classified as entertainment or Class 9b of the NCC, which is characterised by much larger uses with greater impacts. Imposing the requirements for a Class 9b space to small and creative spaces can result in onerous fire and safety provisions.

Council has prepared technical guidelines to outline alternative solutions for fire safety and building compliance standards for cultural activity taking place in existing building spaces less than 500 square metres. These include a checklist of specifications which address floor space, occupancy, travel distances between exits, exit capacities, stage size, sanitary provision and nature of stairways and ramps.

This checklist may assist operators in choosing the right types of buildings and ensure that minimal, if any works need to be done to make them suitable, while maintaining compliance with the fire safety and building requirements under the NCC and the *Environmental Planning and Assessment Act 1979*. Certifiers will be responsible for deciding whether a proposal complies with the National Construction Code.

In determining a development application for small scale cultural activities Council will take into account any measures implemented in accordance with the *Technical Guidelines for Small Scale Cultural Activities in Spaces Less than 500 Square Metres* when considering sections 62 and 64 of the *Environmental Planning and Assessment Regulation 2021*.

Note: Notwithstanding the above, these guidelines do not override the Council's statutory obligations to ensure fire protection and structural capacity in proposals for changes of use or alterations of buildings under sections 62 and 64 of the *Environmental Planning and Assessment Regulation 2021*. The Technical Guidelines will be considered in the assessment of applications, however there may be situations where they will not be applicable due to unacceptable levels of fire risk.

Definitions

Small scale cultural activities include:

(a) live entertainment, (being an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which at least some of the performers are present in person), including the presentation or rehearsal of music, film, theatre, spoken word, comedy or dance, or

(b) the production or an event in association with an exhibition of art, craft, design, media, image or immersive technology, or

(c) teaching or discussion related to (a) or (b).

Amplified sound means sound which is generated, provided or aided through the use of any electrically powered device. This includes but is not limited to the following: use of a public address system, bullhorn/megaphone, loudspeaker or any speaker or subwoofer, power amplifier, stereo system. It includes both background music and foreground music.

Background music means pre-recorded music played through no more than two electrically amplified speakers, which is intended as an accompaniment rather than the main focus of an audience/event. Background music is played at a soft, low volume/low amplification level which does not require persons to elevate their voices to hold conversations. It is not audible within any separate premises and does not create nuisance.

Foreground music or sound means any music or sound, amplified or not, which is directly played as a primary source of entertainment, or focus of entertainment to people who are attending an activity.

Objectives

(a) To provide guidance for the provision of small scale cultural and performance activities in existing and new buildings where amenity impacts are managed according to scale and risk.

(b) Manage impacts of small scale cultural and performance activities on the amenity of the surrounding area.

Provisions

4.4.9.1 Guidance for low impact small scale cultural activities

The following guidance is provided to assist operators in understanding the suitability of building spaces for small-scale cultural and performance events. Criteria is included to demonstrate the thresholds of activity which the Council considers to result in minimal impacts.

If an operator can demonstrate in a development application that the following criteria are satisfied, the Council's assessment may focus on the site specific impacts of the proposal on neighbourhood amenity, such as sound generation.

(1) Development applications for small scale cultural activities which meet the following criteria will be considered to be low impact. The activity:

(a) Accommodates less than 120 patrons;

(b) Occurs in a building with an operative development consent or other legal entitlement to operate as a retail, office, industrial premises or community facility;

(c) Occurs in a building with a current annual fire safety statement which enables occupation of the building for its current approved use;

(d) Complies with the alternative technical solutions to the National Construction Code;

(e) Occurs no more than 52 days a year, no more than 8 days a month, or 4 consecutive days a month;

(f) Is no longer than 4 hours in duration, excluding set up and pack down;

(g) Finishes no later than 10pm if in a B2 Local Centre or B4 Mixed Use zone;

(h) Finishes no later than midnight if in a B3 Commercial Core, B5 Business Development, B6 Enterprise Corridor, B7 Business Park, B8 Metropolitan Centre and IN1 General Industrial zone;

(i) Does not include amplified music, but may include background music and the use of a microphone for the duration of the event;

(j) Includes the supply of alcohol subject to a liquor license or caterers authorisation;

(k) Provides adequate access to sanitary facilities. Where access is provided off site, this does not impact the amenity of separate noise sensitive locations; and

(l) Is subject to a Plan of Management which manages potential impacts on adjoining and surrounding land uses in accordance with the section 4.4.9.2 below.

4.4.9.2 Guidance for other cultural activities

The following guidance is provided for other cultural activities which do not meet the low impact criteria in 4.4.9.1 above.

Development applications for these cultural activities will be assessed taking into account a number of issues, which may include but are not limited to the:

(a) location and context of the premises where the cultural activity will be held, including the provision of facilities for the event and proximity to residential and other sensitive land uses;

(b) specific nature of the cultural event, its patronage, programming and entertainment, liquor licensing and duration;

(c) likely impact on the amenity of surrounding sensitive land uses and the ability to manage these impacts. This may include, but not be limited to, the impact of amplified sound and sound from set up and pack down of the event;

(d) likely impacts arising from the opening and closing time of the event and patron arrival and dispersal on local amenity, local businesses, night time vibrancy and safety;

(e) measures to be used for ensuring adequate safety, security, waste management and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding, the premises;

(f) accessibility and frequency of public transport during the operation of the event to ensure the efficient and safe movement of people and minimise impacts on local amenity; and

(g) submission of a Plan of Management that includes measures for the good management of the event, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain.

4.4.9.3 Plans of Management for cultural activities

Plans of Management are to include information about the operational and contextual aspects of a premises which hosts a cultural activity and the actions that will be taken to ensure that premises will be responsibly managed, for example, crowd control procedures, noise minimisation and waste management.

This will ensure that operators have considered and addressed any potential impacts that may arise from their event. It is the responsibility of the operator to facilitate a well-managed premises and display sensitivity about the impact of the premises on the liveability of neighbourhoods.

(1) Where the Council is of the opinion that proposals for cultural activities have the potential to impact adversely on amenity and neighbourhood safety, applicants may be required to prepare and submit with their application a Plan of Management to ensure that it operates with minimal impact on adjoining owners and occupiers. A Plan of Management should be accompanied by a signed declaration from the operator that they have read and understood the Plan of Management.

The Plan of Management should include details of:

(a) the name and contact details of the operator

(b) the times and days during which events are to occur

(c) an emergency contact and address details for medical service, hospital, and police, in addition to emergency call triple zero “000”

(d) the music, visual, performance, creative and cultural events that may be staged at the premises

(e) the primary use of the premises as well as any secondary/ancillary uses. This shall include a floor and/or site plan that indicates the use of all areas within the building or site

(f) the capacity of the space to host the small scale cultural activities including the location and dimensions the space, any stage and audience (standing or seating area) and equipment to present the cultural activity

(g) the proposed operating hours for each day of the week for the small scale cultural activities at the premises

(h) the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at the event any one time. The maximum capacity of specific areas of the premises should be updated to reflect fire safety requirement upon the issue of a construction certificate and the final Plan of Management submitted to the Council prior to the issue of an occupation certificate

(i) the proximity of external doors, windows and other openings to residential and other sensitive land uses shown on a floor plan. The plan should also indicate the proposed layout of all areas of the premises and the location of waste storage areas, air conditioning, exhaust fan systems and security alarms

(j) the staffing arrangements with the assigned duties of personnel for the event, including the number of staff to employed per patrons, security and the location or 24 hour contact details of any on-site manager, off- site manager or who has overall responsibility for the operation, administration, cleanliness, maintenance and fire safety of the premises

(k) adequate provision for sanitary facilities at the small-scale or other cultural event

(l) any liquor licenses to be utilised at the premises

(m) any food service delivered through a catering authorisation, or an approved development consent for the preparation and service of food and drink on the premises

(n) compliance for any food and/or drink service with the requirements of the Food Act 2003 and Food Standards Code

(o) a policy that describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol (if it is served)

(p) all likely sound and vibration sources associated with the operation of the premises. This may include such sources as:

- live performance and amplified sound; including the location of speakers and PA system and the wattage of amplification and any noise limiting devices to be installed;
- background music;
- external areas such as courtyards, rooftops, balconies etc;
- patrons leaving and entering the premises;
- waste disposal, sorting and collection of bottles; and
- ancillary equipment supporting the event e.g. generators, refrigerated shipping containers, air compressors or lighting stacks.

(q) all sound and vibration management and attenuation measures related to the use and operation of the premises

(r) signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises

(s) signage detailing the nearest transport options for patrons leaving the event

(t) measures that will be taken to ensure that any queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded

(u) a waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas

(v) procedures for notifying neighbours about the nights when the event(s) will be held, including signage and/or letterbox drops advising of:

- the event name, including a description of the nature of the event, commencement, duration; and
- completion date the name and telephone number for contacting the person responsible for the event at all hours during which the premises is operating.

(w) all actions that will been taken to respond to complaints made about the operation of the premises

(x) procedures for addressing complaints and a complaints register for identifying issues that have caused disturbance to the neighbourhood.



Section 5

Specific Areas

5 Specific Areas

Contents

Introduction		5.0-1
5.1	Central Sydney	5.1-1
5.1.1	Built form controls	5.1-1
5.1.2	Development outlook and demonstrating amenity compliance	5.1-27
5.1.3	Heritage items, warehouses and special character areas	5.1-31
5.1.4	Building exteriors	5.1-35
5.1.5	Temporary use and appearance of vacant sites and buildings	5.1-36
5.1.6	Heritage floor space	5.1-37
5.1.7	Sun protection of public parks and places	5.1-41
5.1.8	Views from public places	5.1-65
5.1.9	Managing wind impacts	5.1-69
5.2	Green Square	5.2-1
5.2.1	Green Square Urban Strategy	5.2-1
5.2.2	Objectives for Green Square	5.2-1
5.2.3	Community infrastructure	5.2-4
5.2.4	Local infrastructure	5.2-5
5.2.5	Pedestrian and bike networks	5.2-8
5.2.6	Public open space	5.2-10
5.2.7	Stormwater management and waterways	5.2-14
5.2.8	Highly visible sites	5.2-15
5.2.9	Building design	5.2-16
5.2.10	Setbacks	5.2-18
5.2.11	Carparks under the public domain	5.2-19
5.2.12	Above ground parking spaces and adaptable car parking spaces	5.2-19
5.2.13	Daylight access to circulation space within shopping centres in Green Square	5.2-20
5.3	Green Square - Epsom Park	5.3-1
5.3.1	Epsom Park Urban Strategy	5.3-1
5.3.2	Urban Design Principles	5.3-3
5.3.3	Local infrastructure and public domain	5.3-4
5.3.4	Building form and design	5.3-19
5.3.5	Staging and implementation	5.3-26

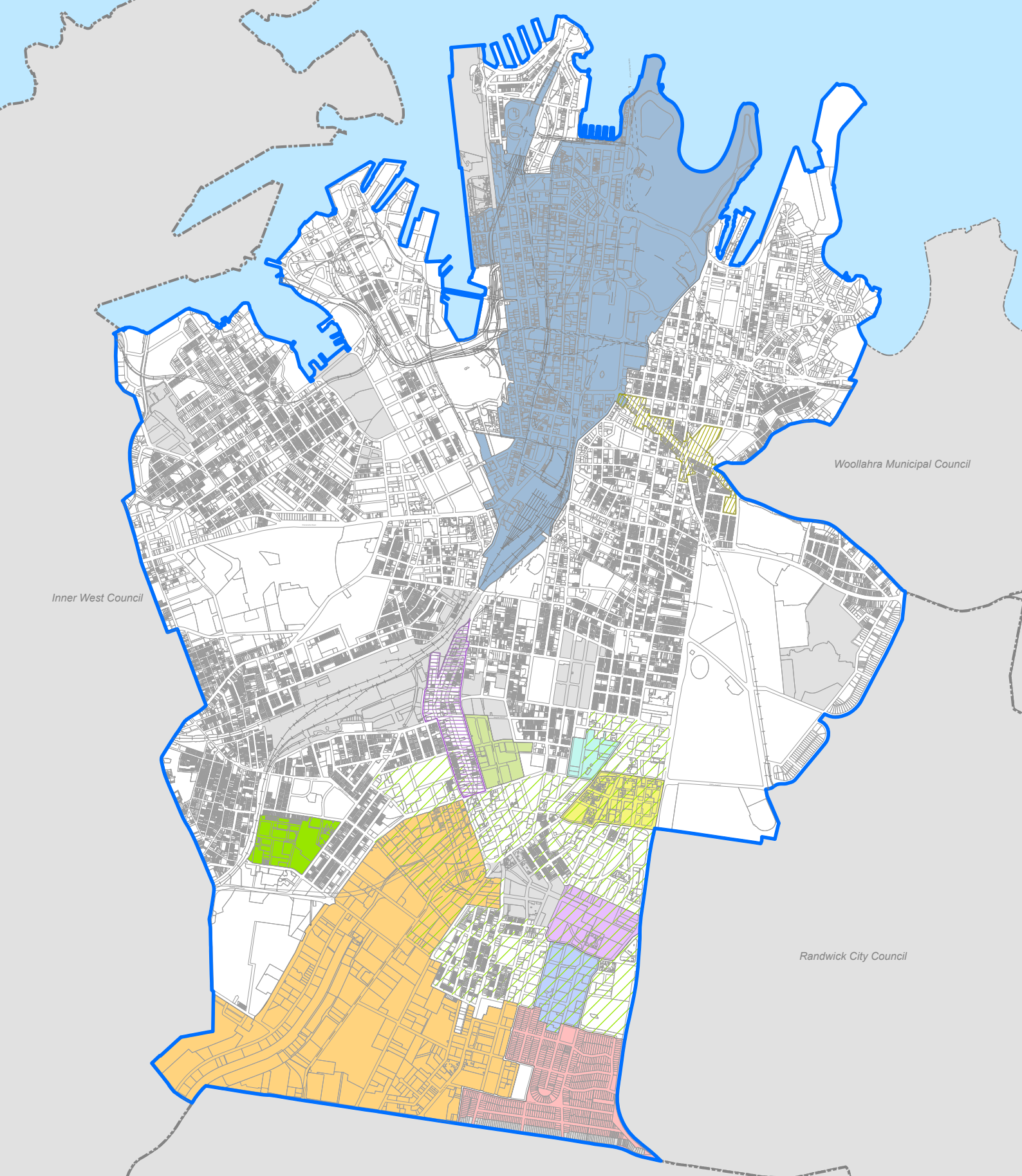
5.4	**Green Square – Lachlan**	**5.4-1**
5.4.1	Lachlan urban strategy	5.4-1
5.4.2	Local infrastructure and public domain	5.4-3
5.4.3	Building layout, form and design	5.4-19
5.5	**Ashmore Neighbourhood**	**5.5-1**
5.5.1	Ashmore urban strategy	5.5-2
5.5.2	Urban design principles	5.5-4
5.5.3	Local infrastructure and public domain	5.5-6
5.5.4	Accessibility and amenity in the public domain	5.5-18
5.5.5	Staging	5.5-21
5.5.6	Floor space ratio	5.5-21
5.5.7	Land use mix	5.5-23
5.5.8	Building layout, form and design	5.5-25
5.5.9	Terrace housing	5.5-37
5.5.10	Biodiversity	5.5-38
5.6	**Rosebery Estate, Rosebery**	**5.6-1**
5.6.1	Building height	5.6-1
5.6.2	Site coverage	5.6-2
5.6.3	Dual occupancy development	5.6-2
5.6.4	Front setbacks	5.6-3
5.6.5	Side setbacks	5.6-4
5.6.6	Rear setbacks	5.6-6
5.6.7	Architectural design controls	5.6-6
5.6.8	Demolition	5.6-11
5.7	**Green Square - North Rosebery**	**5.7-1**
5.7.1	Local infrastructure and public domain	5.7-1
5.7.2	Building form and design	5.7-13
5.7.3	Building type and use	5.7-17
5.7.4	Staging and implementation	5.7-19
5.7.5	Land Amalgamation	5.7-19
5.7.6	Design Excellence	5.7-21
5.8	**Southern Enterprise Area**	**5.8-1**
5.8.1	General	5.8-1
5.8.2	Land Use	5.8-3
5.8.3	Development	5.8-7

5.8.4	Public domain	5.8-16
5.8.5	Managing transport demand	5.8-46
5.8.6	Environment	5.8-47
5.9	**Danks Street South**	**5.9-1**
5.9.1	Danks Street South urban strategy	5.9-1
5.9.2	Urban design principles	5.9-3
5.9.3	Local infrastructure and public domain	5.9-5
5.9.4	Building layout, form and design	5.9-18
5.9.5	Heritage	5.9-35
5.9.6	Staging and implementation	5.9-36
5.10	**Botany Road Precinct**	**5.10-1**
5.10.1	General	5.10-1
5.10.2	Land use	5.10-1
5.10.3	Movement and local infrastructure	5.10-6
5.10.4	Building layout, form and design	5.10-10
5.10.5	Connecting with Country	5.10-17
5.10.6	Site-specific provisions	5.10-20
5.11	**Oxford Street Cultural and Creative Precinct**	**5.11-1**
5.11.1	Locality statement	5.11-1
5.11.2	Cultural and creative spaces	5.11-5
5.11.3	Built form and high quality design on Taylor Square and other public spaces on Oxford Street	5.11-8
5.11.4	Heritage conservation	5.11-9
5.11.5	Built form and design	5.11-11
5.11.6	Active frontages and street level tenancy design	5.11-17
5.11.7	Development fronting laneways	5.11-18
5.11.8	Servicing and access	5.11-19
5.12	**Waterloo Estate (South)**	**5.12-1**
5.12.1	General provisions	5.12-1

Introduction

This Section applies to the areas identified in Figure 5.1 Specific Areas. Refer to Figure 5.1 to determine which, if any of these provisions apply.

This Section establishes additional provisions for specific areas in the local government area including Central Sydney, Green Square, Epsom Park, Lachlan, the Ashmore Neighbourhood, the Rosebery Estate, North Rosebery and the Southern Enterprise Area. Where there is an inconsistency between Section 5 and Sections 1 to 4 of this DCP, Section 5 applies to the extent of the inconsistency. Where there is an inconsistency between Section 5 and Section 6 of this DCP, Section 6 applies to the extent of the inconsistency. When a numerical standard is not specified in this Section, development must be consistent with all other relevant provisions of the DCP.



Specific areas map

Figure 5.1

Legend

- City of Sydney - Local Government Area
- Land excluded from this DCP
- Central Sydney
- Green Square
- Ashmore
- Epsom Park
- Rosebery Estate
- North Rosebery
- Lachlan
- Southern Enterprise Area
- Dank Street South
- Botany Road Precinct
- Oxford Street Cultural and Creative Precinct
- Waterloo Estate (South)

Sydney Development Control Plan 2012

N

0 0.25 0.5 1 km

CITY OF SYDNEY

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5.1
Central Sydney

This Section applies to the land identified as Central Sydney in Figure 5.1 *Specific Areas*.

5.1.1 Built form controls

Built form controls include:

- Street Frontage Heights
- street, side and rear setbacks
- separations; and
- massing and tapering.

The controls outline the desired future form of Central Sydney and provide the tests to which the consent authority must be satisfied in order to demonstrate compliance with the relevant requirements of Sydney LEP 2012, including Clause 6.16.

Value statement

The predominant built form typology of Central Sydney is a podium building with tall building element set back above. A group of podiums form a street wall when viewed from a Public Place. This configuration manages impacts on the amenity of the public domain and surrounding development in a number of ways:

- A tall building that is set back from its site boundaries that sits on a building podium creates space around it that provides light and air into the street.
- A building podium maintains definition of the street at a reasonable pedestrian scale whilst managing climatic effects of tall buildings - including downdrafts, wind funnelling, reduced daylight and overshadowing.
- Street wall buildings create areas of special character throughout Central Sydney as a result of variations in their scale and articulation.
- Heritage items create space between tall buildings that allow more sunlight, daylight and air circulation to the street.

Issues of scale, daylight, wind and character arising from tall buildings can be managed by controlling:

- Street Frontage Heights;
- setbacks;
- building form separations; and
- Building Envelope Areas and dimensions.

These requirements are specifically designed to minimise the impact of tall buildings on the amenity in the public domain. Controls for amenity within developments are contained in other sections of this DCP (see Section 4 Development types and Section 5.1.2 Development outlook and demonstrating amenity compliance) and SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

In this section:

Building Envelope Area is the area including all internal and external built elements and enclosed voids between that floor level and the next floor level measured in plan.

Podium means the base of a tall building that is built close to or along the site boundary or boundaries. It defines the Public Place and is distinct from the part of the tall building above it, which is set back from the boundary or boundaries.

Public Place has the same meaning as in the Local Government Act and includes streets, lanes (i.e. narrow streets) and public open space.

Podium Height means the Street Frontage Height also applied at side and rear boundaries (note, street, side and rear setbacks do not apply to buildings less than 55 metres in height).

Street Frontage Height means the vertical height above ground level of that part of the building closest to a Public Place. Street Frontage Height is the development control that sets the desired street wall or podium height.

Street Setback means the setback from the site boundary of that part of the building closest to a public place and applies for any part of the building or building element above the Street Frontage Height (including for example architectural elements like horizontal or vertical fins).

Objectives

(a) To maintain daylight and sunlight in streets, lanes and Public Places.

(b) To manage the wind impacts of development on streets, lanes and other Public Places so that they are safe and comfortable for people.

(c) To allow comfortable air movement to disperse pollution and cool streets, lanes and Public Places.

(d) To ensure that occupants of tall buildings have access to daylight and outlook by providing appropriate separation from surrounding buildings.

(e) To establish Street Frontage Heights in Central Sydney that are appropriate to a site's context and location.

(f) To ensure small sites that are unable to provide setbacks do not develop as tall buildings above the Street Frontage Height.

(g) To ensure that each tall building is designed to be seen as a unified composition from all sides – that they are designed to be seen "in the round".

(h) To promote streets and laneways as important Public Places.

(i) To avoid the appearance of contiguous 'wall of towers', where groups of tall buildings appear as one solid mass.

Provisions

5.1.1.1 Street frontage height and street setbacks

Value statement

Street Frontage Heights

Buildings that are built to the street alignment with a height to street width ratio of at least 1:1 provide a sense of enclosure to the street. In Central Sydney, street widths average under 20m, so in general an appropriate minimum street frontage height for buildings is 20m.

Buildings taller than 45m at the street alignment are greater than 2.25 times the street width, and create an overbearing sense of enclosure. The street frontage height of most existing buildings in Central Sydney ranges between 20 and 45m.

For historical planning reasons many existing buildings in Central Sydney have a height or street frontage height of 45m high.

Buildings with street frontage heights between 20 and 45m reinforce the characteristic built form of Central Sydney. The maximum street frontage height that may be permitted anywhere in Central Sydney is 45m.

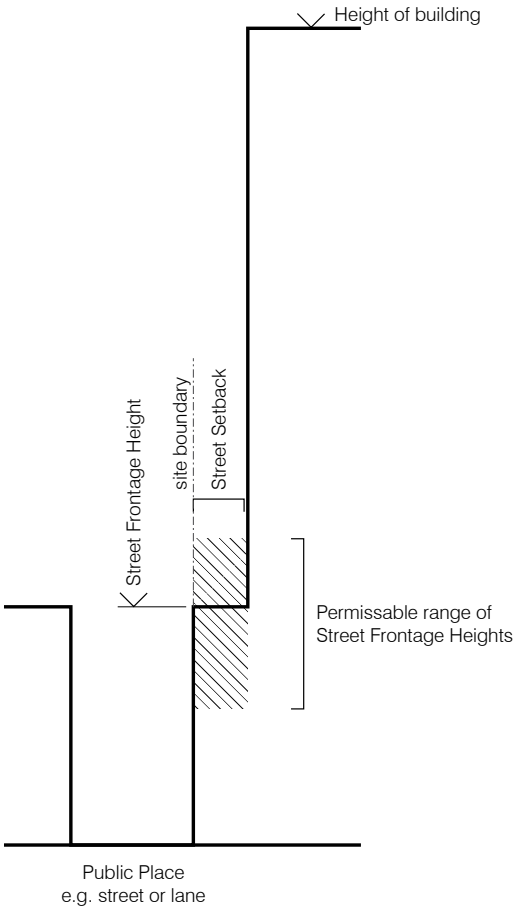
Street Setbacks

Buildings over 45m high that are built to or close to the street alignment can reduce daylight to streets; overshadow streets and lower levels of buildings; create unpleasant wind conditions; create an overwhelming sense of enclosure; and affect growing conditions for street trees.

Setting back higher elements of buildings preserves reasonable levels of daylight at street level and helps minimise wind problems to create a comfortable street environment.

A 10m setback doubles the amount of sky seen on an average 20m street in Central Sydney and significantly reduces wind impacts.

Figure 5.2
The street frontage height of development outside of special character areas should range between 20m and 45m



Objectives

(a) Achieve comfortable street environments for pedestrians with high levels of daylight, appropriate scale, sense of enclosure and wind mitigation.

(b) Encourage flexibility in building design while reinforcing the character of Central Sydney and ensuring built form is compatible with heritage items and the desired streetscape character.

(c) To recognise the variety and patterns of street wall heights throughout Central Sydney.

(d) To ensure that buildings address and define laneways consistent with their special character.

(e) To provide setbacks above the Street Frontage Height that promote good separation between tall buildings, across streets, maintain views to the sky and create a sense of openness in the street.

(f) To allow flexibility for setbacks above Street Frontage Height but only where better performance in relation to wind mitigation and daylight access to Public Places can be demonstrated.

(g) To protect long, low angle views of open sky and landmark features.

Provisions

(1) The Street Frontage Height and Street Setbacks of a building must be in accordance with Table 5.1 – Permissible range of Street Frontage Heights and Table 5.2 Minimum Street Setbacks, except for buildings in Special Character Areas that must be in accordance with the Minimum Street Frontage Heights for Special Character Areas in Table 5.3 and the Minimum Street Setbacks and Maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16 in Section 5.1.1.2.

Note: Section 5.1.1.1(2) Street Setback variation provisions do not apply to Heritage Items or in Special Character Areas, unless noted on Special Character Area maps.

Note: The permissible range of Street Frontage Heights also apply to the side and rear boundaries of a site, being the podium, for buildings over 55m.

Table 5.1: Permissible range of Street Frontage Heights

Permissible range of Street Frontage Heights			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	20-35m* Or 20-45 for street block corner sites less than 1000sqm	20-35m*	20-25m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	20-45m	20-45m	20-25m*
	Heritage items outside Special Character Areas		Existing height	Existing height	Existing height

* up to 45m subject to Section 5.1.1.1(2)

(2) Notwithstanding Section 5.1.1.1(1) and Table 5.1, buildings that contain more than 40% residential accommodation including serviced apartment floor space, may have a Street Frontage Height of up to 45m where all floors between the height shown in the table and 45m are used for commercial premises and/or publicly owned facilities or establishments and the street frontage height is compatible with the context.

Table 5.2: Minimum Street Setbacks

Minimum Street Setbacks			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	8m or 6m where adjoining sites Street Setbacks are less than 6m	8m*	8m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	2m	8m*	8m*
	Heritage items outside Special Character Areas		10m to Public Places greater than 8m wide (streets). 2-10m on Public Places up to 8m wide (lanes) determined by heritage values and context.		

* may be varied subject to 5.1.1.1(3)

(3) Where noted in Clause(1) Table 5.2 Minimum Street Setbacks and on the Special Character Area maps, variation to Street Frontage Height (excluding sites in Special Character Areas) and Street Setbacks may be permitted to building massing that provides:

(a) encroachment(s) 2m forward of the minimum Street Setback within the middle third of the frontage to a Public Place and provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback; or

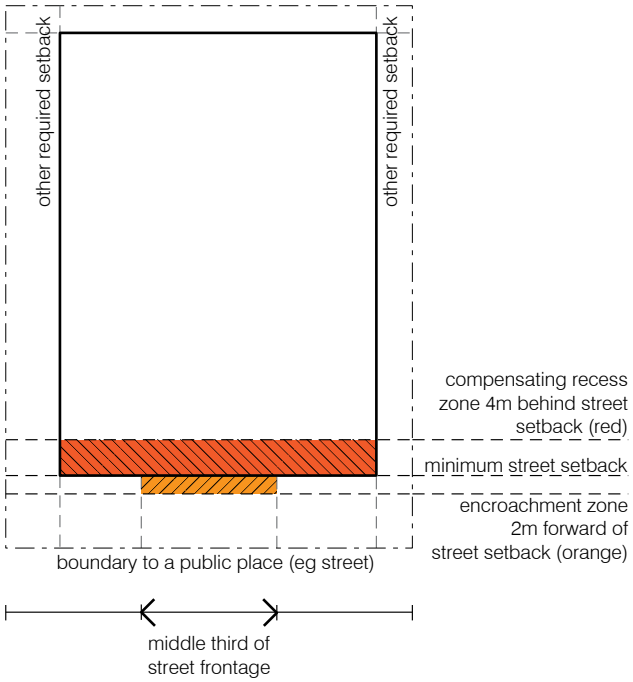
(b) equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance); and

(c) a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context.

Procedures for demonstrating compliance with 5.1.1.1(3)(a) and (b) are set out in Schedule 12.

(4) Notwithstanding Section 5.1.1, greater Street Setbacks may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.2 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

Figure 5.3
Setbacks provide building design flexibility – Minimum Street Setbacks may be varied in accordance with Section 5.1.1.1(3) and the procedures for demonstrating compliance at Schedule 12



5.1.1.2 Street frontage heights and street setbacks in Special Character Areas

Value statement

Central Sydney contains a number of areas with special and distinctive character (Special Character Areas) that are important to the identity and character of Central Sydney. The boundaries of Special Character Areas are shown in Figure 2.1.

These areas include a number of distinctive qualities: a character unmatched elsewhere in Central Sydney; a concentration of heritage items and quality streetscapes, and; a focus of public life with high cultural significance. They often include a highly distinctive element in the public domain, are structured around a significant park or other Public Place, and are deliberately planned in such a way so as to enhance public view corridors.

Sydney LEP 2012 identifies a number of Special Character Areas that significantly contribute to the quality of the public domain and the distinctiveness of Central Sydney. Development in Special Character Areas can reinforce and enhance the existing character by responding to Special Character Area Street Frontage Heights and setbacks and the locality statements and principles for each Special Character Area in Section 2.

Objectives

(a) To ensure appropriate height transitions between development, heritage items and buildings in Special Character Areas as required by Clause 4.3 of Sydney LEP 2012.

(b) To enhance the distinctive attributes and qualities of the built form, streetscapes and Public Places of the Special Character Areas.

(c) To ensure development is compatible with distinctive character and significance of each Special Character Area.

(d) To enhance the heritage significance of heritage items and their settings.

(e) To enhance existing public views and public vistas to heritage items and places of historic and aesthetic significance.

(f) To ensure development has regard to the fabric and qualities of heritage items within Special Character Areas in respect of scale, form, modulation, articulation, proportion, street alignment, materials and finishes

(g) To enhance the level of sunlight and daylight access to streets, lanes, parks and other public domain spaces.

(h) To provide clear guidance about permitted heights and setbacks in Special Character Areas by way of detailed Special Character Area Maps.

Provisions

(1) The Street Frontage Height and Street Setbacks of development in a Special Character Area must be in accordance with:

(a) Street Setbacks as shown in the Special Character Area maps at Figures 5.4 to 5.16;

(b) the minimum Street Frontage Height controls provided in Table 5.3; and

(c) the maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16.

Note: development adjacent to Heritage Items must also address the requirements of Section 5.1.3.1.

(2) The minimum Street Frontage Height of development within a Special Character Area, or part thereof, not specified in Table 5.3 must comply with the permissible range of Street Frontage Heights set out in Table 5.1.

Table 5.3: Minimum street frontage heights for Special Character Areas

Special character area	Map reference	Minimum street frontage height
Bridge Street Macquarie Place Bulletin Place	A	15m
Chifley Square	B	35m
Circular Quay	C	25m
College Street Hyde Park	D	The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, excluding the Great Synagogue at 187A Elizabeth Street which cannot be used as a minimum.
Farrer Place	E	35m
Haymarket Chinatown	F	15m or the street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, whichever is smaller.
Macquarie Street	G	The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street. Note: Refer to the conservation management plan controls for sites on the eastern side of Macquarie Street, Sydney
Martin Place	H	45m
Pitt Street Mall	I	35m for sites north of King Street; and 25m for sites south of King Street
Railway Square / Central Station	J	No minimum
Sydney Square Town Hall and St. Andrews	L	20m
Wynyard Park Lang Park	M	45m
York Street Clarence Street Kent Street	N	20m



Bridge Street / Macquarie Place / Bulletin Place Special Character Area

Figure 5.4

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Chifley Square Special Character Area

Figure 5.5

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Circular Quay Special Character Area

Figure 5.6

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

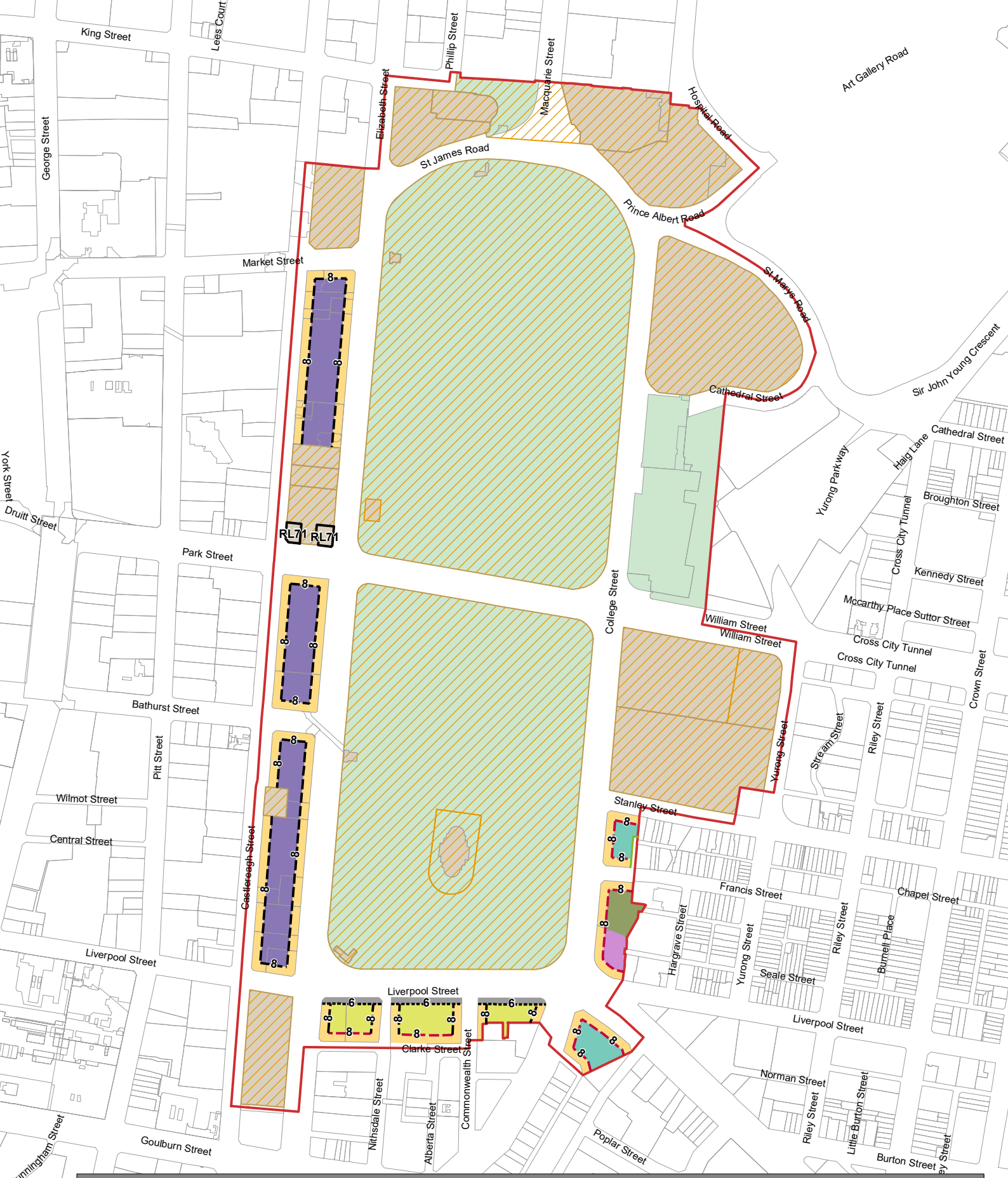
- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



College Street / Hyde Park Special Character Area

Figure 5.7

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Farrer Place Special Character Area

Figure 5.8

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Haymarket / Chinatown Special Character Area

Figure 5.9

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Macquarie Street Special Character Area

Figure 5.10

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Martin Place Special Character Area

Figure 5.11

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Pitt Street Mall Special Character Area

Figure 5.12

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

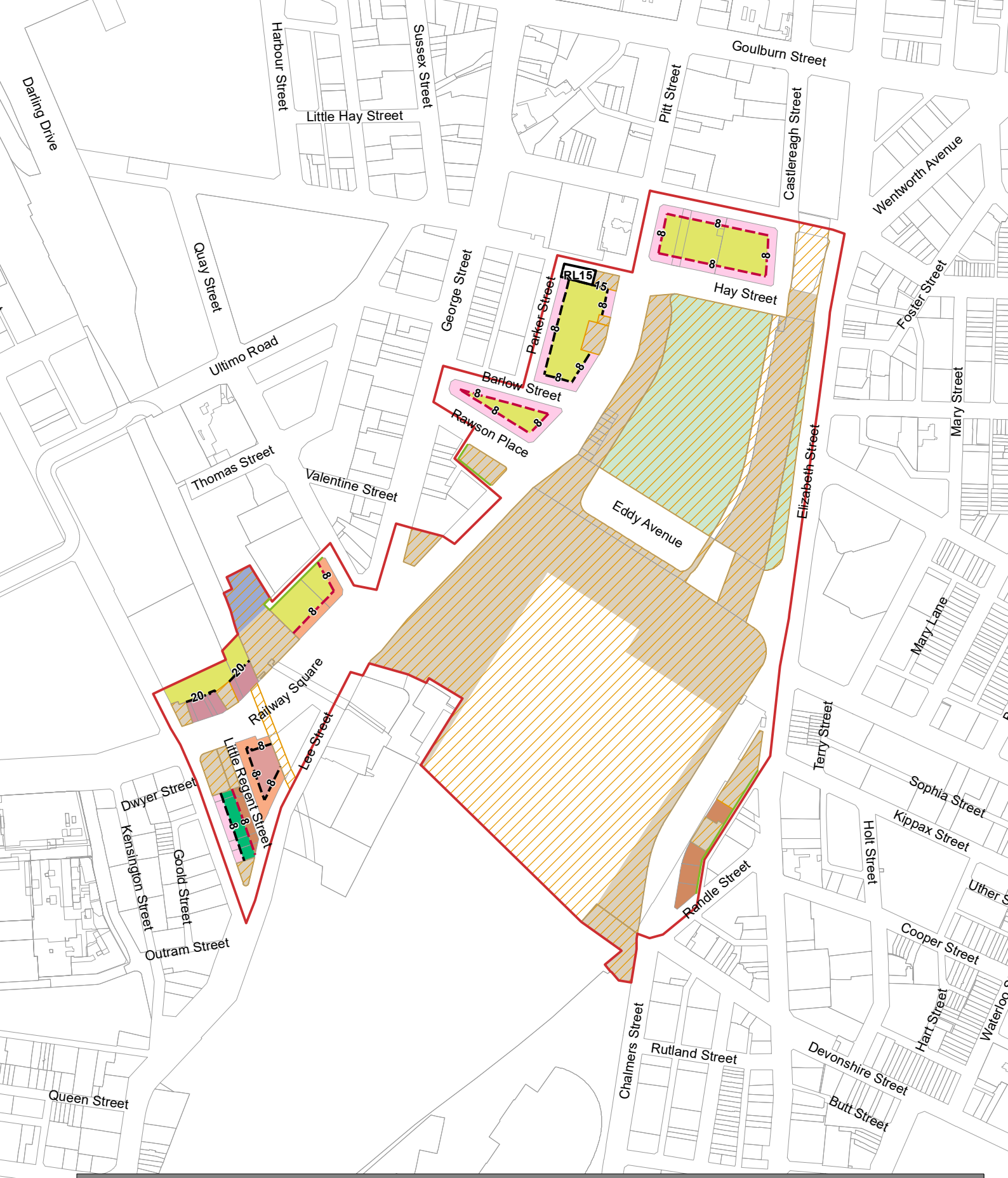
- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Railway Square / Central Station Special Character Area

Figure 5.13

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Sydney Square / Town Hall & St Andrews Special Character Area

Figure 5.14

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



Wynyard Park / Lang Park Special Character Area

Figure 5.15

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m



York Street / Clarence Street / Kent Street Special Character Area

Figure 5.16

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

- Zero street frontage height (full setback)
- Existing height of building – see clause 5.1.3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

N

0 20 40m

5.1.1.3 Side and rear setbacks and building form separations

Value statement

Side and Rear Setbacks and Building Form Separations allow ventilation, daylight access and help reduce adverse wind effects.

Side and Rear Setbacks and Building Form Separations required by this section of the DCP have been established by giving consideration to building height. Tall buildings should appear 'in the round' so that each face of a building is substantially visible from immediately adjacent Public Places.

The Side and Rear Setbacks and Building Form Separations set out in this section are intended to manage the impact of development on surrounding public domain. Setbacks required for amenity within a development are set out in Section 5.1.2.

Objectives

(a) To enhance the quality of the Public Places in terms of wind mitigation, ventilation and daylight access.

(b) To ensure tower elements of tall buildings are appropriately setback from side and rear boundaries to:

  (i) provide definition to building podiums;

  (ii) ensure that tower elements appear 'in the round', and;

  (iii) to allow sufficient light and air into surrounding Public Places.

(c) To avoid the appearance of a contiguous 'wall of towers', where groups of tall buildings appear as one unbroken mass.

(d) To promote separate buildings that create a layered visual effect when viewed from a distance.

Provisions

(1) Side and Rear Setbacks and Building Form Separation controls apply to development massing above Street Frontage Height.

(2) The Side and Rear Setbacks and Building Form Separations of development must be in accordance with Table 5.4 – Minimum side and rear setbacks and building form separations, including development in Special Character Areas.

(3) The greatest setbacks and separation required by Table 5.4 must be applied consistently from the Street Frontage Height to the top of the building.

(4) Side and Rear Setbacks must be provided entirely within the boundaries of the site and the minimum setback is to be applied consistently from the top of the building down to the Podium Height.

Figure 5.17
Minimum Side or Rear Setbacks above Street Frontage Height applied consistently to the top of the building

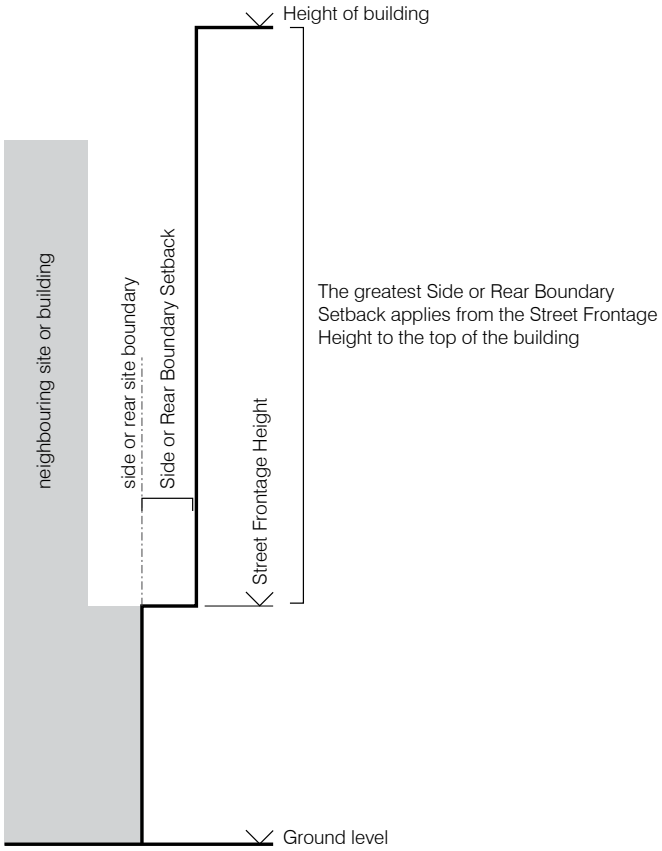


Figure 5.18
Minimum Side or Rear Setbacks above Street Frontage Height applied consistently to the top of the building not varying in cross section

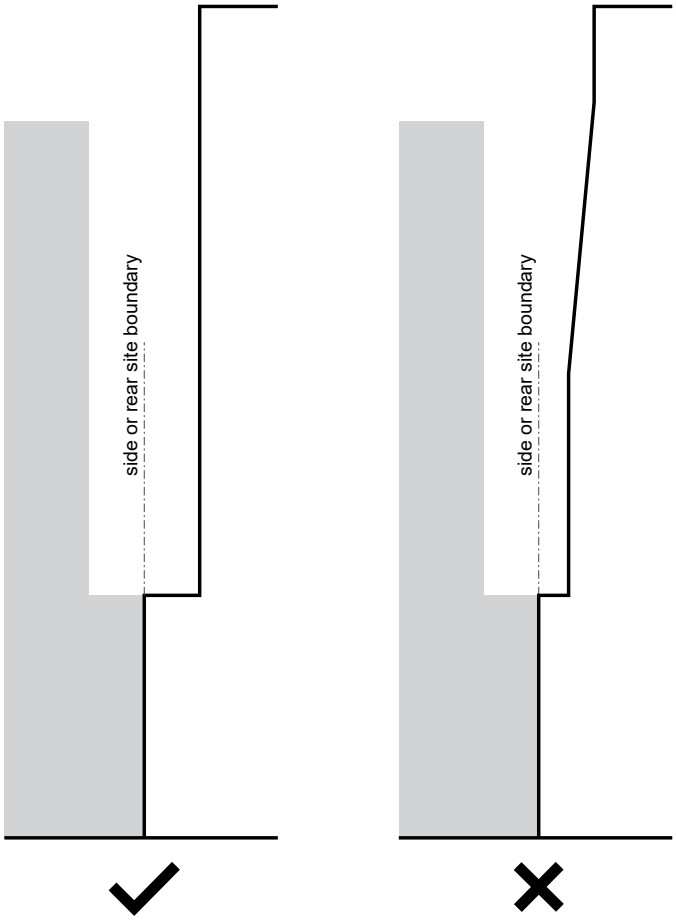
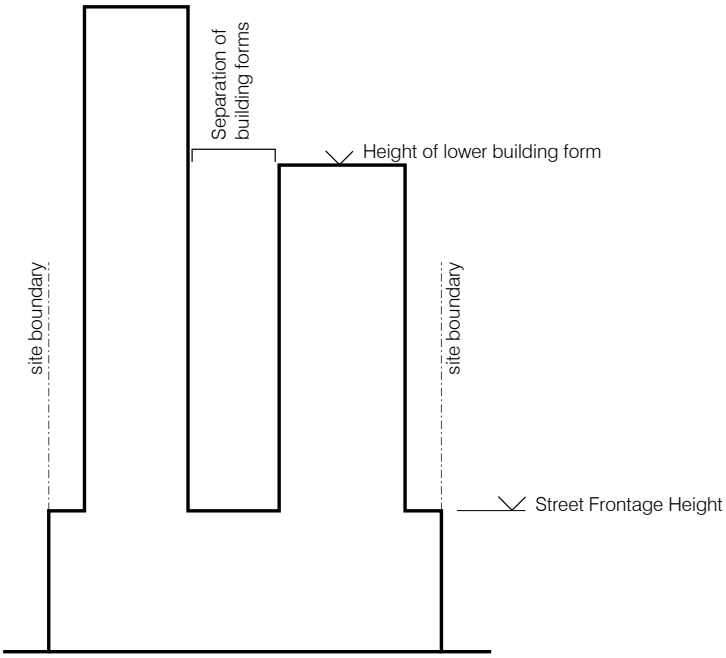


Figure 5.19
Separation required between building forms on the same site



Note: Building 'Form' Separations is used as a description as technically in most instances the development will constitute one 'building'.

(5) Notwithstanding (4) above, Side and Rear Setbacks may need to vary in plan where the top of the building has been designed with varied heights.

Figure 5.20
Side and Rear Setbacks vary in plan as the height of the top of building varies

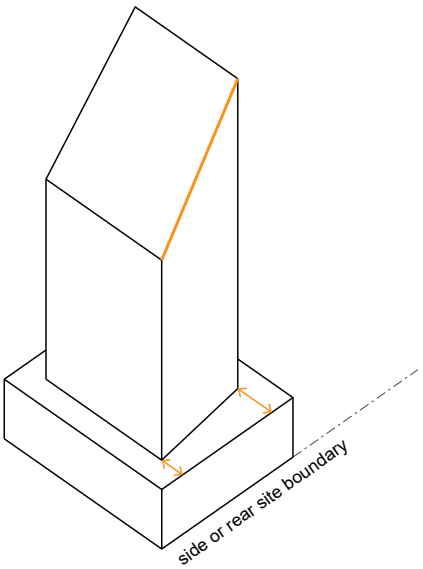


Table 5.4: Minimum side and rear setbacks and building form separations

Minimum side and rear setbacks and building form separations	Proposed total height of building			
	Up to 55m	Greater than 55m up to 120m	Greater than 120m up to 240m	Greater than 240m
Side and rear setback above street frontage height	0m	4m	3.33% of the proposed total height of building	8m
Building form separations on the same site	0m	8m	6.66% of the proposed total height of building	16m

Note: For separation on the same site use the lower building form height to determine the required separation.

(6) Variation to Side and Rear Setbacks and Building Form Separations may be permitted where:

(a) equivalent or improved wind comfort, wind safety and daylight levels are achieved in adjacent Public Places, relative to the base case building massing as required under Schedule 12 (i.e. variation to massing is governed by achieving equal or better performance), and

(b) a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis, which demonstrates how the proposed massing is compatible with the context.

Procedures for demonstrating compliance with 5.1.1.3(4) are set out in Schedule 12.

(7) Notwithstanding (6) above, facades that contain windows must be set back from side and rear site boundaries by a minimum of 2m (the setback must extend to the top of the building) to allow maintenance of the façade from a building maintenance unit fully within the site boundary unless an easement exists for maintenance access over the adjoining land or the façade is accessible from a public place.

(8) Notwithstanding 5.1.1.3 Side and Rear Setbacks and Separations, greater setbacks and separation may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.2 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

5.1.1.4 Built form massing, tapering and maximum dimensions

Value statement

The impact of tall buildings on the amenity of the public domain increases as building height increases. It is appropriate to manage building dimensions and massing of tall buildings to ensure that these types of buildings are not overwhelming in scale and impact on the amenity of the public domain.

Objectives

(a) Ensure that tall buildings are slender and do not appear as walls or as overly massive from any direction.

(b) Ensure residential accommodation, serviced apartment and self-contained hotel developments present as slender buildings.

(c) Ensure that buildings are slimmest at their peaks so that in the overall city form buildings become less bulky at their upper limits.

This section may require increased setbacks when read in conjunction with other provisions in the DCP.

Provisions

(1) Above Street Frontage Height the maximum horizontal dimension of a building including all external elements (for example architectural elements like horizontal or vertical fins) measured in any direction (including diagonally across the building – see Figure 5.21) is not to exceed:

(a) 50m for residential accommodation and serviced apartment developments; and

(b) 100m for all other developments.

(2) For residential accommodation, serviced apartments or self-contained hotels with a height above 55m, the size of any floor plate above the Street Frontage Height must not exceed 1,000 square metres floor space area (as per the Gross Floor Area definition).

(3) Above the Street Frontage Height, the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks or other required massing exclusions:

(a) 100% up to 120m above ground;

(b) 90% above 120m up to 240m above ground; and

(c) 80% above 240m above ground.

Note: In some circumstances where the top of the building envelope is sloped or steps this form may assist in meeting the above requirement that the cross sectional area of the building reduces as the building's height increases.

(4) For the purposes of calculating Building Envelope Area:

Building Envelope Area is the area including all internal and external built elements and enclosed voids between that floor level and the next floor level measured in plan.

Note: Where a heritage item or part thereof is within a required setback that area is only subtracted once.

Note: Where compliance with Sections 5.1.1.1(2) and 5.1.1.3(5) has been demonstrated in relation to a varied setback, and the resultant Building Envelope Area fails to comply with Section 5.1.1.4(3), the variation to Section 5.1.1.4(3) may be permitted.

Note: Variation to 5.1.1.4 (1) to (3) may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to the base case building massing as required under Schedule 12, with complying Side and Rear Setbacks and building tapering and maximum dimensions (i.e. variation to massing is governed by achieving equal or better performance) and that it is also demonstrated that a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context.

Figure 5.21
Maximum horizontal dimension of a building above Street Frontage Height

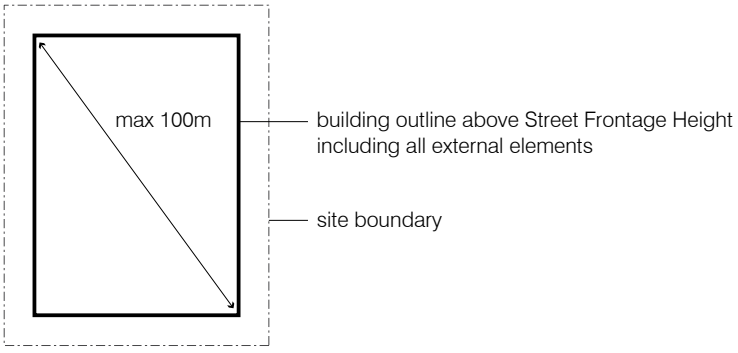
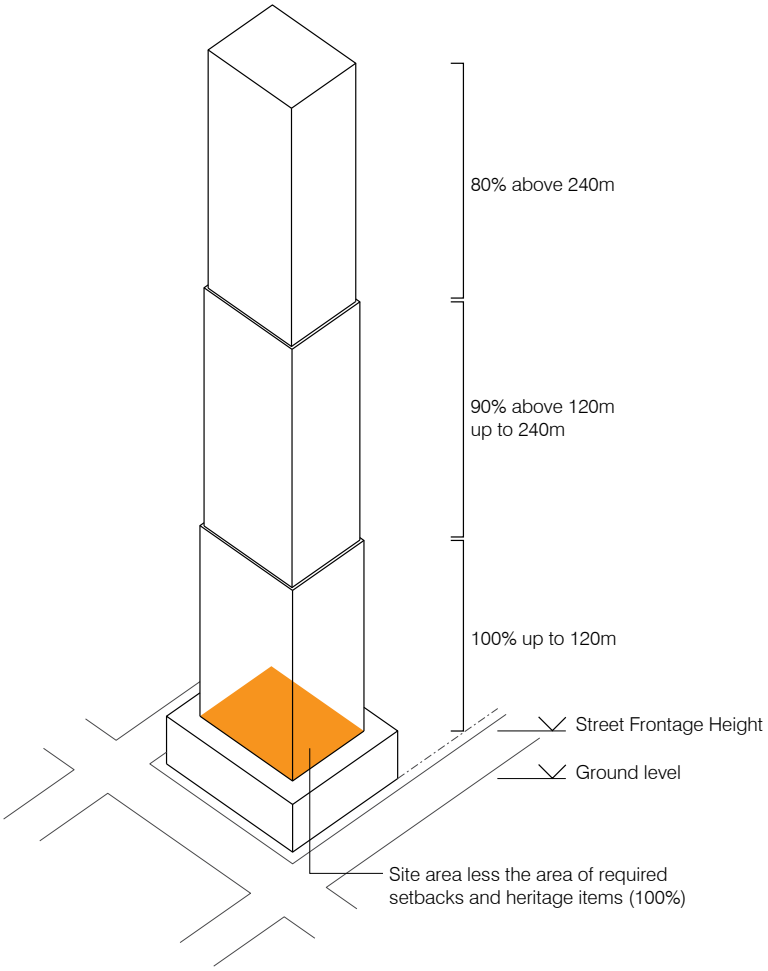


Figure 5.22
Maximum Building Envelope Are above Street Frontage Height



5.1.2 Development outlook and demonstrating amenity compliance

Value statement

Sydney LEP 2012 and Sydney DCP 2012 purposefully seek to protect and enhance public amenity such as daylight and sunlight to Public Places and public views that are of benefit to the whole community.

In Central Sydney's dynamic and dense development environment certainty for the protection of private amenities such as sunlight and views cannot be guaranteed. The maintenance of sunlight access and private views to existing development should not unduly restrict the economic performance and economic growth of Central Sydney, where proposed development has demonstrated compliance with Sydney LEP 2012, in relation to height and FSR, and Sydney DCP 2012 Section 5.1.1 Built form controls. This is especially the case for proposed employment related developments that impact on existing residential and serviced apartment developments.

Development outlook

All developments should provide for adequate setbacks within their developments sites so as to guarantee their own minimum outlook, as opposed to a view.

Demonstrating amenity compliance

Where residential accommodation and serviced apartment developments are proposed, solar and daylight access for future occupants must be measured assuming the full redevelopment of neighbouring sites in the vicinity. This provides a stronger foundation for the amenity of future occupants to be guaranteed.

Objectives

(a) Ensure that windows and balconies provide adequate outlook.

(b) Ensure development is self-sufficient in the provision of amenity so that access to outlook and sunlight is reasonably guaranteed for the foreseeable life of the development.

(c) Ensure that development does not unreasonably borrow amenity from neighbouring sites including access to views and sunlight.

(d) Ensure residential accommodation and serviced apartment developments provide for adequate solar access over the life of the development.

(e) Ensure existing residential accommodation and serviced apartment developments do not unreasonably impede the development of commercial and other employment related floor space.

Provisions

(1) Outlook from windows, balconies must have a minimum clear Outlook Field that:

  (a) has a depth set out in Table 5.5 Minimum Outlook Field depths

  (b) is completely contained within the sites boundaries and/or adjacent Public Place(s); and

  (c) is completely clear of built obstructions, excluding public domain structures and trees in a Public Place.

(2) An Outlook Field is defined by extending a visual field horizontally for the width and height of the window or balcony and perpendicular to it, with additional sector shaped fields extending from the edges of the window/ balcony that have a combined angular extent of at least:

  (a) 30 degrees, where the fields extend unobstructed to a Public Place, or;

  (b) 90 degrees.

(3) For the purposes of defining an Outlook Field, windows or balconies within 1m of each other will be treated as one continuous window or balcony.

(4) Outlook Fields for balconies must be measured from the balcony edge opposite the principal window and parallel to it.

Figure 5.23
Outlook Field extending unobstructed to a Public Place

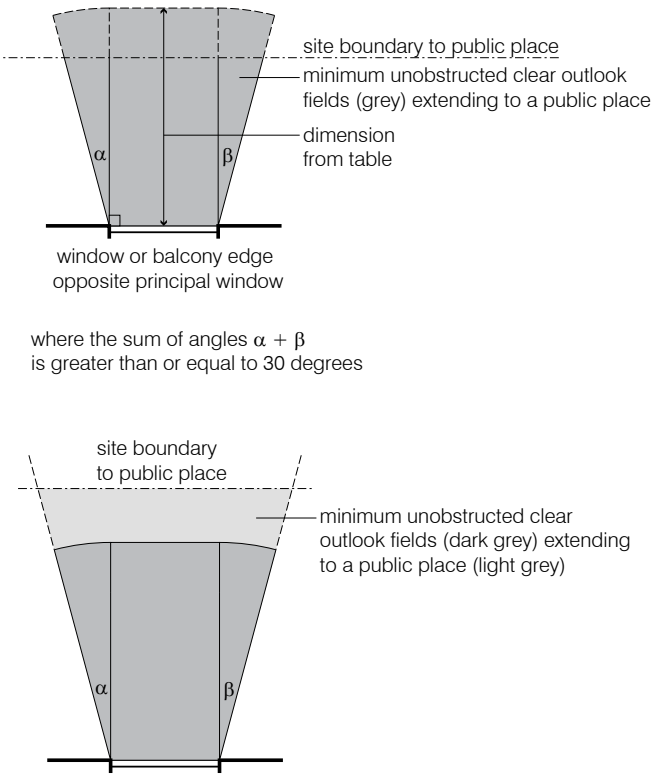


Figure 5.24
Outlook Field not to a Public Place (unobstructed)

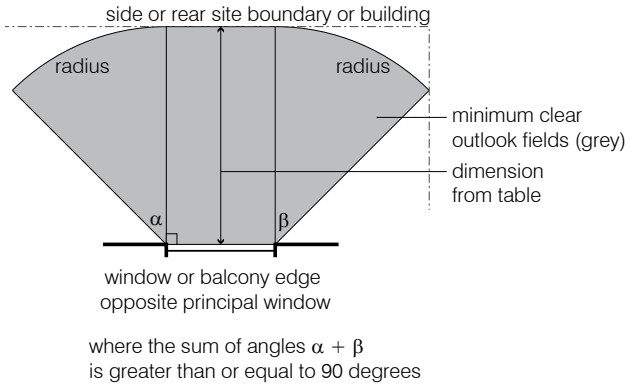


Figure 5.25
Outlook Field sectors are flexible in their application as long as the total minimum angular extent is achieved

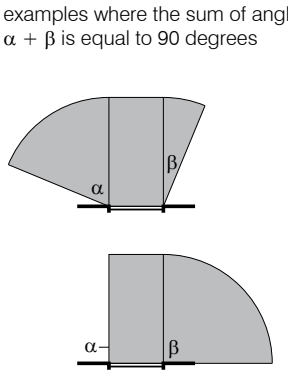


Figure 5.26
Whether recessed, treated with side screens or open, Outlook Fields for balconies must be measured from the balcony edge opposite the principle window and parallel to it

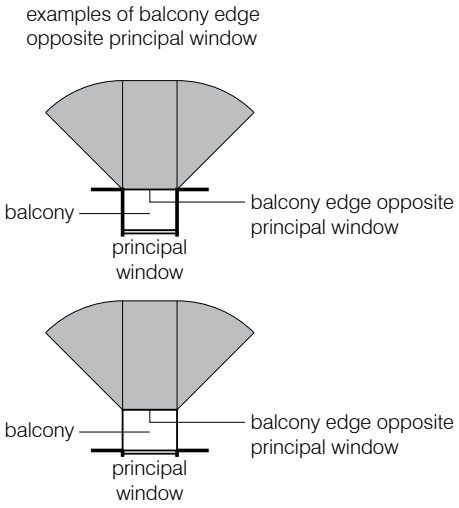


Table 5.5: Minimum outlook field depths

Minimum outlook field depths			Window or balcony height above ground				
			up to 12m	>12 up to 25m	>25 up to 45m	>45m up to 120m	>120m
Use and window/ balcony context	Residential, Serviced Apartments and other forms of self-contained accommodation	primary windows to living spaces and associated balconies	6m	9m	12m	12m	12m
		other windows or balconies	6m	6m	9m	9m	9m
	All other forms of accommodation (e.g. non-self contained hotel rooms)	all windows and balconies	6m*	6m*	6m*	9m	9m

* Windows and balconies may be built to any site boundary adjacent to a Public Place up to the Street Frontage Height set out in relevant Tables 5.1 or 5.3 – i.e. this Table's value becomes 0m in those instances.

Note: The above requirements for outlook are in addition to the requirements for visual privacy set out in the Apartment Design Guide.

Note: When measuring visual privacy across streets narrower than 24m the visual privacy separation should be measured from the centreline of the street.

(5) When demonstrating compliance with SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide in relation to solar and daylight access, proposed residential accommodation and serviced apartment developments must make measurements assuming the full redevelopment of neighbouring sites in the vicinity under Sydney LEP 2012 and Sydney DCP 2012.

Heritage listed and residential strata sites may be excluded for the purposes of assumed redevelopment. For all other sites, full redevelopment must be assumed, including amalgamation and full redevelopment of contiguous sites.

Note: An electronic model of a fully redeveloped Central Sydney under Sydney LEP 2012 and Sydney DCP 2012 will be provided to applicants by the City of Sydney for the purposes of demonstrating solar and daylight access compliance.

(6) When considering the likely impacts of a development on surrounding developments any adverse impacts on existing private views, visual privacy, solar and daylight access are considered reasonable where compliance with Section 5.1.1 and 5.1.2(1), (2) and (3) has been achieved.

(7) Notwithstanding Section 5.1.2(6), residential accommodation and/or serviced apartment developments that must consider overshadowing and visual privacy of surrounding residential developments under State SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

5.1.3 Heritage items, warehouses and special character areas

This section applies to all heritage items.

Value statement

Central Sydney has a wealth of historic buildings and places; many of which are not only locally significant, but are also significant at a state, national or international level. Many have both individual value and collective value. Their attributes contribute to Special Character Areas in the city centre that have a distinctive identity and sense of place. The former warehouses of Central Sydney also have particular historic features.

Conserving our environmental heritage and Special Character Areas respects Sydney's inheritance and contributes to the diversity, vitality and liveability of the city centre. The diversity of scale, form, and character, of heritage places and areas, provides relief from denser contemporary development and places for cultural and social activities.

The challenge is to create a high quality urban environment that serves the needs of the city centre and provides for new development whilst conserving the value and the distinctive qualities of heritage items and Special Character Areas for future generations.

Special Character Areas offer an effective basis for overarching objectives for urban design and for controls that effectively guide the form of new development. Heritage Items are usually best conserved in their entirety. New development may incorporate a heritage item subject to a conservation management plan that establishes how its heritage significance will be appropriately conserved.

The following objectives and provisions relate to development of and adjacent to Heritage Items, alterations and additions to warehouse buildings and the conservation of public domain features in Special Character Areas. They should be addressed in addition to the requirements of Section 3 where applicable.

Objectives

(a) To conserve heritage items in their entirety.

(b) To conserve and enhance former warehouses and provide for their appropriate use in a manner that retains significant courtyards, cartways and other historic features.

(c) To conserve and enhance significant features within the public domain of Special Character Areas.

(d) To ensure appropriate height transitions between development and heritage items as required by Clause 6.16 of Sydney LEP 2012.

(e) To enhance existing public views and vistas to heritage items.

(f) To conserve the setting of heritage items by ensuring that new development respects and reinforces the significant scale, form, modulation, articulation, proportions, street alignment, materials and finishes of heritage items in the vicinity.

Provisions

5.1.3.1 Additions to heritage items

(1) No additions to heritage items will be permitted unless the consent authority is in the opinion that the addition is appropriate after having regard to the following:

(a) A Conservation Management Plan approved by the City of Sydney.

(b) The City of Sydney heritage inventory for the heritage item.

(c) The impact of the proposal upon the setting and views to the heritage item.

(d) The advice of a committee appointed in accordance with Section 5.1.3.1(2), where applicable.

(e) The impact upon significant form, structure, exterior and interior components, interior spaces and character.

(f) The impact of new building services, accessibility upgrades and structural and environmental requirements for compliance with the National Construction Code - Building Code of Australia.

(g) Proposed conservation works to remove unsympathetic alterations, restore lost features or other works to enhance the heritage significance or public enjoyment of the heritage significance of the item.

(2) Notwithstanding Section 3.9.4, where development in Central Sydney will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012, and the development involves:

(a) demolition that will result in a reduction of the building envelope, or demolition of existing fabric of the heritage item by more than 35%;

(b) an increase in the size of the building envelope of the heritage item by more than 20%; or

(c) building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item.

The consent authority is to:

(a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;

(b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and

(c) consider the advice of the committee, but is not bound by the advice of the committee.

(3) Where, in the opinion of the consent authority having considered the advice of the committee, additions are possible to a heritage item, such additions are to be designed with sensitivity to the values and significant qualities of the heritage item.

(4) Where a Conservation Management Plan indicates that upper additions to a heritage item should only be undertaken with a setback, the minimum setback is to be in accordance with Section 5.1.1.

(5) In Special Character Areas for any site shown on Figures 5.4-5.16 with the note "Existing height of building - see clause 5.1.3.1(5)", any vertical addition to that heritage item must not be visible from adjacent Public Places.

5.1.3.2 Development adjacent to heritage items

(1) New development adjacent to a heritage item should respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the adjacent heritage item.

(2) Consideration must be given to the impact of adjacent development on the significance, setting, curtilage, landmark values and ability to view and appreciate the heritage item from Public Places.

5.1.3.3 Warehouse buildings

The following are in addition to the general warehouse provisions in Section 3.10.1.

(1) New development should conserve the significant form and configuration of warehouse buildings including surviving cartways and courtyards.

(2) Ensure new uses for warehouses are compatible and minimise change to significant components, spaces and character, including adaptations required to comply with the National Construction Code - Building Code of Australia.

(3) New development should retain and conserve significant features and spaces of former warehouses, internally and externally. Significant components of warehouses in central Sydney vary according to style and period, and may include:

(a) structural components and roof forms;

(b) external and internal walls including footings;

(c) subfloors, floors and ceilings;

(d) roofing and roof plumbing;

(e) loading bays, docks, and loading and hoisting components such as pulley beams, pulleys and hoist machinery;

(f) the design and placement of openings and attachments including door and window assemblies, grills, glazing, gates, vents, basement lights and hardware;

(g) internal and external stairs, chutes, internal lifts and goods hoists;

(h) pavements such as stone setts, and drains, steel and iron wheel tracks;

(i) early finishes, signage and bollards

(j) cartways and cartdocks

(4) Significant features and spaces of courtyards and cartways to retain in new development include their:

(a) existing size and configuration;

(b) openness to the sky and street;

(c) functionality as a passage between the street and internal courtyard; and

(d) original level and grade, associated archaeological potential and evidence of early pavements or other in-ground features.

Table 5.6: Known former warehouses with intact cartways, courtyards and infilled cartways

Former warehouses retaining intact cartways or courtyards	Address	Item number
Commercial building including interiors (former warehouse)	1 Barrack Street	I1667
Former warehouse including interiors, cartway and courtyard	152-156 Clarence Street	I1716
Former warehouse including interiors	197-199 Clarence Street/ 342-344 Kent Street	I1720/ I1820
Former warehouse including interior, cartway and courtyard	332 Kent Street	I1816
Former warehouse including cartway, courtyard and interior (formerly 340 Kent Street)	338 Kent Street	I1819
Former warehouse including interiors, cartway, courtyard and interior	346-348 Kent Street	I1821
Former warehouse Edward Dunlop & Co including cartway, goods yard and interiors	435A-441 Kent Street	I1830
Former warehouse "Gerling House" including interiors, cartway and gates	42-44 Pitt Street	I1914
Former "Foley Bros" warehouse including cartway, courtyard and interiors	230-232 Sussex Street	I1963
Former warehouse "Carlton House" including interiors, cartway and courtyard	38-44 York Street	I1979

Former warehouses retaining infilled cartways	Address	Item number
Former Noyes Bros warehouse including interiors	115 Clarence Street	I2272
Former warehouse including interiors (22 York Street)	22–26 York Street	I1976
Former warehouse "Sargood & Co" warehouse including interiors and grounds (144 Clarence Street)	83–87 York Street	I1993

Note: Applicants should also refer to Section 3.10.1 Warehouses and industrial buildings older than 50 years.

5.1.3.4 Conservation of public domain features in Special Character Areas

(1) The following historic components of streets, lanes, parks and other areas of Public Places are to be conserved if they contribute to the significance of a Special Character Area:

(a) evidence of early road and path surfaces and pavements such as stone setts, woodblocks and hewn rock;

(b) stone kerbing, guttering, drains and paving;

(c) stone steps, fences, railings, retaining walls and hewn rockfaces;

(d) light posts, street furniture and cast iron letterboxes;

(e) sign posts, historical signs, milestones and ward markers;

(f) pavement lights and shafts;

(g) fountains, memorials and sculptures; and

(h) tree plantings.

5.1.4 Building exteriors

Value statement

Central Sydney's cityscape and public domain is defined by its buildings, building elements, streets and Public Places. An attractive city and public domain is dependent on the high quality design of new development including the articulation and finish of building exteriors and building elements. Design Excellence requires development to achieve a high standard of design, materials and detailing from the small scale, like advertising signage and shopfronts, to the large scale, like tall buildings and facade systems.

The closer built elements are to a Public Place the greater level of attention is required to ensure they respond to the desired character of the Public Place. Street wall or podium level materials and detailing should respond well to wear, with consideration given to high quality stone, noble metals and high grade timber as contextually appropriate. Taller buildings should respond to their visibility from Public Places, with particular attention paid to designing exposed walls, particularly those adjacent to heritage items and small sites, to achieve visual interest.

The following objectives and provisions relate to how development should respond to existing development, the street and Public Places. The objectives and provisions, together with those contained within Section 3, seek to ensure developments contribute to the life, vitality and activation of Central Sydney's Public Places.

Objectives

(a) Positively contribute to the streetscape with high quality architecture and design.

(b) Provide richness of detail and architectural interest particularly in prominent parts of buildings.

(c) Present appropriate design responses to nearby development to complement the streetscape.

(d) Clearly define adjoining streets, street corners and public spaces.

(e) Ensure development generally occurs entirely within the site boundaries.

(f) Retain pedestrian scale in the articulation and detailing of the lower levels of the building.

(g) Contribute to a visually distinct skyline.

(h) Ensure that high quality materials and appropriate detailing is provided, particularly at podium and street level.

Provisions

(1) Adjoining buildings, particularly heritage buildings, must be considered in the design of new development in terms of:

(a) street alignment;

(b) Street Frontage Heights;

(c) Street Setbacks; and

(d) facade proportions including horizontal or vertical emphasis and enclosed corners at street intersections.

Note: for development adjacent to Heritage Items, see also Section 5.1.3.2

(2) Building exteriors are to be designed so that:

(a) they have a predominantly masonry character and articulation (typical of Central Sydney) particularly below the maximum Street Frontage Height; and

(b) the materials used, including glass, are predominantly light in colour to reflect better quality light into the streets and respond to characteristic light colours of Central Sydney.

(3) Extensive expanses of blank glass or solid wall on a building facade are to be avoided.

(4) Where development proposes an exposed wall and that wall is visible from a Public Place, a visually interesting treatment is required to that wall, including modelling of form, articulation, the use of high quality materials and finishes and/or public art.

(5) Notwithstanding Schedule 4, in most circumstances any proposed new balcony or bay window in Central Sydney must be contained fully within a site's boundaries. In limited circumstances new balconies or bay windows projecting over a Public Place may be considered in line with Schedule 4, but only where:

(a) the balcony or bay window has a frontage adjacent to Public Place with a width greater than 8m wide, and;

(b) it does not derogate from the existing daylight levels in the adjacent Public Place.

Projections over Public Places that contain GFA, and, projections within 10m of a street intersection, will not be permitted.

(6) The top levels of a building are to be designed to integrate with the design of the building and conceal plant and equipment and promote a visually distinctive and interesting Central Sydney skyline.

(7) The top levels of a building, where stepped, must have a minimum height of 2 storeys.

5.1.5 Temporary use and appearance of vacant sites and buildings

Value statement

Vacant sites and buildings have a negative effect on the quality of the public domain. Temporary uses to the street frontage are encouraged until permanent uses are implemented. It is important that construction sites and vacant sites present an attractive appearance to the streets and public areas to enhance the amenity of Central Sydney.

Objective

(a) Enhance the streetscape and amenity of an area by requiring vacant sites and buildings to provide temporary uses along street frontages at the ground level.

Provisions

(1) The consent authority may require temporary works to be undertaken as a specified condition of development consent if:

(a) a building or site remains vacant for 6 months after consent is granted; and

(b) there is suspension in activity for 6 months, or an aggregate of 6 months, after commencement of construction.

(2) Temporary works on vacant sites or sites where construction activity has been suspended must enhance the streetscape. These works may include the construction of temporary buildings for short term retail or commercial use, landscaping of vacant sites or the provision of hoardings designed by a professional artist.

(3) Temporary uses for vacant buildings or sites are required to be located along the street frontage at ground level to help active the street.

(4) Car parking is not permitted as a temporary use for a vacant site.

5.1.6 Heritage floor space

Value statement

The *Sydney LEP 2012* includes an incentive to conserve and maintain whole buildings in Central Sydney which are heritage items within Schedule 5 Environmental heritage of *Sydney LEP 2012*. The award and allocation procedures include:

- the ability for the owner of a heritage building, subject to meeting certain criteria, to be awarded development potential known as Heritage Floor Space after completing conservation works to that building;
- a requirement that a building in Central Sydney may only exceed the floor space ratio shown on the Floor space ratio map in *Sydney LEP 2012* if an amount of Heritage Floor Space has been allocated or transferred to the development from the register of available Heritage Floor Space; and
- a register held by Council that details awards and allocations of Heritage Floor Space.

Heritage Floor Space (HFS) is created when it is awarded to the owner of a heritage item for undertaking conservation works. It may be used by the owner of the heritage item or on-sold.

Allocation of HFS to a development site extinguishes that HFS, removing it from the stock of HFS available for use and sale.

The City regularly publishes a summary of HFS awards and allocations, known as the Heritage Floor Space Update, so that applicants can identify the owners of HFS to negotiate the purchase of HFS. The update can be viewed on the City's website www.cityofsydney.nsw.gov.au.

The award of HFS is restricted to buildings that are listed in their entirety as heritage items in Schedule 5 of the *Sydney LEP 2012*. It does not apply to heritage items that are only listed as parts of buildings such as 'facade' or 'building element'.

Objective

(a) Provide the formulae and other procedures for the efficient, transparent and equitable operation of the Heritage Floor Space scheme established in the LEP.

Definitions

Award means the entry of an amount of Heritage Floor Space on Council's Heritage Floor Space Register in accordance with a resolution by the consent authority and the completion of relevant requirements.

Allocate means the transfer of an amount of Heritage Floor Space from Council's Heritage Floor Space Register for use within a development site.

Heritage building means a heritage item that is a whole building and shown marked with an asterisk in Schedule 5 Environmental Heritage of the *Sydney LEP 2012*. A heritage building is not a building that has only a part of its fabric listed in Schedule 5 such as the listing of only a 'facade' or 'building element'.

Heritage floor Space (HFS) means transferable floor space awarded to heritage listed buildings under the *Sydney LEP 2012*.

Owner means a person awarded Heritage Floor Space or another person who has acquired the Heritage Floor Space.

Provisions

5.1.6.1 Eligibility of heritage buildings to be awarded heritage floor space

(1) To be eligible for an award of HFS, a heritage building is to be:

(a) located in the Central Sydney area;

(b) subject to conservation works in accordance with an approved Conservation Management Plan; and

(c) not subject to works that would increase the external envelope and floor space of the building, other than a minor increase to facilitate the adaptive re-use of the heritage building.

5.1.6.2 Pre-requisites for the award of Heritage Floor Space

(1) Prior to registration of the HFS, the applicant must complete the conservation works in accordance with the Conservation Management Plan and enter into legal agreements and grant covenants on the land which:

(a) limit any future redevelopment of the site to the total gross floor area and height of the conserved heritage building; and

(b) ensure the ongoing conservation of the building by regular maintenance, including the provision of adequate insurance and a maintenance fund.

(2) A Conservation Management Plan for the heritage item is to be approved by the consent authority and is to generally include:

(a) works to conserve the existing significant fabric of the building;

(b) removal of elements that detract from the significance of the building;

(c) the schedule of maintenance works;

(d) reinstatement of original fabric based on documentary evidence where appropriate; and

(e) other works compatible with significance of the building.

5.1.6.3 Calculating the heritage floor space to be awarded

(1) The maximum amount of HFS, measured in sqm that may be awarded to a heritage building is to be calculated using either Formula 1 or Formula 2.

Formula 1 applies to	rateable buildings in private ownership and Government buildings.
The formula is	HFSH = 0.5AS x FSRH
Where	**HFSH** is the maximum amount of Heritage Floor Space which may be awarded in sqm;
	AS is the site area in sqm occupied by the heritage building; and
	FSRH is the maximum FSR for the site of the heritage building as shown on the LEP FSR Map.

Formula 2 applies to	to non-rateable buildings in private ownership.
The formula is	HFSH = 0.5 x GFAH
Where	**HFSH** is the maximum amount of Heritage Floor Space which may be awarded in sqm; and
	GFAH is the gross floor area in sqm of the heritage buildings.

(2) The consent authority may reduce the maximum amount of HFS which may be awarded by an amount equivalent to:

(a) any existing additions or alterations to the heritage building which the consent authority does not consider feasible to be demolished or altered even though those alterations and additions are:

(i) of little or no significance to the heritage significance of the building; or

(ii) intrusive to the building;

(b) any proposed addition which increases the gross floor area of the existing heritage building; and

(c) any areas where elements of heritage significance are proposed to be demolished, in order to facilitate the adaptive re-use of the heritage building.

5.1.6.4 Staged awards

(1) The consent authority may approve a staged award of HFS to facilitate the carrying out of the full extent of work necessary for the conservation of the heritage building.

5.1.6.5 Calculating the heritage floor space to be allocated

Sydney LEP 2012 enables consent to be granted to a building in Central Sydney which exceeds the maximum FSR for the site shown on the FSR map but only if an appropriate amount of HFS is allocated to the site.

(1) *Sydney LEP 2012* requires HFS to be allocated to a development site if the development utilises specified additional floor space, namely:

(a) accommodation floor space in relation to a building in Area 1, 2, 3 or 4 shown on the FSR map;

(b) opportunity site floor space;

(c) additional floor space awarded as the result of undertaking a competitive design process; and

(d) additional floor space as the result of an approved variation of the FSR development standard.

(2) The appropriate amount of HFS allocation is determined by the *Sydney LEP 2012*, and depends on the circumstance of the development. Generally, the amount of the HFS allocation is to be:

(a) For a site in Area 1, 2 or 3 – 50% of the accommodation floor space that is utilised; or

(b) For a site in Area 4 – 50% of the amount of accommodation floor space utilised above a FSR of 8:1.

(3) If a development utilises other additional floor space, the total amount of the HFS allocation is to be:

(a) the amount of any HFS allocation required as a result of utilising accommodation floor space for a development in Area 1, 2, 3 or 4; and

(b) 50% of any opportunity site floor space utilised; and

(c) 50% of any additional floor space awarded as the result of undertaking a competitive design process; and

(d) 100% of any additional floor space awarded as the result of an approved variation of the FSR development standard.

(4) The total amount of the required HFS allocation may be reduced for development that undertakes an architectural design competition or provides a proposed through-site link that is identified in the Through-site links map. The amount of the reduction is to be:

(a) for a development that undertakes an architectural design competition – 50% of the HFS allocation otherwise required, up to a maximum of 1,000 square metres; or

(b) for a development that provides for a proposed through-site link – 50% of the floor area of the through-site link, up to a maximum of 250sqm.

5.1.6.6 Conditions relating to the allocation and change of ownership of heritage floor space

Where a development proposal utilises additional floor space that requires an allocation of HFS, development consent will be subject to a condition requiring allocation of the appropriate amount of HFS to the building, as discussed above.

(1) Only HFS registered in the HFS Register can be allocated or sold.

(2) Any HFS which is registered in the HFS Register may be allocated to a development whether or not that development is part of or separate to a heritage listed site.

(3) HFS may only be allocated to a development where that development has received development consent.

(4) HFS may not be allocated to a site where the erection of a proposed building would involve demolition or destruction of a heritage item.

(5) Council is to be notified of each allocation and change of ownership of HFS and will update the HFS Register accordingly.

5.1.6.7 Heritage floor space procedures and administration

Information updates of the status of the Register are placed on Council's website. A printed summary can also be provided on request. An administration fee applies.

(1) An application for an award of HFS is to include a Conservation Management Plan for conservation works and ongoing maintenance of the building.

(2) The HFS Register is to be available for public inspection and is to include the following:

(a) details of each heritage item for which HFS has been awarded, the person to whom the HFS was awarded and the amount awarded;

(b) details of each transfer of ownership of HFS, the person to whom the HFS was transferred and the amount transferred;

(c) details of each development to which HFS has been allocated and the amount allocated;

(d) the total amounts of HFS awarded, HFS allocated and HFS available for sale.

(3) HFS may be allocated to a development site, as required by a condition of development consent, from any HFS award listed in the HFS Register.

(4) HFS may only be allocated and used once in a development.

(5) If a proposed development which has received an allocation of HFS does not proceed, the HFS may be re-entered onto the register and be available for re-allocation.

(6) Any purchase price of HFS is to be determined between the registered owner of the HFS and the prospective purchaser and is to be disclosed to the City at the time of transfer. The amount disclosed to the City is to be the total of all money or value paid or given to the vendor by the purchaser in consideration for the purchase of the HFS.

(7) Written confirmation from Council that the HFS required by the development consent has been allocated from the HFS Register is to be provided prior to the issue of a Construction Certificate for the development.

(8) The cost of any legal agreements, transactions, and other documentation required in connection with the award, allocation or change of ownership of HFS is to be met by the registered owner of the HFS and the proposed purchaser.

(9) Council will charge an administrative fee for registering an award or allocation of HFS. This fee is levied under the provisions of Sections 608 and 610 of the *Local Government Act 1993*.

5.1.6.8 Penalty

(1) If a building for which HFS has been awarded is destroyed or substantially damaged, the gross floor area of any subsequent development on the subject site is to be equivalent to that of the destroyed or substantially damaged building or the permissible FSR, whichever is less.

5.1.7 Sun protection of public parks and places

Value statement

Two control mechanisms in Sydney LEP 2012 limit heights in Central Sydney to protect sunlight into important public parks and places. They are Sun Access Planes (SAP) and No Additional Overshadowing to Certain Public Places Controls (NAO). Despite maximum heights shown on the Sydney LEP 2012 Height of Buildings Map, developments within Central Sydney will always need to demonstrate compliance with SAP and NAO controls.

SAP and NAO controls both establish dates and time periods to protect spaces. Generally, the times for protection are in the middle of the day when the majority of use occurs and the space is most valued by its users.

A Sun Access Plane is a geometric, three dimensional, planar surface that is set at the same angle as the sun at a specific date and time and sets the upper building height. A number of Sun Access Planes protect a range of Public Places throughout Central Sydney.

No Additional Overshadowing controls protect the existing sunlight to Public Places that are already surrounded by tall development. In contrast to Sun Access Planes, No Additional Overshadowing controls preserve sunlight that passes through gaps between buildings and around buildings to reach public spaces.

Direct sunlight access Central Sydney's special parks and places is important throughout the year. The dates used to generate these controls are set at the most conservative sun angles, which ensures protection throughout the remainder of the year when the sun is higher in the sky.

Dates and times of protection vary for each place according to the type of activities occurring in that place that benefit from sunlight, when those activities are likely to occur, and existing levels of sunlight and overshadowing.

Objectives

(a) To protect and improve sunlight to important public parks and places throughout the year, and during periods in the day when they are most used by the workforce, visitors and the wider community.

(b) To protect sun access to publicly accessible land to ensure the healthy growth of trees, grass and other vegetation.

(c) To ensure that all parks potentially overshadowed by tall buildings in Central Sydney are protected by Sun Access Planes, including parks that may lie outside the Central Sydney boundary.

(d) To protect sunlight to parks on the eastern edge of the city through the morning and midday period

(e) To protect sunlight to parks on the western edge of the city from midday through to the afternoon.

(f) To ensure that sunlight to new and planned future important public parks and places are protected by Sun Access Planes or No Additional Overshadowing Controls as Central Sydney grows.

Provisions

5.1.7.1 Sun Access Planes

(1) Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing Sun Access Planes for 11 major public areas including Royal Botanic Gardens, the Domain, Cook and Phillip Park, Wynyard Park, Land Park, Hyde Park, Belmore Park, Prince Alfred Park, Harmony Park, Macquarie Place and Martin Place. Development must not project above any part of a Sun Access Plane.

(2) Sydney LEP 2012 describes each Sun Access Plane using points, identified by mapping grid co-ordinates and Reduced Levels, and a specified horizontal bearing and vertical angle.

(3) Figures 5.27 to 5.38 indicatively show the maximum height achievable for land affected by Sun Access Planes. To determine the actual height of a Sun Access Plane at any point, the description of the Sun Access Planes in Sydney LEP 2012 prevails over the diagrams in Sydney DCP 2012, in the case of an inconsistency.

Note: when preparing Sun Access Planes care must be taken to adjust for the difference between grid north and solar north.

(4) Table 5.7 shows the period of protection, times and dates for Sun Access Planes, cross referenced with the diagrams referenced in Section 5.1.7.1(3) above.

Table 5.7: Summary of Sun Access Planes provisions

Park or Place		Intended period of protection	Primary SAP date	Primary SAP times	SAP Extension Dates & Times
1	The Royal Botanic Gardens	9am-2pm, all year	21 June	2pm	N/A
2	The Domain	9am-2pm, all year	21 June	2pm	N/A
3	Wynyard Park	12-2pm, all year	21 June	12pm 2pm	23 September 21 December
4	Lang Park	12-2pm, all year	21 June	12pm 2pm	23 September 21 December
5	Hyde Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
6	Belmore Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
7	Prince Alfred Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
8	Harmony Park	10-2pm, all year	21 June	10am 12pm 2pm	23 September 21 December
9	Macquarie Place	10-12pm, throughout the year excluding winter months	14 April	10am	N/A
10	Martin Place	12-2pm, outside the winter months	14 April	12pm 2pm	23 September (2pm) 21 December (2pm)



Figure 5.27
The Royal Botanic Gardens Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

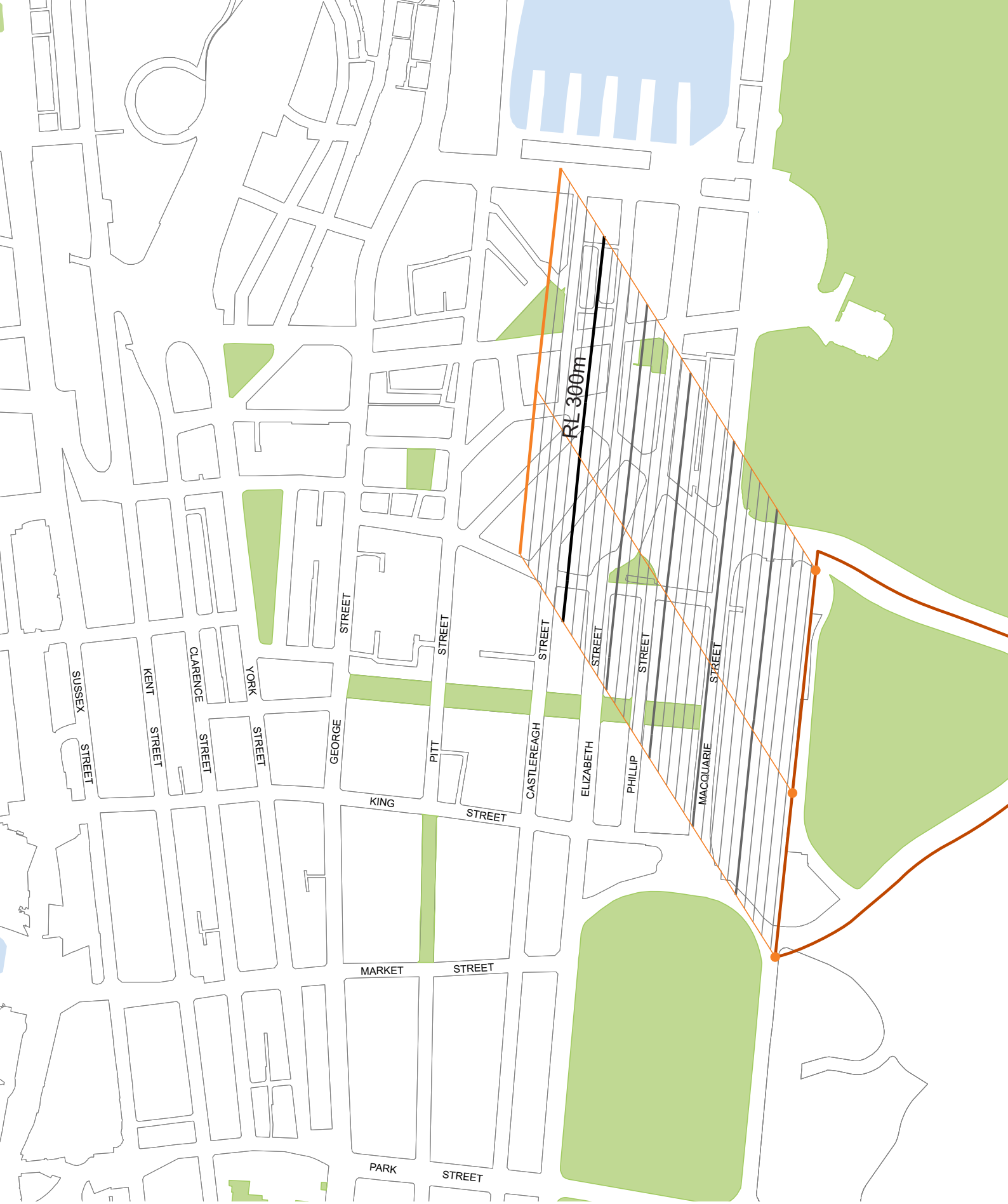


Figure 5.28
The Domain Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.29
Wynyard Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.30
Lang Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

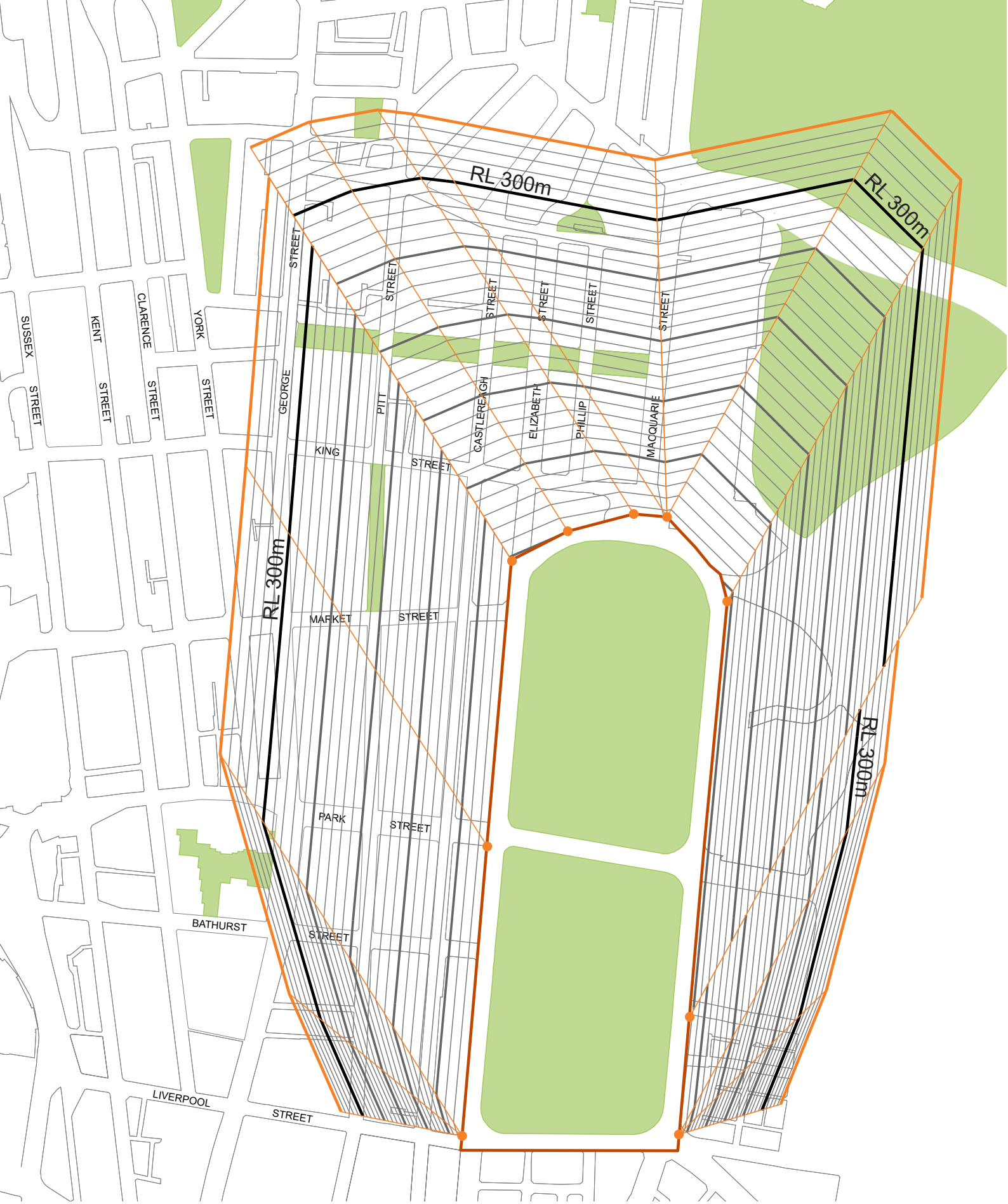


Figure 5.31
Hyde Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.32
Belmore Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.33
Prince Alfred Park Sun Access Plane A

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.34
Prince Alfred Park Sun Access Plane B

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.35
Harmony Park Sun Access Plane A

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.36
Harmony Park Sun Access Plane B

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.37
Macquarie Place Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.38
Martin Place Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

5.1.7.2 No Additional Overshadowing

(1) Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing No Additional Overshadowing for 8 major public areas including Macquarie Place (including facades), Martin Place (block containing the GPO including facades), Pitt Street Mall, Australia Square Plaza, First Government House Place, Sydney Town Hall Steps, Sydney Square and Future Town Hall Square.

(2) Sydney LEP 2012 describes each protected park and place identifying the place name, extent of the place, the No Additional Overshadowing dates and the No Additional Overshadowing times.

(3) Figures 5.39 to 5.46 indicatively show the maximum height achievable for land affected by No Additional Overshadowing controls. To determine the actual height of a No Additional Overshadowing controls at any point, the description of the No Additional Overshadowing in Sydney LEP 2012 prevails over the diagrams in Sydney DCP 2012, in the case of an inconsistency.

(4) Table 5.8 shows the dates and times for No Additional Overshadowing, cross referenced with the diagrams referenced in Section 5.1.7.2(3) above.

(5) To demonstrate compliance with the No Additional Overshadowing controls the following must be submitted in support of a development application:

(a) A survey of the protected place and all intervening structures between the subject development site and the protected park and/or place that could affect the overshadowing of that place;

(b) A 1 minute interval overshadowing analysis depicting existing (one colour) and proposed (another colour) structures each day in the relevant No Additional Overshadowing period at the relevant No Additional Overshadowing times, where:

(i) all proposed building elements are treated as 100% opaque; and

(ii) all shadows have sharp edges where the sun is a light source casting only parallel rays of light.

Table 5.8: Summary of No Additional Overshadowing provisions

Park or Place		NAO dates	NAO times
1	Macquarie Place	14 April – 31 August	10-2pm
2	Martin Place (block containing the GPO)	14 April – 31 August	12-2pm
3	Pitt Street Mall	14 April – 31 August	10-2pm
4	Australia Square Plaza	14 April – 31 August	12-2pm
5	First Government House Place	14 April – 31 August	10-2pm
6	Sydney Town Hall Steps	14 April – 31 August	10.30-4pm
7	Sydney Square	14 April – 31 August	11-4pm
8	Future Town Hall Square	All year	Midday to sunset

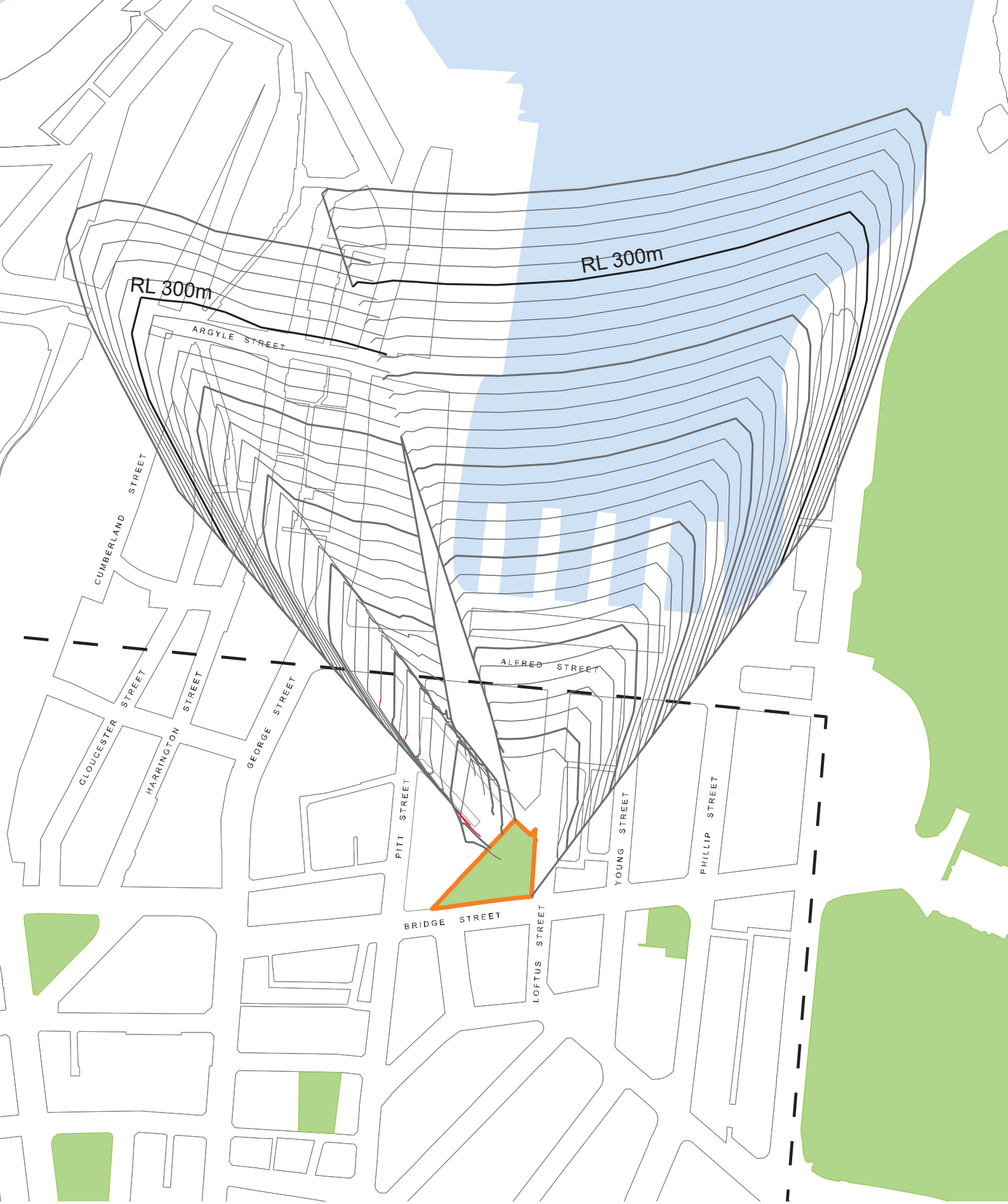


Figure 5.39
Macquarie Place No Additional Overshadowing

- Protected Space
- Edge of Monolith
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

Contours are indicative only



Figure 5.40
Martin Place No Additional Overshadowing

- Protected Space
- Edge of Monolith
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

Contours are indicative only

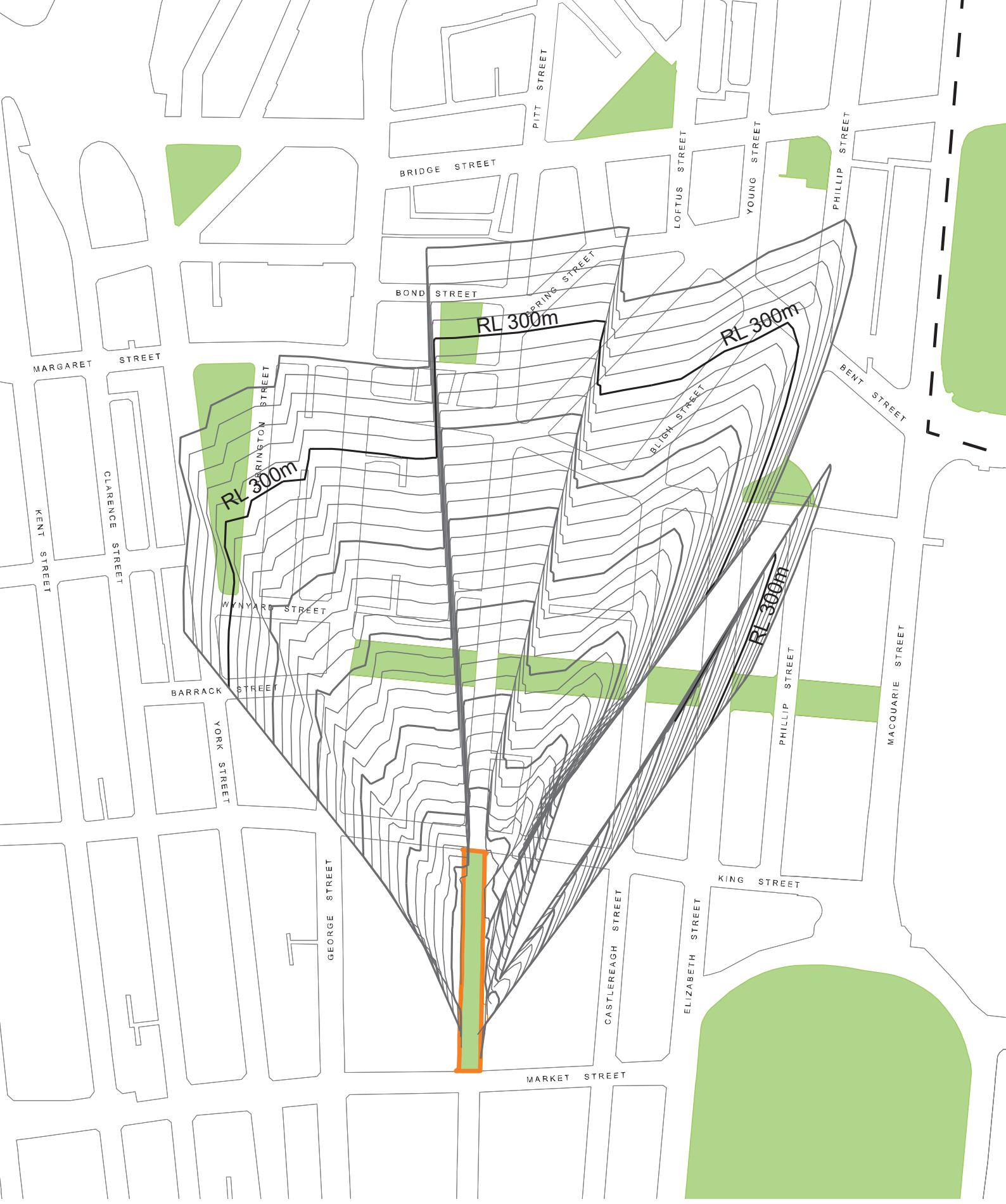


Figure 5.41
Pitt Street Mall No Additional Overshadowing

- Protected Space
- Edge of Monolith
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

Contours are indicative only

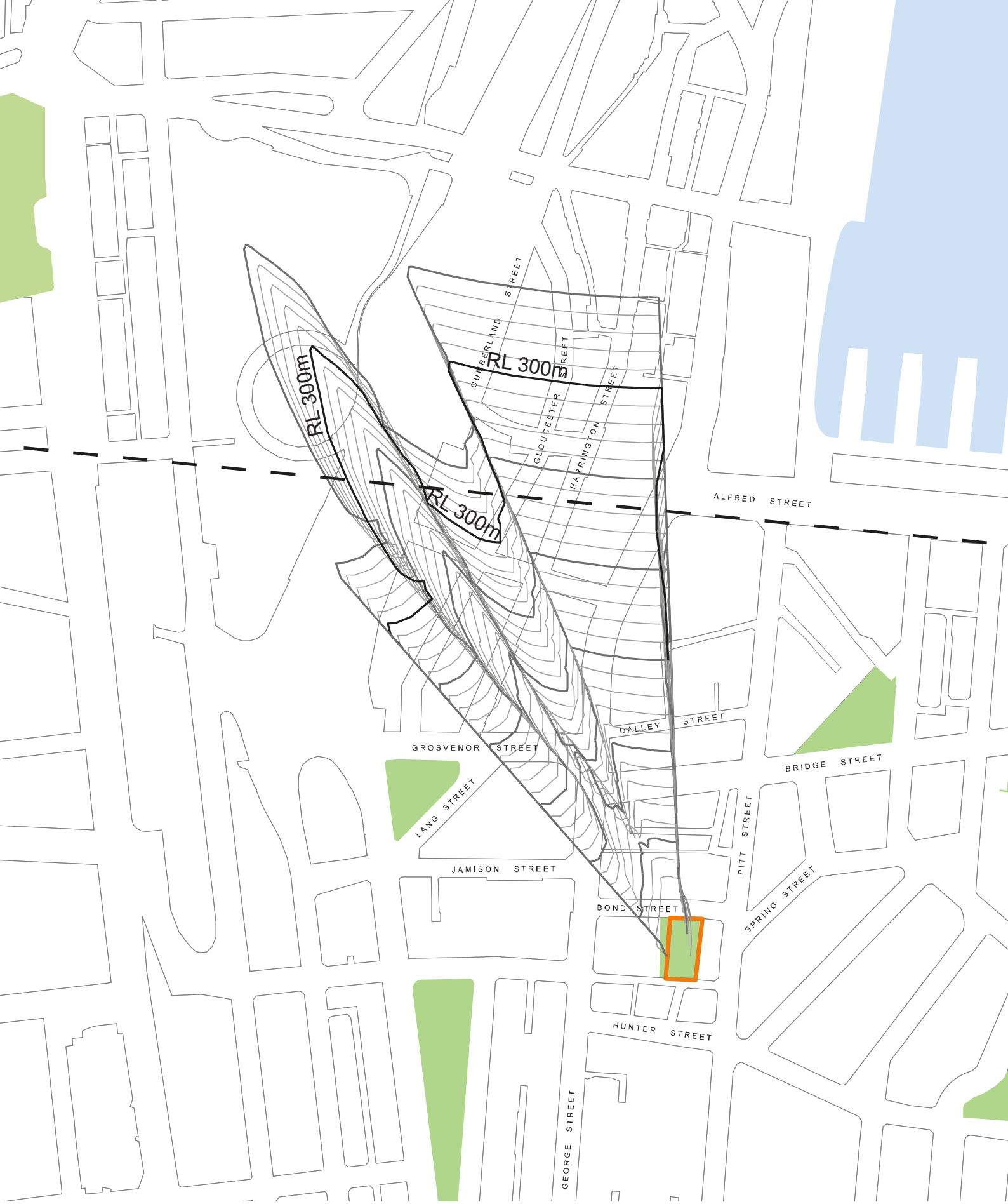


Figure 5.42
Australia Square Plaza No Additional Overshadowing

- Protected Space
- Edge of Monolith
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

Contours are indicative only

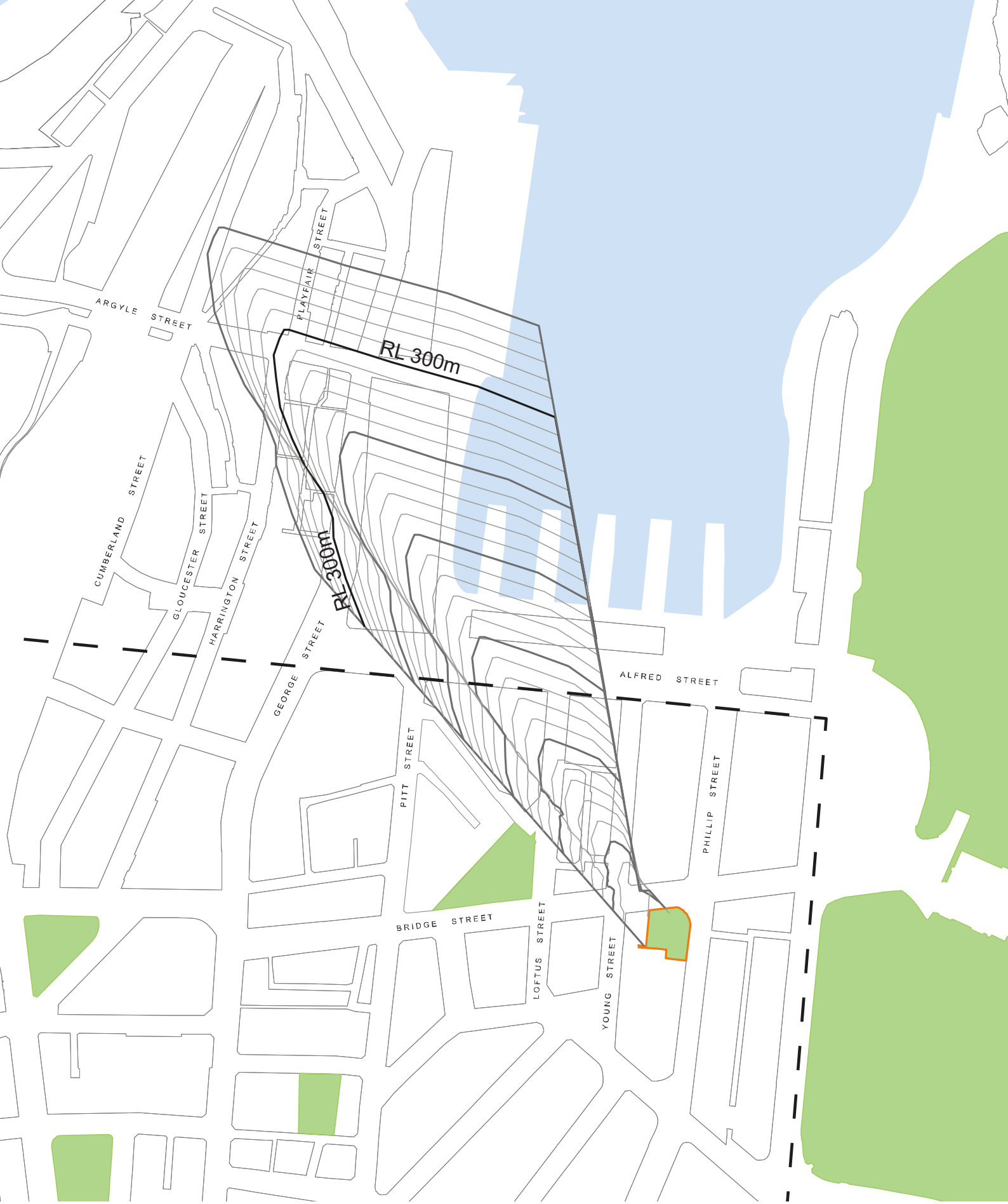


Figure 5.43
First Government House No Additional Overshadowing

- Protected Space
- Edge of Monolith
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

Contours are indicative only



Figure 5.44
Sydney Town Hall Steps No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only



Figure 5.45
Sydney Square No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours

Contours are indicative only



Figure 5.46
Future Town Hall Square No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours

Contours are indicative only

5.1.8 Views from public places

Value statement

There are some key views from within Central Sydney, from parks and other well-used Public Places that take in important buildings or urban landscapes that help define Central Sydney. New development can make a positive contribution to the characteristics and composition of designated public views. These views should be preserved and have priority over private views.

Central Station Clock Tower

Railway Square is the major visual and functional gateway to Central Sydney from west and south. The clock tower of Central Station was purposely composed at the alignment of several streets from the north, south, east and west, so as to maximise the visibility of the clock face. The prominence of the clock tower contributes strongly to the visual prominence of the Square. The clock tower represents a landmark particularly when approaching or departing Central Sydney along Broadway and George Street.

Martin Place GPO clock tower and Sydney Hospital

Martin Place is of social, cultural and historic significance, being the site of various monuments, in particular the Cenotaph, as well as the site of many historical events, which reinforced its image as the civic and ceremonial heart of the city. Following the siting of the GPO in 1863, Martin Place grew in popularity as a meeting place in front of the GPO. It has since grown as a tourist destination, with it's value recognised through the pedestrianisation in 1971. Views to the silhouette and clock face of the GPO clock tower, and, views of the sky at either end of Martin Place, are well remembered in the collective consciousness because their association with one of Sydney's most special places over a long period of time. These views enhance the qualities of the space and protect its valuable history.

Observatory Hill

The Millers Point area contains numerous original and characterful views to and from the harbour that are formed by a combination of dramatic topography and long physical evolution. Views from Observatory Hill, or more specifically from Observatory Park, allow you to fully appreciate this connection between topography, geography, use and settlement. As you move around the park tangible evidence of the development of Sydney reveals itself; its prominence as one of two rocky sandstone eminences that dominated Sydney Cove or Warrane, its Aboriginal name, where it highly likely that Aboriginal peoples inhabited and sheltered along its cliffs and ridges; its position at the highest point of a north south ridge overlooking the British colony commanding a splendid panorama and therefore a strategic site for catching the prevailing winds, for fortification, for signalling and for astronomical observations, and; the contrast and relief it provides as the green space backdrop to the historic streetscapes and roofscapes of Millers Point below, the shipping and working port activity of the harbour and traffic and train movements on the massive Harbour Bridge structure, and the only means to assess the contrast and the progress of the CBDs modernisation over 200 years.

Views to and from Observatory Hill are therefore perhaps some of Sydney's most historically significant. How development around Observatory Hill impacts on these views has a very real impact on how the public and visitors to Sydney are able to interpret, understand and value the evolution of Sydney as city.

Observatory Hill should remain a prominent hill besides and above the original port of Sydney; it should retain its vast open aspect and distant views, a feature that informed its successive historic uses, and; its existing setting should be maintained where proposed development in Millers Point and the Rocks respects the establish patterns of scale and form.

Objectives

(a) To identify and preserve significant public views from Public Places.

(b) To ensure the silhouette created by existing clock towers, turrets and roof features on heritage listed items are clearly visible against the sky.

(c) To require development to respond to public views to Sydney Harbour by improving the view through building modulation.

(d) To require development to respond to significant public views from Public Places by enhancing views through, building modulation and/or high quality materials, finishes and design excellence.

Provisions

(1) Development must not encroach within any of the views nominated on the Public Views Protection Maps and where possible should improve the views to Sydney Harbour (surface of the water) through modulation of built mass.

(2) Development must minimise impact on existing public views to heritage items with significant architectural roof features (clock towers, spires, lanterns etc) through modulation of proposed built mass, to allow for clear air around the roof feature and legibility.

(3) Views nominated on the Public Views Protection Maps relate to significant vistas or silhouettes generated by existing built form. The location of public domain structures such as trees and banners are to be considered ephemeral and should not be used as parameters to obstruct or encroach into a protected public view.

(4) Views from Observatory Hill to the harbour, Millers Point, adjoining areas and distant views to the east, west and north should be maintained. New building in Millers Point and Walsh Bay should be limited. No new building should exceed the established patterns of scale and form, nor should it have an adverse impact on any identified views or the setting of Observatory Hill and Millers Point.

(5) Development that terminates a public view on the Public Views Protection Map must contributes to its quality through massing, high quality materials and demonstrated design excellence.

(6) Consideration should also be given to additional significant public views not mapped in the Public Views Protection Map but identified in the Special Character Area Locality Statements.

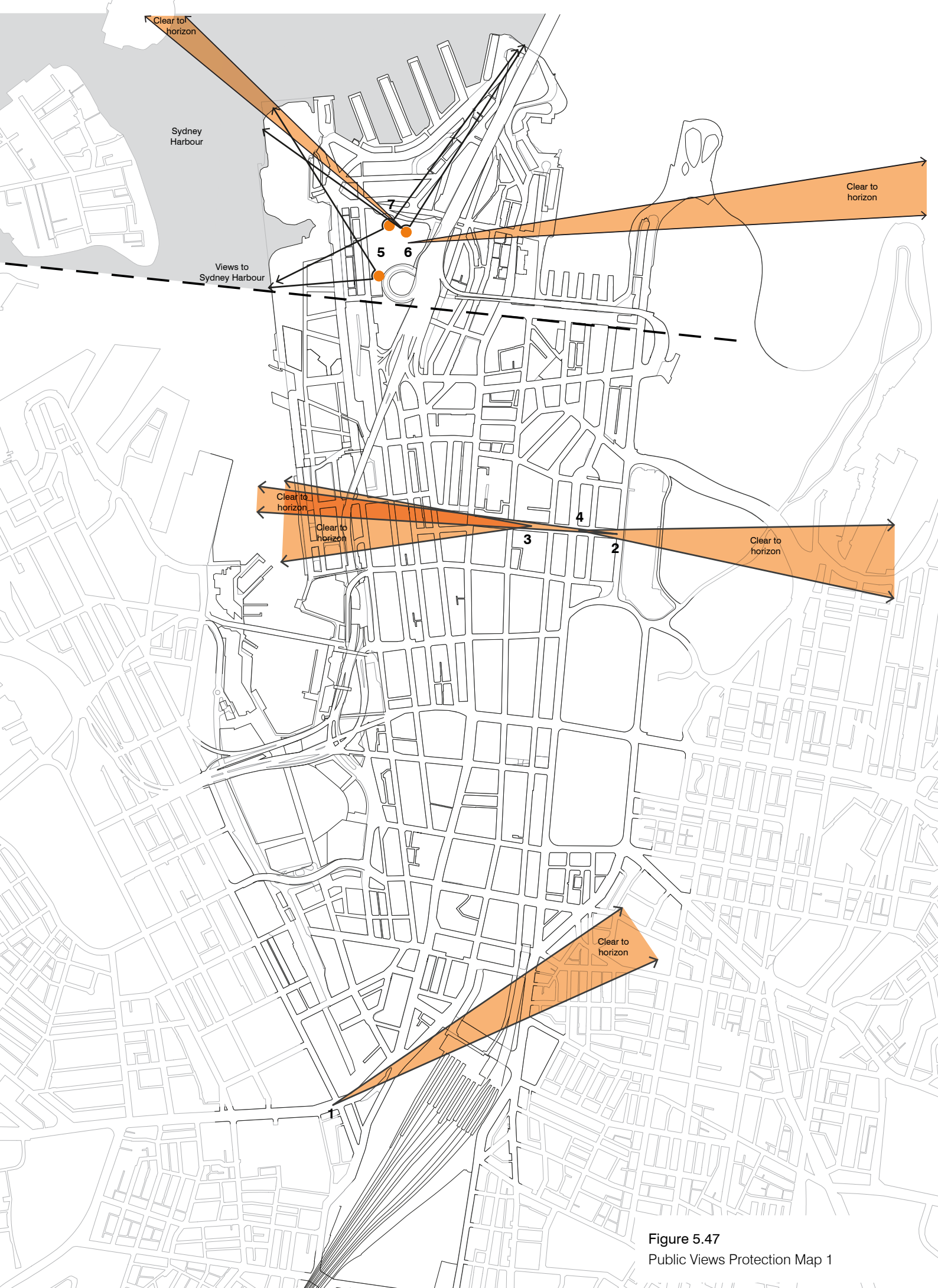


Figure 5.47
Public Views Protection Map 1

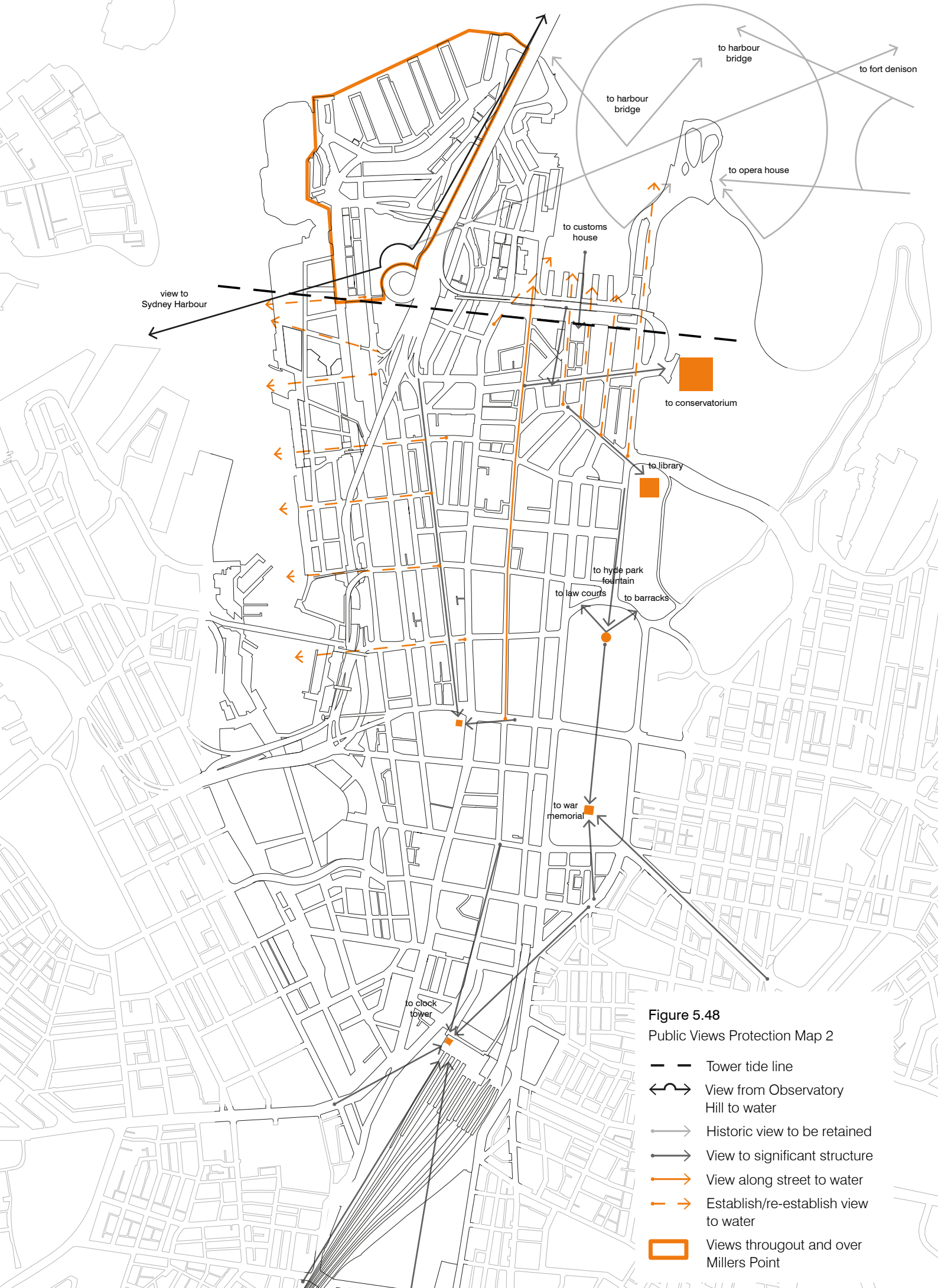


Figure 5.48

Public Views Protection Map 2

5.1.9 Managing wind impacts

Value statement

The wind environment is a major determinant of amenity. Tall buildings can create or exacerbate windy conditions in built up areas and can have a significant effect on the wind environment at street level.

Buildings must be designed to mitigate unsafe and uncomfortable wind effects on Public Places and should create comfortable and pleasant conditions.

Generally the provision of a reasonable sized podium will mitigate the greatest adverse wind effects from tall buildings. Provision of a podium is particularly important at the exposed edges of Central Sydney where buildings are not shielded by their neighbours and on short east-west running streets where wind speeds are highest.

Objectives

(a) To ensure streets and Public Places have wind conditions that are safe and comfortable for walking and to encourage conditions that are comfortable for sitting.

(b) To ensure new developments mitigate adverse wind effects.

(c) To ensure air quality does not exceed environmental/health standards.

(d) To provide wind climate data that can be applied consistently for assessing new developments.

Provisions

(1) A quantitative wind effects report is to be submitted with a development application for development:

  (a) over 55m in height as measured from the lowest ground level to the highest structure; or

  (b) with a frontage to an east-west street; or

  (c) on a site within the B8 zone and within 50m of the zone boundary; or

  (d) as required by the City of Sydney.

(2) Development subject to a quantitative wind effects report must not:

  (a) cause a wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks except where the existing wind speeds exceed the standard; and

  (b) worsen, by increasing spatial extent and/or frequency and/or speed, an existing wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks.

(3) Development subject to a quantitative wind effects report must take all reasonable steps to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing related to the use of the public place. For example, the Standing criteria should be achieved at bus stops or other places where people wait and the Sitting criteria should be achieved where outdoor dining is located.

(4) For the purposes of complying with Section 5.1.9 (2) and (3):

  Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standard for Sitting in Parks is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

Note: Section 5.1.9 prevails over Section 3.2.6 in Central Sydney.

Note: 292 hours is 5% of all hours between 6 am and 10 pm each day (16 hours per day) over a year (365 days).

5.2
Green Square

This Section includes provisions for land identified as Green Square in Figure 5.1 *Specific Areas Map*.

The following provisions do not apply to the Green Square Town Centre.

Green Square includes the suburbs of Zetland and Beaconsfield, and parts of the suburbs of Alexandria, Rosebery and Waterloo. The area has a rich history and is socially, culturally, economically and physically diverse. The Green Square Urban Renewal Area (278 ha) is projected to house at least 61,000 residents and up to 22,000 people are expected to work there by 2030.

5.2.1 Green Square Urban Strategy

The Green Square Urban Strategy identifies the strategic context within which development in Green Square is to take place. The Green Square Urban Strategy is based upon the transformation of Green Square into an attractive, vibrant and sustainable urban area that can accommodate and support the renewal and growth of Green Square over a long period of time.

The Green Square Urban Strategy comprises three parts:

- Section 5.2.2 Objectives for Green Square;
- Figure 5.49 Green Square Structure Plan; and
- Section 2 Locality Statements and supporting principles for the individual neighbourhoods in Green Square.

5.2.2 Objectives for Green Square

(a) Ensure development contributes to the realisation of the Green Square Urban Strategy.

(b) Ensure the Green Square Town Centre becomes the major centre for the southern areas of the City of Sydney and a meeting place for the local community.

(c) Create a hierarchy of centres throughout Green Square that support the primary function of the Town Centre and serve the worker, resident and visitor population. Ensure that the centres are to be accessible by public transport and supported by excellent public domain, open spaces and other community facilities.

(d) Allow for the sustainable, on-going renewal of Green Square, by encouraging sensitive in-fill development whilst allowing for the continued operation of appropriate existing uses.

(e) Create residential environments with centres, community facilities, public parks and public streets to improve civic life and support diverse communities.

(f) Acknowledge Green Square's strategic location in the Airport to Central Sydney corridor, identified in the NSW Government's *Metropolitan Strategy* by facilitating the development of a strong and diverse economy to support the wider economy.

(g) Ensure that development complements the desired future character of the neighbourhoods and responds to the topography, natural features, orientation, street pattern, street width, existing development, heritage buildings, street block size, land use and protects important public view corridors.

(h) Provide a variety of high quality and accessible multi-purpose open spaces and walking and cycleways that are well connected to regional green corridors. Incorporate Green Square's characteristic water channels into the design of open spaces and cycleways.

(i) Provide a new, fine-grain public street network that improves amenity, encourages travel on foot and by bike and, where appropriate, is suitably designed to accommodate future public transport services.

(j) Encourage a mix of land uses, building types, diverse public spaces and employment and housing choices to support a socially diverse community.

Definitions

Note: Each heading and description is keyed to Figure 5.49 Green Square Structure Plan

Local villages is defined under Section 3.4 Hierarchy of Centres, City South.

Community nodes act as a meeting place or neighbourhood focal point, but are not necessarily the location of retail or commercial activity. These nodes include transport interchanges, open spaces or the location of community facilities. Active ground floor uses, public domain improvements and increased connectivity, whether by public transport, bike or by foot, are encouraged at community nodes. Where permissible under the land use zone provisions, café and restaurant uses may be appropriate in these locations.

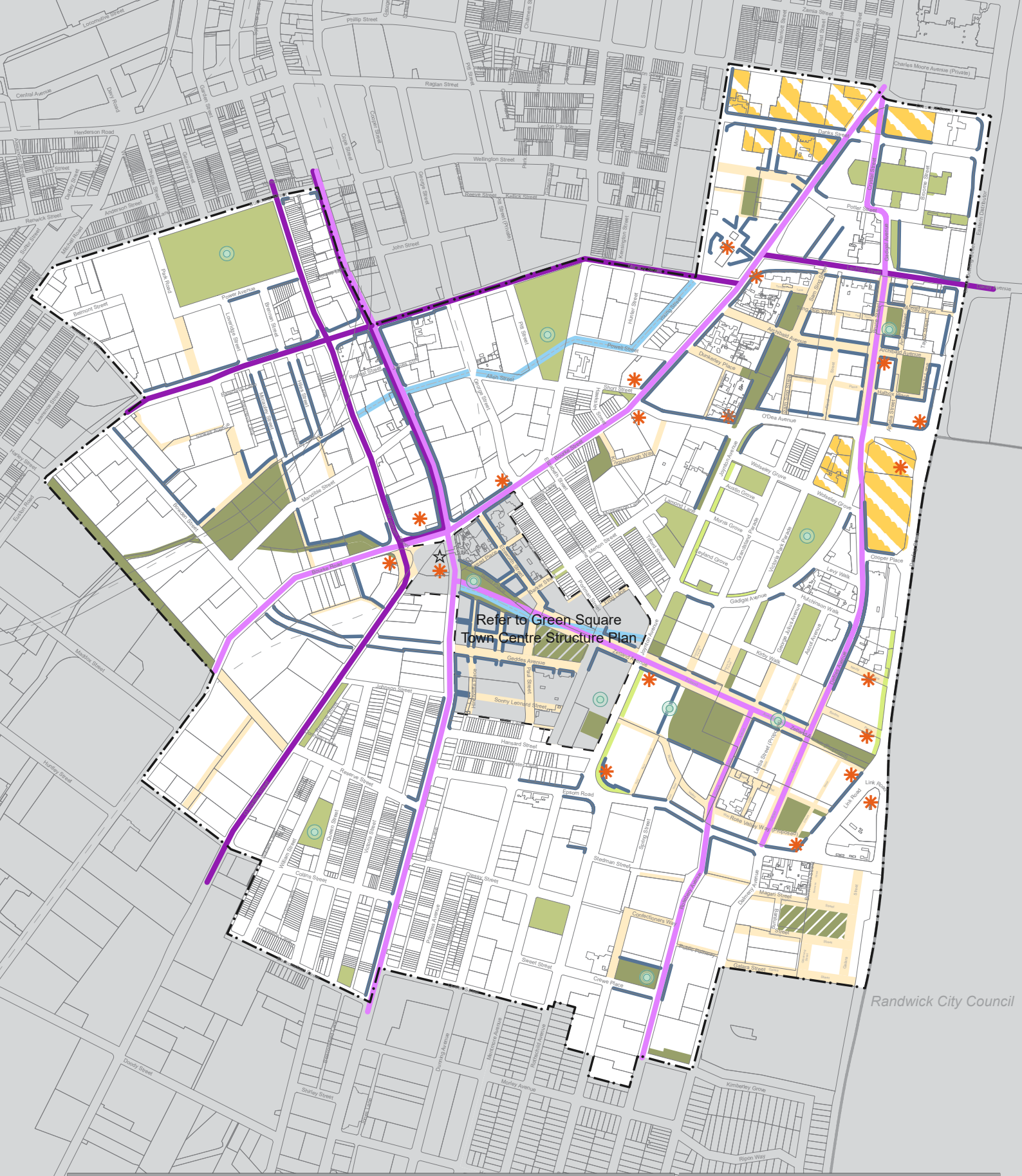
Existing public open spaces are to be retained and enhanced to ensure that they provide optimum amenity and accessibility for all users.

Required public open spaces are required in the locations shown in Figure 5.49 Green Square Structure plan. Open space is to be of the highest design quality and may be required to provide a stormwater detention function.

Highly visible sites is defined in the Glossary.

Public transport corridors are the focus for future public transport services provided in Green Square. Mass transit services and facilities should be provided in accordance with the identified alignment of public transport corridors for Green Square.

Water channel open space links is a proposed network of open spaces connecting the Green Square Town Centre and the Alexandra Canal along the existing channel network. The channel network is to be the basis of a linear park system that provides connectivity between activity nodes, open spaces, and the Green Square Town Centre. Where the channel cannot be exposed, it is to be interpreted architecturally or through public art.



Green Square - Structure plan

Sydney Development Control Plan 2012

Figure 5.49

Legend

- Green Square
- Green Square Town Centre/Planned Major Centre
- Local Villages
- Community nodes
- Highly visible sites
- Train station
- Detention open space
- Existing open space
- Landscape setback 10m
- Required open space
- Active Frontages
- Water channel open space link
- Public transport corridor
- Major road
- Proposed streets
- Land excluded from this DCP

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5.2.3 Community infrastructure

This Section identifies how the community infrastructure floor space may be achieved to deliver local infrastructure in Green Square so as to benefit the immediate and wider community. This Section is to be read in conjunction with Clause 6.14 Community Infrastructure at Green Square under *Sydney LEP 2012* and Schedule 9 of this DCP.

The vision for Green Square is to transform the area from its industrial and manufacturing past, to an attractive, vibrant and sustainable urban place. To accommodate the levels of growth expected, substantial infrastructure is required including streets, pedestrian and bike networks, parks, recreation facilities and stormwater management infrastructure.

Section 5.2 *Green Square* of this DCP identifies the type and location of local infrastructure works that may be included with development towards achieving the community infrastructure floor space.

Developments proposing acceptable above ground car parking do not qualify for additional building height and may not be able to achieve the maximum floor space ratio permitted under *Sydney Local Environmental Plan 2012*.

Objectives

(a) Ensure a high level of amenity and an appropriate level of supporting community infrastructure is achieved in Green Square.

(b) Establish the circumstances under which development to the maximum gross floor area can be achieved, as determined by the maximum floor space ratio applicable to a development site.

(c) Identify the public works and community infrastructure to be provided before the land can be developed to the maximum gross floor area.

Provisions

(1) Where infrastructure works are proposed to the satisfaction of the consent authority, consent may be granted for development up to the maximum gross floor area achievable under Clause 6.14 of *Sydney LEP 2012*, but only if the development contributes to the desired character of the locality in which it is located and has little or no impacts on the amenity of that locality.

(2) The maximum gross floor area permitted under Clause 6.14 of *Sydney LEP 2012* can only be achieved where a development provides public works and community infrastructure including:

  (a) works within the existing or proposed road reservations including:

    (i) streetscape, bike and pedestrian improvements such as widened footpaths and landscaped setbacks, local parks, pedestrian and bike paths, overpasses and underpasses, landscape works and lighting;

    (ii) traffic management works such as street entry thresholds, nodal treatments, pedestrian crossings, road realignment and intersection upgrades; and

    (iii) bus and traffic turning lanes.

  (b) public open space including embellishment works to new or existing open space which are over and above those required for public open space under the provisions of the City of Sydney Section 94 Contributions Plan, including upgrades to existing open space such as new play equipment, lighting, sports facilities, furniture, public art and landscape works;

  (c) drainage and stormwater management works including drainage amplification, integrated water treatment facilities, large scale detention systems, overland flow path works and stormwater channel improvements;

(d) public transport works that facilitate and enhance existing public transport facilities such as bus layovers and turning lanes, bus and light rail stops;

(e) public community facilities including recreation facilities (indoor and outdoor) such as sporting, recreational, cultural and social facilities such as basketball courts, community buildings and meeting rooms, exhibition and performance spaces, child care centres;

(f) land dedicated for any of the above works;

(g) other works or improvements within the broad categories listed above, at the discretion of the consent authority.

(3) In granting consent to development that includes community infrastructure, the consent authority is to be satisfied that:

(a) the community infrastructure is necessary and benefits the immediate and wider Green Square community; and

(b) is of an appropriate value as calculated in accordance with the formula at Schedule 9 of this DCP.

(4) Where proposed community infrastructure is not to the satisfaction of the consent authority:

(a) development to the maximum gross floor area, as determined by the maximum floor space ratio under clause 6.14 of *Sydney LEP 2012* will not be possible; and

(b) development is to be consistent with the maximum gross floor area as determined by the maximum floor space ratio under clause 4.4 of *Sydney LEP 2012*.

5.2.4 Local infrastructure

5.2.4.1 Street network

The following objectives and provisions for streets within Green Square are to be read in conjunction with Section 3.1.1 General provisions for streets, lanes and footpaths.

Section 5.3 Epsom Park, Section 5.4 Lachlan and Section 5.7 Green Square - North Rosebery also include specific provisions for local infrastructure.

Objectives

(a) Provide an integrated, functional and legible street hierarchy that encourages sustainable travel behaviour.

(b) Provide a street network with a high degree of amenity, safety and permeability for all users.

(c) Maintain residential and pedestrian safety by minimising opportunities for vehicles to take shortcuts and avoid the road system.

(d) Provide high quality and equitable access to the Green Square Town Centre and transport nodes for pedestrians, cyclists, and motorists to maximise the use of existing and future public transport facilities, local centres and community facilities.

(e) Encourage street types that accommodate multiple activities for example, walking, vehicular access, cycling, social interaction, public transport and parking, with a hierarchy that responds the location and function of the street.

(f) Optimise the use of on-street parking to assist the viability of neighbourhood retail uses with street activation.

(g) Provide opportunities for public art to be located in places of public visibility and assist in the identity and amenity of places.

Provisions

(1) Where required by Council, new public streets are to be provided in the locations identified on Figure 5.50 *Green Square street hierarchy and layout* and designed and constructed in accordance with Figures 5.51 and 5.52 and the standards set in Table 5.9 New street types for Green Square.

Note: The width of travel, parking and bike lanes and footpaths are indicative only and subject to further discussions with Council.

(2) Design new streets or lanes so that the maximum distance between new and existing streets and lanes is no greater than 120m.

(3) Continuous paths of travel for all users are to be provided throughout the street network with level or gently sloping surfaces, kerb ramps or flush pavements, where appropriate.

(4) Streets are to align wherever possible to provide four-way intersections.

(5) Where new streets are to be dedicated to Council, they must have a minimum width of 8m.

Table 5.9: New street types for Green Square

Type	Reservation width	Design considerations
Zetland Avenue	Refer to Figure 5.61 Epsom Park Street Hierarchy	
Transport Corridor	Refer to Figure 5.61 Epsom Park Street Hierarchy and Table 5.13 Lachlan Precinct Indicative Street Types	
Local Street	Total width - Generally 18m-20m; absolute minimum of 13m where one footpath is absorbed into the adjacent open space or a landscape setback. Traffic – 2 travel lanes at 2.75m in each direction. Parking – Parking bays at 2.1m between trees to one or both sides of the street. Footpath – 4.15m minimum to each side of street.	(a) Local access or neighbourhood street with kerbside parking to one or both sides. (b) Should include bio-retention swales either centrally located or to the side of the roadway to filter polluted low flow water run off prior to entering the stormwater system.
Local Access Only	Total width - minimum 12m to provide access only to local traffic Traffic - 1 lane at 3.2m Parking – Parking bays at 2.1m between trees to both sides of the street. Footpath - 2.4m minimum to each side of street.	(a) Local access street with one way travel. (b) Landscaping is to be provided along both sides of the street to enhance the pedestrian environment.
Lanes	Refer to Figure 5.61 Epsom Park Street Hierarchy	
Future Transport Corridor	The development of this key public transport corridor must not be compromised. The reservation, lane, bike and footpath widths have not yet been determined and are subject to additional work.	



Green Square - Street hierarchy and layout

Figure 5.50

Legend

- Green Square
- Green Square Town Centre
- Lane 6m wide
- Lane 9m wide
- Lane variable
- Local street 9m wide
- Local street 10m wide
- Local street 12m wide
- Local street 12.6m wide
- Local street 13m wide
- Local street 15m wide
- Local street 16m wide
- Local street 17m wide
- Local street 18m wide
- Local street 20m wide
- Collector road 21m wide
- Collector road 23.8m wide
- Shared zone
- Variable
- Transport corridor variable
- Boulevarde
- Pedestrian and cycle
- Pedestrian and cycle 10m
- Land excluded from this DCP

Sydney Development Control Plan 2012

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Figure 5.51
Local Street

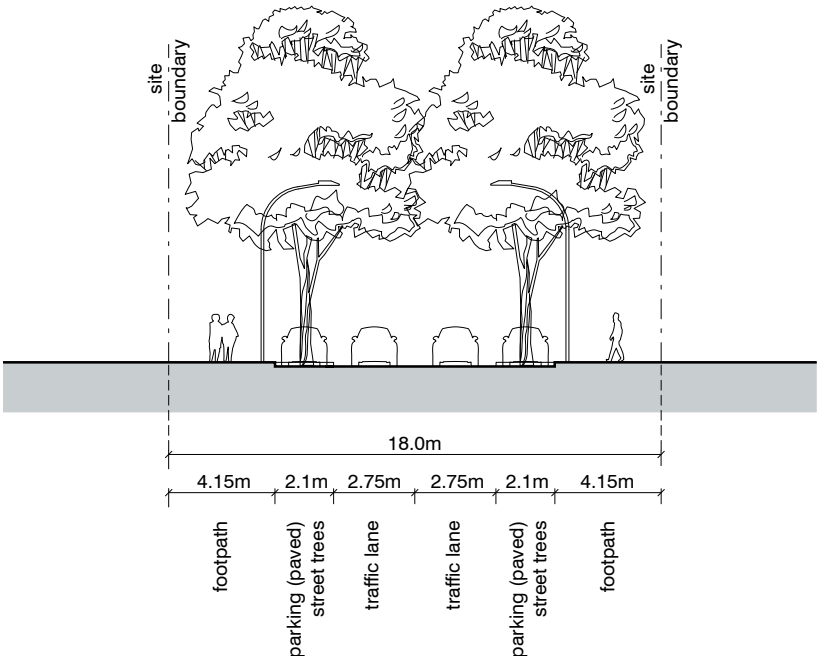
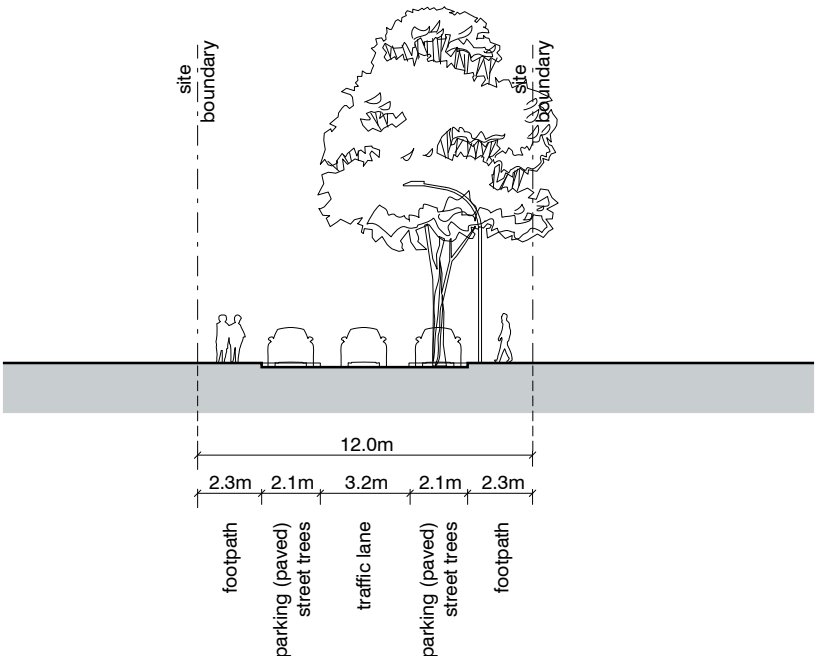


Figure 5.52
Local Access only



5.2.5 Pedestrian and bike networks

This Section identifies the areas where pedestrian and bike links are required in Green Square. These links can be provided in a number of ways including dedication, easement and covenants. When Council requires dedication of pedestrian and bike networks, this is identified in the Section 94 Contributions Plan. Where dedication is not required, the land for the pedestrian and bike network may need to be provided via another means such as an easement.

Refer to Section 3.1.2 General provisions for additional objectives and provisions for pedestrian and bike networks.

Objectives

(a) Encourage walking and cycling for local trips to promote community interaction, increase health benefits and reduce local vehicle traffic generation.

(b) Use open space corridors and wider footpaths to create safe bike networks that are free of vehicles and connect to regional cycling facilities.

(c) Improve permeability and provide safe, well connected streets and through-site links that connect private and public open space to main pedestrian and bike networks, public facilities, homes and work places.

Provisions

5.2.5.1 Bike network

(1) Residential streets that are not part of the identified bike network in the *City of Sydney Cycleway Strategy 2007-2017*, are to design road reserves and footpaths to accommodate cycling, depending upon factors such as traffic volume.

(2) All facilities are to be designed and constructed in accordance with the Austroads *Guide to Traffic Engineering Practice: Part 14 – Bicycles*, and in consultation with the consent authority.

5.2.5.2 Through-site links

(1) Where required by Council, through-site links are to be provided in the locations identified on the *Through-site links map*.

(2) Introduce additional through-site links where the distance between streets and lanes is greater than 80m.

(3) Through-site links are to be designed to generally have a minimum width of 6m, or 8m where bike access is provided.

(4) Through-site links are permitted to pass through or under a building where the:

(a) building's height is greater than 3 storeys;

(b) maximum distance of the link under any structure is 18m; and

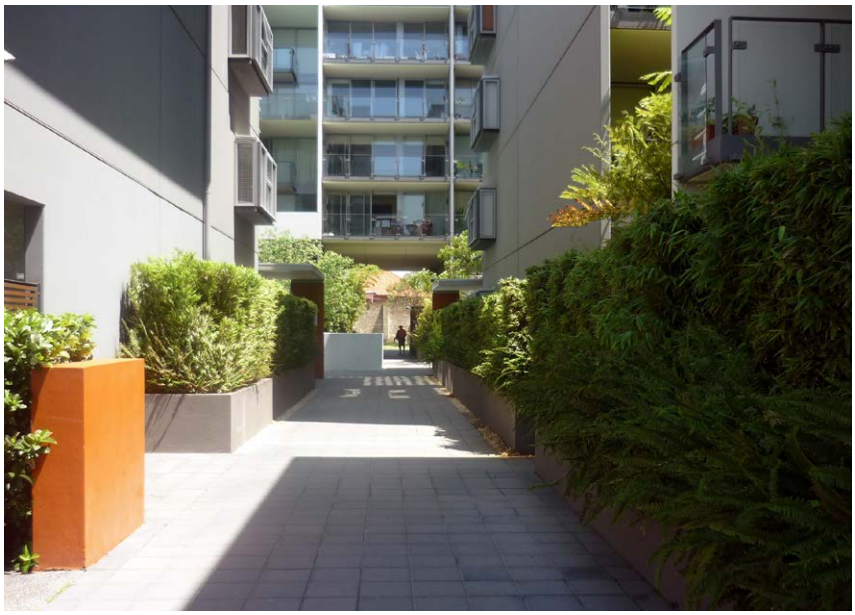
(c) minimum vertical clearance is 9m.

(5) Encourage active edges and create opportunities for natural surveillance to through-site links.

(6) Where residential development fronts a through-site link, windows, doors and verandahs must front the through-site link at the ground level.

(7) Blank walls or carparking facing through-site links is not acceptable.

Figure 5.53
Example of a through-site link in a residential development



5.2.6 Public open space

The following objectives and provisions are to be read in conjunction with the general objectives and provisions in Section 3.1.4 Public open space. For public open space in the Epsom Park, refer to Section 5.3. For public open space in Lachlan, refer to Section 5.4.

Requirements and design criteria for public open space that is to be dedicated to the council are set out in Schedule 5 Public open space dedication and design criteria.

Objectives

(a) Achieve a public open space network that facilitates generous linkages, continuity and accessibility throughout Green Square and embraces significant buildings and landscape features, including water channels.

(b) Enable a flexible approach to the location and configuration of public open space within the designated open space catchment area.

(c) Ensure that the location and size of open space assist with stormwater management.

(d) Ensure an increase in the total amount of publicly accessible open space.

(e) Provide a range of active and passive places throughout the neighbourhood for people to meet, walk, and feel safe.

Provisions

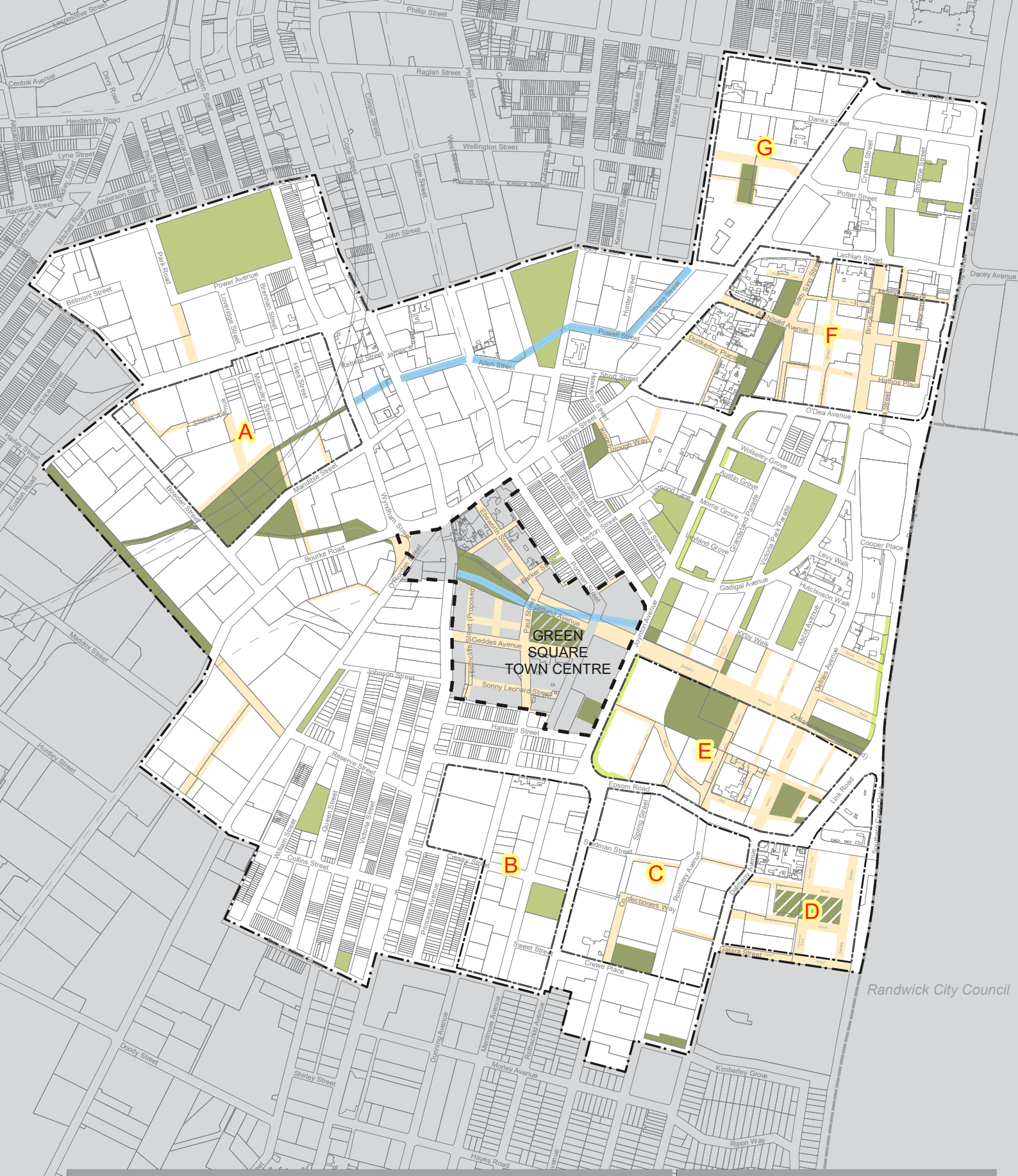
(1) Where required to be provided, public open space must be consistent with:

(a) the *Proposed open space map*;

(b) figure 5.54 *Green Square public open space*;

(c) the *Public domain setbacks map*; and

(d) the standards set out in Table 5.10 Provisions for open space catchment areas in Green Square.



Green Square - Public open space

Sydney Development Control Plan 2012

Figure 5.54

Legend

- Green Square
- Green Square Town Centre
- Detention open space - detention
- Required open space - prefered location
- Existing open space
- Landscape setback 10m
- Water channel open space link
- Open space catchments areas
- Proposed streets
- Land excluded from this DCP

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(2) District parks are to provide a combination of active and passive recreation opportunities, a range of amenities, and strong planting framework.

(3) Local parks are to provide shade and seating for passive recreation, play equipment and free play areas for informal activities.

(4) Linear parks are to function as an open space corridor that link larger open space areas or provide connections through sites or along the water channels.

(5) Landscaping and the design of the public domain is to be of the highest quality, incorporating features such as indigenous tree species, landmark sculptural elements and pavement design.

(6) Where open space performs a dual recreation and stormwater detention function, the design of the detention basin is to:

(a) include appropriate stormwater management measures to restrict gross pollutants from entering the basin;

(b) allow the release of detained water within 24 hours of the end of the stormwater event to protect the soft landscaping within the basin;

(c) have one or more embankment batters of not more than a 1 in 6 gradient to allow for the safe exit of persons from the basin after a stormwater event; and

(d) provide an appropriate balance between the stormwater management and recreation functions.

Figure 5.55
Example of open space with a dual recreation and stormwater detention function



Table 5.10: Provisions for open space catchment areas in Green Square

Catchment	Requirements	Guidelines
Area A East Alexandria neighbourhood	Refer to requirements for North Alexandria in Section 5.8.4.1, Table 5.20.	Refer to guidelines for North Alexandria in Section 5.8.4.1, Table 5.20.
Area B Beaconsfield neighbourhood local park - 5,000 sqm of open space	One park with an area not less than 4,000 sqm, or two parks, with the size of one park no less than 3,000 sqm.	(a) A preferred location for the proposed open space is within the site at 26-58 Rothschild Avenue, Rosebery, or the south-west corner of Epsom Road and Dunning Avenue. (b) Location and configuration of open space is to be determined in response to detailed site planning.
Area C North Rosebery neighbourhood local park - 6,050 sqm of open space	Two parks with one park with an area of not less than 3,000sqm. Other park configured in support of parks and/or pedestrian connections.	(a) The preferred location for a larger local park is at the corner of Rosebery Avenue and Crewe Place within 5-13 Rosebery Avenue. (b) The preferred location of a smaller linear park is on the northern side of Kimberley Grove between Rosebery Avenue and Dalmeny Avenue.
Area D North Rosebery neighbourhood local park - 8,000 sqm	One park with an area not less than 5,000 sqm to be configured for stormwater detention on block south of Epsom Road. Other parks configured in support of parks or water channels and pedestrian connections.	(a) A preferred location for proposed open space is within 87-103 Epsom Road, Rosebery and the western adjoining lot. (b) Location and configuration of open space is to be determined in response to detailed site planning.
Area E Epsom Park neighbourhood district park - 20,000 sqm of open space	One park of approximately 15,500 sqm. Other park configured in support of water channel open space links and pedestrian connections.	(a) Refer to Section 5.3 Epsom Park Neighbourhood for more details on the open space requirements. (b) Open space to include a half-sized sports field and park consistent with the Council's strategy for the provision of community facilities and Section 94 Contributions Plan.
Area F Lachlan neighbourhood local park - 15,000 sqm of open space	One park of approximately 8,850 sqm to link Lachlan Street and O'Dea Avenue. One park of a minimum 4,000 sqm for stormwater detention. One park of approximately 2,000 sqm for community activities.	Refer to Section 5.4 Lachlan for more details on the open space requirements.
Area G Danks Street neighbourhood local park - 6,000 sqm of open space	One central park with an area not less than 3,900 sqm (including shared zones).	(a) The preferred location in the centre of catchment Area G. (b) Centralised main park for passive recreation. (c) Refer to section 5.9 Danks Street South for more details on the open space requirements.

5.2.7 Stormwater management and waterways

The Green Square urban strategy requires the integration of stormwater channels with public open spaces and street networks. The revitalisation and opening of the water channel system will improve water management and Green Square pedestrian and bike network.

The management of flood events and drainage requires the integration of water management infrastructure. Drainage and stormwater management works including drainage amplification, integrated water treatment facilities, overland flowpath works and water channel improvements.

This Section should be read in conjunction with the objectives and provisions in Section 3.7 Water and Flood Management.

Objectives

(a) Ensure that stormwater management is appropriate to the site and to the proposed development.

(b) Integrate stormwater channels into the public domain and open space design.

Provisions

5.2.7.1 Water channels and setbacks

The 'water channel open space link' is the existing channel/open space network that runs through Green Square and connects to Alexandra Canal/the Liveable Green Network. The channel network is to be the basis of a linear park system that connects activity nodes, open spaces and the Green Square Town Centre (where possible).

(1) Where identified as 'water channel open space links' on the *Public domain setbacks map*, the existing stormwater channels are to be retained and upgraded with new channels or other modern stormwater detention systems and are to be incorporated into the individual site layout and design of the public domain.

(2) A landscaped setback is to be provided to development adjacent to the existing underground and open stormwater channels identified as 'water channel open space links' on the *Public domain setbacks map*. The setback is to be free of structures and encroachments.

(3) A 3 metre landscaped setback, measured from the existing site boundary shall be provided on both the eastern and western sides of Young Street where adjacent to the water channel open space link. The landscape setback is to be free of structures and encroachments.

(4) Development adjacent to the water channel open space link is to interpret the channel architecturally and/or through public art.

5.2.7.2 Water sensitive urban design principles (WSUD)

(1) Post-development peak flows from development in Green Square must not exceed pre-development peak flows.

(2) On-site detention stormwater tanks are to be integrated into developments, either in a group or individual basis.

(3) Detained water is to be used to recharge the Botany Sands Aquifer and recycled for other sustainable practices.

Figure 5.56
Landscaped swale, Victoria Park



5.2.7.3 Flood risk management

Development applications for land within the flood liable portions of the Green Square development area require the submission of a flood study prepared in accordance with the findings and requirements of any Flood Plain Risk Management Plan or Study undertaken in the area.

General

(1) New development is to consider, and where appropriate adopt, the findings and requirements of any Flood Plain Risk Management Study and Plan undertaken in the area, such as *Green Square – West Kensington Flood Study* 2010.

Note: The draft Floodplain Risk Management Study and draft Floodplain Risk Management Plan for the Green Square-West Kensington Catchment were publicly exhibited between 9 May and 28 June 2011 and had not been finalised when Council adopted this DCP.

5.2.7.4 Flood management

(1) Development is to provide a flood management system that:

(a) incorporates a combination of overland flowpaths and covered flowpaths; and

(b) conveys the existing 1% Annual Exceedance Probability (AEP) and larger flows within acceptable limits of flood hazard defined in the *NSW Floodplain Development Manual* 2005.

5.2.8 Highly visible sites

The following objectives and provisions relate to development on highly visible sites. Highly visible sites are located at the termination of a vista or on the corners of prominent intersections and are to accommodate landmarks which include features or objects on a building and high quality landscaping. Landmarks can be features or objects on a building that will act as points of reference.

In addition to these provisions, refer to Section 3.1.6 Sites greater than 5,000sqm, Section 3.3 Design excellence and competitive design process and Section 4 Development Types.

Objectives

(a) Enable opportunities to create landmarks, provide focal points and reinforce view corridors at the termination of vistas with buildings, structures, public art or landscape treatments.

(b) Introduce and encourage innovative design that reflects the desired character and responds to the area's industrial history.

Provisions

(1) Development on highly visible sites identified in Figure 5.49 *Green Square structure plan* must provide a landmark in the form of a building or high quality landscaping to the satisfaction of the consent authority.

(2) Where development consists of a landmark building it must:

(a) exhibit design excellence in accordance with Division 4 Design Excellence of *Sydney LEP 2012* and Section 3.3 Design excellence and competitive design processes in the DCP;

(b) reinforce the significant view corridor; and

(c) incorporate high quality public art or public domain treatment.

5.2.9 Building design

The following objectives and provisions must also be read in conjunction with Section 4.2 which includes provisions for Residential flat, commercial and mixed use developments.

Objectives

(a) Ensure buildings address the street frontage, define and reinforce the street edge and enclose spaces to create a secure and protected environment.

(b) Develop a cohesive architectural expression based on a consistent high quality built form, facade design and external materials and finishes.

(c) Encourage buildings of a compatible scale that contribute to and enhance the existing and desired neighbourhood character.

(d) Ensure appropriate building separation on large development sites to facilitate the provision of open space areas, create visual connections between the public domain and courtyard spaces, and achieve appropriate residential privacy and amenity.

(e) Encourage buildings that enhance significant views to, from and within the area.

Figure 5.57
Residential development with multiple building entries



Provisions

(1) Align buildings to the street to define and frame the street edge and provide clear delineation between the public and private domain.

(2) Locate tall buildings (towers) so they define the hierarchy of the street network and public spaces.

(3) The location of tall buildings (towers), defined as buildings with a height of 35m (8 storeys) or greater, must contribute to the physical definition of the existing and proposed street network and to the hierarchy of public spaces and streets.

(4) Buildings are to maintain and, where possible, enhance significant views to the City skyline and other views identified in the locality statement and supporting principles for the neighbourhood.

(5) Introduce street tree plantings and landscaping along footpaths to enhance the quality of the streetscape and maximise pedestrian amenity.

(6) Where appropriate private open spaces to dwellings on the ground floor are to be located to address the street and designed to be accessible from the footpath.

(7) Building facades are to:

(a) incorporate a variety of materials and textures;

(b) relate sympathetically to existing buildings in the vicinity, particularly if they have heritage or streetscape value; and

(c) use of bricks similar to those used on significant buildings and from the brickworks which once characterised the area. The colour of brick should as closely as possible, replicate the traditional Bowral Blue brick of the area.

(8) Building entrances are to be designed to provide a clear transition from the street to residential interiors.

(9) Multiple entries are to be provided along the street frontage and along through-site links to maximise passive surveillance and allow residents optimum access to units from the public domain.

(10) Vehicular entries must be separated from common lobby entries to minimise pedestrian and vehicle conflict.

(11) Vehicular entries to a site with more than one street boundary are to be located on the street with the least traffic volume, where possible.

5.2.10 Setbacks

The following objectives and provisions must also be read in conjunction with provisions for residential uses on the ground and first floor within Section 4 Development Types.

Objectives

(a) Introduce landscaped front setbacks to enhance the setting and appearance of buildings.

(b) Promote privacy and enhance the streetscape with private setbacks from the street edge.

(c) Enhance the public domain through the provision of setbacks to increase pedestrian amenity and supplement the public open space.

Provisions

(1) Where land is dedicated for community infrastructure including footpath widening and landscaping under Section 5.2.3, it is to be provided in the locations identified on the *Public domain setbacks map*.

(2) Where land is dedicated under Section 5.2.3, buildings are to be set back from the new street frontage property boundary by a minimum of 1.0m to provide a landscape setback, unless the frontage is a nominated active frontage on the *Active frontages map*. The land dedicated to Council shall be free of encroachments and structures and be clear to the sky.

(3) Where new streets or public domain dedications are created as part of a development, buildings and landscape setbacks are to be aligned with the new boundary created after the dedication has been determined.

(4) Where no setback is nominated on the *Public domain setbacks map*, the building setback is to be provided in accordance with the provisions for residential uses on the ground and first floor within Section 4.2.5.4.

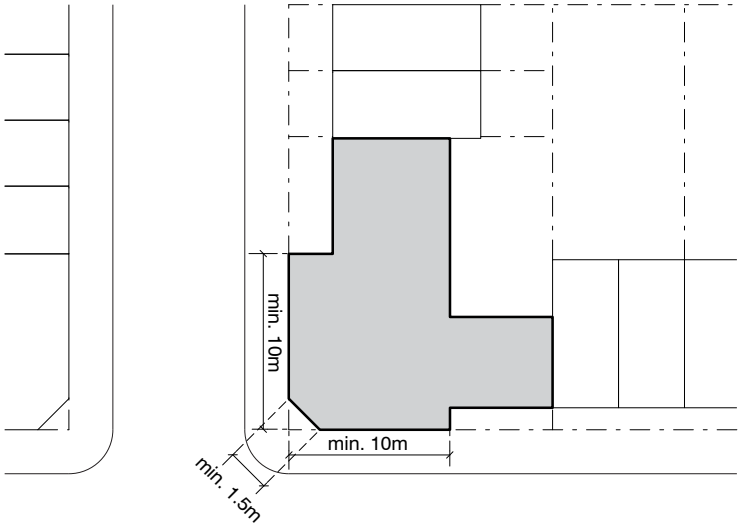
(5) The street setback is to be landscaped and treated in a manner that contributes to the streetscape and the desired future character of the area.

(6) Where the site boundary includes a splay at the corner, or where splay corners are typical of the area, the building is to be built to the site boundary of the splay as shown in Figure 5.58.

(7) Where a building is located on a corner, the acceptable street front setback is to be determined separately for each street.

(8) Where new development occupies one or more whole street blocks, appropriate setbacks are to be established through detailed analysis, for example the preparation of a development control plan in accordance with Clause 7.20 of *Sydney Local Environmental Plan 2012* and respond to any approvals (not yet constructed) on surrounding development.

Figure 5.58
Building setbacks on splayed corners



5.2.11 Carparks under the public domain

(1) Underground carparks are not permitted under public domain areas required for dedication to Council, except for tunnels that connect two or more carpark areas as this reduces the number of vehicular entry and exits at the street level.

(2) If site constraints result in a carpark being located under a public street or lane, the following criteria will apply:

(a) only common areas such as circulation space or unallocated visitor parking spaces are to be located below the street or lane; and

(b) ownership of the street or lane by the City shall be in stratum above the water-proofing membrane, and to a minimum depth of 1m for clearance for services as measured from the road levels approved by Council.

5.2.12 Above ground parking spaces and adaptable car parking spaces

This Section covers above ground and adaptable car parking spaces for all development types in Green Square and is to be read in conjunction with Part 7, Local Provisions – General, Division 1 'Car parking ancillary to other development' under *Sydney LEP 2012*.

Objectives

(a) Allow for flexibility in the provision of car parking spaces where below ground car parking is significantly constrained by a high water table or contamination.

(b) Ensure the design of above ground car parking spaces and associated vehicular circulation areas are easily adaptable to other future uses, for example retail, commercial or residential.

Provisions

(1) Where the water table is high or where site remediation is environmentally unsustainable, up to 50% of the proposed car parking spaces may be above ground, subject to the provisions within this Section.

(2) Above ground car parking must be screened along the street frontages.

(3) The minimum proportion of above ground car parking spaces that are to be designed and laid out to be easily adaptable for other uses in the future is to be consistent with Table 5.11.

Table 5.11

Category of land shown on the Land Use and Transport Integration (LUTI) Map and Public Transport Accessibility Level (PTAL) Map in *Sydney LEP 2012*:	Percentage of above ground car parking spaces to be designed for future adaptation:
A or D	100%
B or E	80%
C or F	65%

Note: As an example, a development proposes 150 car parking spaces. Due to the high water table 50%, or 75 car spaces can be located above ground. The site is shown as Category E on the *PTAL Map*, therefore, at least 80%, or 60, of the above ground car parking spaces must be designed so they can be adapted to another use. For the purpose of this provision the *PTAL Map* applies to non-residential development and the LUTI Map applies to residential development.

(4) Adaptable car parking spaces must remain on common title, and not be strata titled and have a minimum clear height of 3.3m.

(5) Adaptable car parking spaces are to be designed so that once adapted the space will:

(a) be accessible from lift lobbies, the street or public domain;

(b) have access to sunlight and ventilation; and

(c) be provided with appropriate services.

(6) The applicant must designate which consolidated group of spaces and including associated vehicular circulation are the adaptable spaces and provide an indicative plan showing the proposed alternative use layout.

(7) Council may deem above ground spaces to be 'required' for the purposes of calculating GFA where it is satisfied that the development meets other provisions of this DCP.

5.2.13 Daylight access to circulation space within shopping centres in Green Square

Objective

(a) Respond to Sydney's temperate climate and improve the amenity for pedestrians in shopping centres by providing access to daylight.

Provisions

(1) Shopping centres are to be designed to primarily front a street. Internal circulation should take the form of streets or lanes and be predominantly open to the sky.

(2) Any public circulation area servicing a building or that part of a building that includes retail shops must incorporate access to daylight through the use of skylights and atriums in at least 50% of the roof of the circulation area.

5.3
Green Square - Epsom Park

This Section applies to the land identified as Epsom Park in Figure 5.1 *Specific Areas Map*.

Where land is located in Epsom Park, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency.

5.3.1 Epsom Park Urban Strategy

Objectives

(a) Development in Epsom Park should be undertaken in accordance with the following objectives and Figure 5.59 Epsom Park Urban Strategy.

(b) Future development is to be of the highest quality, and sympathetic to the existing surrounding local character and history of Epsom Park and its former industrial uses. Redevelopment should be coordinated to effectively manage the redevelopment and provide adequate community facilities and services as required.

(c) Introduce a mix of dwelling types to provide flexibility and choice that reflects the needs of a diverse community.

(d) Ensure building heights provide a transition to the surrounding areas. Respond to the urban strategy for the Precinct, locating taller buildings on main streets and lower development on small streets.

(e) Introduce a permeable network of streets that responds to key connections and maximises opportunities for walking and cycling.

(f) Create an attractive public domain with pedestrian and bike connections. Links to public transport are to be clear and legible, and are to prioritise pedestrians with slow speed traffic lanes. All streets should include tree planting.

(g) Provide one main park, known as Gunyama Park, for passive and active recreation.

(h) High quality streetscapes are to be provided throughout Epsom Park. All new streets will provide trees for shade and amenity and incorporate water sensitive urban design where appropriate.

(i) Create a strong and consistent landscape character that unites development in Epsom Park by setting back buildings from the public domain and providing native planting in accordance with Council's Landscape Code.

(j) Introduce an appropriate mix of land uses with commercial/retail uses at ground level on Zetland Avenue and Epsom Road and at the public transport interchange.

(k) Provide an Aquatic Centre with active frontages to Gunyama Park and Zetland Avenue.

Figure 5.59 Epsom Park Urban Strategy



5.3.2 Urban Design Principles

The following principles inform the development type, density and the public domain layout.

Principle 1
Transition of
Building Heights



- Provide a predominant street wall height of 4-7 storeys along most streets and 8 storeys to Epsom Road and Zetland Avenue
- Upper levels (above 6 and 8 storeys) to be setback 3m to reduce their visual impact from the street
- Taller buildings to be located on primary and main streets, with lower buildings on small streets and lanes.

Principle 2
Land Uses



- Epsom Park will be activated by the Green Square Aquatic Centre, Gunyama Park, other proposed open spaces and the public transport interchange on Zetland Avenue

- The Precinct will provide a mix of land uses with commercial/retail uses at ground level on Zetland Avenue and Epsom Road and at the public transport interchange. Residential uses will predominate on upper storeys and on quieter streets
- Appropriate local shops and services (including childcare facilities) will meet the needs of the new population.

Principle 3
Public Domain



- Provide one main park of approximately 15,500 square metres for active and passive recreation
- Landscaped setbacks are provided to reduce the perception of scale of buildings at the street level
- Provide bioswales on key streets, and an unobstructed root zone for tree planting for rainwater infiltration
- Use landscaping to assist in managing stormwater.

5.3.3 Local infrastructure and public domain

The objectives and provisions within this Section must be read in conjunction with the provisions for streets, lanes and footpaths under Section 3.1.1 within the General provisions and Section 5.2 Green Square which sets out specific provisions for local infrastructure.

Objectives

(a) Introduce a grand east-west boulevarde, Zetland Avenue, to connect Epsom Park to the Green Square Town Centre.

(b) Introduce a green open space that terminates the eastern end of Zetland Avenue.

(c) Introduce a large central park, Gunyama Park that accommodates a range of active sports facilities and is linked to the Green Square Aquatic Centre.

(d) Introduce a legible and permeable pattern of new streets that responds to key connections within and adjacent to the neighbourhood and that provides pedestrian and cycle priority.

(e) Contribute to the regional management of stormwater through facilitating a stormwater connection from Link Road through to Joynton Avenue and the Town Centre and incorporating water sensitive urban design.

Figure 5.60 Epsom Park Dedications and easements



KEY

- PRECINCT BOUNDARY
- 1.4 METRE FOOTPATH WIDENING
- OPEN SPACE
- LANDSCAPE DEDICATION (10M OR VARIES AS SHOWN)
- PUBLIC DOMAIN DEDICATION - STREETS AND LANES
- 9 METRE EASEMENT FOR PUBLIC ACCESS
- 3 METRE EASEMENT FOR PUBLIC ACCESS (OUTDOOR DINING)

N

Provisions

5.3.3.1 Public open space

The Epsom Park neighbourhood is identified as Catchment Area E 'Epsom Park Neighbourhood' in Figure 5.54 Green Square public open space and Table 5.10 Provisions for open space catchment areas under Section 5.2 Green Square.

(1) Where required by Council, public open space is to be dedicated to Council in the locations identified on Figure 5.60 Epsom Park Dedications and Easements and in accordance with the standards set out in Table 5.12 Provision for public open space in Epsom Park.

(2) The landscaping and materials used for open spaces is to respond to the neighbourhood's character and to relate to the history of the Epsom Park precinct.

(4) Public open space is to include:

(a) sub-surface drip irrigation systems controlled by timers using soil moisture or rainfall sensors;

(b) drought tolerant plants and grasses;

(c) water retaining media mixed into soil; and

(d) tree planting and landscaping elements such as indigenous tree species, interesting sculptural elements and pavement design.

(5) Ensure that Gunyama Park is designed so that it provides opportunities for passive and active recreation. Gunyama Park is to:

(a) be of a high quality design that creates interest, landmark sculptural elements and other appropriate elements, that reference the former historical uses; and

(b) use indigenous tree species.

(6) Ensure that Mulgu Park is a minimum of 2,500 sqm and is of the highest quality, creates interest and adds character to Epsom Park. The design of Mulgu Park should provide passive recreation space with adequate seating.

Table 5.12: Provisions for public open space in Epsom Park

Type	Requirements	Guidelines
A District Park	One park of approximately 15,500sqm at the centre of the neighbourhood (Gunyama Park).	The park is to: (a) provide for deep soil planting; (b) be used for active and passive recreation; (c) provide a flexible active sports pitch; (d) provide passive spaces; and (e) provide a clear link to the Green Square Aquatic Centre to complement the active sports facilities.
B	One park of 2,500sqm at the south eastern area of the neighbourhood (Mulgu Park).	The park is to: (a) provide for deep soil planting; and (b) be used for passive recreation.
C	An area of public open space to be provided at the termination of Zetland Avenue, east of Defries Avenue.	This space is to: (a) provide for deep soil planting; (b) provide a noise and visual buffer to traffic on South Dowling Street; (c) allow for passive recreation; and (d) be flexible in its design to accommodate a range of community based activities, for example performance space, open air theatre and temporary art and sculpture exhibitions.

Figure 5.60
Example of smaller scale spaces at edges of open space



5.3.3.2 Street network

(1) Where required to be provided, new streets are to be introduced and dedicated to Council in the locations identified in Figure 5.62 Epsom Park street hierarchy and designed in accordance with the standards set out in Figure 5.62 Epsom Park Street Hierarchy and Figures 5.63 to 5.79.

(2) Separated cycleways are to be provided along Zetland Avenue and the transport corridor (George Julius Avenue) (refer to Figures 5.63 to 5.79) and designed as part of the public domain and in accordance with the *City of Sydney Cycle Strategy and Action Plan 2007-2017*.

(3) Street closure devices and one way systems identified in Figure 5.62 Epsom Park street hierarchy are to be provided and must not impede bicycle or pedestrian movements.

(4) Leticia Street, Chimes Street, Ascot Avenue and portions of Peters Street and Rose Valley Way are to be provided as shared zones.

(5) Pony Race and Fuse Streets are to be provided as pedestrian/cycle ways only, however in the short term traffic will be permitted to align with development staging.

Figure 5.62 Epsom Park Street Hierarchy



KEY

- PRECINCT BOUNDARY
- 36 METRES - ZETLAND AVENUE
- 23 METRES - TRANSPORT CORRIDOR / PRIMARY STREET
- LOCAL STREET - WIDTH VARIES TO MATCH EXISTING NORTHERN CONDITION
- 20 METRES - MAIN STREET
- 15 METRES - STREET
- 12 METRES - LANE
- 9 METRES - LANE
- SHARED ZONE
- SHORT TERM VEHICULAR ACCESS, LONG TERM PEDESTRIAN AND CYCLE ONLY
- 9 METRES PEDESTRIAN / CYCLE THROUGH SITE LINK
- OPEN SPACE
- LANDSCAPE SETBACK

N

Figure 5.63
Epsom Park- Zetland Avenue (36m)
Section A1

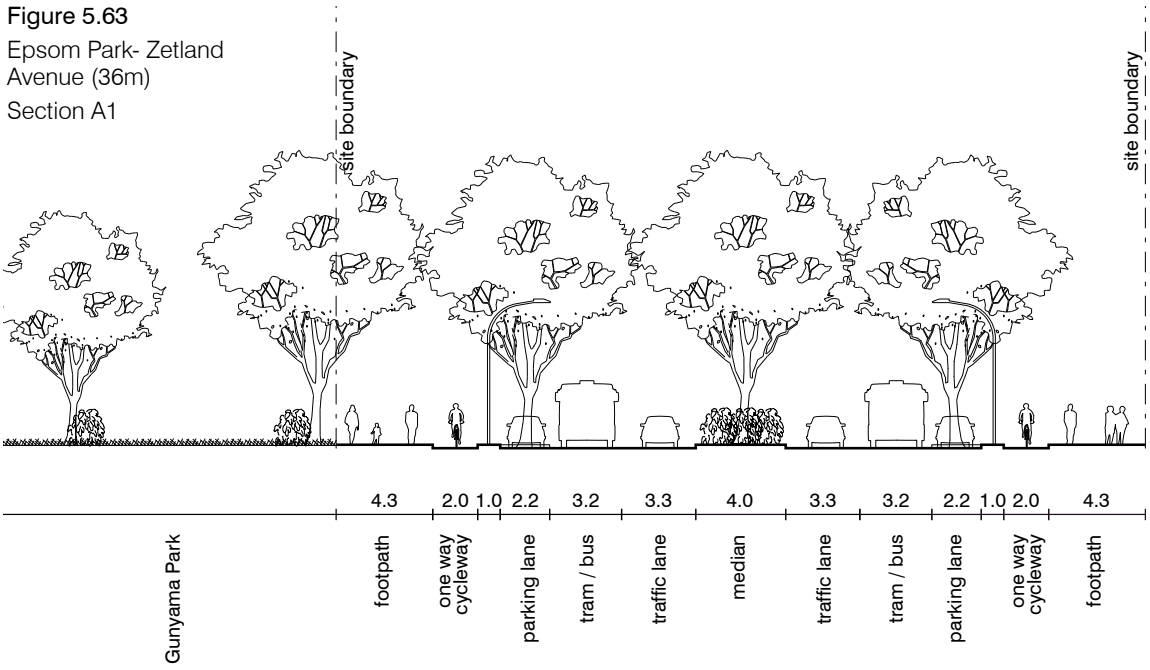


Figure 5.64
Epsom Park- Zetland Avenue (36m)
Section A2

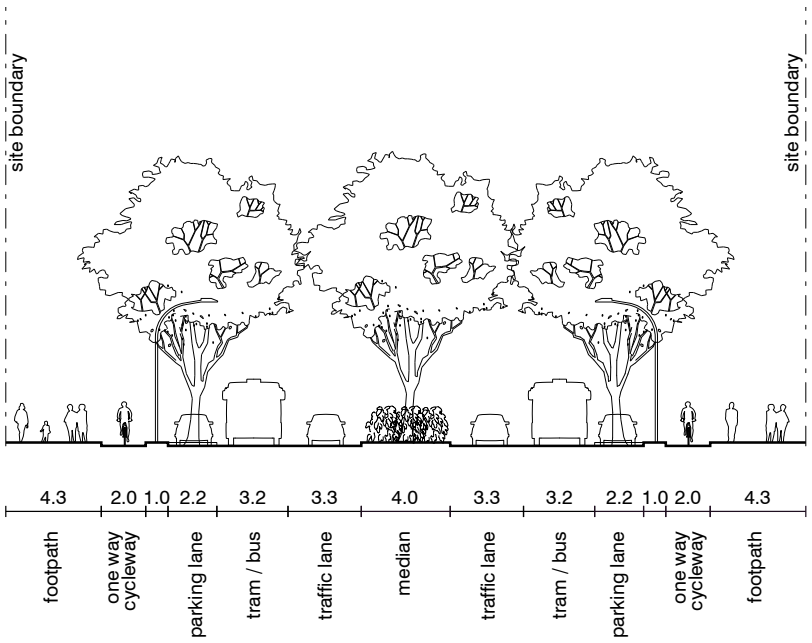


Figure 5.65

Epsom Park - Transport Corridor (George Julius Avenue adjacent to park)

Section B1- Short-term

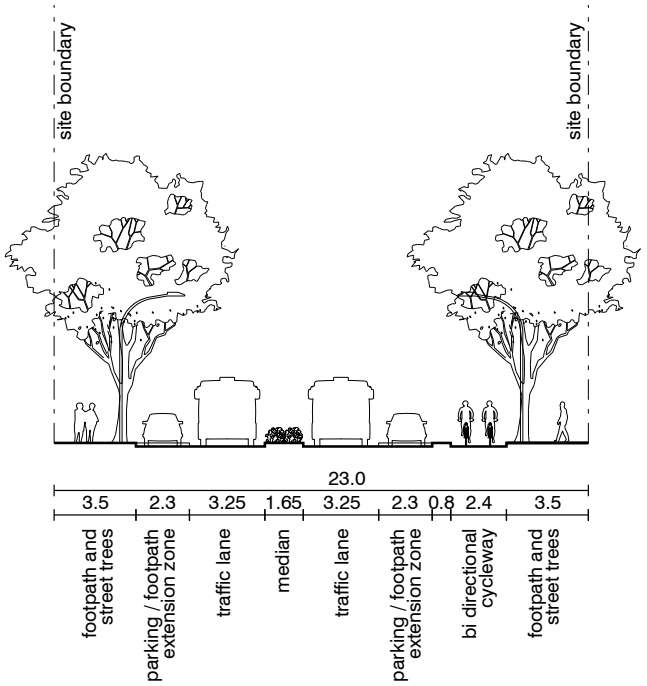


Figure 5.66

Epsom Park - Transport Corridor (George Julius Avenue adjacent to park)

Section B1- Long-term

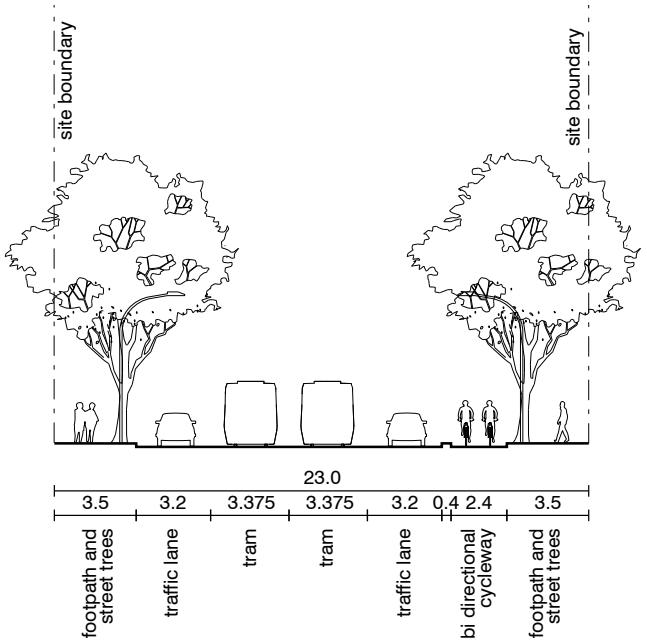


Figure 5.67

Epsom Park - Transport Corridor (George Julius Avenue)

Section B2- Short-term

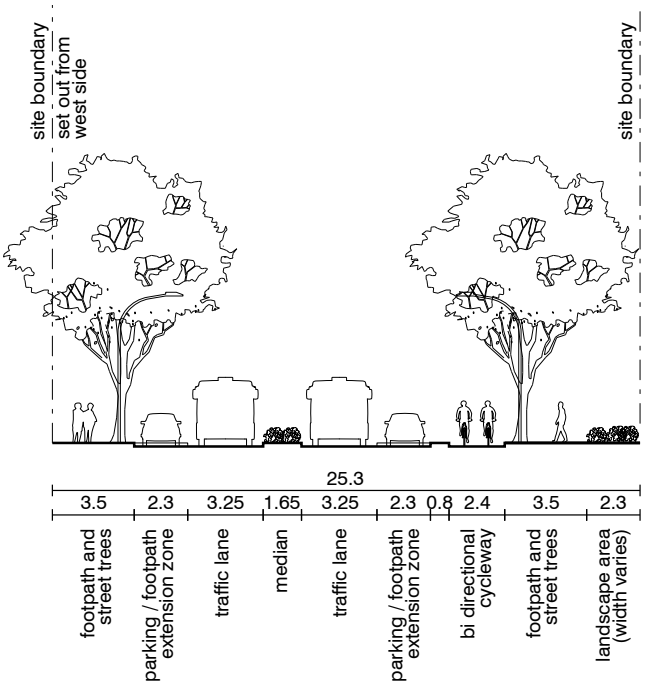


Figure 5.68

Epsom Park - Transport Corridor (George Julius Avenue)

Section B2- Long-term

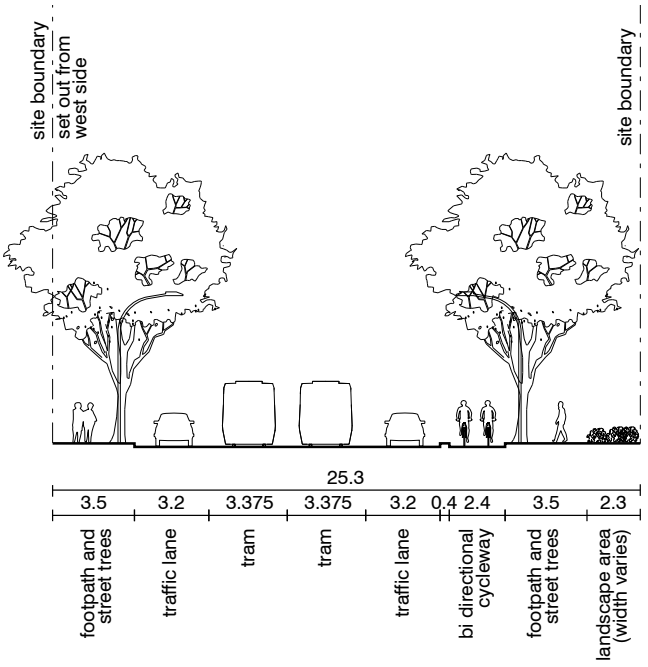


Figure 5.69
Epsom Park - Transport Corridor (Defries Avenue-South of Zetland)
Section C

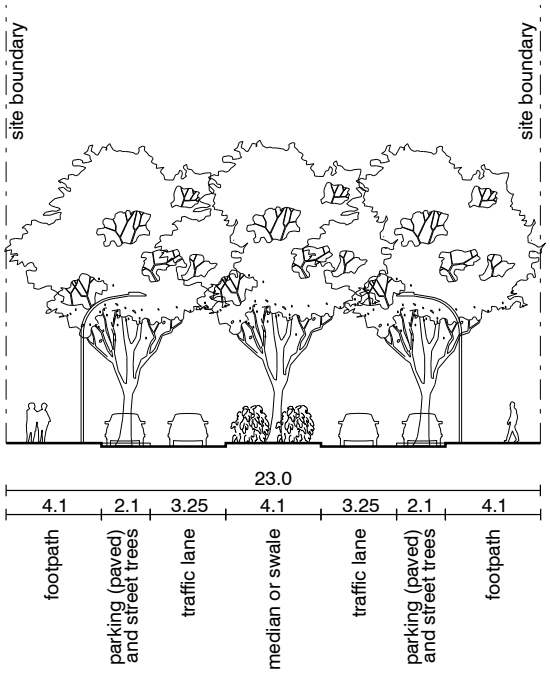


Figure 5.70
Epsom Park - Transport Corridor (Defries Avenue north of Zetland Avenue)- Short-term
Section D1

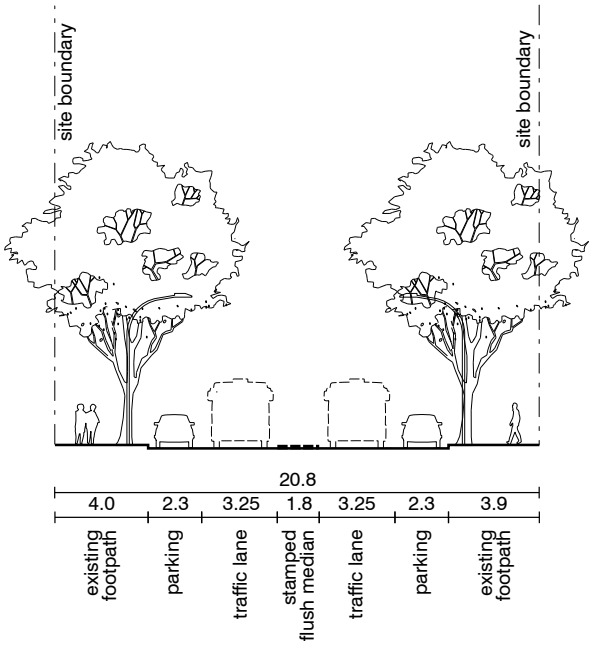


Figure 5.71
Epsom Park - Transport Corridor (Defries Avenue north of Zetland Avenue) Long term
Section D2

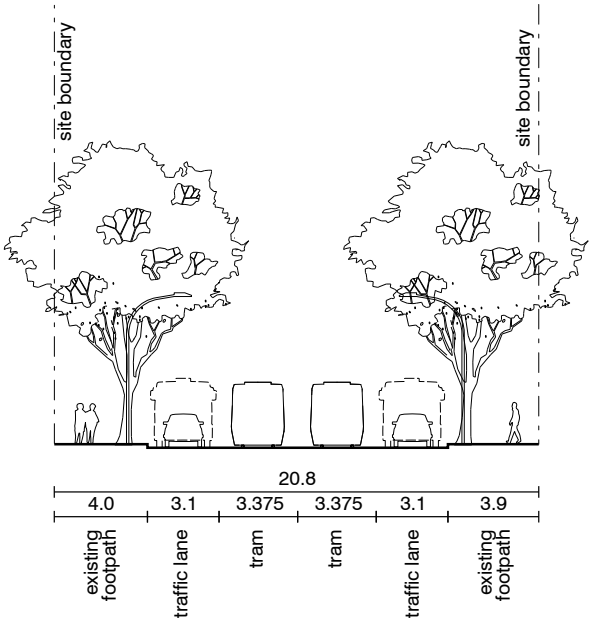


Figure 5.72
Epsom Park – Peters Street
Section E

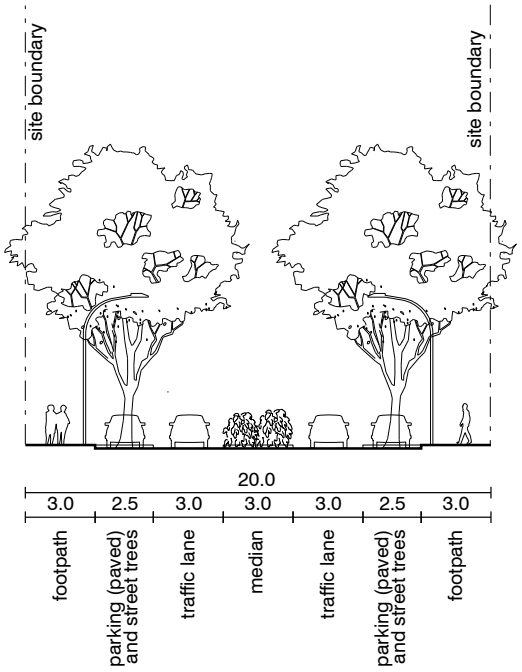


Figure 5.73
Epsom Park – Rose Valley Way
Section F

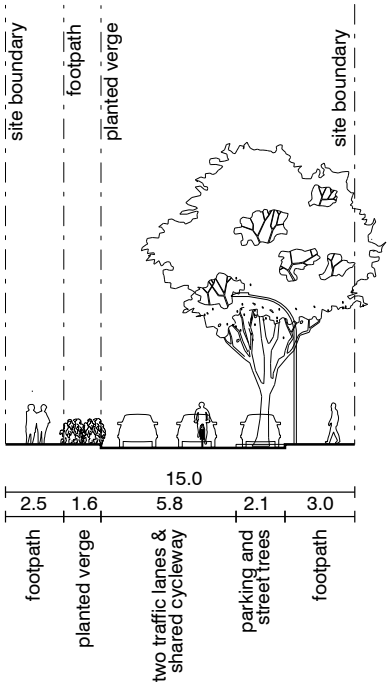


Figure 5.74
Epsom Park – Shared zone
Section G1

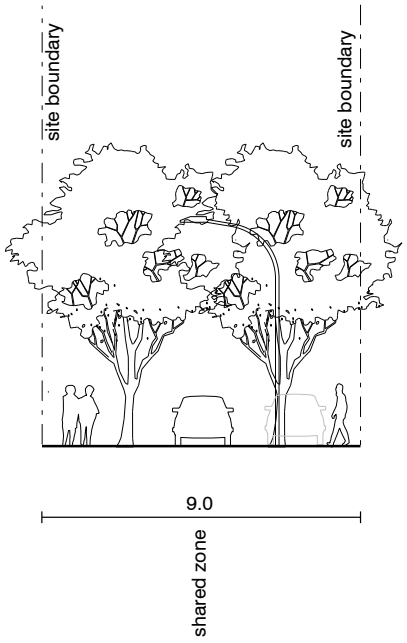


Figure 5.75
Epsom Park – Pony Race Street- short term
Section G2

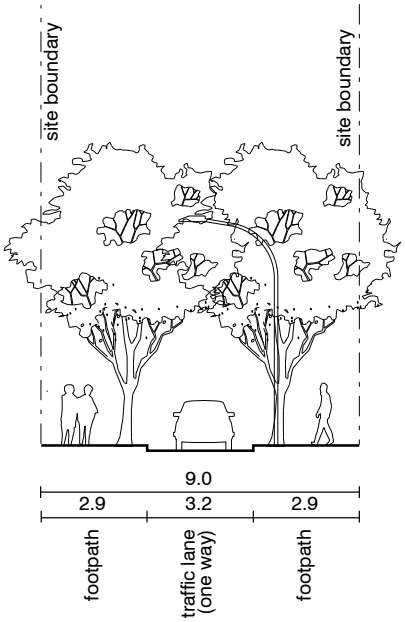


Figure 5.76
Epsom Park – Shared Zone
Section H

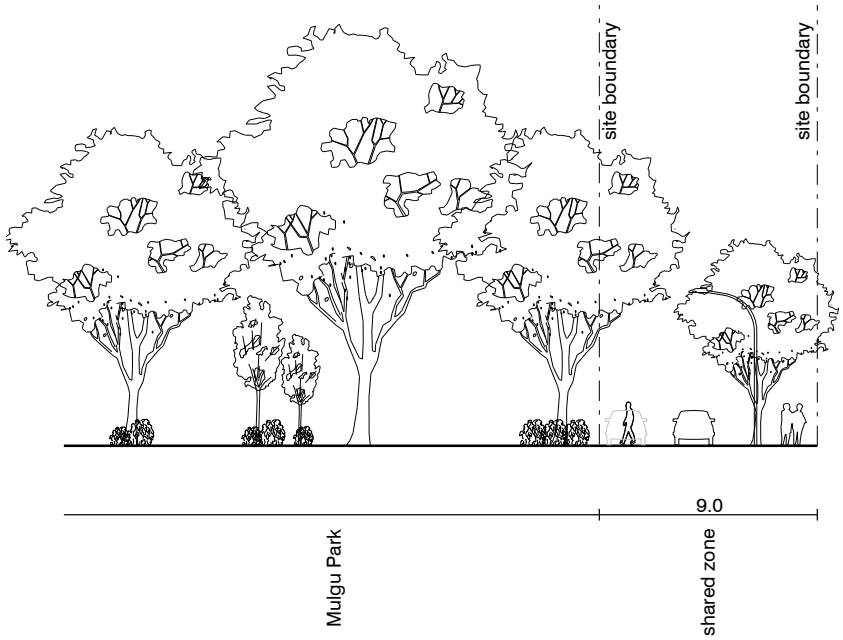


Figure 5.77
Epsom Park – Fuse Street Short term
Section I

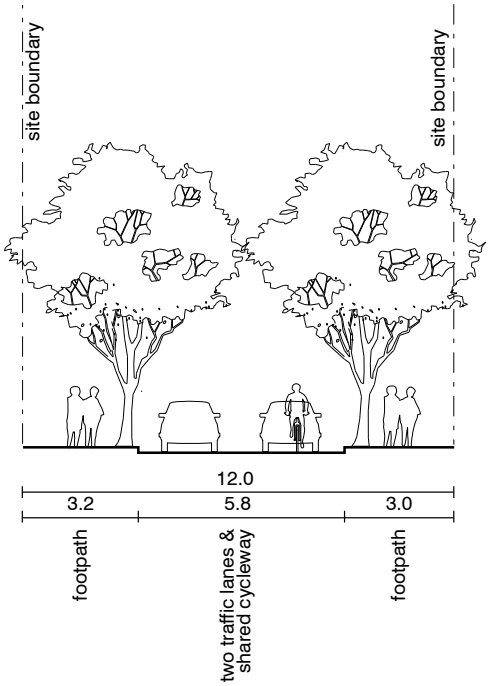


Figure 5.78
Epsom Park – Fuse Street Long term
Section I

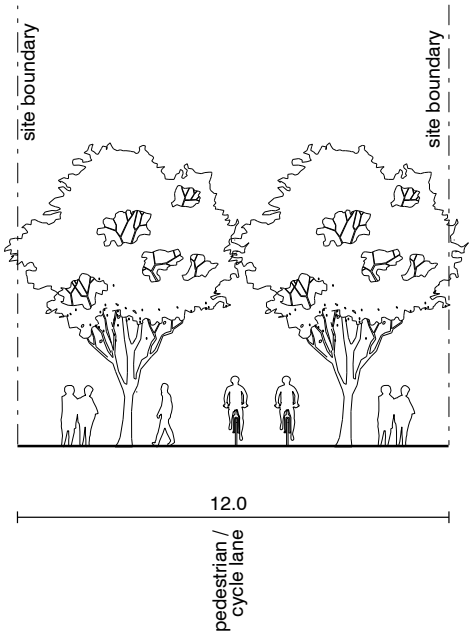
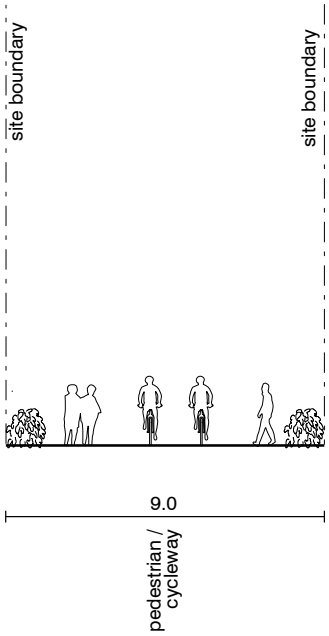


Figure 5.79
Epsom Park (Pedestrian Cycle Link)
Section J



5.3.3.3 Movement and Connectivity

(1) Major access and egress points are to be consistent with Figure 5.80 Epsom Park Circulation and Access.

(2) Circulation is to be consistent with Figure 5.80 Epsom Park Circulation and Access.

(3) Introduce traffic signals at the junction of Epsom Road and George Julius Avenue and Joynton Avenue and Zetland Avenue in accordance with Figure 5.62 Epsom Park Street Hierarchy.

(4) Bollards or other measures in accordance with Council requirements to restrict vehicle access whilst allowing pedestrian and cycle access are to be installed in the following locations:

(a) Fuse Street

(b) Rose Valley Way east, end

(c) Pony Race Street

(5) Driveways and car park entries are to be in accordance with Figure 5.80 Epsom Park Circulation and Access.

(6) Underground car parking entries are to be set back from the building line to reduce their visual dominance in the streetscape.

Figure 5.79 Epsom Park Circulation and Access



5.3.3.4 Stormwater management and waterways

Stormwater flowing through the precinct passes through a system of open channels, a subsurface concrete culvert and pipes. The proposed street network reflects the existing and future realignment of drainage infrastructure for the wider major trunk upgrade from Link Road, through the Green Square Town Centre sites and to Alexandra Canal.

Provision

(1) Realign the existing stormwater culvert as detailed in Figure 5.82 Epsom Park Stormwater Management.

(2) If identified, bio-swales are to be designed and constructed to allow for pedestrian crossings.

Figure 5.81
Example of Water sensitive urban design street with a central swale



5.3.4 Building form and design

Objectives

(a) Ensure built form and height is of a pedestrian scale and contributes to the physical definition of the existing and proposed street network.

(b) Provide a range of building types and architectural styles to create architectural diversity and visual interest.

(c) Retain important views in and out of the Epsom Park neighbourhood by extending vistas along new streets and lanes.

(d) Ensure the use of high quality facade design and finishes throughout the neighbourhood with particular attention to built form terminating a vista.

(e) Encourage high architectural design and quality for development located along Zetland Avenue.

(f) Encourage development that draws on the neighbourhood's former industrial uses and as a racecourse.

(g) Ensure appropriate building lengths and articulation to reduce the perceived scale of development from the public domain.

Figure 5.81 Epsom Park Stormwater Management



Figure 5.82 Epsom Park Building Height in Storeys



KEY

- PRECINCT BOUNDARY
- PROPOSED STREET BLOCKS
- OPEN SPACE
- DESIGN EXCELLENCE BUILDING ENVELOPES
- LANDSCAPE SETBACK

HEIGHTS IN STOREYS

- 2 STOREYS
- 4 STOREYS
- 6 STOREYS
- 7 STOREYS
- 8 STOREYS
- 9 STOREYS
- 10 STOREYS
- 12 STOREYS
- 14 STOREYS
- 15 STOREYS
- * SUBJECT TO GREEN SQUARE AQUATIC CENTRE COMPETITION & DESIGN DEVELOPMENT

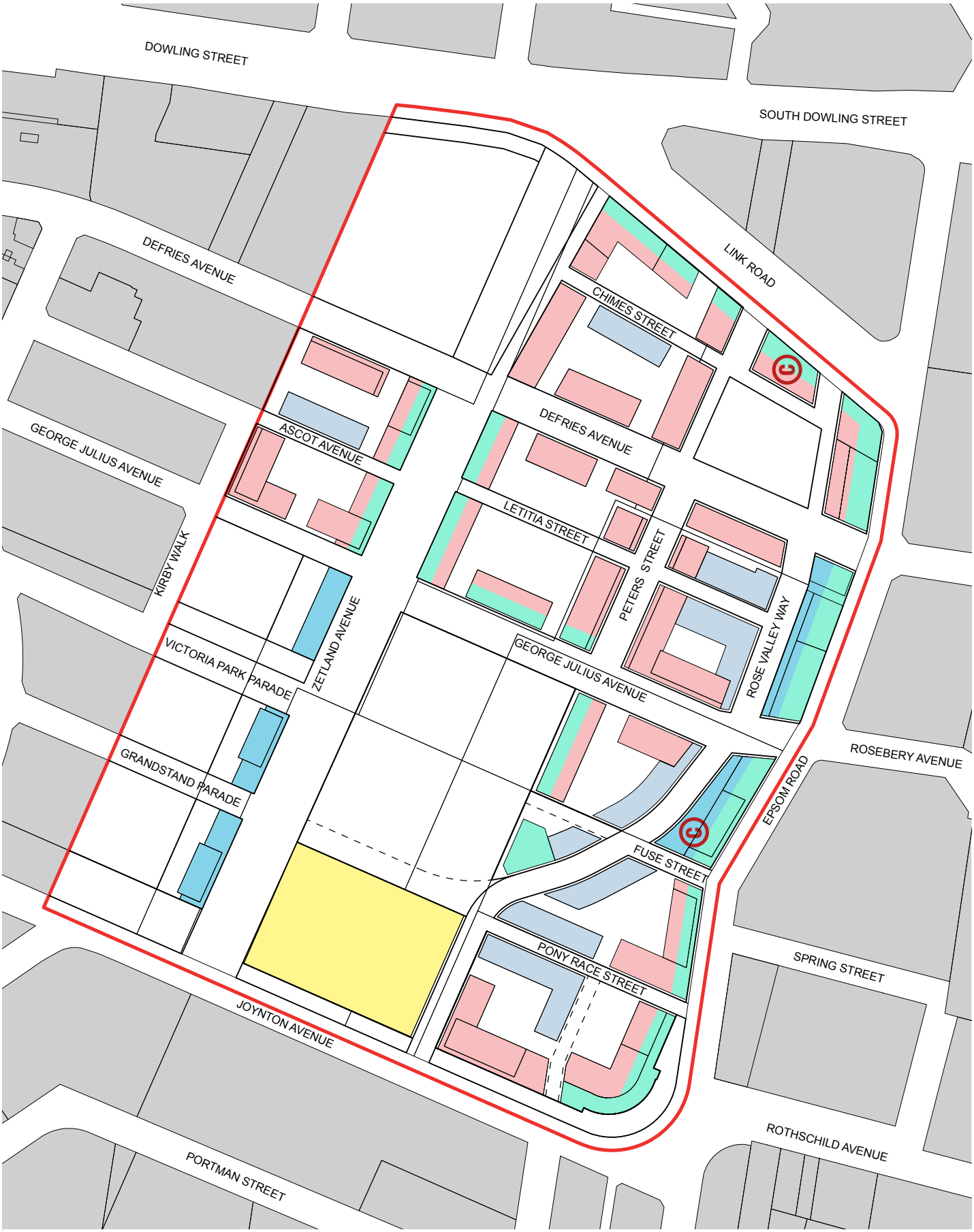
NOTE - HEIGHTS IN BRACKETS AND DASHED ENVELOPES ARE PERMISSIBLE SUBJECT TO DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESSES

N

Figure 5.83 Epsom Park Street Frontage Height in Storeys



Figure 5.84 Epsom Park Building Types



Provisions

(1) Development must not exceed the maximum number of storeys as shown on the *Building height in storeys map* and Figure 5.83 Epsom Park Building Height in Storeys.

(2) The street frontage height of a building must not exceed the maximum street frontage height shown on Figure 5.84 Epsom Park Street Frontage Height.

(3) Dwelling types are to comply with Figure 5.85 Epsom Park Building Types.

(4) A variety of built form options are possible within each of the street blocks. An indicative built form is presented in Figure 5.83 Epsom Park Building Height in Storeys. Alternate building layouts may be considered within each street block provided they respond to the Epsom Park Urban Strategy and Principles, and demonstrate better amenity for the development, neighbouring developments and the public domain.

(5) For land bounded by Zetland Avenue, Link Road, Epsom Road and the extension of Defries Avenue, an alternative street block layout or built form layout may be considered through a Site Specific DCP under Clause 7.22 of the *Sydney LEP 2012* that accommodates intensified motor showroom uses.

(6) Private open spaces to all dwellings on the ground floor are to be located to address the street and be accessible from the footpath.

(7) Individual entries are to be provided to each ground floor unit.

Figure 5.86
Examples of building design that uses a variety of materials, Grandstand Parade, Zetland



5.3.4.1 Building setbacks

Provisions

The following objectives and provisions should be read in conjunction with the provisions for residential uses on the ground and first floor within Section 4 Development Types.

(1) Setbacks are to be provided in accordance with the *Public domain setbacks map* and the *Building Setback and Alignment map*.

(2) Further to the above, residential uses at the ground and first floor are to be in accordance with Figure 5.87 Epsom Park Ground Floor Condition for Residential Flat Buildings. All ground floor apartments are to provide:

(a) a minimum 3.2m setback, preferably 4m setback from the site boundary to the glass line enclosing an internal space at the ground and first floor; and

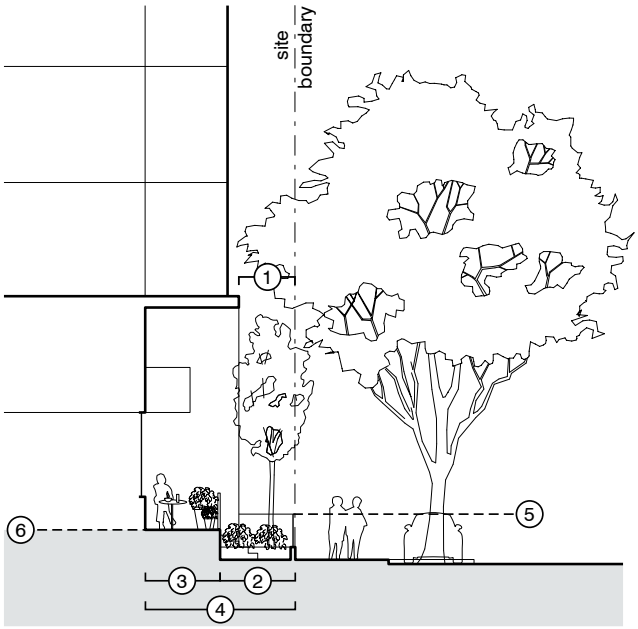
(b) a minimum 2m wide deep soil landscape setback as a private front garden. The garden may be located up to 1.0m above the street level.

(3) Ground level apartments are to be designed in a manner similar to a two storey terrace house or maisonette.

(4) Where no upper level setback is specified in the *Building Setback and Alignment map*, all levels above street frontage height are to be setback a minimum of 3 metres from the primary building line.

(5) Side and rear setbacks are to be provided in a manner which does not impede development on adjoining sites.

Figure 5.87
Epsom Park Ground Floor Condition for Residential Flat Buildings



1. Primary building setback, clear full height – min. 1.5m
2. Deep soil landscape planting area – min. 2m
3. Ground floor private open space deck – min. 1.2m
4. Setback from the site boundary to the glass line – min. 3.2m (preferably 4m)
5. Site boundary fence – max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

5.3.4.2 Splay Corners

Provisions

(1) Splay corners should be provided in the locations identified in Figure 5.88 Epsom Park Potential Splay Corners, unless otherwise determined by the consent authority.

5.3.4.3 Fences

Provisions

(1) Fences on front property boundaries are to:

(a) Be sufficiently transparent to enable some outlook from buildings to the street for safety and surveillance;

(b) Assist in highlighting entrances and in creating a sense of communal identity within the streetscape;

(c) Designed and detailed to provide visual interest to the streetscape; and

(d) Be a maximum of 1.4 metres high from footpath level.

5.3.4.4 Other development

Provisions

(1) Active uses are to be provided in the locations identified in Figure 5.89 Epsom Park Active Frontages.

(2) The primary retail is to be located along Zetland Avenue, George Julius Avenue and adjacent to Gunyama Park as shown in Figure 5.85 Epsom Park Building Types.

(3) Retail development is to be located in the ground floor and, subject to flooding conditions, incorporates a finished floor level that is at the same level as the adjacent footpath level.

(4) Active retail frontages are to contribute to the liveliness and vitality of the street by maximising entries to display windows to shops and/or food and drink premises to provide pedestrian interest and interaction.

(5) Commercial/retail uses, such as car showrooms, are to be located along Epsom and Link Roads.

(6) The proposed Aquatic Centre should provide activation to Zetland Avenue and Gunyama Park.

5.3.4.5 Deep soil planting

Provisions

(1) The private front gardens required for ground floor apartments, with a minimum dimension of 2m, are to be included as part of the deep soil area.

(2) All remaining deep soil areas are to comply with the relevant provisions within Section 4.2.3.6 Deep soil planting.

5.3.5 Staging and implementation

Objectives

(a) Ensure the redevelopment of the Epsom Park neighbourhood is coordinated in an orderly manner to ensure activities in adjacent sites are not adversely impacted upon.

(b) Address stormwater management at the outset of construction works, to ensure adjacent areas are not adversely affected.

(c) Ensure the development of sites can occur independently, without reliance on infrastructure from adjacent sites.

Provisions

(1) A staging plan is required to be submitted to Council with each development application.

(2) The staging plan must:

(a) Where relevant address how either the extension of Rosebery Avenue (George Julius Avenue) or Defries Avenue, between Epsom Road and Zetland Avenue are to be used as the route for the Eastern Transit Corridor, until the preferred route is established; and

(b) Where relevant address how the proposed main park is to be constructed and dedicated to Council prior to the occupation of the Green Square Aquatic Centre.

(3) George Julius Avenue and Defries Avenue are to be configured to allow for short-term operation as bus routes, and longer term operation as light rail corridors.

(4) Pony Race Street and Fuse Street are to be provided as pedestrian/cycle ways only, however in the short term traffic will be permitted to respond to development staging.

Figure 5.88 Epsom Park Potential Splay Corners

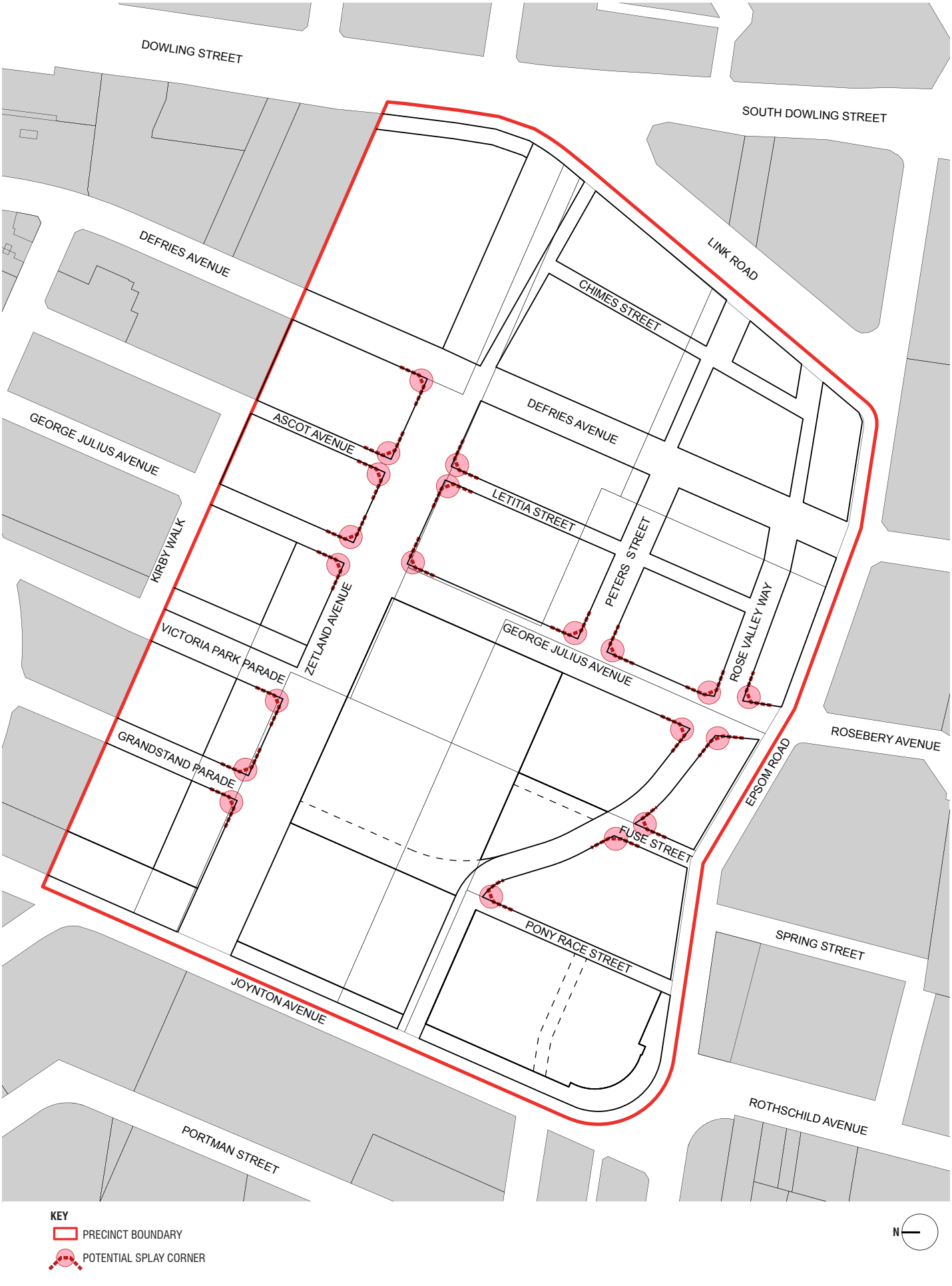
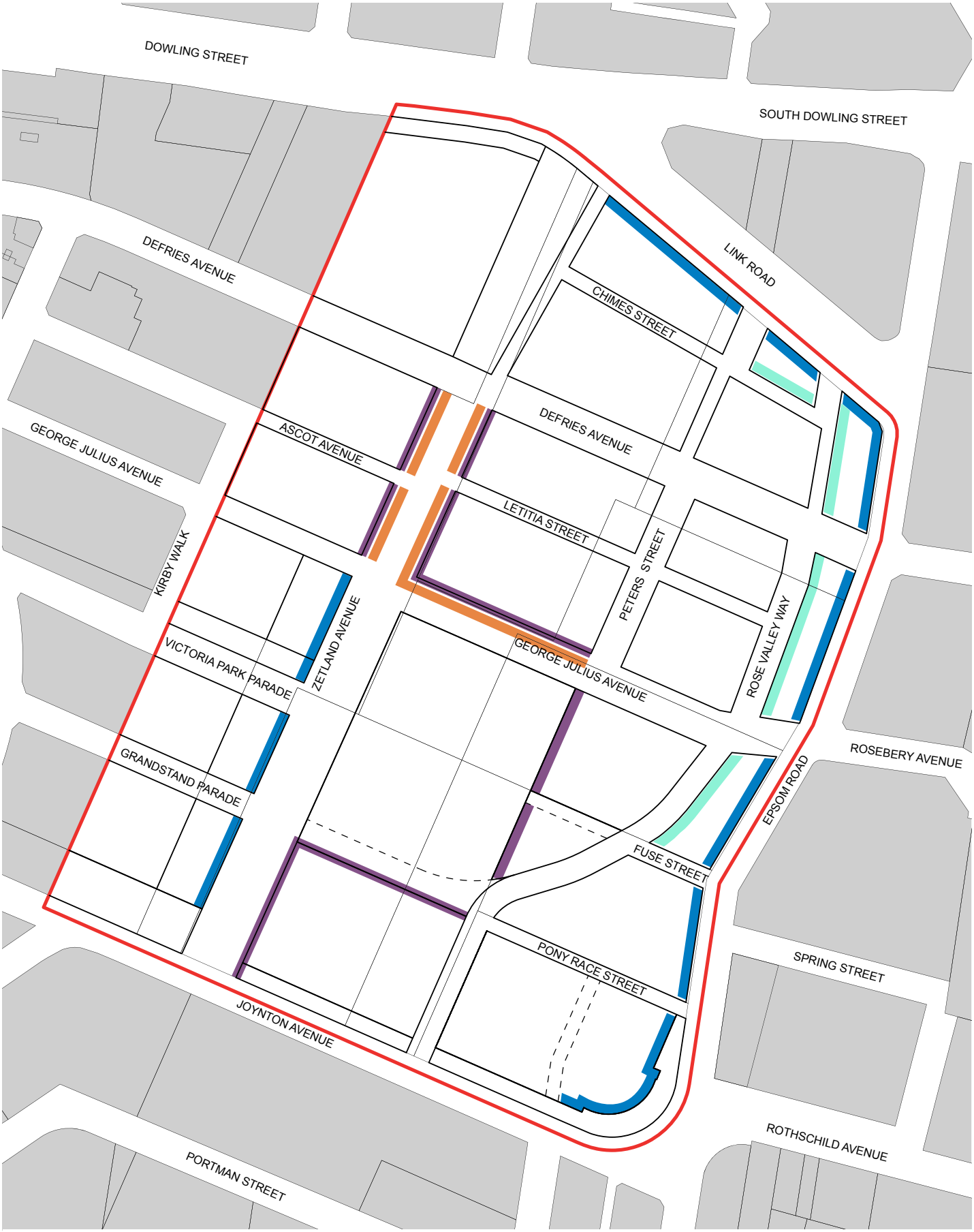


Figure 5.89 Epsom Park Active Frontages



5.4

Green Square – Lachlan

If a development application has been made before the commencement of Sydney Development Control Plan 2012 (Green Square – Lachlan Amendment), in relation to Lachlan Precinct land, and the application has not been finally determined before that commencement, the application must be determined as if that Development Control Plan had not commenced

This section applies to the land identified as Lachlan in Figure 5.1 *Specific Areas Map*. The Lachlan neighbourhood is bounded by Bourke, Lachlan and South Dowling Streets and O'Dea Avenue, Waterloo. The objectives and controls in this section are supported by the Locality Statement and Principles contained in Section 2.5.7 Lachlan and the provisions in Section 5.2 Green Square.

Where land is located in Lachlan, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency

5.4.1 Lachlan urban strategy

Objectives

(a) A permeable pattern of new streets and public open space is to be provided which respond to key connections, stormwater management requirements, local traffic and access considerations and urban design principles.

(b) High quality streetscapes are to be achieved throughout the neighbourhood. Streets are to prioritise pedestrians with low speed traffic lanes and generous street landscaping for amenity.

(c) A significant linear park, Rope Walk, is to be created between Lachlan Street and O'Dea Avenue extending the alignment of Joynton Avenue. Two additional parks, Wulaba and Dyuralya, are to be incorporated in the eastern part of the precinct to serve the needs of the neighbouring population.

(d) The extension of Gadigal Avenue along the alignment of Bruce Street is to continue the transit corridor through the eastern neighbourhoods of Green Square. Retail, commercial and public uses at ground level and high quality public domain along this north-south spine will create a sustainable and vibrant corridor.

(e) The western half of Archibald Avenue (west of Gadigal Avenue) is to be the focus of retail activity. Built form is to reinforce the pedestrian scale of this street and maximise solar access to the public domain in mid-winter.

(f) A deep soil, tree-lined landscaped setback is to be introduced to South Dowling Street and O'Dea Avenue.

(g) Non-residential uses are to be provided along the South Dowling Street, Lachlan Street and O'Dea Avenue frontages to act as a buffer against the impact associated with the heavy traffic use of these roads.

(h) A variety of building height and form is to be achieved across the neighbourhood, which responds to the hierarchy of streets and open spaces, residential amenity and solar access.

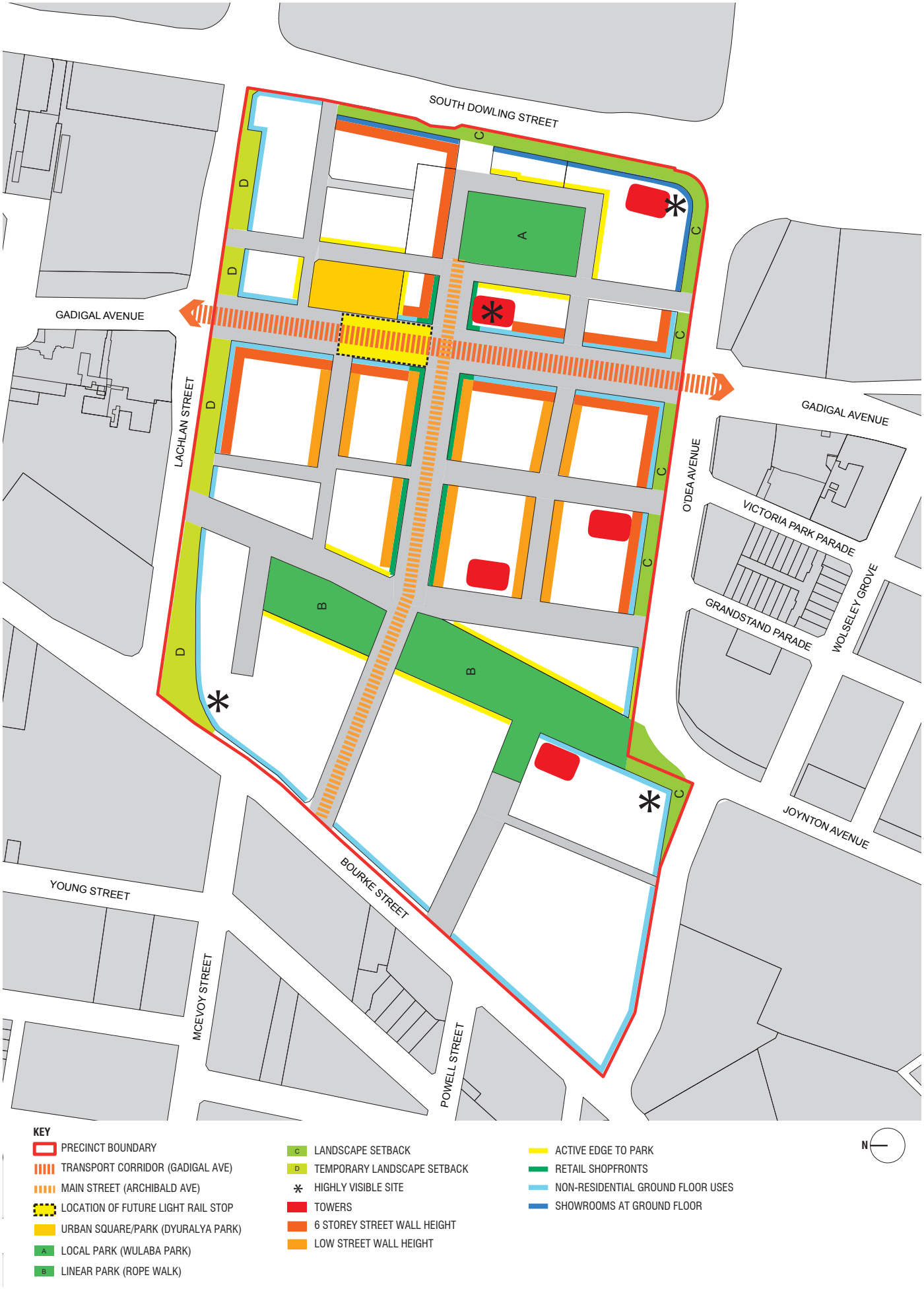
(i) The principal north-south transit corridor, Gadigal Avenue, the main linear park, Rope Walk, and the key streets are to be defined by carefully sited and well-designed slender tower forms oriented with their long axis north-south.

(j) The design of buildings, in particular towers, is to be varied and of high architectural quality so that development individually and collectively contributes to the overall urban design quality of Green Square.

(k) Built form should respond to the lower scale of the buildings in the north-east corner, including the two-storey, heritage listed hotel, by stepping down in height towards the corner of South Dowling Street and Lachlan Street, and using materials which interpret the area's history.

These objectives are shown in Figure 5.90: Lachlan Precinct Urban Strategy.

Figure 5.90 Lachlan Precinct Urban Strategy



5.4.2 Local infrastructure and public domain

Refer also to Section 3 General Provisions.

Objectives

(a) Create a neighbourhood with strongly defined streets and public places to give a sense of place and encourage social interaction.

(b) Introduce a legible and permeable pattern of new internal streets which respond to key connections within and adjacent to Lachlan.

(c) Create a fine-grained pattern of street blocks which are generally oriented to maximise solar access.

(d) Establish a key north-south public transport route along the Gadigal Avenue extension as part of the Eastern Transit Corridor which will provide dedicated transit and cycle lanes and high quality public domain.

(e) Maximise low angle views of the sky along street alignments and between buildings to allow orientation and to reduce the effects of visual enclosure.

(f) Create a safe, well designed and accessible network for cyclists and pedestrians that links with existing networks and promotes public use.

(g) Provide intersections, traffic and parking lanes that calm traffic.

(h) Create a range of open spaces which provides for a variety of passive and active uses appropriate to the location and which can respond to local community needs.

(i) Create a significant linear park, Rope Walk, between Lachlan Street and O'Dea Avenue, establishing a green corridor through Lachlan as a visual and physical extension of the Joynton Avenue green link.

(j) Establish significant landscaped setbacks along the eastern and southern edges of Lachlan to create a strong streetscape character and to act as a buffer for new development from adjacent busy roads.

(k) Manage regional stormwater with an upgraded underground drainage network, overland flowpaths and integration of water sensitive urban design.

Provisions

5.4.2.1 Street, pedestrian and cycle network

(1) Where required by Council, new streets are to be provided in the locations identified in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure and Figure 5.92: Lachlan Precinct – Public Domain Dedication.

(2) All streets are to be designed and constructed generally in accordance with the standards set out in Table 5.13: Lachlan Precinct Indicative Street Types and Figures 5.94 – 5.105: Street Sections, and with the City of Sydney's Lachlan Precinct Public Domain Strategy and Streets Design Code as they apply from time to time.

(3) Streets are to be finished in accordance with detailed public domain plans, RLs, cross and longitudinal sections and construction specifications to be supplied by the Consent Authority at development application stage. Public domain works are to incorporate underground utilities within the street reservation as agreed with the Consent Authority and in a manner that facilitates street tree planting.

(4) A setback and dedication is to be provided on the northern side of Murray Street to widen the street and enable a safer vehicle and pedestrian movement. The setback is to follow the alignment of the existing public domain setback at 1-11 Murray Street.

(5) Where required by Council, street closures and one-way systems are to be provided in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation. Traffic management devices are not to impede cycle or pedestrian movements.

(6) Where required by Council, separated cycleways are to be provided along:

(a) Gadigal Avenue; and

(b) Archibald Avenue west of Gadigal Avenue;

and in a contraflow direction along:

(c) Sam Sing Street north of Hatbox Place; and

(d) Hatbox Place.

(7) Cycleways are to be designed as part of the public domain and integrated with the City of Sydney's Cycle Strategy as it applies from time to time. Where required by Council, all other cycle infrastructure is to be provided in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation.

(8) Shared zones are to be provided in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation, allowing pedestrians and cyclists to safely share the space with vehicles.

(9) The following street links are to be designed for pedestrian and cyclist access only:

(a) the north-south link between Lachlan Street and Tung Hop Street;

(b) the northern half of the north-south link between Tung Hop Street and Archibald Avenue;

(c) the north-south link along Amelia Street between the shared zone below Murray Street and Archibald Avenue; and

(d) the north south link along Amelia Street between Archibald Avenue and Hatbox Place in the long term. This is to be designed as a shared zone in the short term.

(10) The eastern quarter of Dunkerley Place is to be designed as an extension to Rope Walk. The design of Dunkerley Place between Hatter Lane and the park extension is to provide a visual transition into Rope Walk and prioritise pedestrians and cyclists, discouraging on-street parking. It is to facilitate access to the adjoining development site.

(11) Publicly accessible through-site links are to be provided in the locations shown in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure. Additional through-site links are encouraged to create further visual connections between the public domain and communal open space within a site. Through-site links are to be publicly accessible at all hours and have a minimum width of 6m and be clear to the sky.

Figure 5.91 Lachlan Precinct Public Domain and Local Infrastructure



KEY

- PRECINCT BOUNDARY
- TRANSPORT CORRIDOR (30m)
- MAIN STREET (23.8m)
- LOCAL STREET TYPE 1 (20m)
- LOCAL STREET TYPE 2 (17m)
- LOCAL STREET TYPE 3 (13m)
- LANEWAY / SHARED ZONE
- LANEWAY - PEDESTRIAN AND CYCLE ONLY
- THROUG-SITE LINK (NO VEHICULAR ACCESS)
- PARK
- SQUARE (DYURALYA PARK)
- LANDSCAPE SETBACK
- EXTENSION OF PARK WITHIN ROAD RESERVE
- FUTURE ROAD WIDENING

N

Figure 5.92 Lachlan Precinct Public Domain Dedication

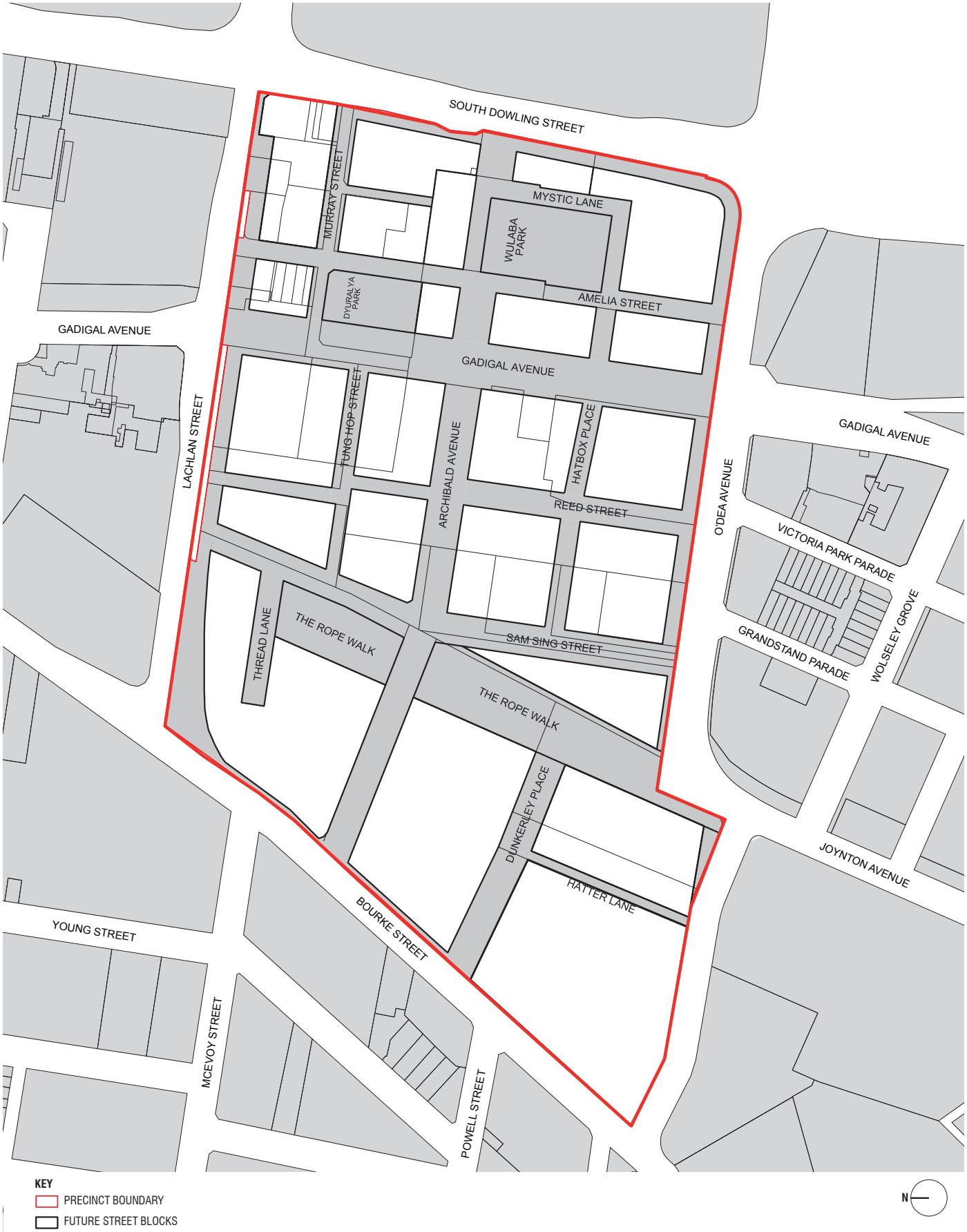


Table 5.13: Lachlan Precinct Indicative Street Types

Type	Reservation Width	Lane width	Median	On road cycle lane	Footpath width
Transport Corridor					
Gadigal Avenue	30m	2 travel lanes: 2 x 3.25m 2 parking lanes: 2 x 2.3m	6.9m median (facilitating longer term light rail)	Bi-directional cycle lane on eastern side: 1 x 3m with 0.8m separator	2 x 4.1m varies
	Configuration listed above represents short term arrangement prior to provision of light rail. Alternative layout will be required at bus and tram stops.				
Main Street					
Archibald Avenue	23.8m	2 travel lanes: 2 x 3.2m 1 parking lane on southern side: 1 x 2.4m	3m bio-swale	West of Gadigal Avenue, bi-directional cycle lane on northern side: 1 x 2.4m with 0.4m separator	1 x 5.0m on southern side 1 x 4.2m on northern side
	Alternative layout to be achieved west of Sam Sing Street – reservation width of 20m				
Local Street Type 1					
Sam Sing Street - North and South of Archibald Ave	*North* 20m (varies)	*North* 2 travel lanes: 2 x 2.75m 2 parking lanes: 2 x 2.1m	*North* -	*North* -	*North* varies
	South 20.3m	*South* 2 travel lanes: 2 x 2.75m 1 parking lane: 1 x 2.1m	*South* 5.2m for bio-swale or rain garden	*South* Contraflow cycle lane northern section of South Sam Sing Street	*South* 1 x 3.85m
Local Street Type 2					
Reed Street	17m	2 travel lanes: 2 x 2.75m 2 parking lanes: 2 x 2.1m	-	-	2 x 3.65m
	Parking may occur staggered or on both sides, in parking bays between trees				
Local Street Type 3					
Hatbox Place	13m	1 travel lane 3m	-	1.5m cycleway with 0.8m separator	2.8m
Amelia Street	Refer to the Lachlan Public Domain Strategy to be issued by City of Sydney				
Shared Zones					
Archibald Avenue	23.8m	1 travel lane: 1 x 3.2m eastbound	3m bio-swale	To prioritise safe pedestrian/cycle movement	
Tung Hop Street	8.9m-13m	2 travel lanes: 2 x 2.75m 1 parking lane: East side only	-	-	West 1.5m – 2m. East 3.1m – 4.4m
Murray Street	14.2m	2 travel lanes: 2 x 2.75m	-	-	3.7m – 5m
Amelia Street	Refer to the Lachlan Public Domain Strategy to be issued by City of Sydney				

Figure 5.93 Lachlan Precinct Location of Street Sections



Figure 5.94
Section A – Transport Corridor Typical Section (short term arrangement) – 30m (Gadigal Avenue)

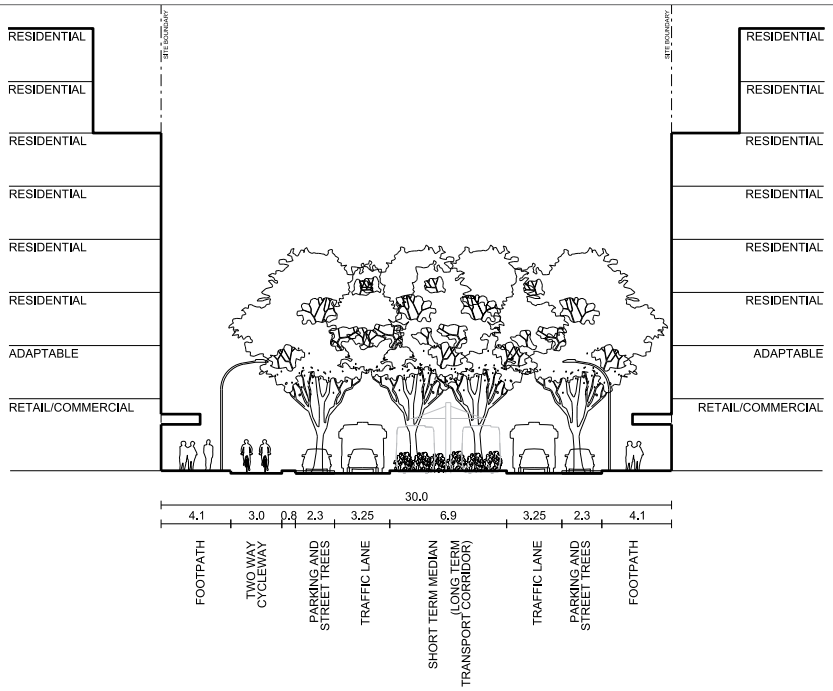


Figure 5.95
Section B – Main Street Typical Section – 23.8m (Archibald Avenue)

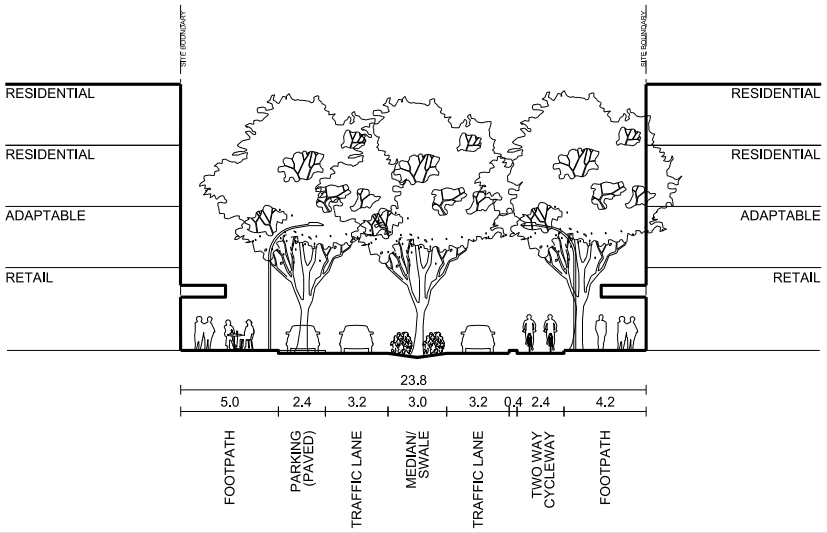


Figure 5.96
Section C – Local Street Type 1 Typical Section – 20.3m (Sam Sing Street south)

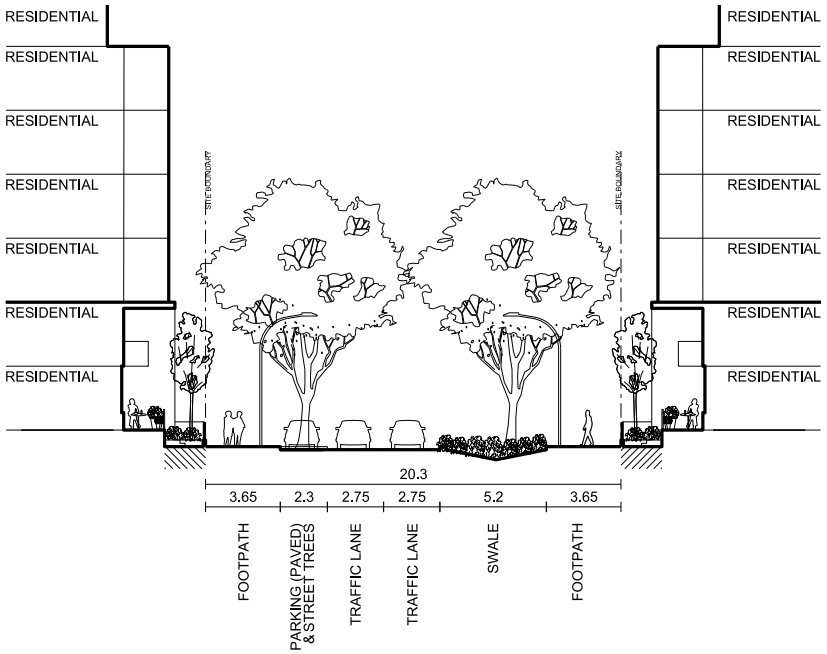


Figure 5.97
Section D – Local Street Type 1 Typical Section – 20m (Sam Sing Street north)

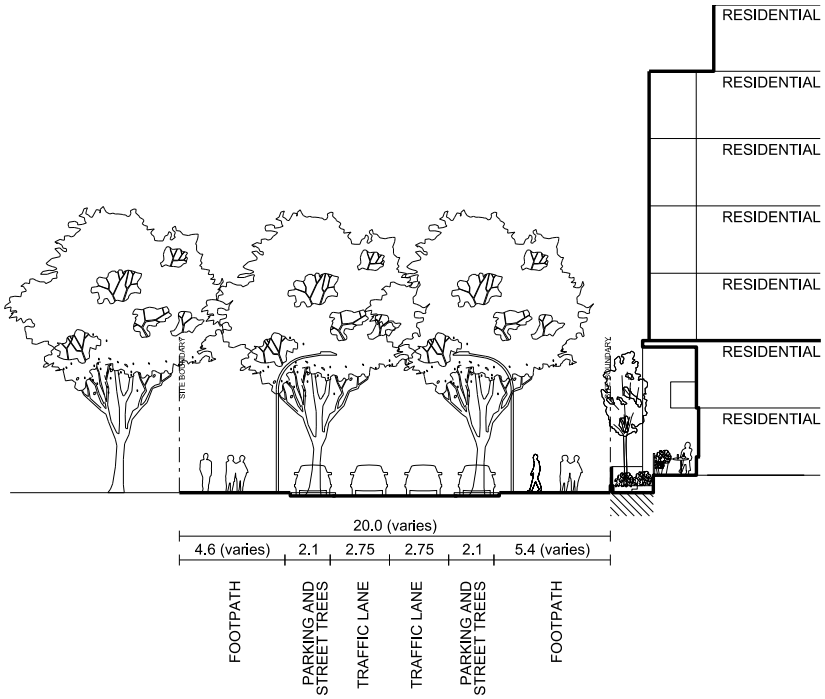


Figure 5.98
Section E – Local Street Type 2 Typical Section – 17m (Reed Street)

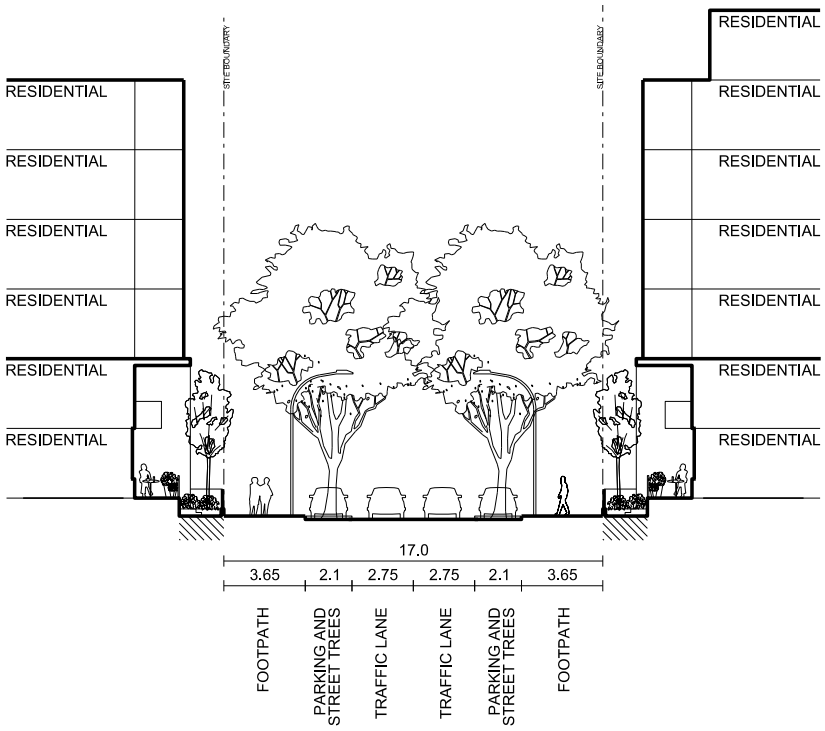


Figure 5.99
Section F – Local Street Type 3 Typical Section – 13m (Hatbox Place)

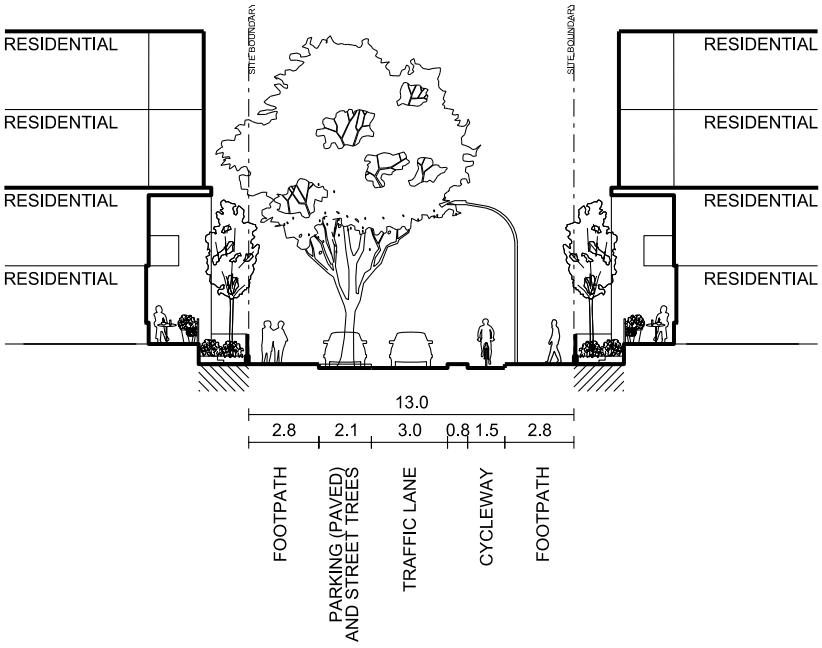


Figure 5.100
Section G – Laneway - Shared Zone Typical Section – 6m (Hatter Lane)

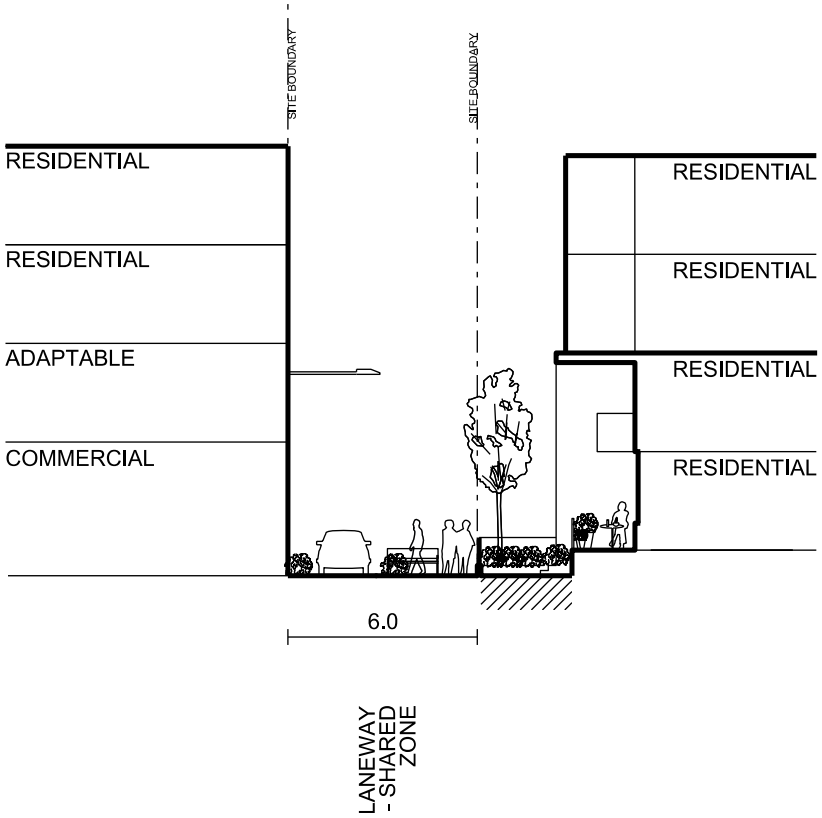


Figure 5.101
Section H – Laneway - Pedestrian and Cycle Only Typical Section – 6m

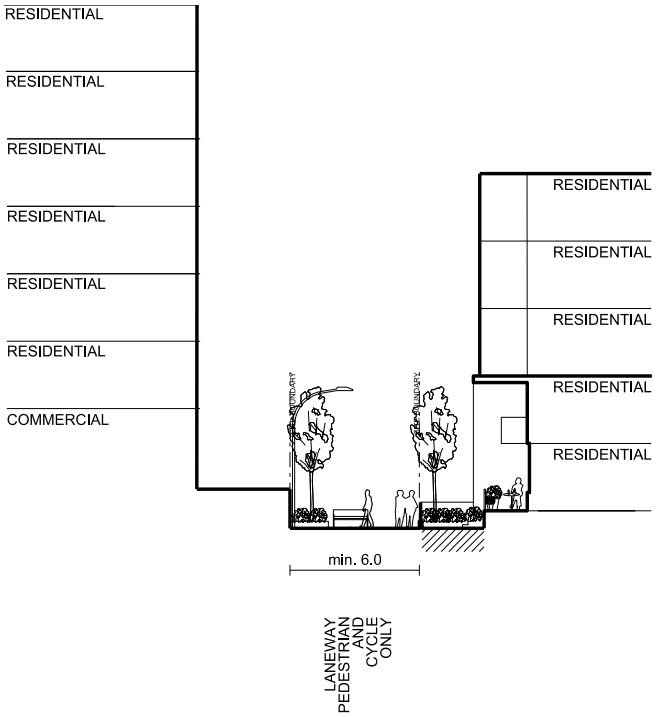


Figure 5.102
Section I – Laneway - Pedestrian and Cycle Only Typical Section – 9m

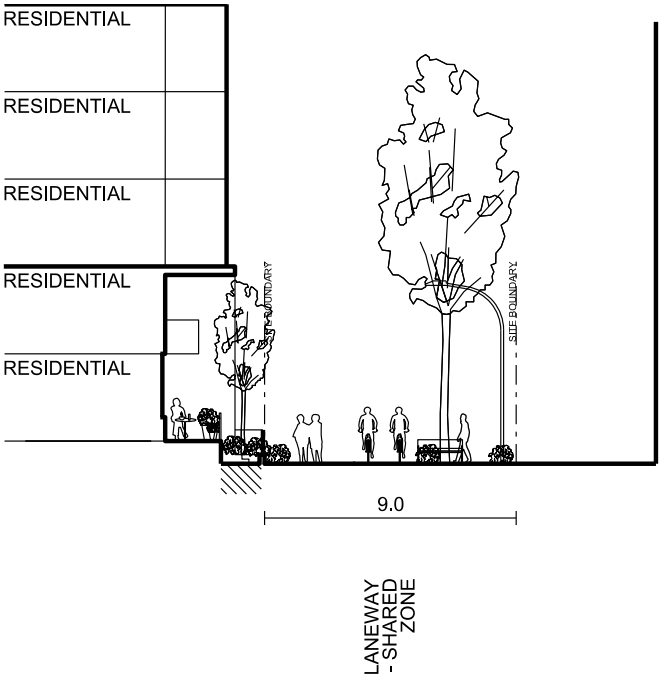
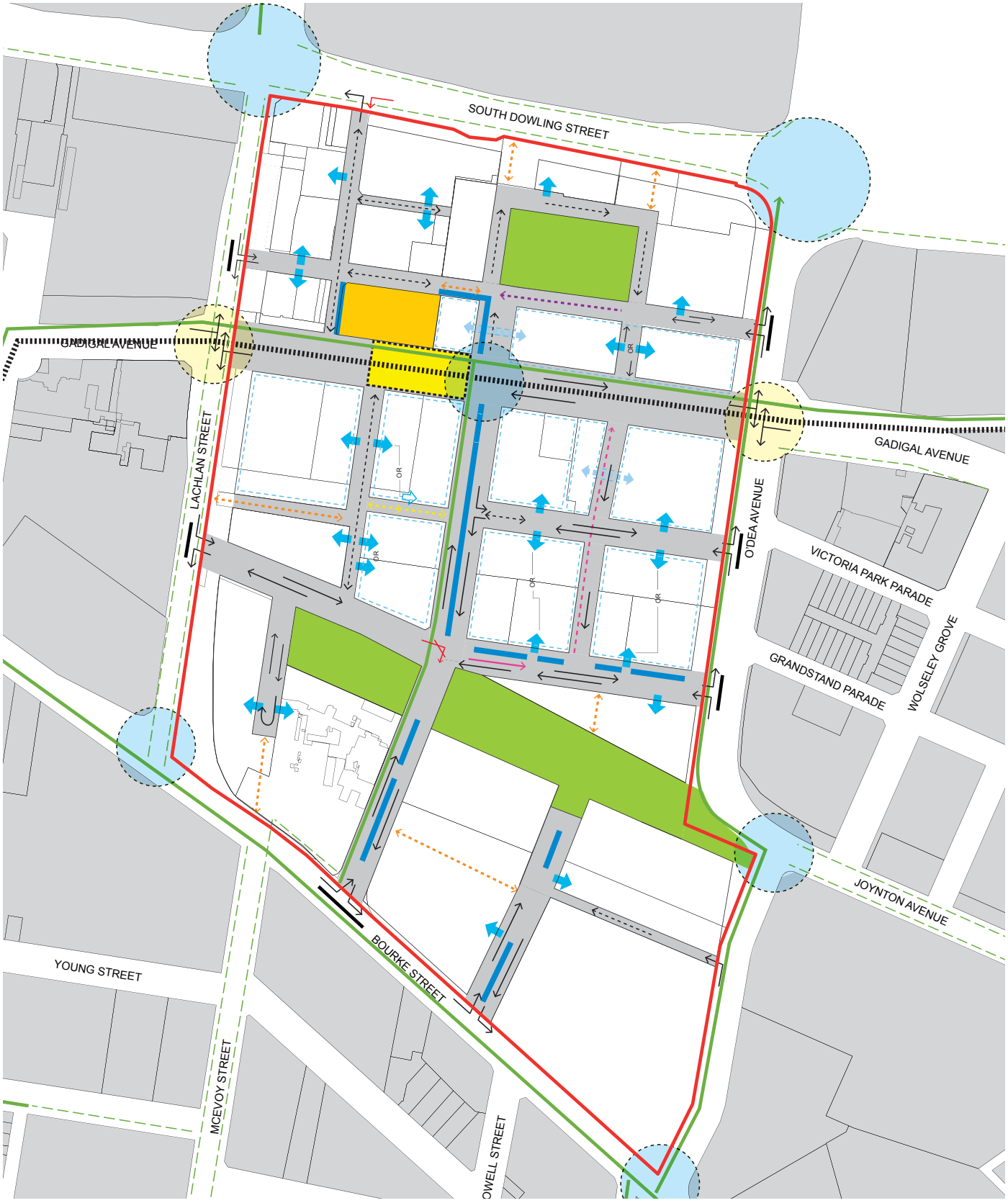


Figure 5.103 Lachlan Precinct Access and Circulation



5.4.2.2 Public open space

(1) Where required by Council, public open space is to be provided in the locations identified in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure, and in accordance with the standards set out in Table 5.14: Lachlan Precinct Public Open Space and the City of Sydney's Lachlan Precinct Public Domain Strategy as it applies from time to time.

(2) Landscaping and design of public open spaces is to be of high quality, creating interest and character through elements including indigenous tree species, well integrated public art and quality materials and furniture. Choice of materials and design is to be consistent with relevant Council public domain plans.

(3) Where open space performs a dual recreation and stormwater detention function, the design of the detention basin is to:

(a) include appropriate stormwater management measures to restrict gross pollutants from entering the basin;

(b) allow the release of detained water within not more than 24 hours after the cessation of the stormwater event to protect the soft landscaping within the basin;

(c) have one or more embankment batters of not more than a 1 in 6 gradient to allow for the safe exit of persons from the basin during a stormwater event; and

(d) provide an appropriate balance between stormwater management and recreation functions.

(4) The 10m-wide landscaped setbacks along South Dowling Street and O'Dea Avenue are to be provided in accordance with Figures 5.104 and 5.105 Lachlan Precinct Landscaped Setback Typical Sections (locations shown in Figure 5.93). They are to provide deep soil planting, and be landscaped to act as a visual and acoustic buffer between new development and the impact associated with the heavy traffic use of these routes. They are to incorporate generous provision for safe cycle and pedestrian movement and a centrally located Water Sensitive Urban Design treatment zone.

Table 5.14: Lachlan Precinct Public Open Space

Type	Requirements	Guidelines
Local Park – Linear Park: Rope Walk	One park of a minimum 8,850sqm for passive recreation, to link Lachlan Street and O'Dea Avenue in the western third of Lachlan	Located to the west of the alignment of Sam Sing Street Incorporate a stormwater culvert to drain the low point on Lachlan Street Vehicular and pedestrian crossing points to maintain the predominantly open landscape character Continuation of the Joynton Avenue fig trees along the western boundary Provide deep soil garden beds with an emphasis on edible/sensory gardens and planted zones for water treatment Incorporate a variety of seating and gathering zones Integrate incidental play features for children throughout, incorporating lighting or water to enhance play opportunities Provide a pedestrian and cycle link along the western boundary

Type	Requirements	Guidelines
Local Park – Wulaba Park	One park of minimum 4,000sqm in the southeast of Lachlan with potential for stormwater detention	Located in the south-eastern section at the low drainage point between Archibald Avenue and Hatbox Place Neighbourhood park with passive recreation space and gardens Incorporate a diverse range of seating and a lawn zone for relaxing and informal play Provide play for all ages, including one set of play equipment and table tennis/tables for card play. Provide for deep soil planting and water treatment gardens Allow for potential dual function as a flood/stormwater detention basin, subject to detailed design Shared street treatments at boundaries maximising pedestrian safety and perception of open space
Local Park – Dyuralya Park	One park of approximately 2,000sqm for a neighbourhood square and focal public space along the eastern alignment of Gadigal Avenue	Located at the intersection of Amelia/Murray Streets Perform a town-square function for Lachlan, incorporating plaza space Provide for passive recreation and be adaptable for a range of community based activities, for example performance space, open air theatre and temporary art and sculpture exhibitions Focal point for local events and night time use Flexible seating and meeting spaces, for informal activities such as chess, mah-jong and outdoor dining Be designed holistically having regard to the adjacent building to the south to ensure the street block appropriately addresses Gadigal Avenue and the bus and future light rail stop

Figure 5.104
Section J - Landscaped Setback Typical Section (Lachlan Street)

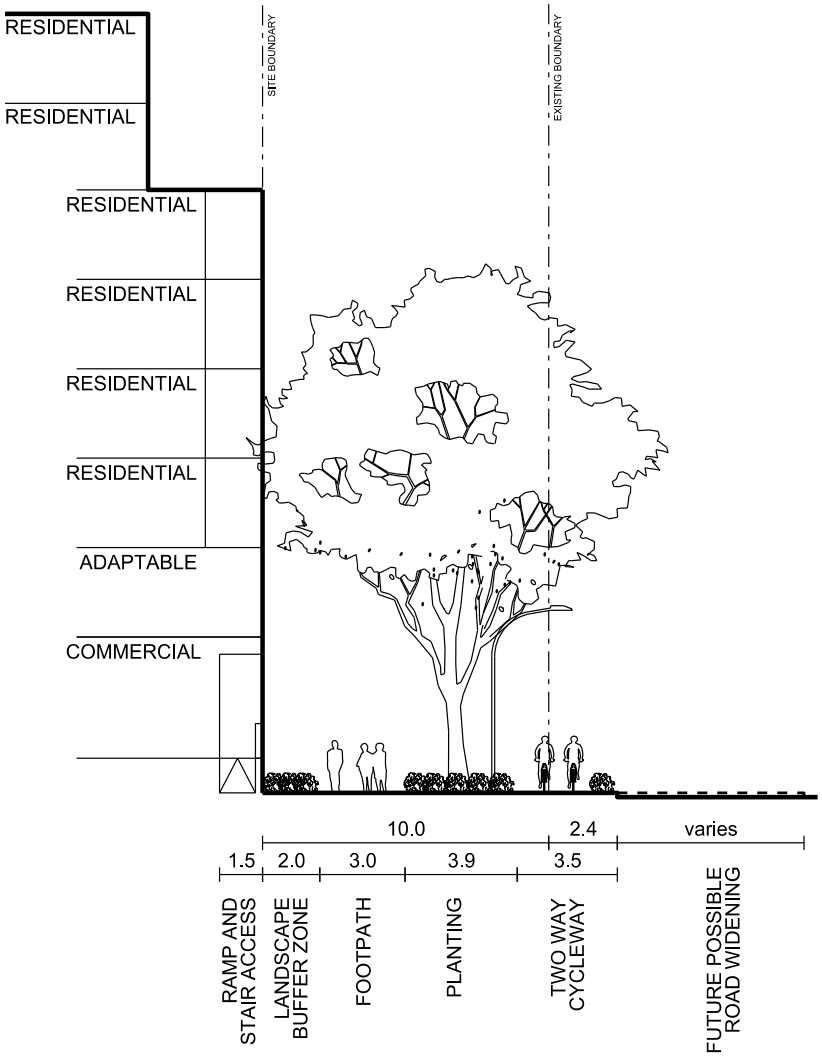
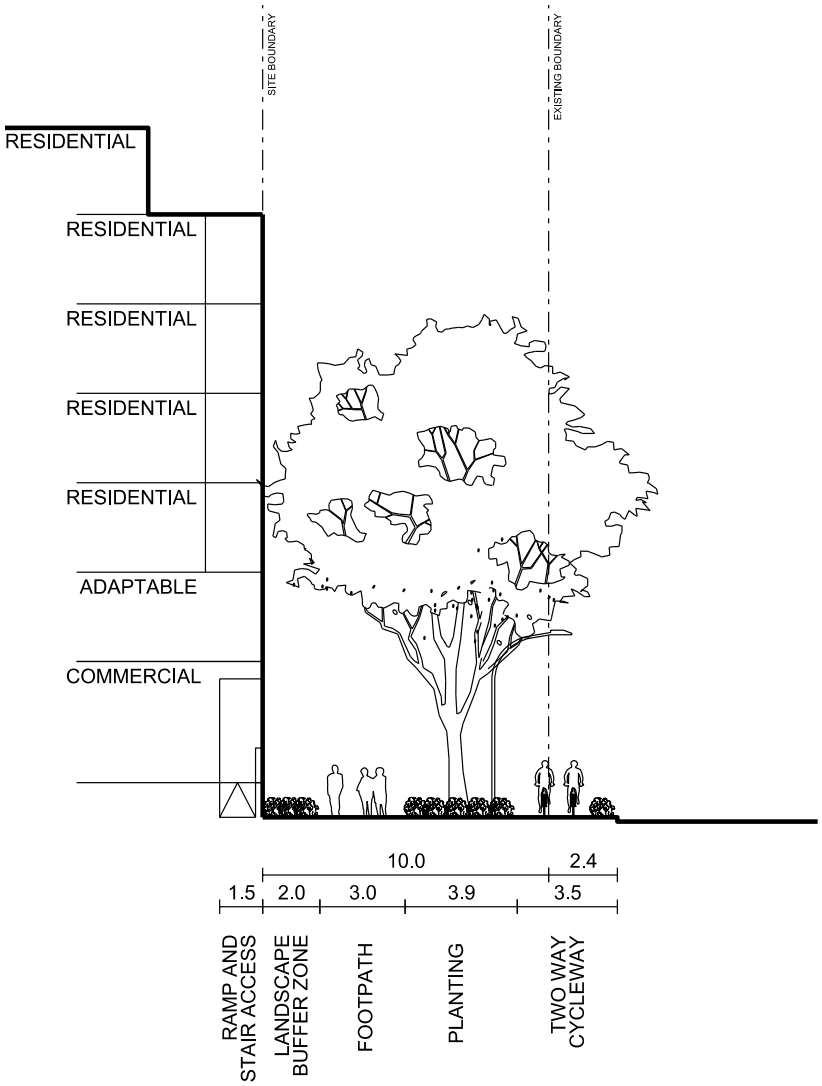


Figure 5.105
Section K - Landscaped Setback Typical Section (O'Dea Avenue)



5.4.2.3 Waterways and stormwater management

(1) Stormwater is to be generally managed within Lachlan as shown in Figure 5.106: Lachlan Precinct Stormwater Management.

(2) Wulaba Park may have a dual function as a flood/stormwater detention basin and is to be designed and constructed appropriately, to the satisfaction of the Consent Authority. It is not to be used for on-site detention or drainage requirements.

(3) Pedestrian and cycle only links required to provide overland flowpaths for stormwater are to be dedicated to facilitate necessary access and maintenance of the flowpath and any underground stormwater infrastructure.

(4) Bio-swales and rain gardens are to be designed and constructed to allow for pedestrian crossings where required.

(5) All landscaping is to be compatible with flood risk and shall not impede overland stormwater flows.

(6) All vegetation species and structures, including paths, walls and fences, are to be able to withstand temporary flood inundation in those areas designated as detention basins.

(7) All new development is to comply with Flood Planning Level requirements as stipulated by the Consent Authority and the provisions in 5.4.3.8 Development Levels. Building surfaces are to be designed to accommodate possible flood flows without damage or potential for erosion.

(8) Underground drainage pipes may be required to convey stormwater flows and should be designed and constructed appropriately, to the satisfaction of the Consent Authority. Easements on title are required to allow for access and maintenance of the underground pipe network.

(9) Development spanning the overland flowpath at the eastern end of Hatbox Place may be considered provided that:

(a) personal safety is not compromised;

(b) the applicant demonstrates an acceptable Velocity Depth product between the built form of 0.4 or below can be achieved for all storm flows including the 1 in 100 year storm event;

(c) all overhead structures are a minimum of 6m above the final ground floor levels to allow for access for necessary maintenance and reconstruction;

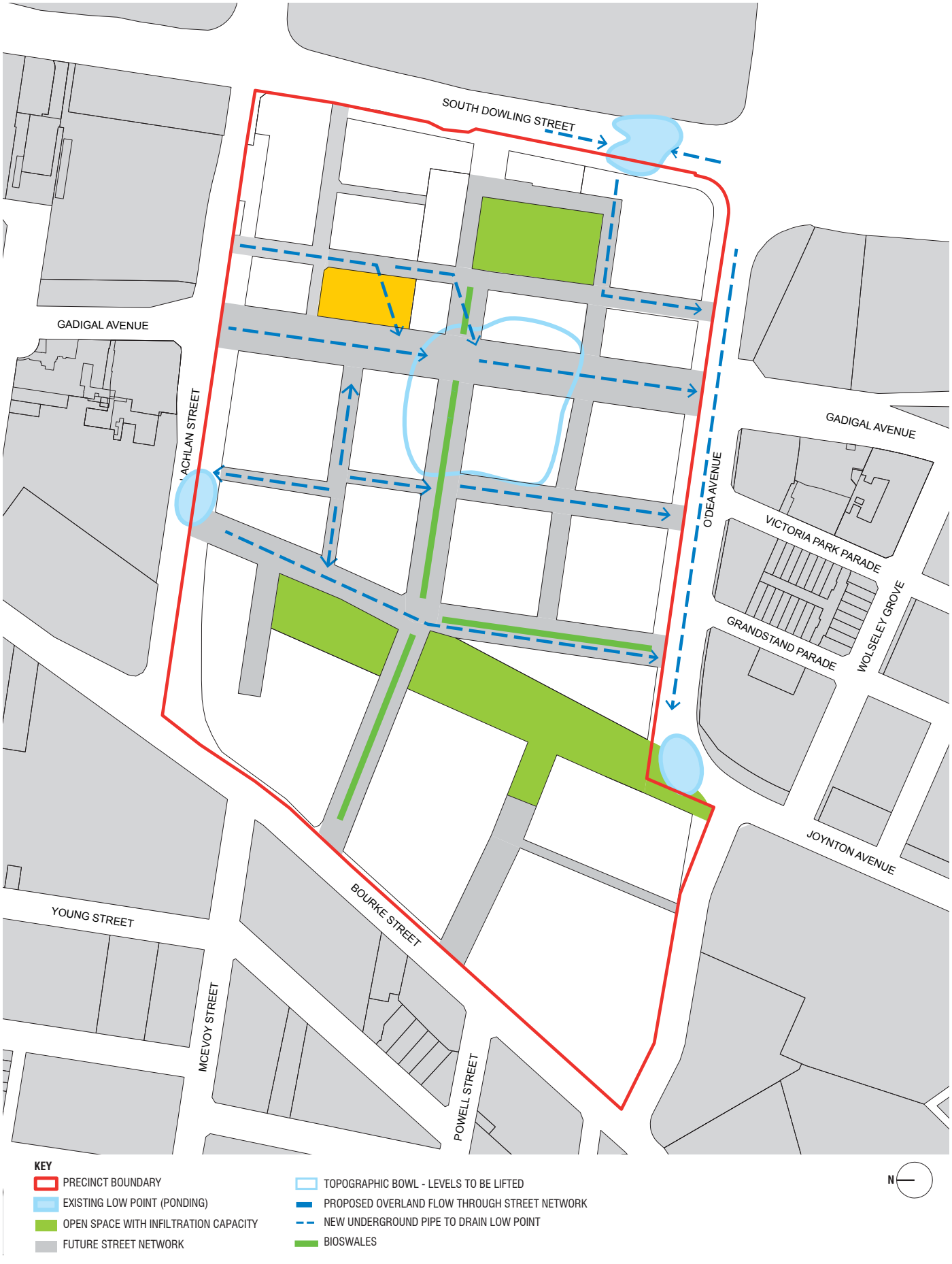
(d) an easement on title is granted to Council under the development for necessary access and maintenance of the flowpath and underground pipe network;

(e) entry points to buildings along the contained flowpath are minimised and, where unavoidable, incorporate a non-mechanical flood barrier, such as a hump, to prevent ingress of flood waters up to the Flood Planning Level;

(f) adjacent floor levels are 0.5m above the 1 in 100 year storm event flood levels; and

(g) any portion of the building or structure along the contained flowpath lower than nominated Flood Planning Levels is to be built from flood compatible materials (i.e. materials that will not experience any significant damage or potential for erosion as a result of the ingress or passage of floodwater, including debris).

Figure 5.106 Lachlan Precinct Stormwater Management



5.4.3 Building layout, form and design

Refer also to Section 3 General Provisions and Section 4 Development Types.

Objectives

(a) Achieve a range of building heights across the precinct and within the same street block to create variety and encourage different architectural styles.

(b) Ensure that building form and scale are varied and contribute to the physical definition of the existing and proposed street network and the hierarchy of public and semi-public spaces and streets.

(c) Achieve variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens the public realm.

(d) Ensure good solar access to apartments, public and private open space and public streets.

(e) Create visual connections and physical links between the public and private domain to reduce the effects of visual enclosure and to help activate spaces.

(f) Achieve a range of dwelling types that respond to diverse demographics, provide accommodation choice and are flexible in layout so as to be adaptable to the needs of different users.

(g) Ensure building typology and location of vehicular entries respond to the hierarchy of streets.

(h) Create strategically located activity strips which encourage social interaction and provide focal points.

(i) Ensure the use of high quality façade design and finishes throughout, but in particular where development is highly visible or of large scale.

(j) Ensure excellent and varied design through the use of competitive design processes for prominent developments.

(k) Maximise opportunities to incorporate the principles of ecologically sustainable development in the design of buildings.

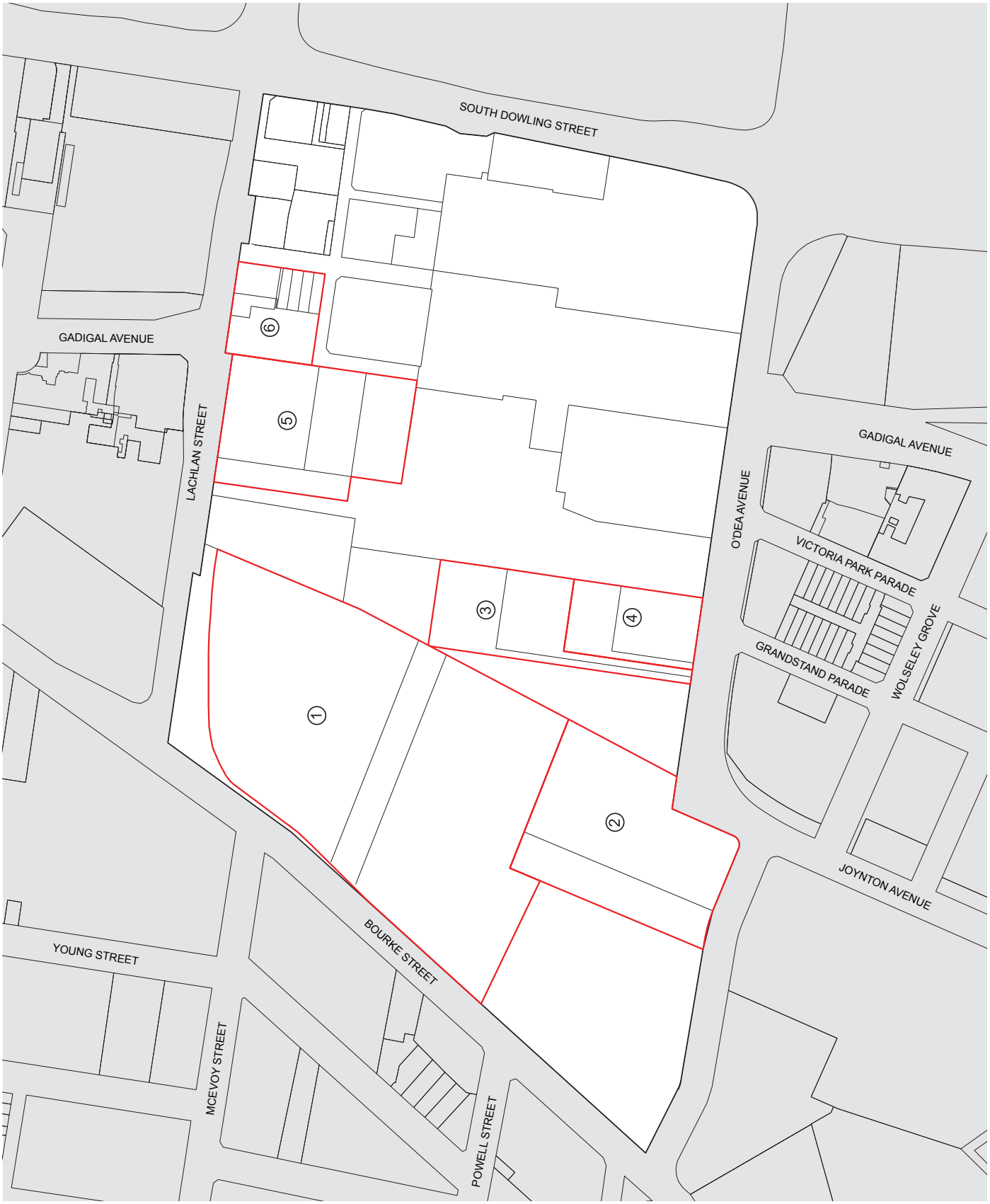
Provisions

5.4.3.1 Floor space ratio

(1) Additional floor space permitted by Clause 6.14 of Sydney Local Environmental Plan 2012 is only achievable where landholdings are amalgamated, in accordance with Figure 5.107: Lachlan Precinct – Required Land Amalgamation, or an alternative land amalgamation pattern which is supported by an urban design study demonstrating that the objectives of this development control plan and the NSW Residential Flat Design Code can still be satisfied.

(2) In accordance with Clause 6.27 (2) of Sydney Local Environmental Plan 2012, where a development proposes commercial and/or retail uses only, a higher Floor Space Ratio may be achievable generally within the same building envelopes shown in Figure 5.108: Lachlan Precinct – Built Form, up to a maximum 2.5:1 FSR. For the purposes of this Clause, mixed use developments which propose commercial and/or retail in combination with residential are not eligible for a pro-rated amount of additional floor space.

Figure 5.107 Lachlan Precinct Required Land Amalgamation



KEY

- PRECINCT BOUNDARY
- LOTS REQUIRED TO AMALGAMATE

① Lot 45 DP624898
Lot 100 DP1172110
Lot 200 DP1175405
Lot 401 DP1177224
Lot 102 DP1172110
Lot 103 DP1172110
Lot 104 DP1172110
Lot 398 DP1180150
Lot 399 DP1180150
Lot 400 DP1180150

② Lot 21 DP862254
Lot 22 DP862254

③ Lot 12 DP546231
Lot 11 DP530422

④ Lot 10 DP530422
Lot 9 DP530422

⑤ Lot 1 DP664690
Lot 2 DP317851
Lot 3 DP317851
Lot 1 DP668228

⑥ Lot 18 DP610311
Lot 1 DP606445
Lot 1 DP76985
Lot 4 DP86722
Lot 14 DP80326
Lot 100 DP1171452
Lot 101 DP1171452
Part Lot 17 DP610311 (3 Amelia St)
Part Lot 17 DP610311 (5 Amelia St)

N

Figure 5.108 Lachlan Precinct Built Form



KEY

- PRECINCT BOUNDARY
- PROPOSED STREET BLOCKS
- PROPOSED KEY OPEN SPACE
- STREET BLOCKS SUBJECT TO MANDATORY DESIGN EXCELLENCE PROCESS

HEIGHT IN STOREYS

- 1-2 LOW STREET WALL
- 3-4 MEDIUM STREET WALL
- 5-6 HIGH STREET WALL
- 7-8 VERY HIGH STREET WALL
- 9+ TALL BUILDING (TOWER/SLAB)

X Number denotes MAXIMUM height in storeys. Building envelopes and heights shown represent the maximum FSR achievable without design excellence except for those sites identified by this map, where a competitive design process is compulsory and where the resultant FSR therefore exceeds 2:1.

LOCATION OF TOWER ENVELOPE IS FLEXIBLE - REFER CLAUSE 5.4.3.3 (3)

N

5.4.3.2 Height of buildings

(1) Building heights are to be in accordance with:

(a) Figure 5.108: Lachlan Precinct – Built Form;

(b) Table 5.15, which shows the equivalent height in storeys for commercial buildings where commercial uses only are proposed on a site; and

(c) Tables 5.16 and 5.17, which show the relationship between height of buildings in storeys and height in metres, including and excluding building services.

Table 5.15: Lachlan Precinct Public Open Space

Maximum mixed use / residential height in storeys	Equivalent maximum commercial height in storeys
2	2
4	4
5	5
6	5
7	6
8	7
20	17

Table 5.16: Storey heights for residential mixed use buildings

Mixed use/residential building height (above flood planning level)

Use	Storey height (floor to floor)	Minimum floor to ceiling height
Ground floor commercial or retail	4.2m minimum Greater floor to floor height may be required to accommodate certain uses e.g. showrooms, gyms	3.6m
Ground floor residential (adaptable)	3.7m	3.3m
First floor adaptable commercial/residential	3.7m	3.3m
Residential floors above first floor	3.1m	2.7m
Transfer structure at a floor where there is a change in alignment (e.g. an upper level setback)	+0.25m	
Roof, plant, lift overruns etc.	Buildings up to 8 storeys - 3m Buildings greater than 8 storeys – 4.5m	
Green roofs	Additional height to allow balustrades and access lift overruns etc.	

Table 5.17: Storey heights for commercial buildings

Commercial building height (above flood planning level)

Use	Storey height (floor to floor)	Minimum floor to ceiling height
Ground floor commercial or retail	4.2m minimum Greater floor to floor height may be required to accommodate certain uses e.g. showrooms, gyms	3.6m
Upper commercial levels	3.6-3.8m	3.0m
Transfer structure at a floor where there is a change in alignment (eg. an upper level setback)	+0.25m	3.3m
Roof, plant, lift overruns etc.	Buildings up to 10 storeys – 4.5m Buildings greater than 10 storeys - 6m	
Green roofs	Additional height to allow balustrades and access lift overruns etc.	

(2) Distribution of building height across Lachlan is to respond to the following key principles:

(a) the proportion of on-site public domain provision and equity of development capacity across landholdings;

(b) street hierarchy and width, with higher buildings on the main arterial and connector streets;

(c) street and building orientation, seeking to maximise northern light to the public domain;

(d) variety within street blocks and across Lachlan;

(e) proximity of open space, seeking to capitalise on amenity and space created by neighbourhood parks;

(f) separation of tower forms to prevent regimented clustering, both within Lachlan and in the context of neighbouring precincts; and

(g) a general height of 7-8 storeys or less, with a maximum 6 storey street frontage height, to secure an appropriate pedestrian scale.

(3) In general:

(a) medium-rise buildings of 7-8 storeys are acceptable where these taller elements are counter-balanced with lower buildings of 4-6 storeys within the same street block and where the building scale is appropriate in the street hierarchy; and

(b) low-rise buildings of up to 4 storeys are to be located fronting east-west streets to reinforce the pedestrian scale of these lower-order, more local streets and to achieve good solar access to the public domain.

(4) Four towers of up to 20 storeys and one tower of up to 25 storeys are permitted in the locations shown in Figure 5.108: Lachlan Precinct – Built Form, to reflect significant provision of precinct infrastructure and facilitate lower building heights on the remainder of the affected landholdings. Achieving this nominated height is dependent on achieving design excellence in accordance with the provisions in Division 4 Design Excellence of Sydney Local Environmental Plan 2012 and Section 3.3 of this development control plan for each affected street block. If design excellence is not demonstrated, a reduction in tower height commensurate to the Floor Space Ratio permitted by Clause 6.14 of Sydney Local Environmental Plan 2012 is required.

(5) The Consent Authority may grant consent for development that varies the building heights shown in Figure 5.108: Lachlan Precinct – Built Form following consideration of:

(a) meeting the general environmental performance provisions and built form objectives of this DCP;

(b) achieving variety in building height and scale within street blocks and across Lachlan;

(c) the prevailing scale of the streetscape and the adjacent public domain;

(d) the public domain improvements achieved;

(e) the cumulative reduction of solar access to the development site and surrounding blocks and public domain; and

(f) amalgamating landholdings, where necessary, in accordance with Figure 5.107: Lachlan Precinct – Required Land Amalgamation.

5.4.3.3 Building form and design

(1) The preferred built form layout is presented in Figure 5.108: Lachlan Precinct – Built Form. The building envelopes respond to the following key layout principles:

(a) buildings addressing streets, aligned with streets and responding to street hierarchy;

(b) variety in building layout for visual interest, modulated building bulk, achievement of maximum floor space ratio, and maximising solar access;

(c) building separation for visual privacy; and

(d) variety in building types including showroom uses along South Dowling Street and retail/café uses along the Archibald Avenue activity strip.

(2) The building envelopes shown in Figure 5.108: Lachlan Precinct – Built Form for the street block bounded by Gadigal Avenue, Archibald Avenue, Amelia Street and Hatbox Place may be further refined to appropriately respond to the four street block frontages and the interface with Wulaba Park. In addition to the key principles in 5.4.3.3(1) above, the built form on this street block is to:

(a) define the park edge with built form up to 6 storeys, with potential for two additional storeys if well set back and creating no further overshadowing to the park;

(b) provide a safe and active ground floor interface with Amelia Street; and

(c) provide surveillance of the park from residential or commercial uses on upper storeys.

(3) Further to 5.4.3.3(2) above, the location of the building envelope for the tower may be flexible provided the tower floorplate does not exceed 800sqm. This is to enable design of the building to appropriately define this highly visible site at the intersection of the two principal streets. The optimal tower envelope is to be explored through the competitive design process required for the street block, cognisant of impact on solar access within Wulaba Park, and agreed by the Consent Authority.

(4) The building envelope shown in Figure 5.108: Lachlan Precinct – Built Form for the street block to the immediate south of Dyuralya Park may be further refined to:

(a) provide a safe and active ground floor interface with Gadigal Avenue, Archibald Avenue and Dyuralya Park; and

(b) provide surveillance of the park from residential or commercial uses on upper storeys.

(5) Tall buildings of 9 storeys or over are to be designed as 'slender form' with a maximum floorplate of 750sqm including balconies, with the exception of the tower referred to in 5.4.3.3 (3).

(6) Buildings of 10 storeys or over are to be separated from other buildings of 10 storeys or over by a minimum of 60m, unless an urban design study can demonstrate that the objectives of this development control plan and the NSW Residential Flat Design Code can still be achieved.

(7) Development within street blocks is to vary in size, height and architectural expression, with a variety of facades, articulation, massing and character so that the street block presents as a group of buildings rather than a singular architectural design or building.

(8) To achieve diversity and interest in the architectural character of Lachlan, buildings that are located adjacent to or opposite one another are not to be similar in design.

(9) Each street facade is to be articulated into smaller elements at a scale or grain that reflects:

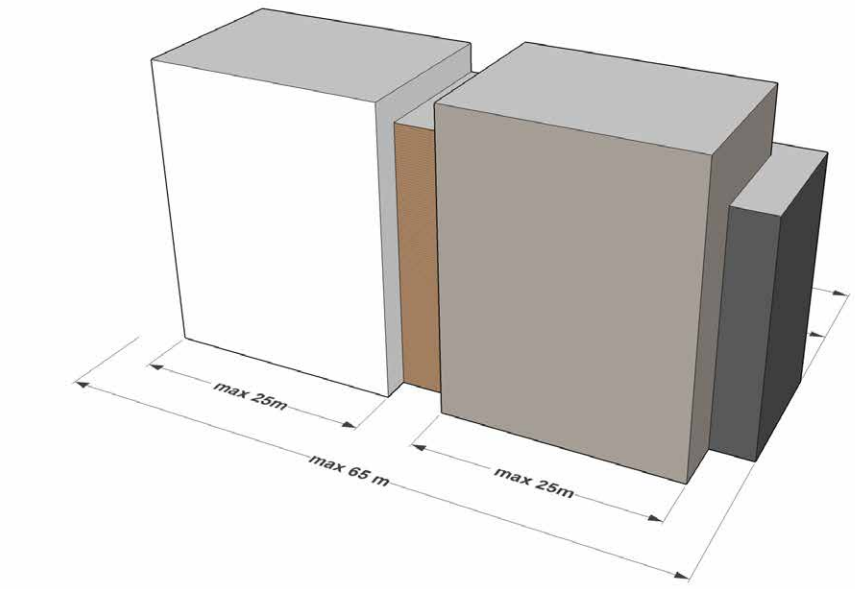
(a) the use of the building and the various components of the building;

(b) the location of the building, or that part of the building relative to pedestrian or outdoor recreation activity; and

(c) the details and building elements including building entries, ground floor, lower floors, top floor and roof.

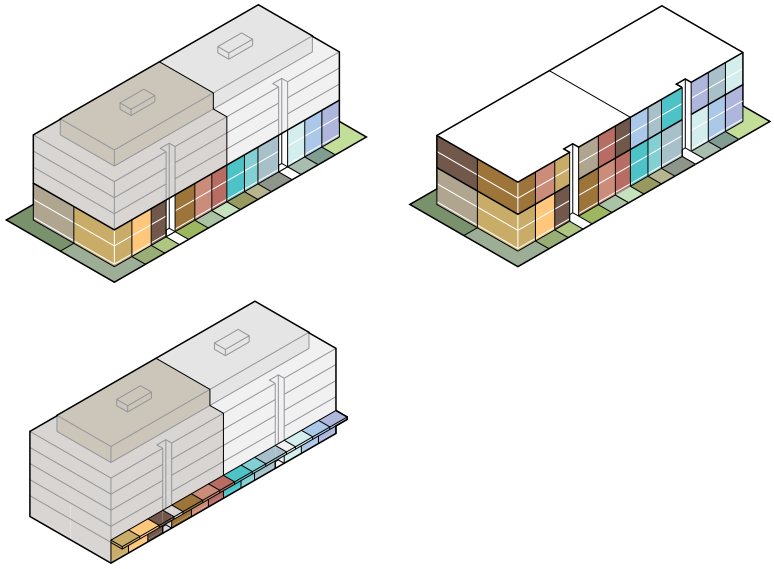
(10) Buildings in excess of 40m long must be designed with at least two distinct building components, each of which is to have its own architectural character and not exceed 25m in length, as illustrated in Figure 5.109.

Figure 5.109
Distinct building components



(11) Buildings less than or equal to 40m in length may have a single architectural character provided that the facade elements establish a fine grain vertical and horizontal articulation (rhythm and scale), as illustrated in Figure 5.110.

Figure 5.110
Establishing a 'fine grain' through vertical and horizontal articulation



(12) Groups of dwellings served by the same vertical circulation lift or stair are to be designed as a distinct 'building component'. Generally for buildings up to 8 storeys high, these groups must not exceed 25 dwellings per core.

(13) Frontages are to be activated through use, the inclusion of multiple entries and through detailing and materials. Individual entries to ground floor apartments facing a street or through-site link are to be maximised. The maximum length of blank street frontage façades is not to exceed 5m.

(14) To ensure good levels of residential amenity throughout Lachlan, any departure from the NSW Residential Flat Design Code solar access guidelines is to be appropriately justified.

(15) In addition to NSW Residential Flat Design Code requirements for private communal open space, inclusion of green roofs should be explored for all development less than 25m above ground level in accordance with the City's Green Roofs Policy as it applies from time to time, particularly where high quality private communal open space may be constrained at ground level by overshadowing.

5.4.3.4 Building setbacks

(1) All buildings are to be designed to comply with the setbacks on the *Building setback and alignment map* and in Figure 5.112: Lachlan Precinct – Building Setbacks.

(2) The design treatment of primary setbacks is to be appropriate to the proposed use of the adjacent building(s). Refer to Figure 4.22 Building form controls to determine primary setback.

(3) A 3m by 3m chamfered setback, as shown in Figure 5.111, must be provided from the site boundary at the ground and first floors at the intersection of streets to ensure adequate sightlines.

Figure 5.111
Minimum chamfered setback

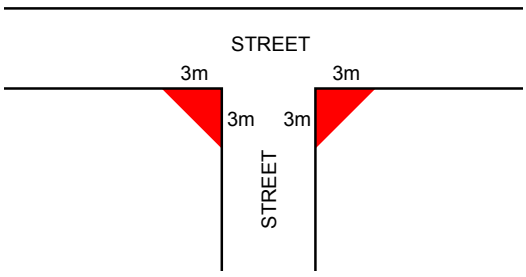


Figure 5.112 Lachlan Precinct Building Setbacks



5.4.3.5 Building typologies and use

(1) Building types are to generally comply with Figure 5.113: Lachlan Precinct – Building Uses and are to be designed appropriately. The Consent Authority may consider alternative uses consistent with the zoning of the site.

(2) Ground floor non-residential uses are to be located along the main roads bounding the precinct in recognition of the amenity impact associated with the high traffic use of these streets. To ensure acceptable levels of acoustic amenity and air quality, no residential uses are permitted within 8m above ground level along South Dowling Street and Lachlan Street.

(3) Non-residential uses are also required to be provided to activate the public domain, along Gadigal Avenue, the Archibald Avenue activity strip and fronting the public open spaces.

(4) Ground floor non-residential uses are to achieve a minimum depth of 10m measured from the line of enclosure, to accommodate amenities, storage space, general back of house activities and other spatial requirements to support non-residential uses.

(5) The Archibald Avenue activity strip, between Gadigal Avenue and Sam Sing Street, is to have:

(a) a vibrant streetscape and a range of street level activities, avoiding vehicular entries to buildings and footpath crossings;

(b) built form that is designed to reinforce the pedestrian scale and achieve good levels of solar access to the public domain; and

(c) generous footpaths for outdoor café seating, particularly to the southern side, and high quality landscaping.

(6) Retail active frontages are to have a:

(a) glazing line adjacent to the public domain – recessed entries may be appropriate to provide for a traditional style shopfront; and

(b) minimum of 15 tenancy entrances per 100m.

(7) Continuous awnings are to be provided above retail uses. Awnings over entries are to be provided for commercial uses. All awnings should be setback from the kerb line to avoid collision with tall vehicles potentially operating in the parking lane.

Figure 5.113 Lachlan Precinct Building Uses



KEY

- PRECINCT BOUNDARY
- COMMERCIAL, RETAIL USES OR RESIDENTIAL DWELLINGS
- NON-RESIDENTIAL USES AT GROUND FLOOR ARE ENCOURAGED
- RETAIL USES AT GROUND FLOOR (COMMERCIAL, RETAIL USES OR RESIDENTIAL DWELLINGS ABOVE)
- NON-RESIDENTIAL USES AT GROUND FLOOR (RESIDENTIAL DWELLINGS, COMMERCIAL OR RETAIL USES ABOVE)
- NON-RESIDENTIAL USES AT GROUND FLOOR, ADAPTABLE FIRST FLOOR FOR NON-RESIDENTIAL OR COMMERCIAL USES
- NON-RESIDENTIAL DWELLINGS PERMITTED BELOW 8m ELEVATION FROM GROUND LEVEL - REFER TO CLAUSE 5.4.3.5(2)

N

5.4.3.6 Residential uses on the ground and first floor

(1) Further to Clause 5.4.3.4(1), residential uses at the ground and first floor are to be in accordance with Figure 5.114 and be provided with a minimum:

(a) 1.5m primary building setback;

(b) 4m setback from the site boundary to the glass line enclosing the internal space at the ground and first floors; and

(c) 2.0m wide deep soil landscape setback as a private front garden. The garden may be located above the street level in accordance with Clause 5.4.3.8(2) and (3).

(2) Ground floor private open space located facing the street is to be designed as a compact deck up to 2.0m deep.

(3) The level established for the ground floor is to offer a combination of privacy and passive surveillance and is to be cognisant of the requirements of Clauses 5.4.3.8(1)-(9) regarding development levels.

(4) Sills or opaque treatments are to be provided to ground floor windows to at least 0.8m above ground floor level to provide privacy.

(5) Dwellings on the ground floor facing the street are to have individual entries from the street.

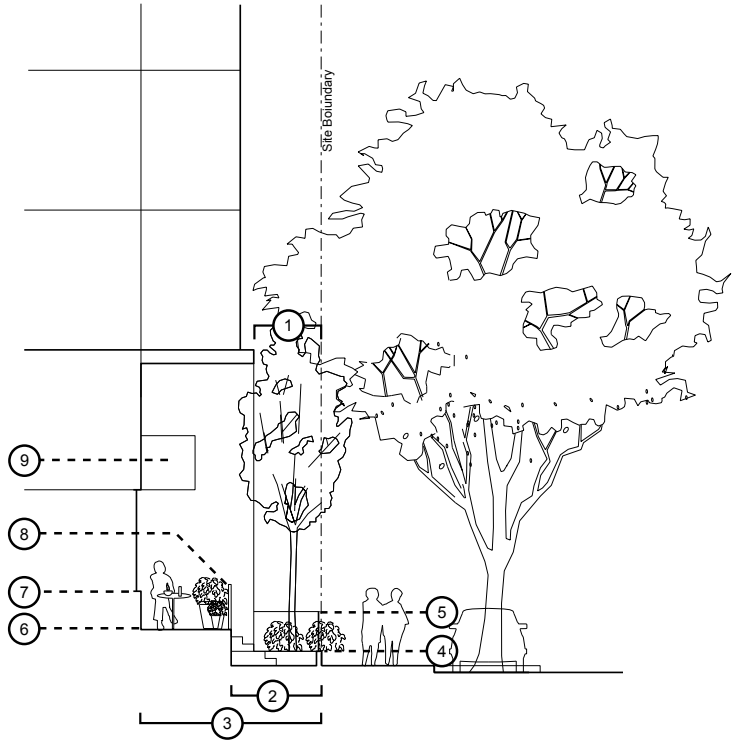
(6) Balustrades to ground floor decks are to be predominantly open, with preference for contemporary steel palisade types.

(7) Where a site boundary fence is to be incorporated it is to be predominantly open and no higher than 1.4m from footpath level.

(8) The size of first floor balconies is to be minimised to ensure adequate light reaches ground floor living areas.

(9) Where appropriate, ground level apartments are to be designed in a manner similar to 2 storey terrace houses, including framing fin walls to delineate individual dwellings.

Figure 5.114
Typical residential ground and first floor relationship to the street



1. Primary building setback, clear full height – min. 1.5m
2. Deep soil landscape planting area – min. 2m
3. Setback from the site boundary to the glass line – min. 4m
4. Private front garden, landscape bed – 2m wide
5. Site boundary fence – max. 1.4m high
6. Ground floor level – to step with the street and be set in accordance with Development Levels Clauses 5.4.3.8(1)-(9)
7. Sills or opaque treatments to ground floor windows – min. 0.8m above ground floor level
8. Balustrade to ground floor deck – predominantly open
9. First floor balcony – optional

5.4.3.7 Acoustic and visual privacy

For the purposes of defining adequate levels of acoustic amenity for residential development, reference is to be made to Clause 102(3) of the Infrastructure State Environmental Planning Policy.

(1) Dwellings are to be constructed so that the repeatable maximum LAeq (1 hour) level does not exceed:

(a) for closed windows and doors:

i. bedrooms (10pm-7am), 35dB; and

ii. main living area (24 hours), 40dB.

(b) for open windows and doors:

i. bedrooms (10pm-7am), 45dB; and

ii. main living area (24 hours), 55dB.

(2) The levels above are to include the combined measured level of noise from both external sources and the ventilation system operating normally.

(3) For areas with predominantly non-residential ground level uses, or with a nominated active frontage, or sites with a frontage to a busy road (carrying more than 20,000 vehicles per day):

(a) residential uses with a floor level located within 10m above the ground level with good access to daylight (where the angle from a horizontal plane to obstructions of the sky* is less than 30 degrees) must:

i. have a minimum 65% solid masonry street frontage (including balustrade); and

ii. incorporate a sun-room behind the street frontage with a minimum clear depth of 1.2m to:

a. attenuate noise by providing fully retractable glazed screens at the street frontage alignment that when closed create a full acoustic seal (and reasonable acoustic amenity in habitable spaces); and

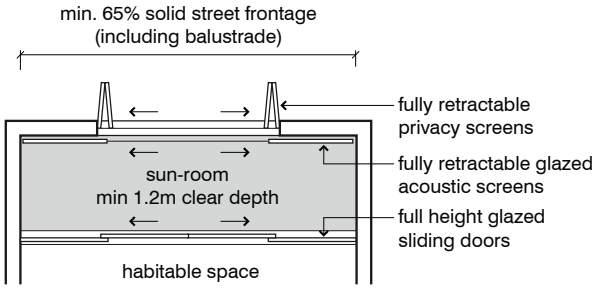
b. ensure visual privacy by providing fully retractable privacy screens at the street frontage alignment.

Note: The two sets of screens must operate independently.

The sunroom is to be included in any calculations of gross floor area but is not to be considered as a habitable room.

*See Figure 5.115

Figure 5.115
Acoustic and visual privacy treatment for residential units with good access to daylight



(b) Residential uses with a floor level located within 10m above the ground level with limited access to daylight (where the angle from a horizontal plane to obstructions of the sky* is greater than 30 degrees) must:

i. have a minimum 50% solid masonry street frontage (including balustrade);

ii. not include any external horizontal projections above residential windows that block access to daylight (for example balconies);

iii. provide exterior windows at the streets frontage alignment that when closed create a full acoustic seal and provide adequate acoustic amenity; and

iv. provide visual privacy with fully retractable privacy screens at the street frontage alignment.

Note: The two sets of screens must operate independently.

*See Figure 5.116

Figure 5.116
Acoustic and visual privacy treatment for residential units with limited access to daylight

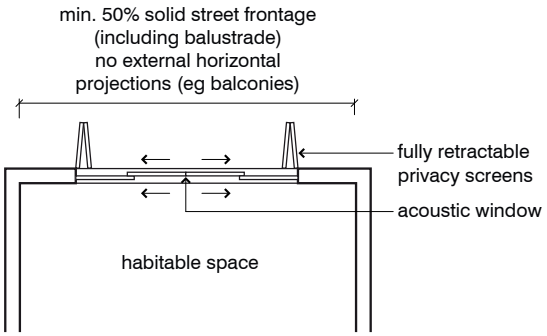
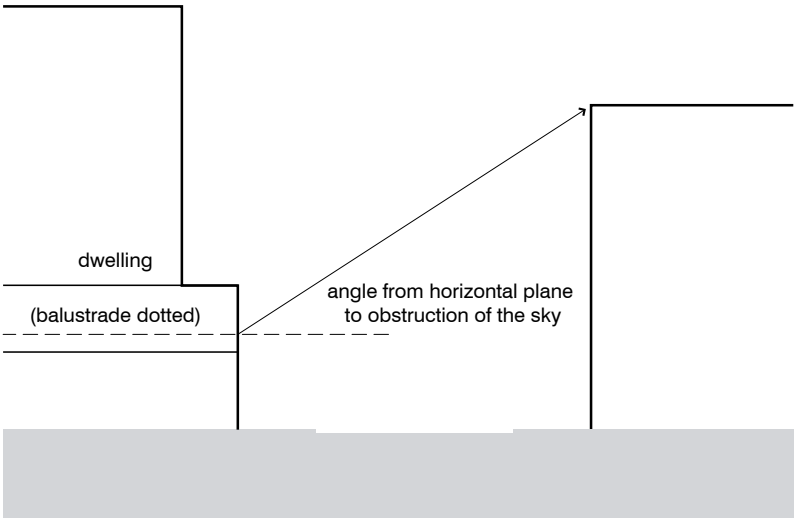


Figure 5.117
Angle from horizontal plane to obstruction of the sky



5.4.3.8 Development levels

(1) Development levels for buildings and public domain are to be set by the Australian Height Datum Reduced Levels (RLs) to be supplied by Council.

(2) Public domain and street blocks are to be graded appropriately between the supplied RLs across the topography of a site to the satisfaction of Council. The ground floor level of any building is to be as close as possible to the ground level of the adjacent public domain at any point.

(3) Except where required to achieve a minimum freeboard above the Flood Planning Level, the maximum height in metres of the ground level above the adjacent public domain is to be 1m for residential uses.

(4) Retail uses along the Archibald Avenue activity strip are to be located at ground level, with underground stormwater infrastructure designed to capture the 1 in 100 year flood.

(5) Finished floor levels of ground floor retail and commercial uses throughout Lachlan are to be set no higher than the 1 in 100 year flood.

(6) It is generally preferable for retail and commercial tenancies to have an entry threshold at street level to enable a better visual and physical connection with passing foot traffic. As such, setting the ground floor level below the 1 in 100 year floor level is to be explored and agreed to by the Consent Authority.

(7) Where a retail or commercial unit is proposed below the 1 in 100 year floor level it will be assessed on merit and considered provided that:

(a) it assists in activating the future public domain;

(b) a split-level unit is achieved, with an upper level set at the 1 in 100 year flood, accessed via a level transition of stairs, ramp or both incorporated within the internal layout of the unit;

(c) any part of the floor space proposed below the 1 in 100 year flood is located along the street frontage and contains no permanent fixtures that are susceptible to damage from flooding;

(d) all equipment, including electrical equipment, is located in the elevated section, above the 1 in 100 year flood;

(e) each unit is constructed so as not to have any penetrations to other parts of the building and that any flooding that may occur internally is contained and unable to spread to adjacent units; and

(f) construction is flood resistant, including the line of enclosure which is to have a solid wall below, and sill set above, the 1 in 100 year flood.

(8) Where the adjacent public domain slopes, ground floor levels should step to maintain an optimal relationship to the street.

(9) The Flood Planning Level should be determined at least every 25m along each frontage to avoid ground floor levels being set excessively high relative to the level of the public domain on sloping sites.

(10) Ramps and steps to provide access up to ground level are not to be provided within the public domain.

5.4.3.9 Parking and access

(1) Vehicular access points for all developments are to be consolidated to minimise disruption to pedestrians. Vehicles are to enter buildings directly from the street and not from breaks between buildings. Driveway crossings and vehicular access points are not permitted along Gadigal Avenue or within the Archibald Avenue activity strip, and are to be situated instead on lower-order streets, in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation.

(2) Access to underground parking is to be designed with due regard to flood levels and impact on the street frontage.

(3) Parking is to be provided underground and located generally within the extent of the building floorplate above.

(4) Where the topography of the land or constraints of the water table result in the basement parking level projecting above ground level, it is to be designed to:

(a) not project more than 1m above ground or as required to comply with Flood Planning Levels; and

(b) achieve an attractive ground level relationship between the building(s) and the public domain, with generous vegetation screening.

(5) Where below ground parking is significantly constrained by the high water table or where site remediation is environmentally unsustainable, up to one level of on-site parking may be considered above ground within the building floorplate provided that it is:

(a) incorporated into the building and screened by other uses; and

(b) designed with materials, details, proportions and landscaping to complement the building and adjoining buildings.

(6) Given the limited street block dimensions achievable within 52 O'Dea Avenue and the amalgamated street block north of Dyuralya Park, the provision of basement parking below the footpath of Gadigal Avenue may be considered by the Consent Authority in connection with redevelopment of site, where:

(a) the requirements for parking associated with the proposed development cannot reasonably be met within the maximum extent of the street block, including provision of two basement levels;

(b) there is no protrusion or evidence of the car park visible above ground level;

(c) the car park extends no further than 2m under the footpath;

(d) a satisfactory arrangement can be made for the provision and maintenance of stormwater infrastructure, street tree pits and private service connections below the street surface; and

(e) an acceptable arrangement to separate the public and private stratums can be put in place.

(7) Design of any parking beneath streets dedicated in stratum is subject to Council's approval. Where possible any development beneath roads dedicated in stratum must comprise common areas or visitor parking.

(8) Where required to be provided by Council, a shared/integrated basement car parking area with a single vehicular access point is to be provided in the locations identified in Figure 5.103: Lachlan Precinct – Access and Circulation. Where required, the first site to develop is to make provision for shared access, with necessary easement(s) on title, appropriate circulation paths and siting of breakthrough walls.

5.4.3.10 Staging and implementation

(1) All sites to be redeveloped are to have a public road frontage and be accessible via a public street.

(2) An interim alternative street block layout or built form layout may be considered on a site by the Consent Authority to allow for staged redevelopment and/or retention and refurbishment of existing industrial/ commercial buildings, provided that:

(a) the development secures at least some elements of the required public domain infrastructure for that site as identified in this development control plan in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure and Figure 5.92: Lachlan Precinct – Public Domain Dedication; and

(b) any area of proposed development which impedes the achievement of the public domain infrastructure required in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure be of a temporary nature and be conditioned as such; and

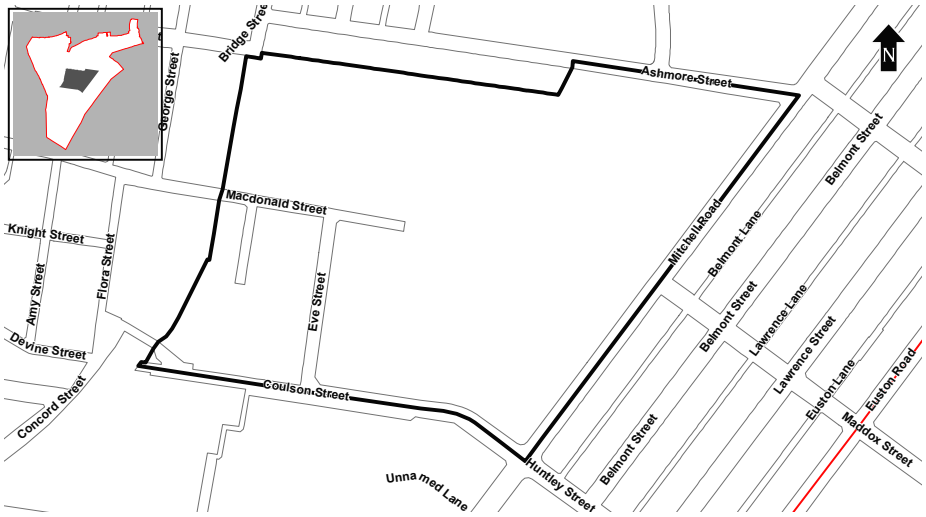
(c) a strategy outlining a likely development staging plan and delivery sequence for the remaining public domain infrastructure required in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure be submitted to accompany the development application.

5.5

Ashmore Neighbourhood

The Ashmore Neighbourhood is defined in the Ashmore Land Application Map shown at Figure 5.118. It is bound by Ashmore Street to the north, Mitchell Road to the east, Coulson Street to the south and the railway embankment to the west. It is within close proximity to Erskineville Road Village Centre and the King Street retail strip.

Figure 5.118
Ashmore Land Application Map



Ashmore will be a sustainable neighbourhood that offers a variety of dwelling types and will be well integrated with new residential development in Ashmore and the surrounding conservation areas of Erskineville and Alexandria.

Development will be complemented with a high quality public domain, including new streets, a central public park and bike links to facilitate pedestrian and cycle movement throughout Ashmore, and integrated with the surrounding street network and open spaces.

Ashmore will have a strong landscaped character, with new development being setback from the street to provide a landscape buffer between the new buildings and the public domain. New development will be designed to ensure it brings life to the street with individual entries to ground floor dwellings, to provide passive surveillance and opportunities for social interaction.

Figure 5.119 Ashmore Urban Strategy shows an indicative vision for the Ashmore Neighbourhood.

5.5.1 Ashmore urban strategy

Objectives

(a) Future development is to be of the highest quality, and sympathetic to the existing surrounding local character and history of Erskineville and Alexandria and their former industrial uses.

(b) Ensure that redevelopment of the Ashmore Neighbourhood is coordinated to effectively manage the redevelopment and provide adequate community facilities and services as required.

(c) Introduce a mix of dwelling types to provide flexibility and choice that reflects the needs of 21st century living.

(d) Ensure building heights in Ashmore provide a transition to the surrounding conservation areas.

(e) Introduce a permeable network of streets that responds to key connections and the surrounding historic street patterns of Erskineville and Alexandria.

(f) Create an attractive public domain with pedestrian and bike connections. Links to public transport are to be clear and legible, and are to prioritise pedestrians with slow speed traffic lanes. All streets should include tree planting.

(g) Provide one main park, known as McPherson Park, for passive and active recreation, and to assist with stormwater management.

(h) Provide high quality streetscapes throughout Ashmore. All new streets will provide trees to provide shade and amenity and incorporate water sensitive urban design where appropriate.

(i) Create a strong landscaped character that unites development in Ashmore by setting back development from the public domain and providing native planting that is in accordance with the Council's Landscape Code.

(j) Introduce an appropriate mix of land uses with retail at ground level on MacDonald Street, adjacent to McPherson Park and some commercial uses at the intersection of MacDonald Street and Mitchell Road.

(k) Protect key panoramic views from Sydney Park to the CBD skyline and King Street ridge and east-west views throughout the neighbourhood to enhance visual permeability.

Figure 5.119 Ashmore Urban Strategy



5.5.2 Urban design principles

The following principles have been developed to inform the development of these planning controls. They are the result of an urban design review that has established appropriate building heights for Ashmore, the preferred development type, and density. They ensure that the proposed built form meets the required building standards, and integrates with the context of the surrounding local area.

Principle 1
Transition of Building Heights



- Ensure a transition of building heights from the surrounding conservation areas;
- Provide 2 storey (plus attic) terraces immediately to the south of the existing terraces on Ashmore Street;
- Provide a predominant street wall height of 3 storeys along Mitchell Road;
- All the upper levels (above 5 storeys) will be required to be setback 4m to reduce their visual impact from the street; and
- Locate higher buildings surrounding McPherson Park (the main public park).

Principle 2
Land Uses



- Provide a predominantly residential neighbourhood;
- Ensure that appropriate local shops and services (such as childcare facilities) are provided to meet the demands of the new population;
- Ensure location of local shops and services are in the optimum location to meet the needs of the new and existing population; and
- Ensure a sufficient quantum of public open spaces is provided to meet the demand of the new population.

Principle 3
Public Domain



- Provide one main park of 7400 square metres, to provide for active and passive recreation;
- Provide a north-south green link for pedestrians and cyclists that links Ashmore to Harry Noble Park in the north and Sydney Park in the south;

- Ensure 3 metre landscaped setbacks are provided to reduce the perception of scale of buildings at street level;
- Provide bioswales on key streets, and unobstructed root zones for planting of trees and help with rainwater infiltration; and
- Use landscaping to help manage stormwater.

5.5.3 Local infrastructure and public domain

Refer also to provisions in Section 3 General Provisions.

Objectives

(a) Introduce additional east-west and north-south connections to create a clear, legible and permeable network of streets and pedestrian and bike links that connect the Ashmore Neighbourhood to:

(i) transport nodes;

(ii) the proposed retail and commercial precinct;

(iii) other services on Erskineville Road Village and King Street, Newtown; and

(iv) nearby open spaces and neighbourhoods.

(b) Provide an integrated network of open space and public domain areas for passive recreation, to enhance the lifestyle of residents and promote social interaction.

(c) Ensure open space and green links are located to assist with stormwater management, provides deep soil zones and maximise rainfall infiltration.

(d) Ensure Ashmore is accessible, safe, and secure for all members of the community in line with Crime Prevention through Environmental Design (CPTED) principles.

5.5.3.1 Street network

Provisions

(1) New streets, lanes and pedestrian links are to be provided in the locations identified in Figure 5.120 Ashmore Street Hierarchy. All streets and lanes are to be dedicated to Council.

(2) All streets and lanes must be designed in accordance with Figures 5.122-5.130 Sections – A - H.

(3) Design of new streets must be in accordance with the Ashmore Public Domain Strategy.

(4) Ensure that the new street network maximises legibility and orientation throughout Ashmore to reduce effects of visual enclosure. Where existing streets are to be extended they must connect directly and align with existing streets.

(5) Extend MacDonald Street to the east to connect with Mitchell Road and provide a swale along the length of MacDonald Street to help manage stormwater pollutant loads.

(6) Extend Goddard Street to Coulson Street southwards to provide easier pedestrian access from the Ashmore neighbourhood to Sydney Park.

(7) Reinstate Coppersmith Lane.

(8) Provide a shared zone between MacDonald Street and Bridge Street, immediately adjacent to the railway line.

Figure 5.120 Ashmore Street Hierarchy



Figure 5.121 Ashmore Dedication Map



Figure 5.122
MacDonald Street – Section A

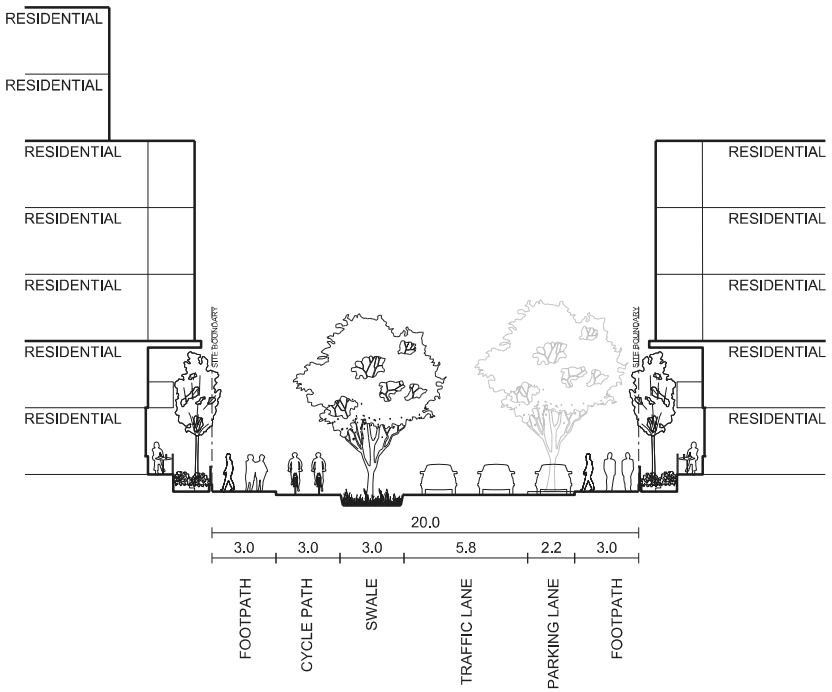


Figure 5.123
13.8 metre Standard Street - Section B

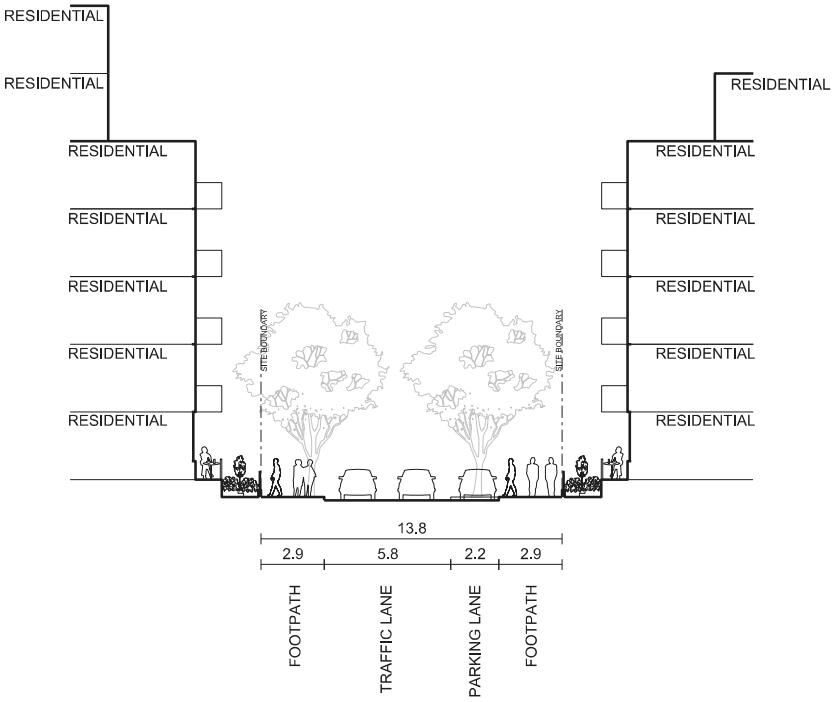


Figure 5.124
Shared Zone - Section C

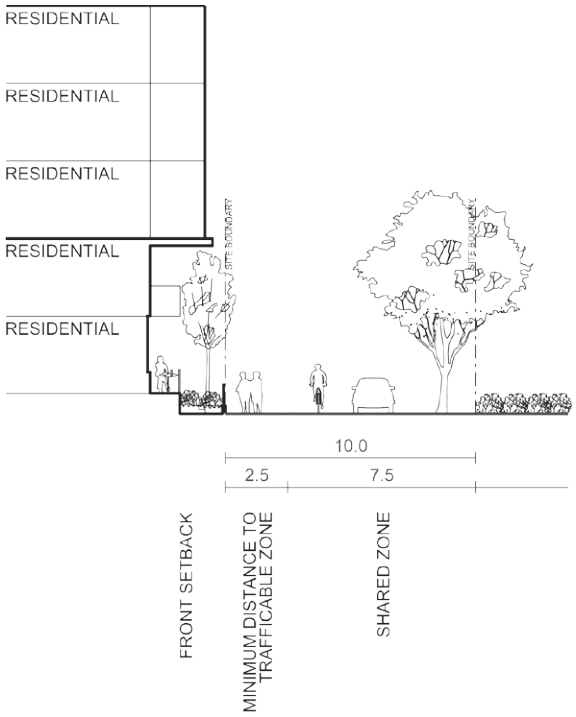


Figure 5.125
Goddard Street - Section D

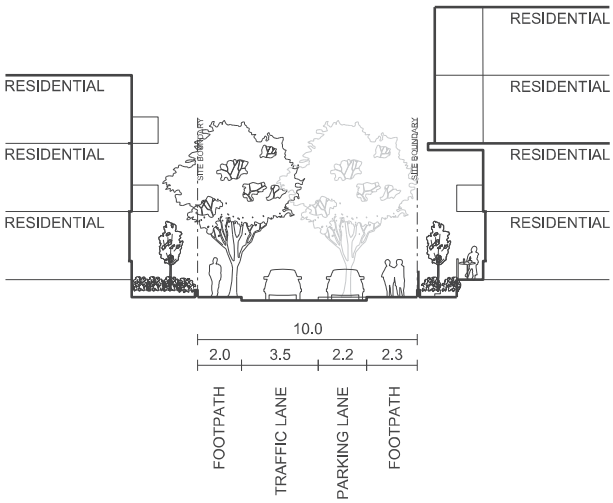


Figure 5.126
Goddard Street - Section D (plan view indicative)

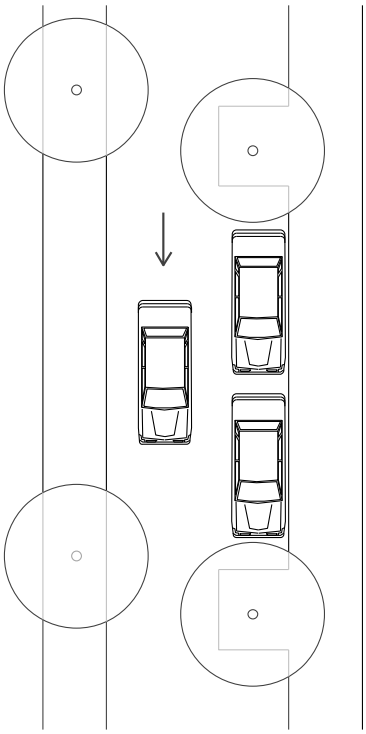


Figure 5.127
Shared Zone - Section E

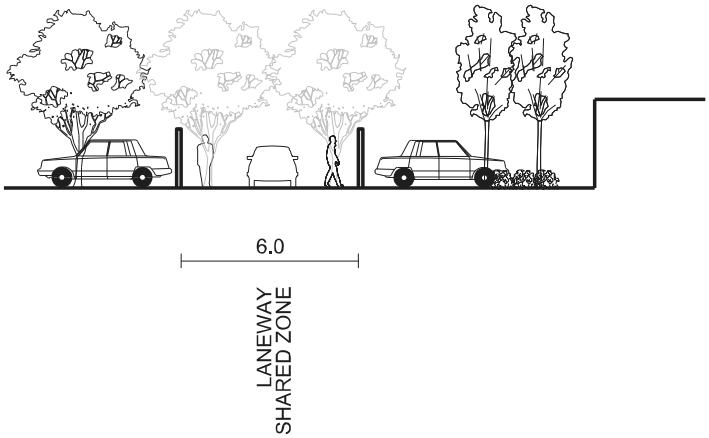


Figure 5.128
Kooka Walk - Section F

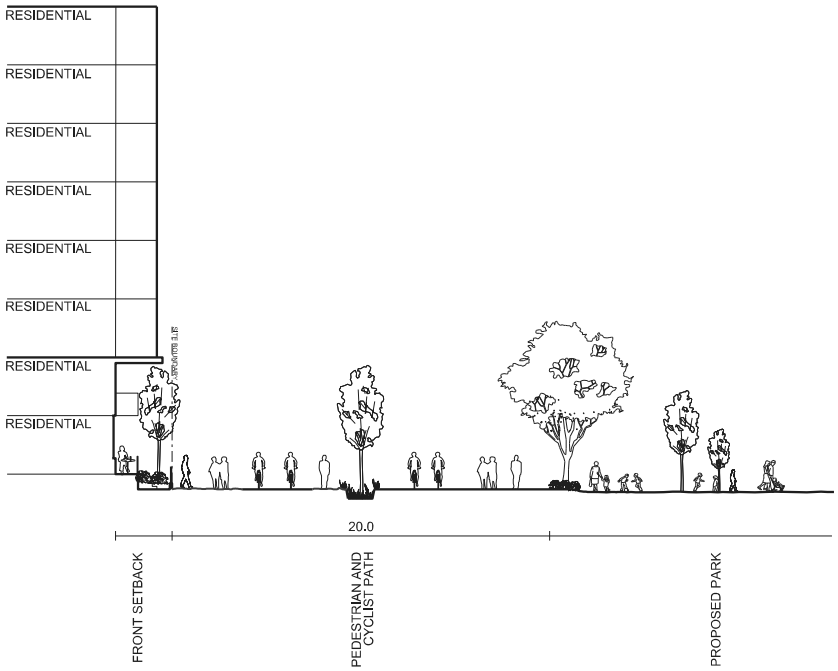


Figure 5.129
Small street - Section G

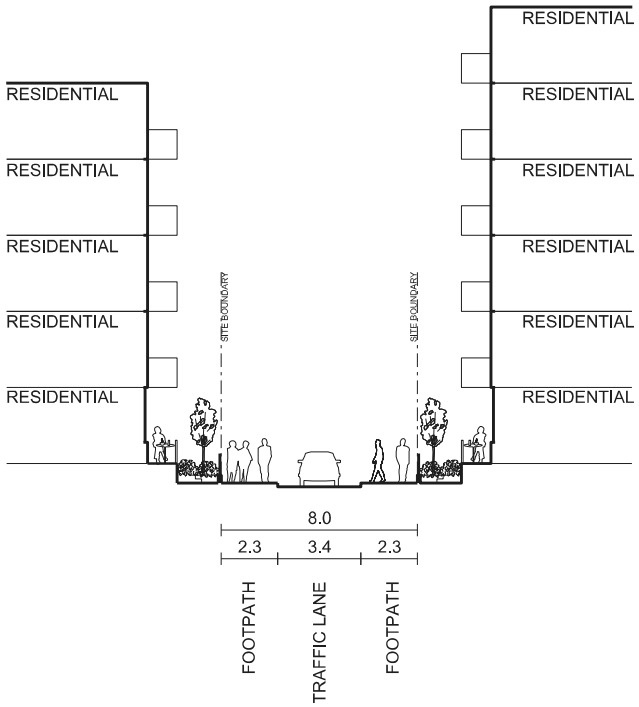
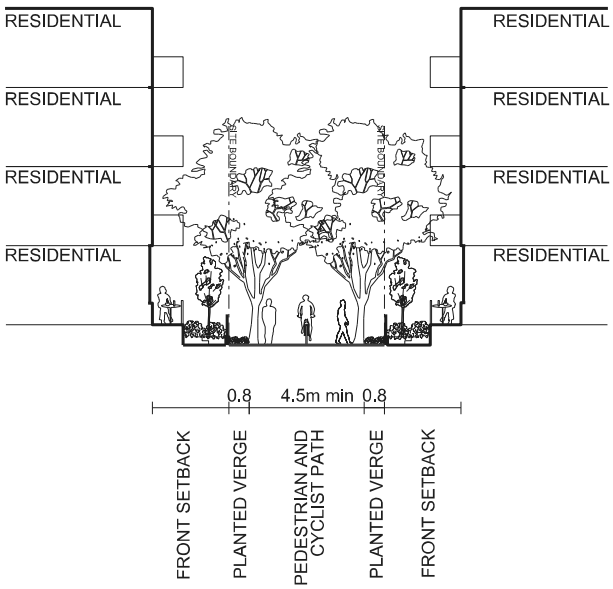


Figure 5.130
Pedestrian/cyclists link - Section H



5.5.3.2 Movement and connectivity

Provisions

(1) Major access and egress points are to be consistent with Figure 5.131 Ashmore Circulation and Access.

(2) Circulation is to be consistent with Figure 5.131 Ashmore Circulation and Access.

(3) Introduce traffic signals at the junction of Mitchell Road and Maddox Street following the extension of MacDonald Street in accordance with Figure 5.120 Ashmore Street Hierarchy.

(4) Bollards or other measures that restrict vehicle access but allow pedestrian and cycle access are to be installed in the following locations. Measures must comply with Council requirements:

  (a) Between Kooka Walk and Ashmore Street

  (b) Corner of new Bridge Street extension and Victoria Street; and

  (c) Between Coppersmith Lane and Victoria Street.

(5) Vehicle access to the retail/commercial centre is to be from Alpha Street. Sufficient space for turning vehicles is to be provided.

(6) The shared zone on Kooka Walk between MacDonald Street and Alpha Street and Coulson Street and Alpha Street are designed to reduce traffic speed and create a pedestrian friendly space.

(7) Access to the Sydney Water Pumping Station at the intersection of Bridge Street and Victoria Street must be retained.

(8) Driveways and car park entries must be in accordance with Figure 5.131 Ashmore Circulation and Access.

(9) Underground car parking entries are to be set back from the building line to reduce their visual dominance in the streetscape.

(10) It is preferred that driveway access is not from MacDonald Street, however, due to staging constraints, alternate access points are shown in Figure 5.131 Ashmore Circulation and Access.

Figure 5.131 Ashmore Circulation and Access



5.5.3.3 Bike routes and facilities

(1) Bike facilities, including bike routes and bike-parking facilities are to be designed as part of the public domain and in accordance with the Council's Cycle Strategy, the Ashmore Public Domain Strategy and Figure 5.131 Ashmore Circulation and Access.

(2) Introduce a separated cycleway along MacDonald Street in accordance with Figure 5.132.

(3) Kooka Walk must be designed as a green link. It must be a shared path for cycles and pedestrians only. It must be a minimum of 20 metres wide for its full length and connect Ashmore Street to Coulson Street, and be in accordance with Figure 5.134 Ashmore Open Space and Setbacks.

5.5.3.4 Public open space

Provisions

(1) Where required to be provided, introduce an open space network that is consistent with Figure 5.134 Ashmore Open Space and Setbacks.

(2) The design of all open spaces is to be in accordance with the Ashmore Public Domain Strategy.

(3) The landscaping and materials used for open spaces is to respond to the neighbourhood's character, to unite and relate to the wider Ashmore Neighbourhood.

(4) Public open space is to include:

(a) sub-surface drip irrigation systems controlled by timers using soil moisture or rainfall sensors;

(b) drought tolerant plants and grasses;

(c) water retaining media mixed into soil; and

(d) tree planting and landscaping using elements such as indigenous tree species, interesting sculptural elements and pavement design.

(5) McPherson Park is to be one contiguous space with a minimum area of 7400 square metres. It must be designed so that it provides opportunities for passive and active recreation. McPherson Park is to:

(a) have a dual use function as a flood/stormwater detention basin, but primarily be a soft landscaped area to complement the public domain in particular Kooka Walk through Ashmore;

(b) integrate with Kooka Walk and is designed to provide the dual function of a pedestrian and bike path (connecting Sydney Park to Erskineville Oval) and stormwater detention system;

(c) be of a high quality design that creates interest, using landmark sculptural elements and other appropriate elements, that particularly reference the former historic uses;

(d) McPherson Park and Kooka Walk are to respond to an integrated design, whilst clearly defining the function of each space; and

(e) use indigenous plant and tree species.

Figure 5.132
Example of dual function park, Zetland



(6) Carter's Park is to be a minimum of 500 square metres and is to be high quality, create interest and add character to Ashmore. The design of the Carter's Park is to provide passive recreation space with adequate seating.

Figure 5.133
Example of dual function park, Zetland



(7) All plant species and structures are to be able to withstand temporary flood inundation in those areas designed as a detention basin.

Figure 5.134 Ashmore Open Space and Setbacks



5.5.4 Accessibility and amenity in the public domain

Objective

(a) Provide generous footpaths, local access and connectivity both within Ashmore and the surrounding existing neighbourhoods;

(b) Design all public space and landscaping to be of the highest quality and a consistent design, that is accessible and safe for all people; and

(c) Provide a pleasant and safe environment for the enjoyment of pedestrians and cyclists, and improve amenity for residents, workers and visitors through provision of solar access in the public domain.

5.5.4.1 Solar access

Provisions

(1) New development must ensure that it provides a minimum of three hours of direct sunlight between 11am and 2pm on 21 June to the public square (within the Sydney Park Village development) in the southwest corner of Coulson Street and Mitchell Road.

(2) A minimum of 60% of the total area of McPherson Park is to have direct solar access between 10am and 2pm at the winter solstice.

5.5.4.2 Quality of landscaping and landscaped setbacks

Provisions

(1) A minimum of 1 metre of soil is to be provided in planting beds above car parking structures.

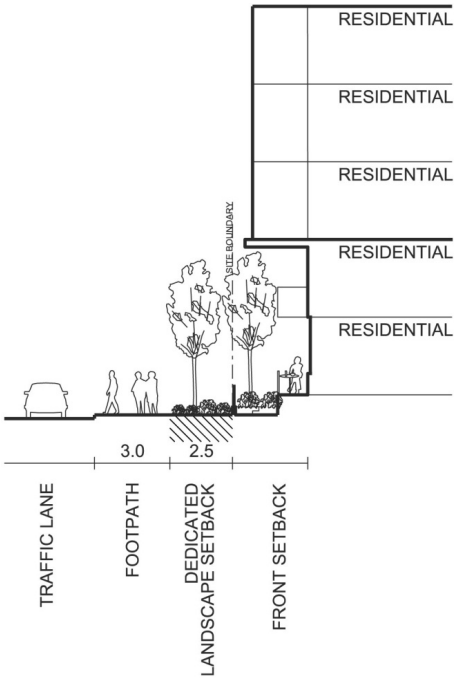
(2) Landscaping, plant species and structures such as walls are to withstand temporary flood inundation in those areas designated as detention basins.

(3) All setbacks are to be provided in accordance with Figure 5.134 Ashmore Open Space and Setbacks Map.

(4) All 3 metre landscaped setbacks must be in accordance with the City's Landscape Code and must remain in the private domain with the maintenance the responsibility of the body corporate/strata.

(5) That a 2.5 metre landscaped setback is to be provided on the corner of Goddard Street and Coulson Street. This setback is required to ensure visibility for vehicles leaving Goddard Street and is to be dedicated to Council. The landscaping of this setback is to be appropriate to ensure it does not block visibility for cars, and is to be in accordance with Figure 5.135 Goddard Street and Coulson Street Section.

Figure 5.135
Goddard Street and Coulston Street Section



5.5.4.3 Stormwater management

Provisions

(1) McPherson Park is to be one contiguous space with a minimum area of 7400 square metres. It must be designed so as to have a dual use function as a stormwater detention basin and public open space.

(2) Introduce swales in the design of overland flow paths along MacDonald Street (including the proposed extension) and Kooka Walk as detailed in Figure 5.136 Ashmore Stormwater Management.

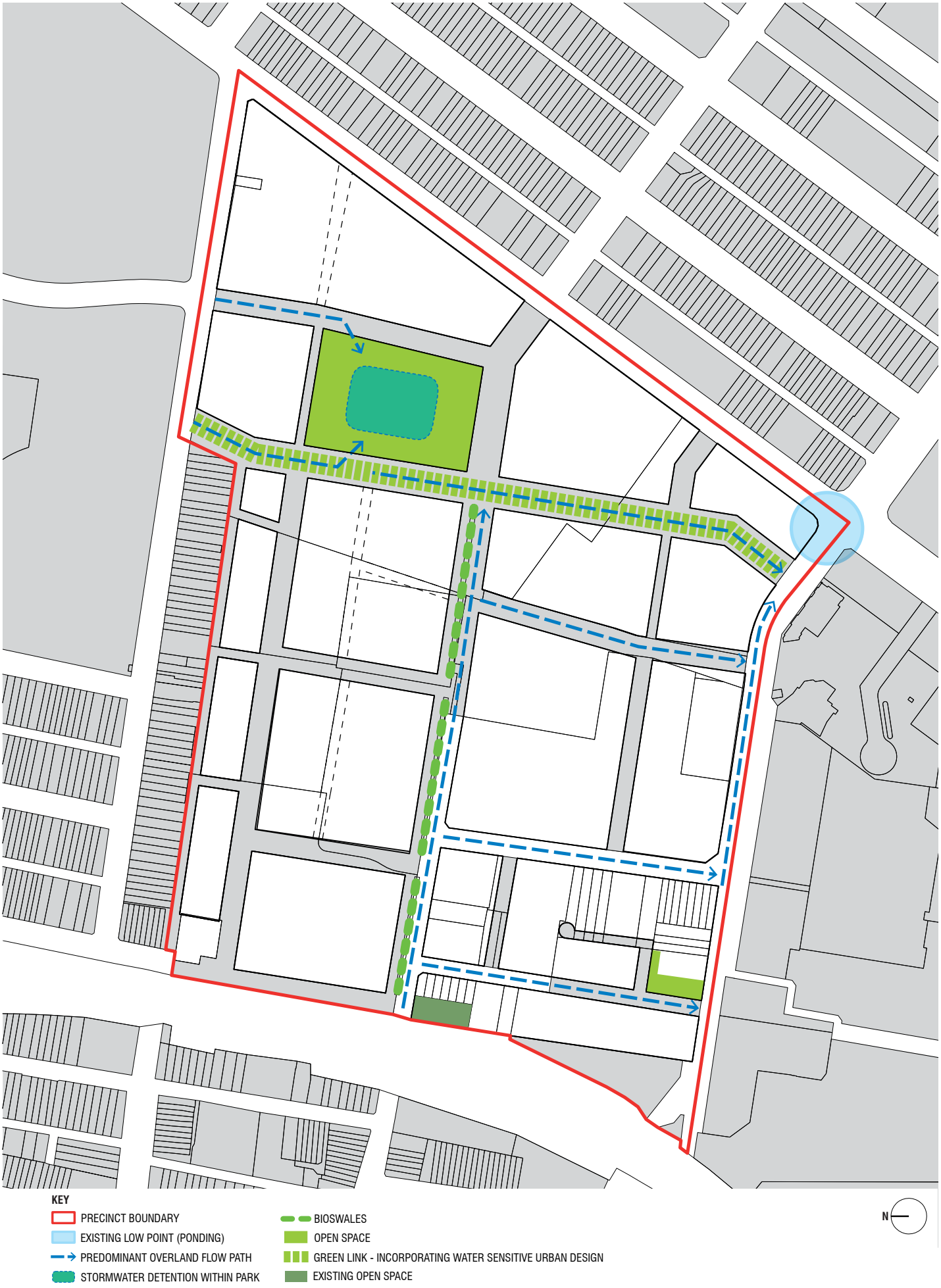
(3) The location of Kooka Walk is to be consistent with Ashmore Street Hierarchy, Ashmore Open Space and Setbacks and Ashmore Stormwater Management, Figures 5.120, Figures 5.134 and 5.136 to assist with the management of stormwater.

(4) Kooka Walk is to incorporate the following:

- (a) a stormwater channel to enable the flow of stormwater;
- (b) formal (paved area with grassed swale) and natural (grassed area/ detention) landscaping into the stormwater corridor;
- (c) consistent tree planting along the length of the stormwater corridor to create a legible space;
- (d) a walkway that is consistent with the Ashmore Public Domain Strategy; and

(5) All open spaces are to maximise the infiltration of rainwater by maximising the provision of deep soil.

Figure 5.136 Ashmore Stormwater Management



5.5.5 Staging

It is envisaged that the urban design strategy for Ashmore will be progressively implemented as each property is redeveloped.

Objectives

(a) Ensure that the redevelopment of Ashmore is coordinated in an orderly manner to ensure activities of adjacent sites are not adversely impacted upon.

(b) Ensure that development can occur independently, without reliance on infrastructure from adjacent sites.

(c) Address stormwater management upon the outset of construction works, to ensure adjacent areas are not adversely affected.

Provisions

(1) A staging plan is to be submitted to Council with a development application.

(2) A temporary connection between Stovemaker Lane and Metters Street (through Kooka Walk) is permitted for access to residential development, but it must be a 'shared zone' and is only until the development of Metters Street in the adjacent lot (Lot 3 DP788543, Lots 1-3 SP74596) is realised. The re-instatement of the bike and pedestrian link is to be to the satisfaction of Council and comply with the Ashmore Public Domain Strategy.

(3) Measures are to be put into place to protect the amenity of new development without affecting the existing light industrial uses.

(4) All sites to be redeveloped are to have a public road frontage and be accessible via a public street.

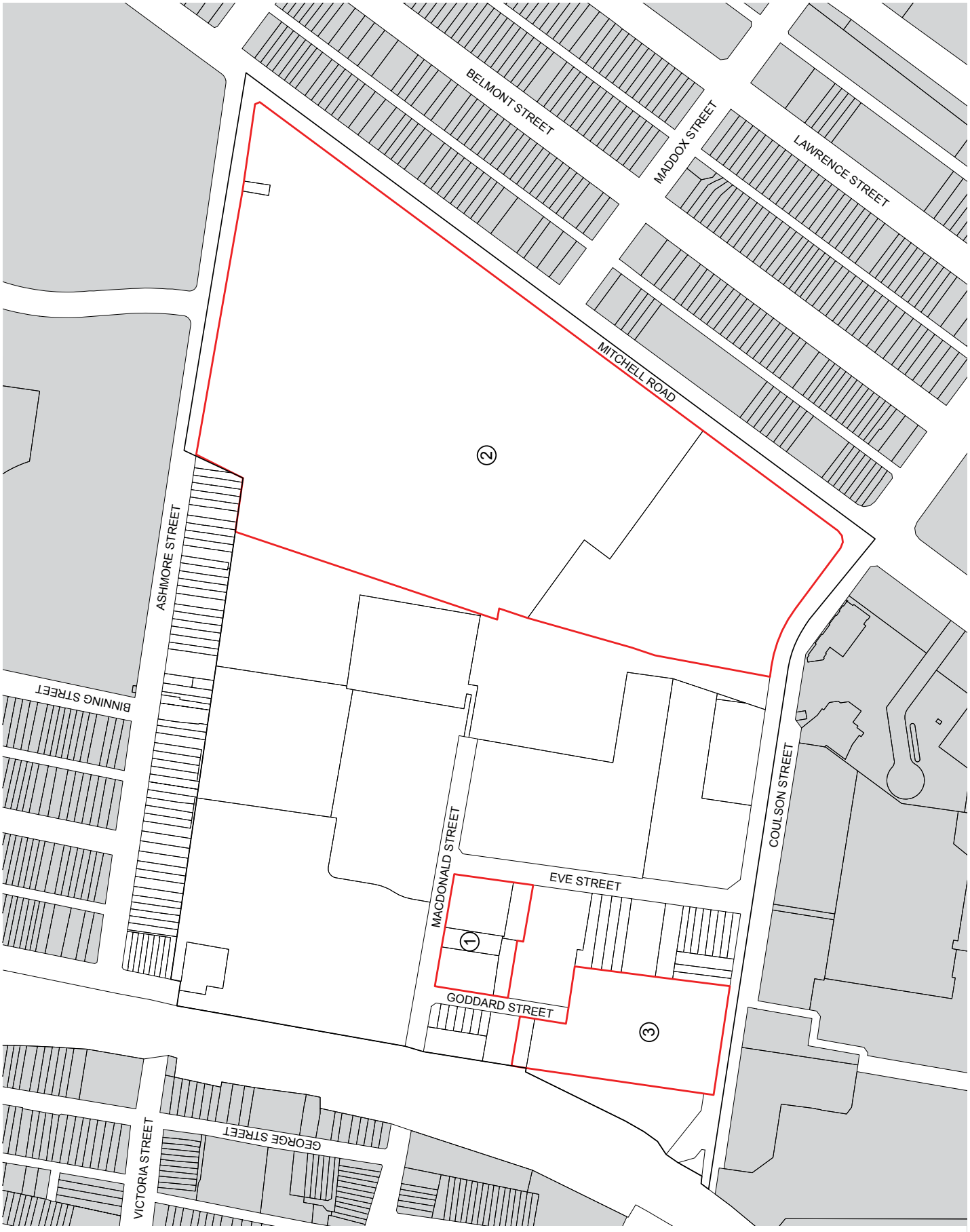
5.5.6 Floor space ratio

Provisions

(1) Consolidation of land identified in Figure 5.137 Ashmore Land Amalgamation Map is to occur before a development application can be considered.

(2) Alternative amalgamation schemes will need to be assessed individually and must be supported by an urban design study.

Figure 5.137 Ashmore Land Amalgamation



5.5.7 Land use mix

Provisions

(1) A range of retail uses and commercial spaces including one full-line supermarket, fresh food cafes and shops are to be provided on MacDonald Street, adjacent to McPherson Park, as detailed in Figure 5.139 Ashmore Land Use.

(2) Childcare facilities are encouraged within the precinct. The preferred locations for Childcare facilities considered in the locations identified in Figure 5.139 Ashmore Land Use.

(3) Ashmore is to be a predominantly residential neighbourhood.

Figure 5.138
Example of supermarket with other retail uses, Waterloo



Figure 5.139 Ashmore Land Use



5.5.8 Building layout, form and design

Refer also to Section 3 Development Types.

Objectives

(a) Provide a range of building heights, types and architectural styles to create architectural diversity and visual interest;

Figure 5.140
Example of architectural diversity, Glebe



(b) Ensure that terraces complement the built form of terraces in adjoining conservation areas;

Figure 5.141
Adjacent conservation area, Erskineville, Alexandria and Macdonaldtown Conservation Area



(c) Minimise overshadowing to existing and proposed built form and parks;

(d) Ensure appropriate building lengths, building articulation and individual ground floor entries to reduce the scale of the buildings as perceived from the public domain; and

(e) Ensure side and rear building setbacks are provided in a manner that does not inpede development on adjoing sites.

Figure 5.142
Example of good building articulation, Walsh Bay



Figure 5.143
Example of individual ground floor entries, Alexandria



5.5.8.1 Height of buildings

Provisions

(1) Development is not to exceed the maximum number of storeys for the land as shown in Figure 5.144 Ashmore Height in Storeys.

(2) A building is not to be located in the view path of the Sydney CBD, the clock at Central Station, and Bondi Junction (see view corridor A on Figure 5.145 View Corridors from Sydney Park) when viewed from both knolls of Sydney Park. Buildings are not to exceed RL.30.2 A.H.D (Australian Height Datum) at the Eastern Knoll (332219e/6246454n), and RL 26.5 at the Western Knoll (332037e/624659n).

(3) Street frontage heights are not to exceed the maximum height in storeys, shown in Figure 5.144 Ashmore Height in Storeys.

Figure 5.144 Ashmore Height in Storeys



5.5.8.2 Views

Provisions

(1) New development is to protect the views (refer to Figure 5.145 View Corridors from Sydney Park) to the following locations:

(a) the eastern and western knoll in Sydney Park to the City skyline;

(b) the King Street ridgeline;

(c) the saw tooth roofline of the Eveleigh Rail Sheds towards the railway clock at Central Station; and

(d) district views towards the eastern suburbs.

Figure 5.145
View corridors from Sydney Park

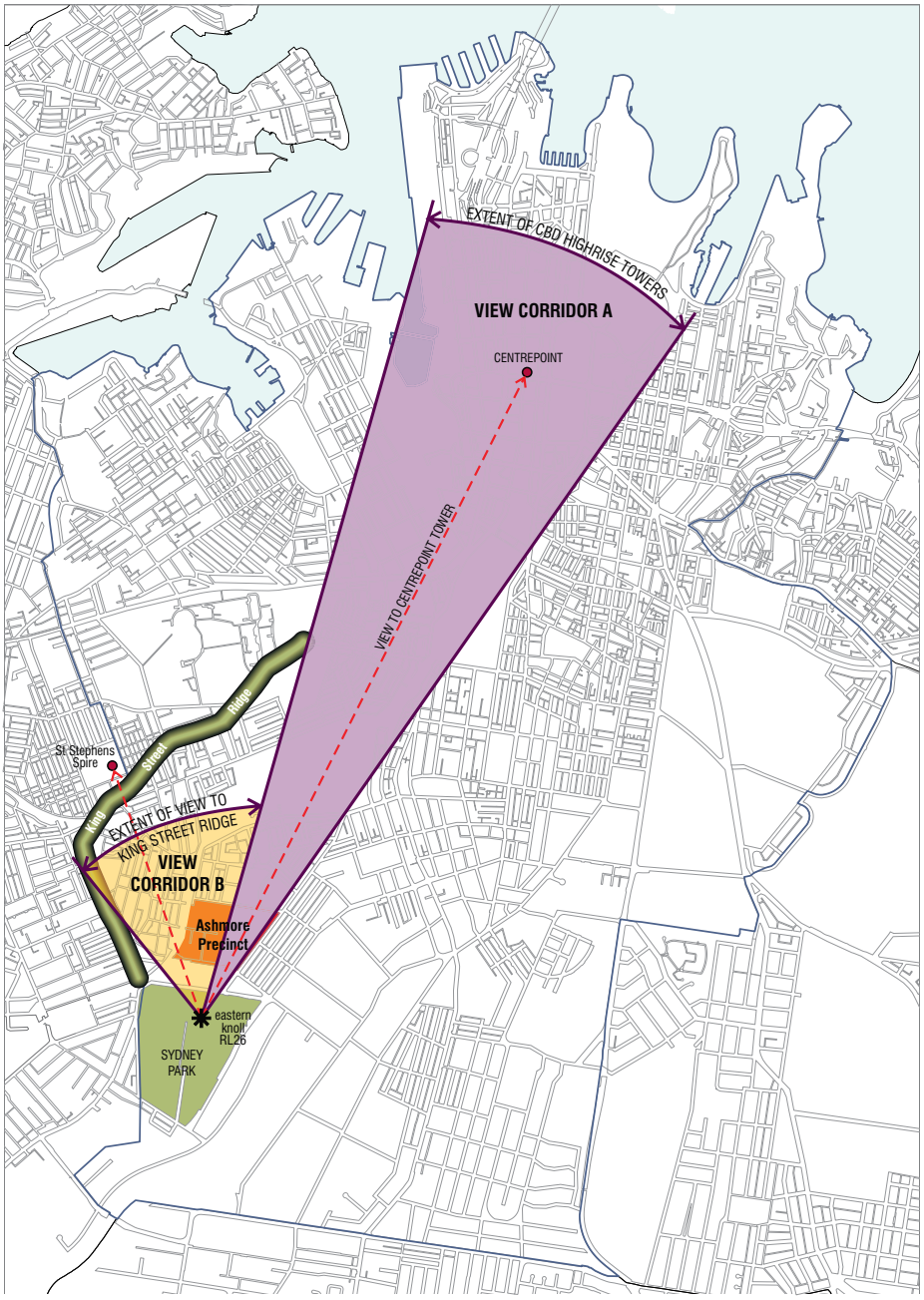


Figure 5.146
CBD views from Sydney Park, Alexandria



5.5.8.3 Dwelling type and location

Provisions

(1) A variety of built form options are possible within each of the street blocks. The preferred building layout is presented in Figure 5.147 Ashmore Building Type. Alternate building layouts may be considered within each street block, where additional public benefit and user amenity is achieved.

Figure 5.147 Ashmore Building Type



5.5.8.4 Building form and design

Provisions

(1) To achieve architectural diversity and interest in the architectural character of the neighbourhood, buildings that are adjacent to or opposite one another are not to replicate the same design, provide articulation and a range of materials.

(2) Future development is to reference Ashmore's former industrial heritage and uses, (for example the Metters Factory) through interpretation, materials or public domain elements.

Figure 5.148
Example of former industrial uses in Ashmore, Erskineville Road, Erskineville



(3) Development at highly visible sites, such as view terminations and street intersections are to be of the highest architectural quality.

(4) Dwellings on the ground floor facing the street are to have individual entries from the street.

Figure 5.149
Example of individual entries from the street, Alexandria



(5) Above ground car parking generally is not permitted, and is to be provided underground and located within the extent to the building floorplate above.

(6) Where topography of the land or constraints result in the basement car parking projecting above ground it is to be designed to:

(a) Not project more than 1 metre above ground or as required to comply with Flood Planning Levels and be screened from the street or any public frontage by landscaping; and

(b) Be designed with materials, details, proportions to complement the buildings and adjoining buildings.

(7) Maintain the existing setback of adjacent development where the setback is larger than the recommended minimum.

(8) All levels above street frontage height are to be setback a minimum of 4 metres fronm the primary building line.

5.5.8.5 Typical ground floor condition for residential flat buildings

Provisions

(1) Typical Ground floor residential built form conditions are shown in Figure 5.150 Ashmore Ground Floor Residential Flat. They must provide:

(1) Primary building setback, clear full height – minimum 2.5 metres;

(2) Deep soil landscape planting area – minimum 3 metres;

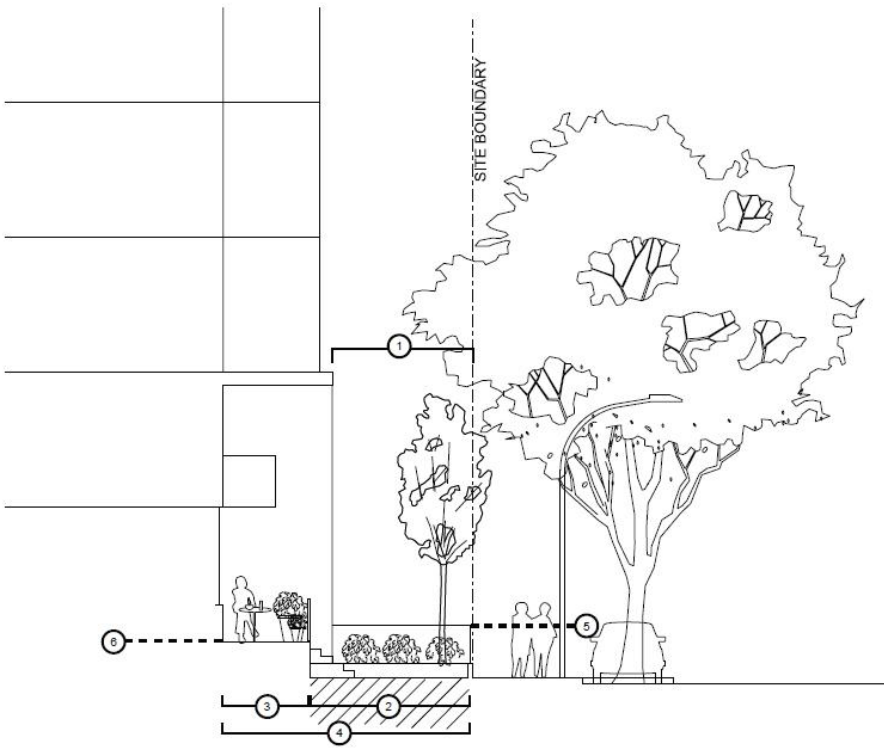
(3) Ground floor private open space deck - minimum 1.2 metre;

(4) Setback from the site boundary to the glass line – maximum 4.2 metres;

(5) Site boundary fence - maximum 1.4 metres high; and

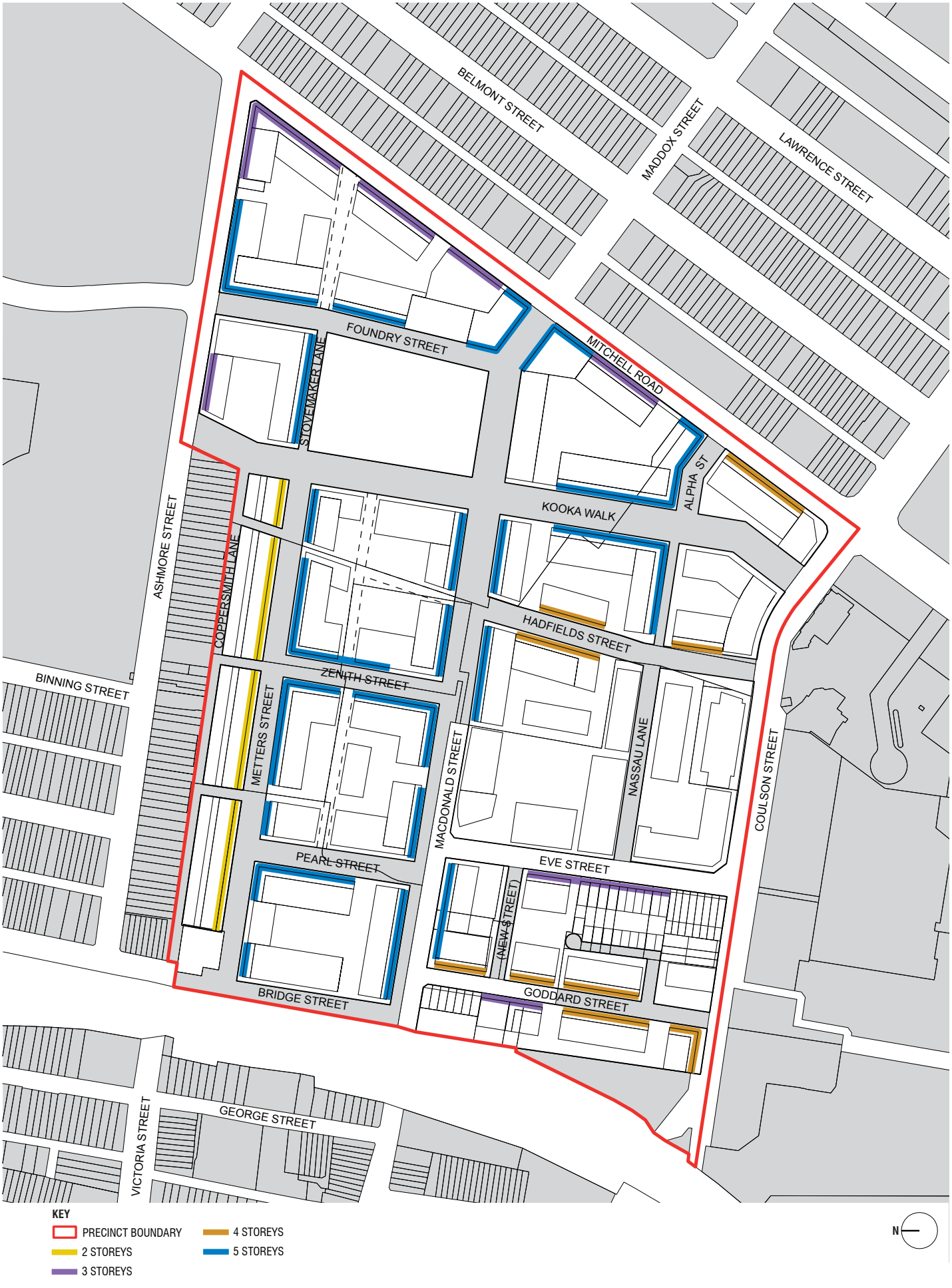
(6) Ground floor private open space deck - maximum 1 metre above street level.

Figure 5.150
Ashmore Ground Floor Residential Flat



1. Primary building setback, clear full height - min. 2.5m
2. Deep soil landscape planting area - min. 3m
3. Ground floor private open space deck - min. 1.2m
4. Setback from the site boundary to the glass line - min. 4.2m
5. Site boundary fence - max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

Figure 5.151 Ashmore **Street Wall Heights**



5.5.8.6 Fences

Provisions

(1) Fences on front property boundaries are to:

(a) Enable some outlook from buildings to the street for safety and surveillance;

(b) Assist in high-lighting entrances and in creating a sense of communal identity within the streetscape;

(c) Provide visual interest to the streetscape through their design and detail;

(d) Are to be a maximum of 1.4 metres high from ground level;

(e) All fences must be see through to allow passive surveillance: and

(f) Complement the architectural style of the building.

Figure 5.152
Example of front fences, Alexandria



5.5.8.7 Building materials

Provisions

(1) External finishes and colour palettes are to complement and include existing materials predominantly used in surrounding areas, including blue, red and brown bricks which were formally made in the Sydney Park Brick Kilns.

(2) Patterned and mottled bricks are not permitted.

(3) Residential flat buildings and mixed use building are to:

(a) relate sympathetically to existing buildings in the surroundings vicinity;

(b) include the local brick type that once characterised the local area, (Sydney Park Brick Kilns are built with Bowral Blue); and

(c) provide timber and stone finishes for external structures and paving which relates to the landscape setting of courtyards and street trees.

Figure 5.153
Example of developments that use a range of building materials, Alexandria





Figure 5.154
Example of Bowral Blue brick, Alexandria



5.5.8.8 Potential splay corners

Provisions

(1) Splay corners should be provided in the location identified in Figure 5.155 Potential Splay Corners, unless further studies do not find them necessary.

Figure 5.155 Ashmore **Potential Splay Corners**



5.5.9 Terrace housing

Provisions

(1) Locate new terrace houses as shown in Figure 5.147 Ashmore Building Type. All terraces are to:

(a) provide interest and character and be of good quality contemporary design, complementing existing terraces in adjoining conservation areas;

(b) minimise monotonous same design. Terraces rows of more than 5 should be broken up by their design, provide articulation and use of different materials and colour;

(c) provide car parking only from rear lanes;

(d) be sold as torrens title lots;

(e) respond to the following built form elements common to terrace houses in adjacent areas and include front verandahs and balconies:

(i) Be a maximum of 2 storeys. An attic room is permissible but must include a dormer window;

(ii) Minimum depth of terraces is to be 10 metres, measured from the front building line; and

(iii) Rear garages and rooms above garages are not permitted.



Figure 5.156
Examples of contemporary terrace design, Glebe and Alexandria

5.5.9.1 Other development

Provisions

(1) The primary retail is to be located along the extension of MacDonald Street adjacent to McPherson Park as shown Figure 5.139 Ashmore Land Use where it activates the public domain and limits the potential for land use conflict.

(2) Retail development is to be located on the ground floor. The finished floor level to retail uses should, where possible, be at the same level as the adjacent footpath level.

(3) Larger tenancies are to be screened by smaller tenancies to minimise the amount of blank walls adjoining the public domain.

(4) Internalise, enclosed shopping malls are discouraged. Retail premises and food and drink premises are to open to the public domain.

(5) Active retail frontages are to be provided to contribute to the liveliness and vitality of the street by maximising entries to display windows to shops and/or food and drink premises to provide pedestrian interest and interaction in accordance with Figure 5.157 Ashmore Active Frontages.

5.5.10 Biodiversity

Objectives

(a) Ensure the protection of existing habitat features within and adjacent to development; and

(b) Improve the diversity and abundance of locally indigenous flora and fauna species across the LGA.

Provisions

(1) Development is to be consistent with the Street Tree Master Plan and Park Tree Master Plans.

(2) Existing habitat features such as waterbodies, rock features such as sandstone retaining walls, gabion walls and rock piles, trees, shrubs and groundcover vegetation are to be retained, where possible.

(3) New habitat features are to be incorporated into new developments or other activities, including trees, shrubs and groundcover vegetation, waterbodies, rockeries and/or green roofs and walls where possible.

(4) Opportunities to link to, extend or enhance existing or potential habitat linkages should be realised for new developments or other activities.

(5) A mix of locally indigenous tree, shrubs and groundcover species should be incorporated into landscaping associated with development of other activity wherever possible, as outlined in Council's Landscape Code.

(6) Shrubs should be densely planted where trees should be well spaced, as outlined in Council's Landscape Code.

(7) Prior to determination of any development adjacent to Coppersmith Lane, an Ecological Assessment report is to be submitted, and prepared by a qualified and appropriately experienced ecologist:

   (a) To determine the likely impacts on flora and fauna species and communities onsite and in the vicinity during demolition, construction and post-construction stages of the proposed development

   (b) To outline the mitigation measures that will be undertaken to keep any adverse impacts to a minimum; and

   (c) To demonstrate consistency with the provisions of this Development Control Plan.

(8) The Ecological Assessment report should:

(a) Document the species present on and adjoining the development site;

(b) Identify any species that are of particular conservation significance, including threatened species and locally significant species identified in the relevant Urban Ecology Strategic Action Plan;

(c) Determine the nature and extent of impacts to flora and fauna, particularly those of conservation significance, that are likely to result from each stage of development;

(d) Outline the mitigation measures that will be employed to avoid or minimise such impacts including:

(i) Clearance and location of any onsite indigenous flora and fauna prior to work commencing;

(ii) Protection of any significant habitat features;

(iii) Restoration/creation of compensatory habitat for any important habitat features removed or disturbed as a result of the development; and

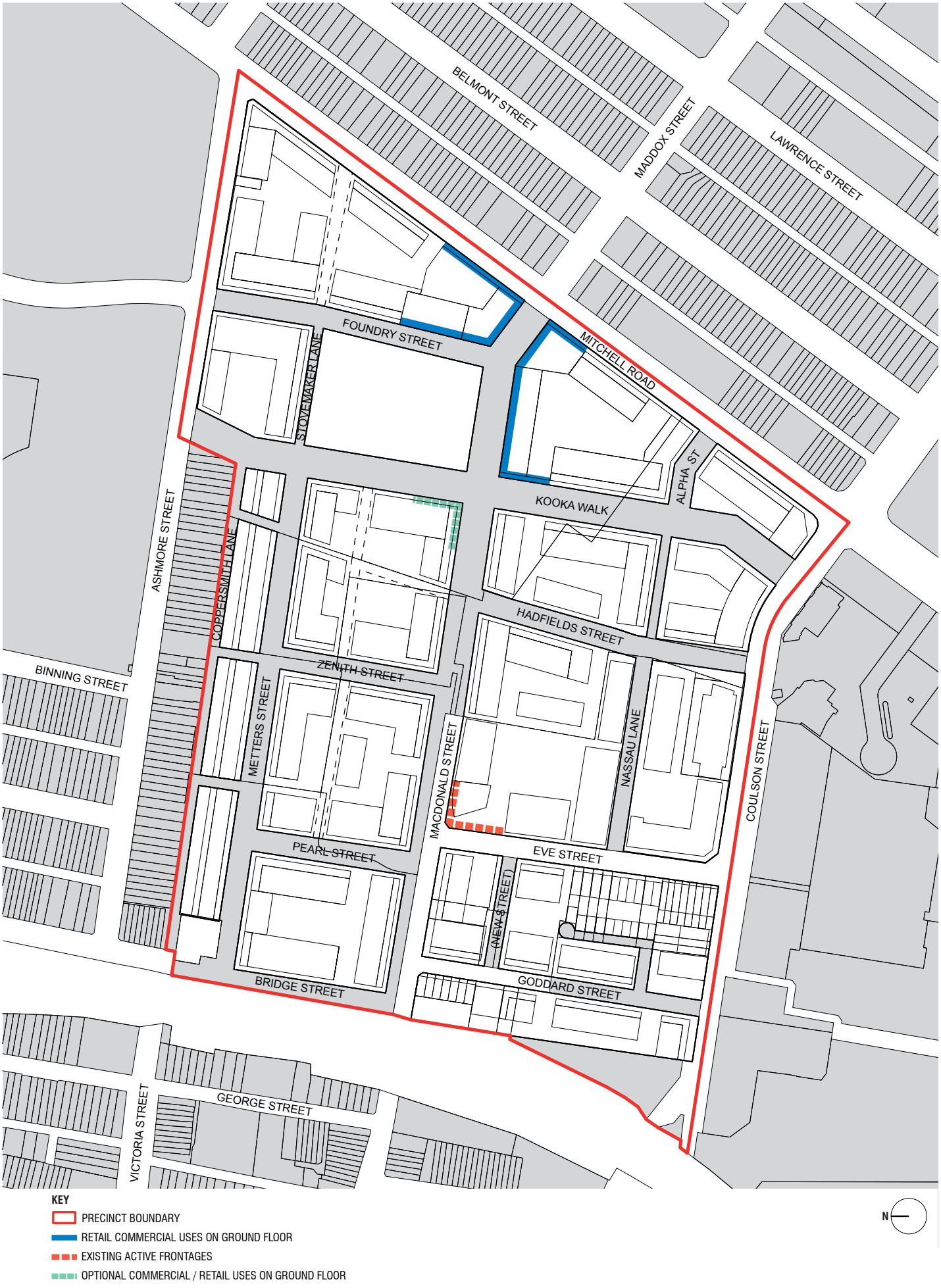
(iv) Incorporation of suitable locally-indigenous species in the site landscaping, consistent with the relevant Urban Ecology Strategic Action Plan.

(9) A Landscape Plan should be submitted to the City that:

(a) Incorporates the recommendations of the Ecological assessment report; and

(b) Is consistent with the provisions of this Development Control Plan.

Figure 5.157 Ashmore **Active Frontages**



5.6
Rosebery Estate, Rosebery

The following objectives and provisions apply to the development of single dwellings, terraces and dual occupancies on land identified in Figure 5.1 *Specific Areas* as Rosebery Estate.

This Section should also be read in conjunction with Section 4.1 Single dwellings, terrace and dual occupancies.

Objective

(a) Protect Rosebery Estate's special character which is defined by a consistent low-scale built form, uniform building setbacks and generous landscaping.

5.6.1 Building height

Objectives

(a) Retain the single storey appearance of built form from the street.

(b) Provide some flexibility to modify houses in a manner that does not erode the area's single storey appearance.

(c) Minimise the impact of rear attic additions.

Provisions

(1) Building height within 14m of the front lot line is to be single storey and have a maximum building height of 6m as measured to the ridgeline and shown in Figure 5.158 *Height controls*.

(2) After 14m from the front property boundary, building height may include an attic with a maximum of 7.5m measured to the ridgeline, as shown in Figure 5.158.

(3) The roof pitch of any new addition must be informed by the architectural style of the existing building.

(4) Any new roof of an attic addition must be designed to have the same pitch as the existing original roofline, and is to be between 25 and 35 degrees.

(5) The pitch of the new roof should slope down towards the side boundary to reduce the bulk and scale of the two storey element.

Figure 5.158
Height Controls

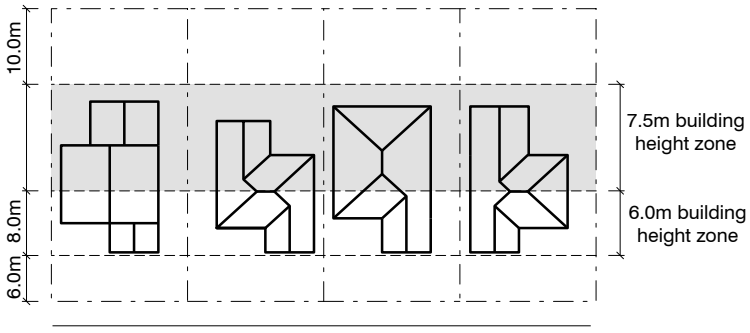


Figure 5.159
Examples of appropriate 2 storey additions

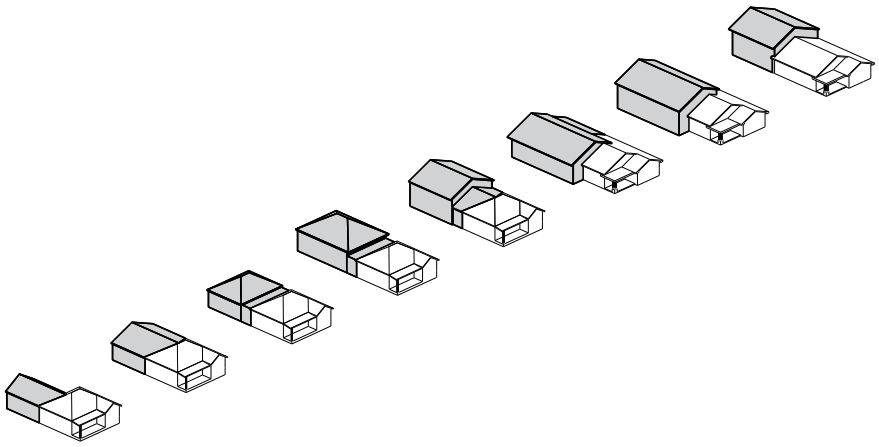
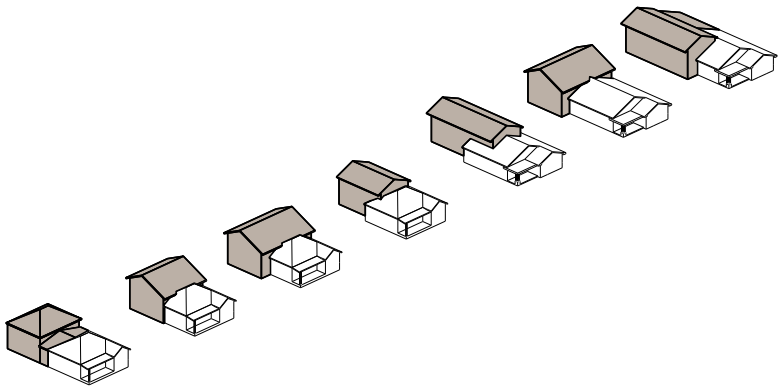


Figure 5.160
Examples of inappropriate 2 storey additions



5.6.2 Site coverage

Objectives

(a) Retain the open, spacious character of the Rosebery garden subdivision pattern.

(b) Retain large areas of planting to the front and rear of properties.

Provisions

(1) The maximum site coverage for regular allotments is 50%.

(2) The maximum site coverage for corner lots is 65%.

5.6.3 Dual occupancy development

Objectives

(a) Increase the diversity of dwelling types in the area.

(b) Ensure the design of dual occupancies complement the predominantly detached single dwelling character of the Rosebery Estate.

Provisions

(1) Dual occupancy and subdivision will only be permitted on lots with a front lot boundary greater than 12m.

(2) Dual occupancy development and subdivision is permitted when development is undertaken as an attached dual occupancy and has the appearance of a traditional single dwelling.

(3) Where possible, existing dwellings are to be retained and adapted for use as two attached dwellings.

(4) Attic additions are permitted at the rear of dual occupancy developments, where development is in accordance with the height provisions within Section 5.6.1 Building height.

(5) The subdivision of existing detached dual occupancy development is not permitted. Detached dual occupancy development is inconsistent with the Estate's character and may result in adverse impacts on adjoining dwelling.

Figure 5.161
Appropriate attached, dual occupancy design



5.6.4 Front setbacks

Objectives

(a) Retain and reinforce the established landscaped front setback.

(b) Establish a predominant building line.

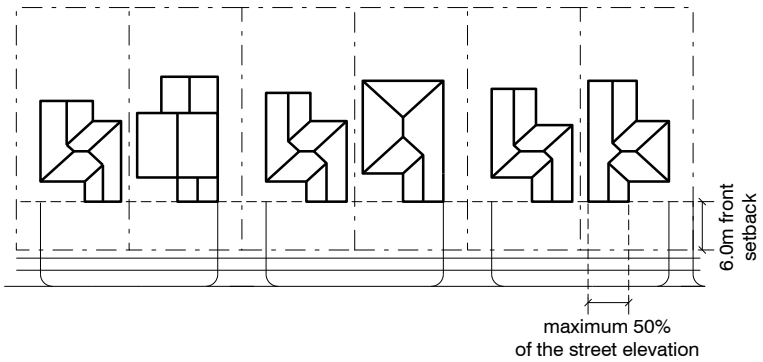
Provisions

(1) Development must be set back a minimum of 6m from the front property boundary.

(2) For single dwellings on regular allotments, a maximum of 50% of the front elevation of the building can be built to the predominant building line, in accordance with Figure 5.162 *Required front setback and building articulation*.

(3) For development on corner lots, provisions (1) and (2) apply to the primary frontage only.

Figure 5.162
Required front setback and building articulation



5.6.5 Side setbacks

Objectives

(a) Retain the established pattern between buildings particularly the rhythm of small and medium gaps that contribute to the character of Rosebery Estate.

(b) Retain the appearance of detached single dwellings.

(c) Provide the opportunity for parking behind the predominant building line.

Provisions

5.6.5.1 Side setbacks for single dwellings

(1) Buildings are to be set back at least 1m from one side boundary and 3m from the other side boundary.

(2) The location of the 1m and 3m setback must be consistent with the established predominant side setback pattern in the street. The predominant existing side setback patterns are shown in Figures 5.163 and 5.164.

(3) A minimum setback of 1m is to be achieved for length of property.

(4) The 3m setback is to be provided for a minimum of 14m from the front lot line before reducing to 1m, in accordance with Figure 5.165.

(5) Enclosed car parking is not permitted within 14m of the front property boundary.

(6) Covered car parking such as a car ports is permitted behind the front building line.

Figure 5.163
One typical side setback pattern established in Rosebery, where the greater side setback on neighbouring properties are adjoining

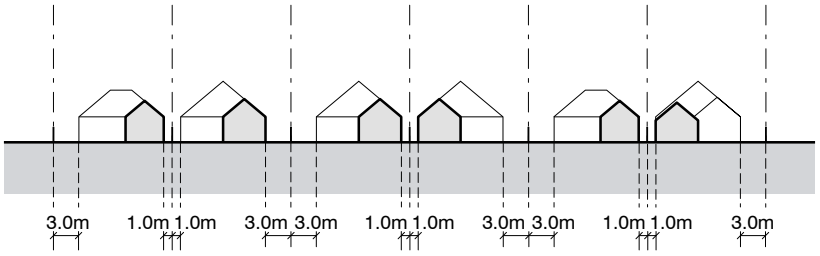


Figure 5.164
The other typical side setback pattern in Rosebery, where the greater side setback is located on the same side of each property

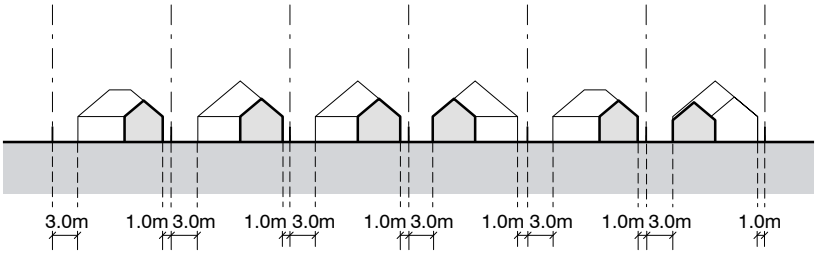


Figure 5.165
Minimum side setback requirements for single dwellings and dual occupancy development on sites with a frontage between 12m and 14.5m

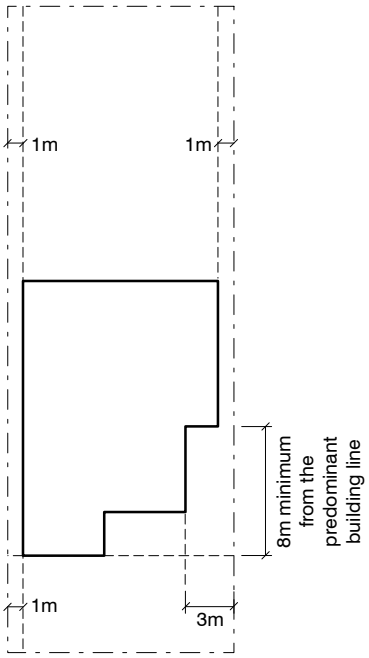
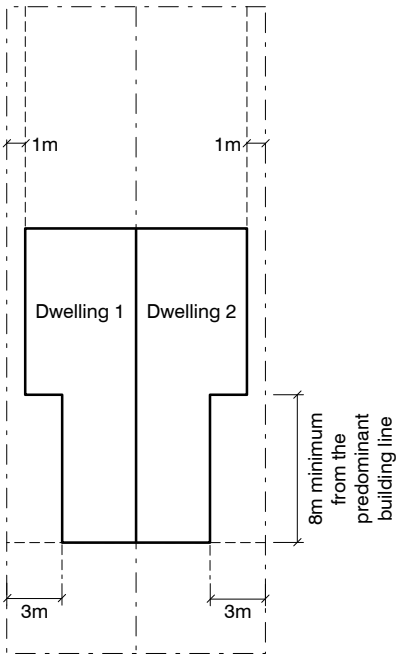


Figure 5.166
Minimum side setback requirements for dual occupancy development on lots with a frontage greater than 14.5m



5.6.5.2 Side setbacks for dual occupancies

(1) For lots with a frontage between 12m and 14.5m, the building must be setback 3m from one side boundary for a minimum depth of 8m beyond the predominant building line as shown in Figure 5.165 *A minimum setback of 1m is required to the other side boundary*.

(2) For lots with a frontage of 14.5m or greater, the building must be set back a minimum of 3m from both side boundaries. The 3m setback is to have a minimum depth of 8m beyond the predominant building line, before reducing the side setback to a minimum of 1m, as shown in Figure 5.166.

(3) Where an existing dwelling is being adapted for dual occupancy, the existing side setbacks must be retained.

(4) Covered car parking such as car ports, is permitted beyond the building line.

5.6.6 Rear setbacks

Objectives

(a) Retain existing rear setbacks.

(b) Minimise the visual bulk, overlooking and overshadowing impacts of development on neighbouring properties.

Provisions

(1) Built form is to be set back a minimum of 10m from the rear property boundary.

(2) Garages and sheds may be permissible within the 10m setback.

5.6.7 Architectural design controls

Objectives

(a) Ensure that new houses are compatible in style and detail with the original houses in the street.

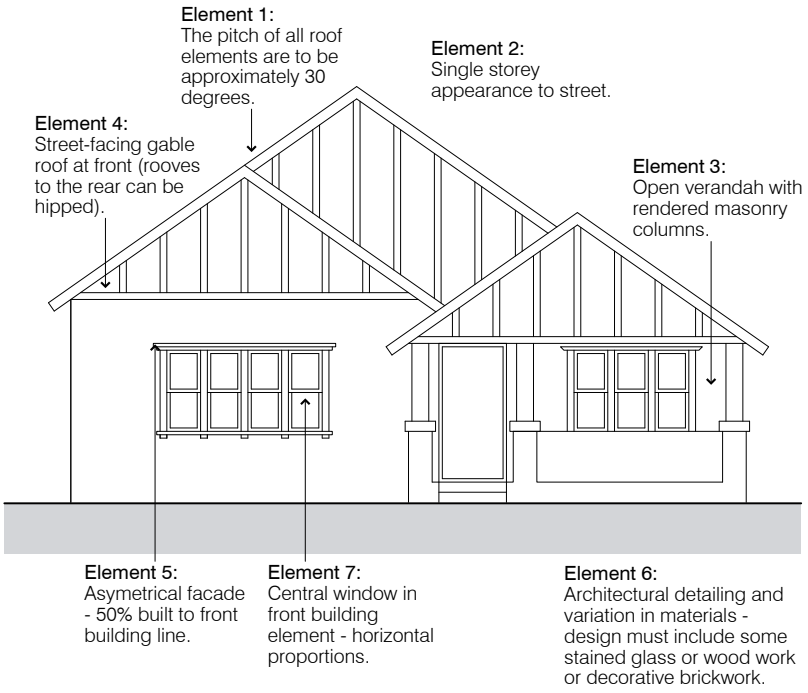
(b) Allow appropriate contemporary design that respects the existing character of the area.

Provisions

5.6.7.1 Facade elements

(1) New buildings must not replicate existing architectural styles, but are to reflect the following seven design elements as shown in Figure 5.167 that characterise the area.

Figure 5.167
Key architectural elements to be reflected in new dwellings



(2) Facades of new buildings must reflect the following predominant horizontal elements of houses in the street as shown in Figure 5.168 *Consistent horizontal lines to be reflected in new dwellings*:

(a) base course, height which is the architectural expression of the base of the house and often in different materials or finishes such as rendered brick or rough-cast stone;

(b) ground level;

(c) verandah and balustrade heights;

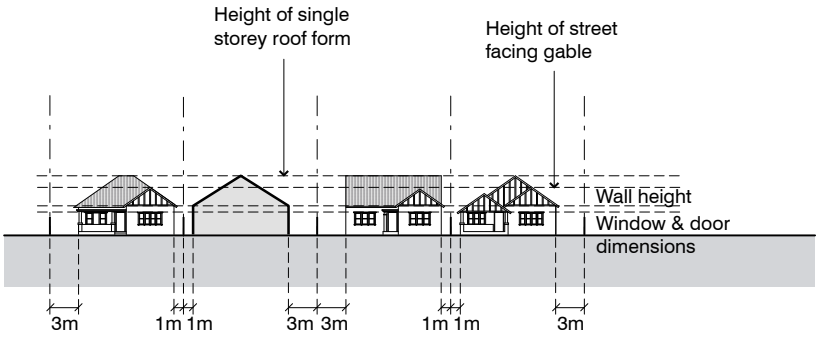
(d) window sill and head heights;

(e) door heights;

(f) eave lines; and

(g) ridgelines.

Figure 5.168
Consistent horizontal lines to be reflected in new dwellings



5.6.7.2 Roofs

(1) The front most part of the dwelling is to have a street-facing gabled roof in a style consistent with surrounding dwellings.

(2) The pitch of new roofs is to be within the range of 25-35 degree. This will be informed by the angle of the existing roof pitch.

(3) The remainder of the roof form must be hipped or gabled, and the roof pitch is to follow the predominant roof pitch of the existing house and street, which is generally 30 degrees.

(4) Roofs are to have eaves with a 450mm overhang.

(5) One dormer window may be appropriate on the side and rear elevations, provided they are:

(a) sympathetic to the design on the building and designed to minimise impact on the streetscape and on adjoining properties;

(b) not within 14m of the front property boundary;

(c) set down a minimum 300mm from the ridgeline of the main roof form;

(d) for Californian bungalows and other inter-war houses, horizontally proportioned 'eyelid' dormers, with a height to width proportion of 1:3, are preferred; and

(e) no more than 25% of the width of the roof plane.

5.6.7.3 Driveways and parking

(1) No more that one driveway with a maximum width of 3m is to be provided on each property developed for a single dwelling.

(2) Two driveways are only permitted for attached dual occupancy development for lots with a frontage of 14.5m or greater.

(3) No more than one driveway with a maximum width of 3m is to be provided for dual occupancy development on lots with a frontage between 12m and 14.5m.

(4) No above ground car parking structures are permitted within the front setback.

(5) Garages and carports are to be designed sympathetically and be secondary structures to the house.

(6) A garage can be provided within the building footprint as shown in Figure 5.169 or to the rear as shown in Figure 5.170.

(7) Driveways are to be gated at the street boundary with a style that is consistent with the front fence design.

Figure 5.169
Possible car parking configuration

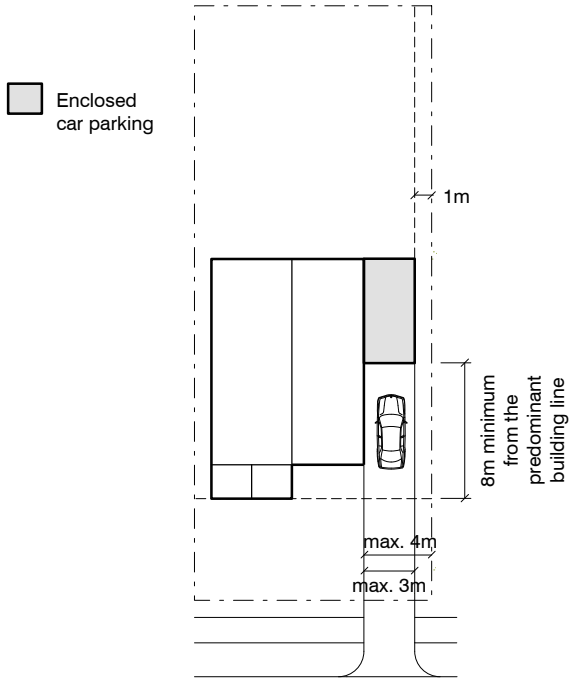
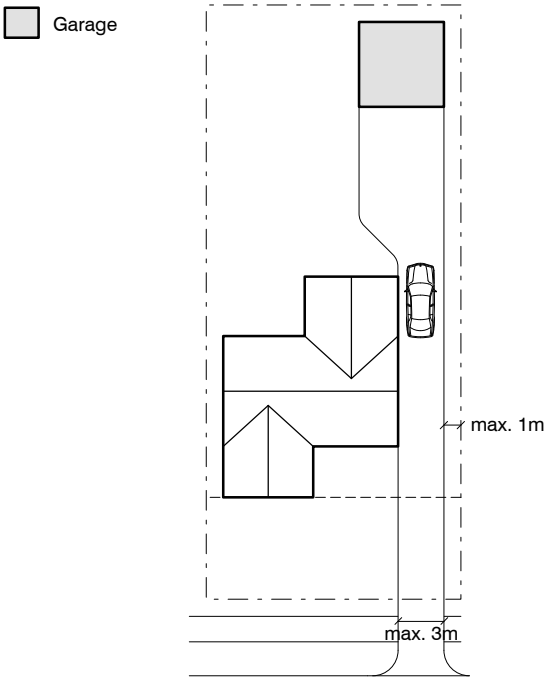


Figure 5.170
Locate garage to the rear outside the building



5.6.7.4 Verandahs and Balconies

(1) For new dwellings:

(a) an open verandah is to be provided in a location, size and style that is typical to houses in the street; and

(b) balconies on elevations facing the street are not permitted.

(2) For existing dwellings to be retained:

(a) original front verandahs are to be retained and restored;

(b) infilling an existing front porch or verandah is not permitted;

(c) balconies on elevations facing the street are not permitted; and

(d) the width of the verandah columns and the pitch of the roof are to be similar to the traditional bungalows typical to the Rosebery Estate.

(3) Balconies and decks above the ground floor are to be:

(a) located and designed to minimise overlooking of surrounding buildings;

(b) of a size, location and design appropriate to the proportions of the building; and

(c) avoided at the rear and side of a dwelling.

5.6.7.5 Windows and Doors

(1) For new dwellings:

(a) window proportions must respect the window sill and head heights of the original houses along the street by continuing the horizontal lines of the original houses and replicating typical window widths. Refer to Figures 5.171 and 5.172; and

(b) the use of leadlight windows is encouraged where it is typical in the street.

(2) For existing dwellings:

(a) original windows and doors are to be retained where they make a positive contribution to original house and the streetscape;

(b) leadlight windows are to be retained and restored.



Figure 5.171
Generally windows for Inter-War dwellings, which are the majority of dwellings in Rosebery, have overall horizontal proportions that are composed of three or four windows. Post war dwellings were designed with similar window dimensions

Figure 5.172
Federation dwellings have more vertically or squarely proportioned windows



5.6.7.6 Fences and Landscaping

(1) Front fences are to be provided in accordance with Section 4.1.6 Fences.

(2) Front setbacks are to be soft landscaping except for driveways.

5.6.8 Demolition

Objective

(a) Retain original houses that contribute to the streetscape character.

Provisions

(1) The front rooms of houses constructed before 1950 that have much of their original character and where they are significant should be retained.

5.7

Green Square - North Rosebery

This section applies to the land identified as North Rosebery in Figure 5.1 *Specific Areas Map*. It should be read in conjunction with the locality statement and principles in Section 2.5.9 *Locality Statements – North Rosebery*. These principles are illustrated in Figure 5.185 North Rosebery Urban Strategy.

Where land is located in North Rosebery, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency.

5.7.1 Local infrastructure and public domain

The objectives and provisions within this Section must be read in conjunction with the provisions in Section 3 *General Provisions* and Section 5.2 *Green Square*.

Objectives

(a) Introduce a legible pattern of new streets, lanes and pedestrian links that responds to key connections within and adjacent to the neighbourhood.

(b) Introduce new areas of public open space that offer opportunities primarily for passive recreation and link with existing and future planned open spaces in neighbouring areas.

Provisions

5.7.1.1 Street network

(1) Where required by Council, new streets and pedestrian lanes are to be provided in the locations identified in Figure 5.186 *North Rosebery Street Hierarchy and Street Sections* and designed in accordance with Figures 5.173 to 5.184 (Cross Sections A to H).

(2) An indicative arrangement for the proposed street on the boundary between 22-40 Rosebery Avenue and 42-60 Rosebery Avenue is at Figure 5.174. Arrangements for vehicle and pedestrian access and the final design are subject to further detailed analysis and approval by the City and the relevant Roads authority.

(3) The proposed street on the boundary between 12-20 Rosebery Avenue and 57-65 Epsom Road should be designed as a 6 metre wide pedestrian and cyclist only lane if one site develops before the other. An indicative arrangement is at Figure 5.175. The long term arrangement and final design is subject to further analysis to be undertaken by the City and approval by the relevant Roads authority. If not approved, the dedicated land is to be designed as a pedestrian and cyclist only lane.

Figure 5.173
Section A - 16m Street

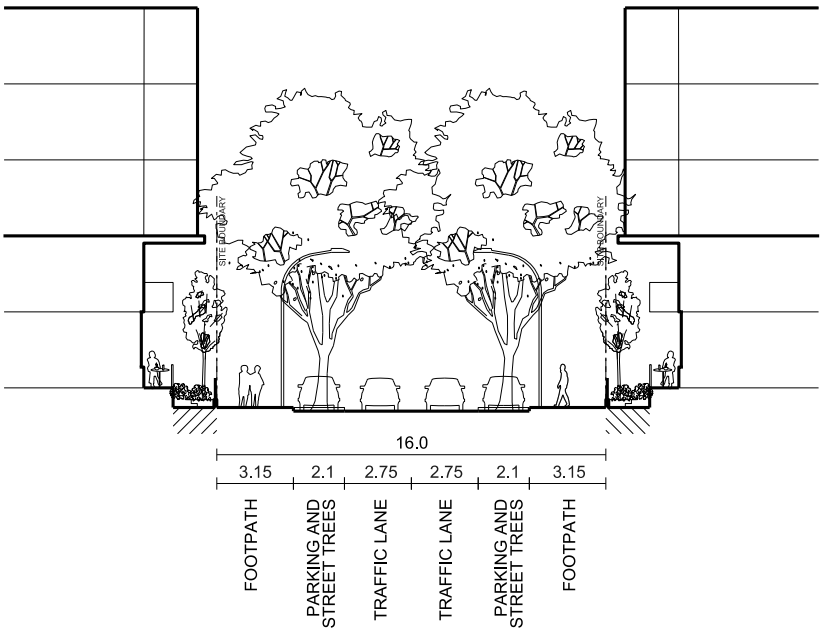


Figure 5.174
Section B - 12m Street

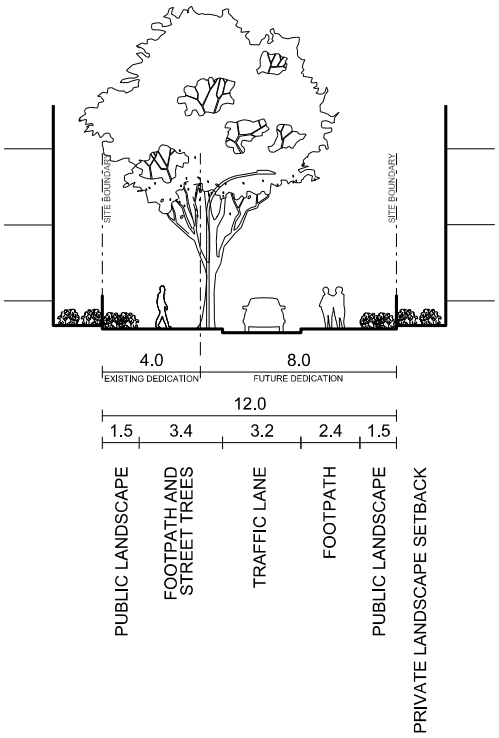


Figure 5.175
Section C - 6m Pedestrian/Cyclist Lane (Temporary arrangement)

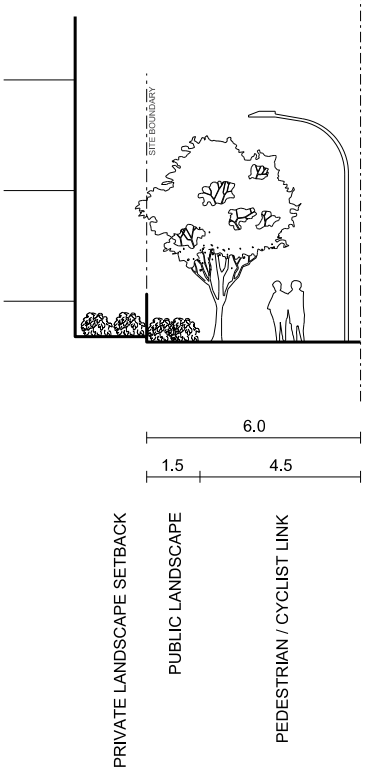


Figure 5.176
Section D - Shared Path

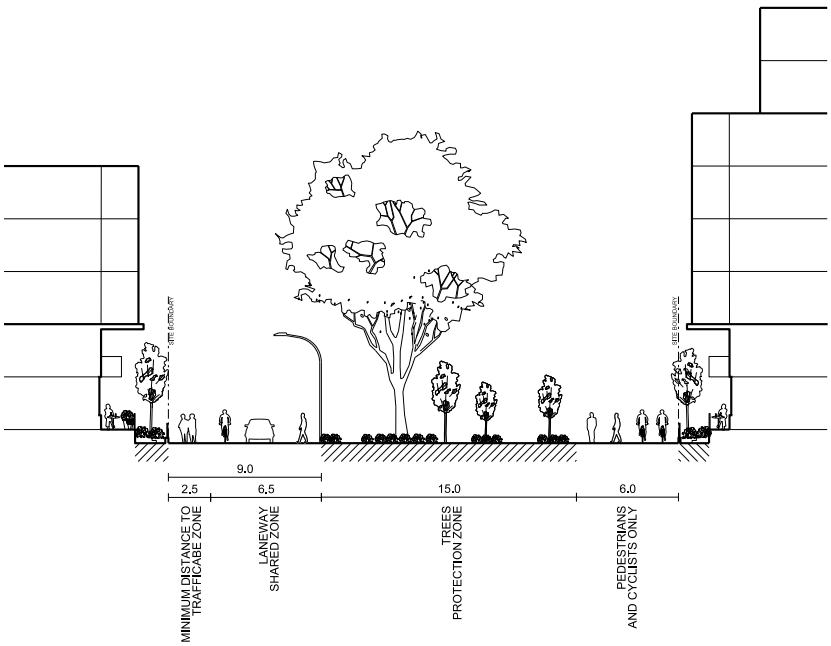


Figure 5.177
Section E – Green Link

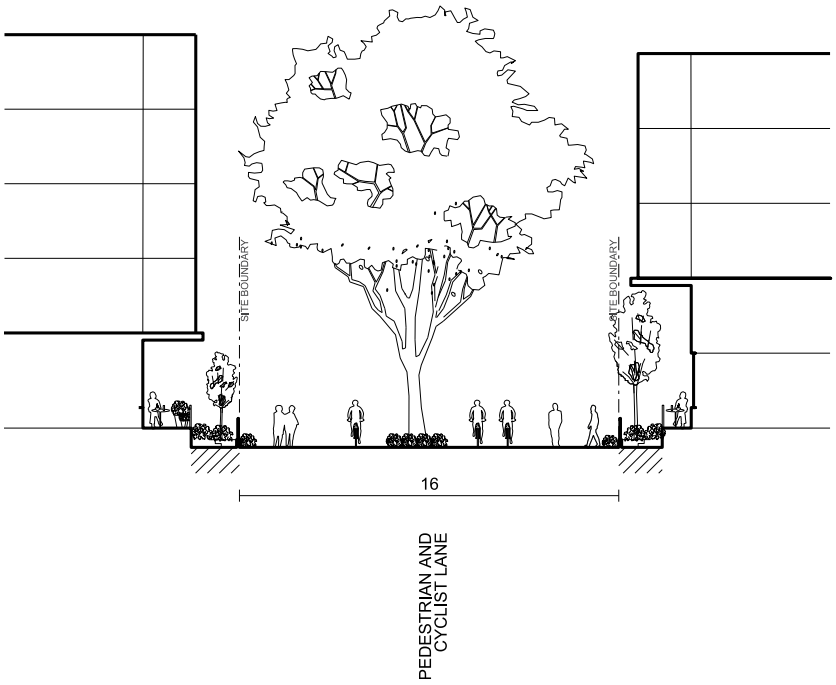


Figure 5.178
Section F Pedestrian/Cyclist Lane

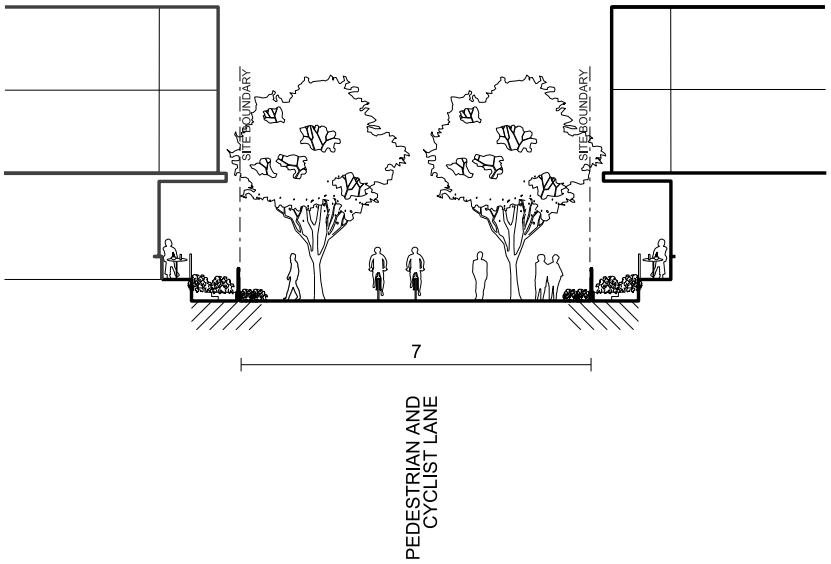


Figure 5.179
Section F1 Pedestrian/Cyclist Lane

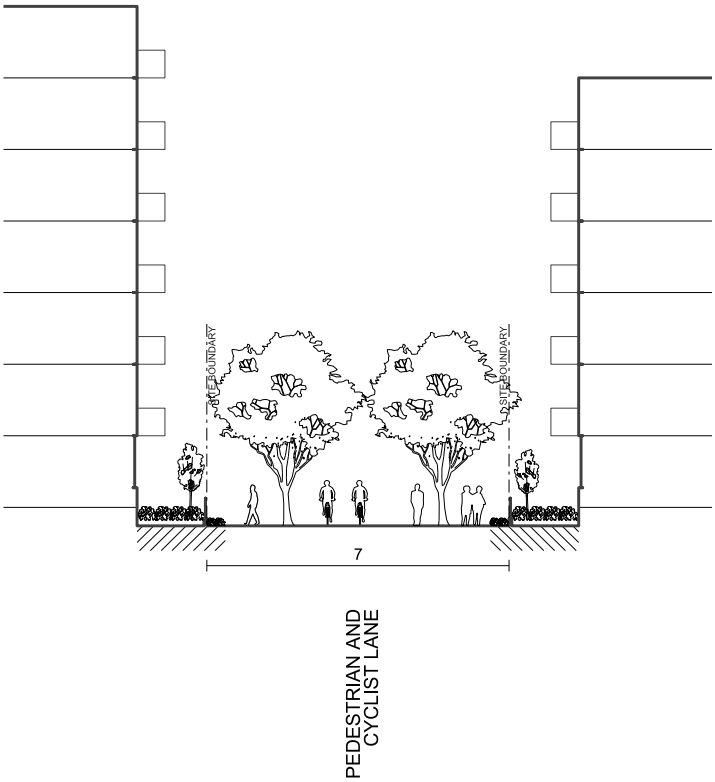


Figure 5.180
Section G - Open Space Interface

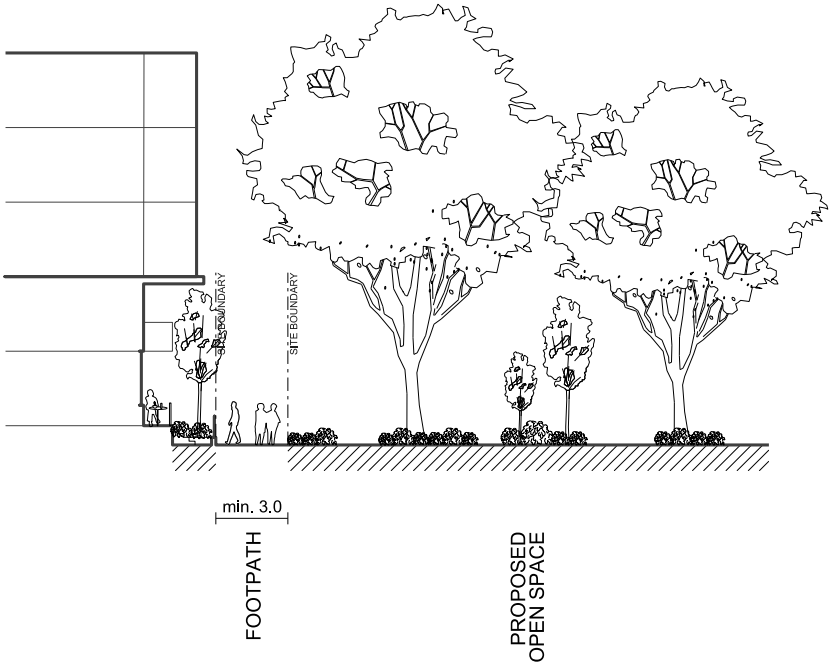


Figure 5.181
Section H1 - Rosebery Avenue General (Long Term)

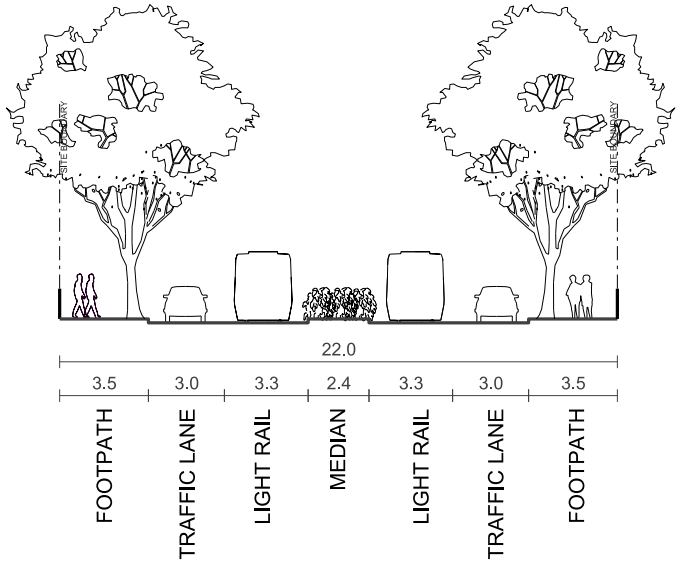


Figure 5.182
Section H2 - Rosebery Avenue General (Short Term)

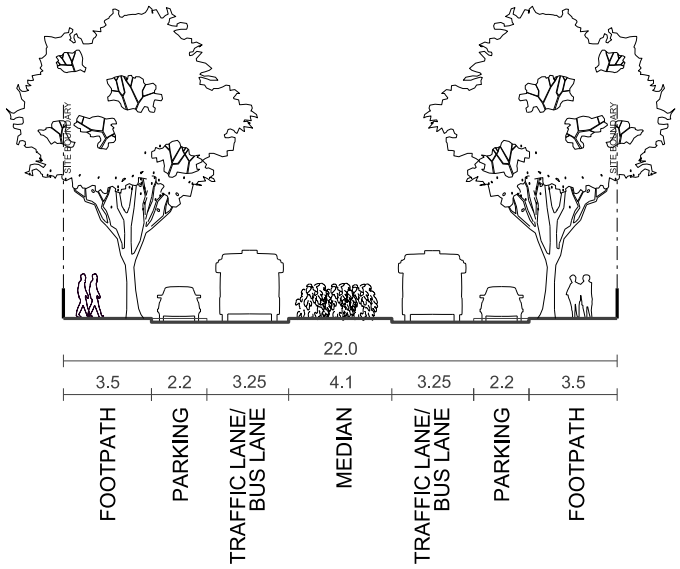


Figure 5.183
Section H3 - Rosebery Avenue Light Rail Stop (Long Term)

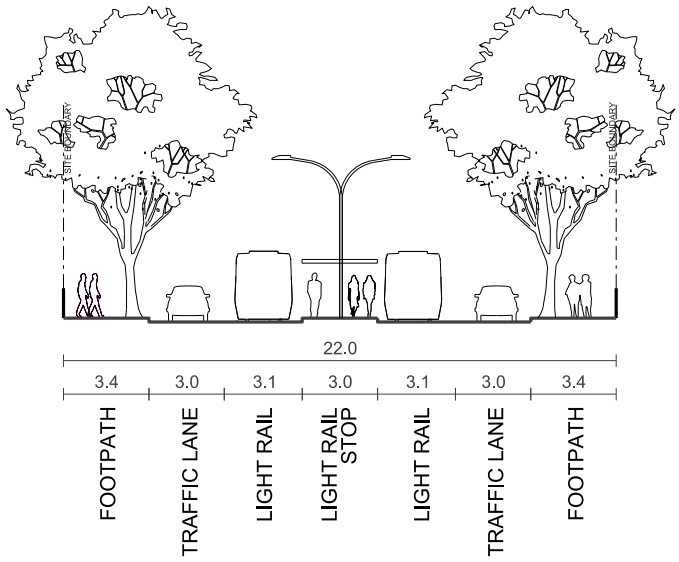


Figure 5.184
Section H4 - Rosebery Avenue Light Rail Stop (Short Term)

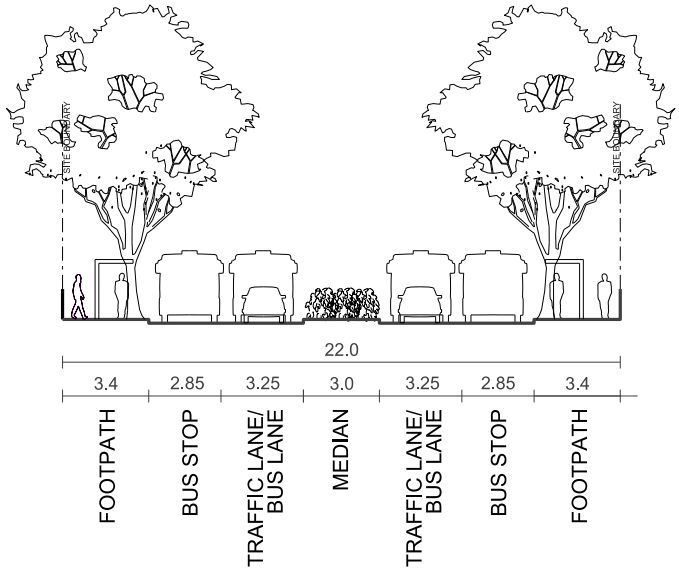


Figure 5.185 North Rosebery Urban Strategy



Figure 5.186 North Rosebery Street Hierarchy and Street Sections



5.7.1.2 Vehicle Access, Entries and Circulation

(1) Figure 5.187 *North Rosebery Circulation* indicates the location of future vehicle access points. These locations are indicative only. The final location of vehicle access points should be integrated into the building form, minimise pedestrian and vehicle conflict and avoid the need to remove existing street trees where possible.

(2) Vehicular traffic circulation is to be consistent with Figure 5.187 *North Rosebery Circulation*.

5.7.1.3 Public open space

The North Rosebery neighbourhood is identified as Catchment Area C 'North Rosebery neighbourhood' in Figure 5.54 Green Square public open space and Table 5.18 *Provisions for open space catchment areas* within Section 5.2 *Green Square*.

(1) Where required by Council, public open space is to be provided in the locations identified on Figure 5.188 *North Rosebery Public Dedication* and in accordance with the standards set out in Table 5.18 *Provision for Public Open Space in North Rosebery*.

(2) Figure 5.180 *Section G: Open Space Interface* illustrates an indicative design for the interface between development and the two new areas of open space within the precinct. Future development should consider this indicative design.

Table 5.18: Provisions for Public Open Space in North Rosebery

Type	Reservation width	Design considerations
Local Park	One park of 4,500 square metres to be provided in the centre of the precinct.	The park is to: (a) Provide for deep soil planting. (b) Allow for passive recreation.
Linear Park	One linear park of 1,550 square metres to be provided as an extension to the existing open space along the northern side of Kimberley Grove.	The space is to: (a) Provide for deep soil planting. (b) Serve a similar function to the existing open space along Kimberley Grove which is for passive recreation and as a children's play area.

Figure 5.187 North Rosebery Circulation



Figure 5.188 North Rosebery Public Dedication



5.7.2 Building form and design

The objectives and provisions within this Section must be read in conjunction with the provisions in Section 4.2 *Residential Flat, Commercial and Mixed Use Developments* and Section 5.2 *Green Square*.

Objectives

(a) Ensure that the height and scale of built form is of a pedestrian scale and contributes to the physical definition of the existing and proposed street network.

(b) Ensure built form responds to the lower scale of the Rosebery Estate in the southern areas of the precinct.

(c) Provide a transition from higher buildings in the north to lower buildings in the south.

(d) Encourage development that draws on the neighbourhood's past industrial uses, particularly in the north and centre of the precinct. This can be through provision of public art, reuse of materials and adaptive reuse of buildings where appropriate.

Provisions

(1) Development must not exceed the maximum number of storeys indicated in Figure 5.191 *North Rosebery Height in Storeys*.

(2) The street frontage height of a building must not exceed the maximum indicated in Figure 5.192 *North Rosebery Street Frontage Height in Storeys*.

(3) A variety of built form options are possible within each street block. The preferred built form layout is presented in Figure 5.192 *North Rosebery Height in Storeys*. Alternate building layouts may be considered within each street block provided they achieve better amenity for new and existing development and the public domain.

(4) Private open space to all dwellings on the ground floor is to be located to address the street and be accessible from the footpath.

5.7.2.1 Building setbacks

The objectives and provisions within this Section should be read in conjunction with the provisions for residential uses on the ground and first floor in Section 4 *Development Types*.

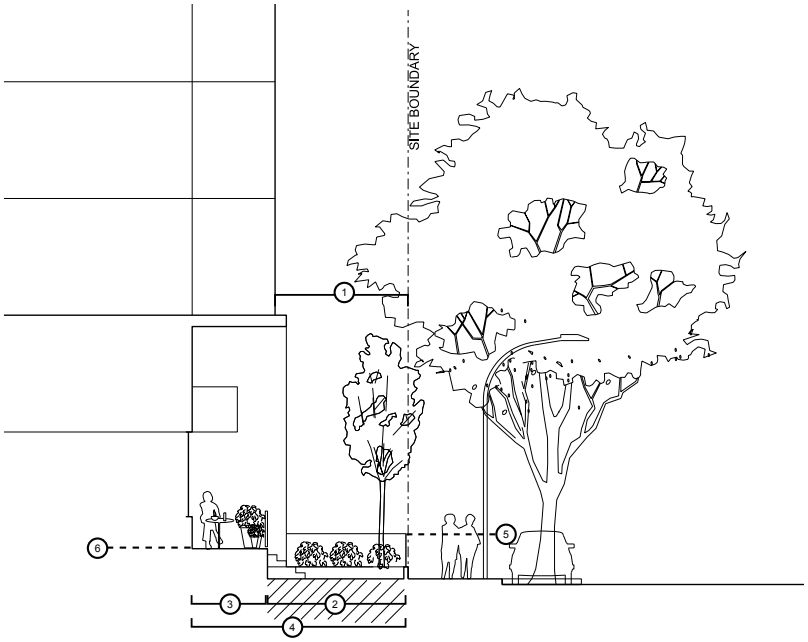
Provisions

(1) Setbacks are to be provided in accordance with the *Building setback and alignment map*.

(2) Further to the above, residential uses at the ground and first floor are to be in accordance with Figure 5.189 *Typical ground floor condition for residential development.*

(3) Side setbacks are to be provided between new development and the existing dwellings on Rosebery Avenue and Primrose Avenue in accordance with Figure 5.190 *Primrose and Rosebery Avenue Side Setback*.

Figure 5.189
Typical ground floor condition for residential development



1. Primary building setback, clear full height – landscape setback minimum 2m
2. Deep soil landscape planting area – refer to landscape setback in *Building setback and alignment map*
3. Ground floor private open space deck - min. 1.2m
4. Setback from the site boundary to the glass line
5. Site boundary fence – max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

Figure 5.190
Primrose and Rosebery Avenue Side Setback

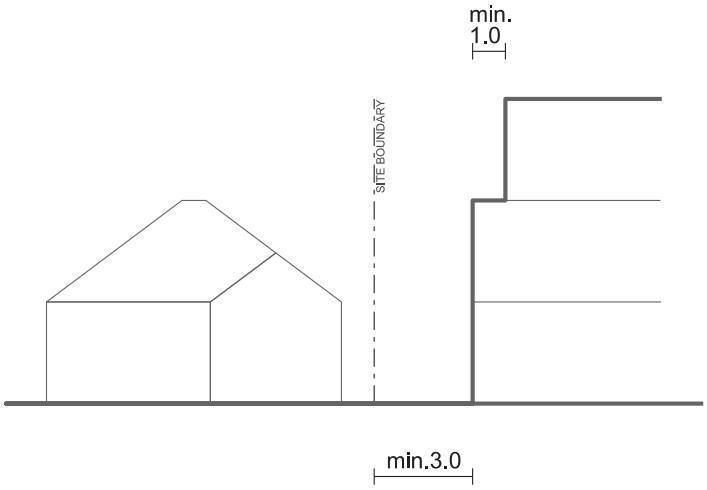
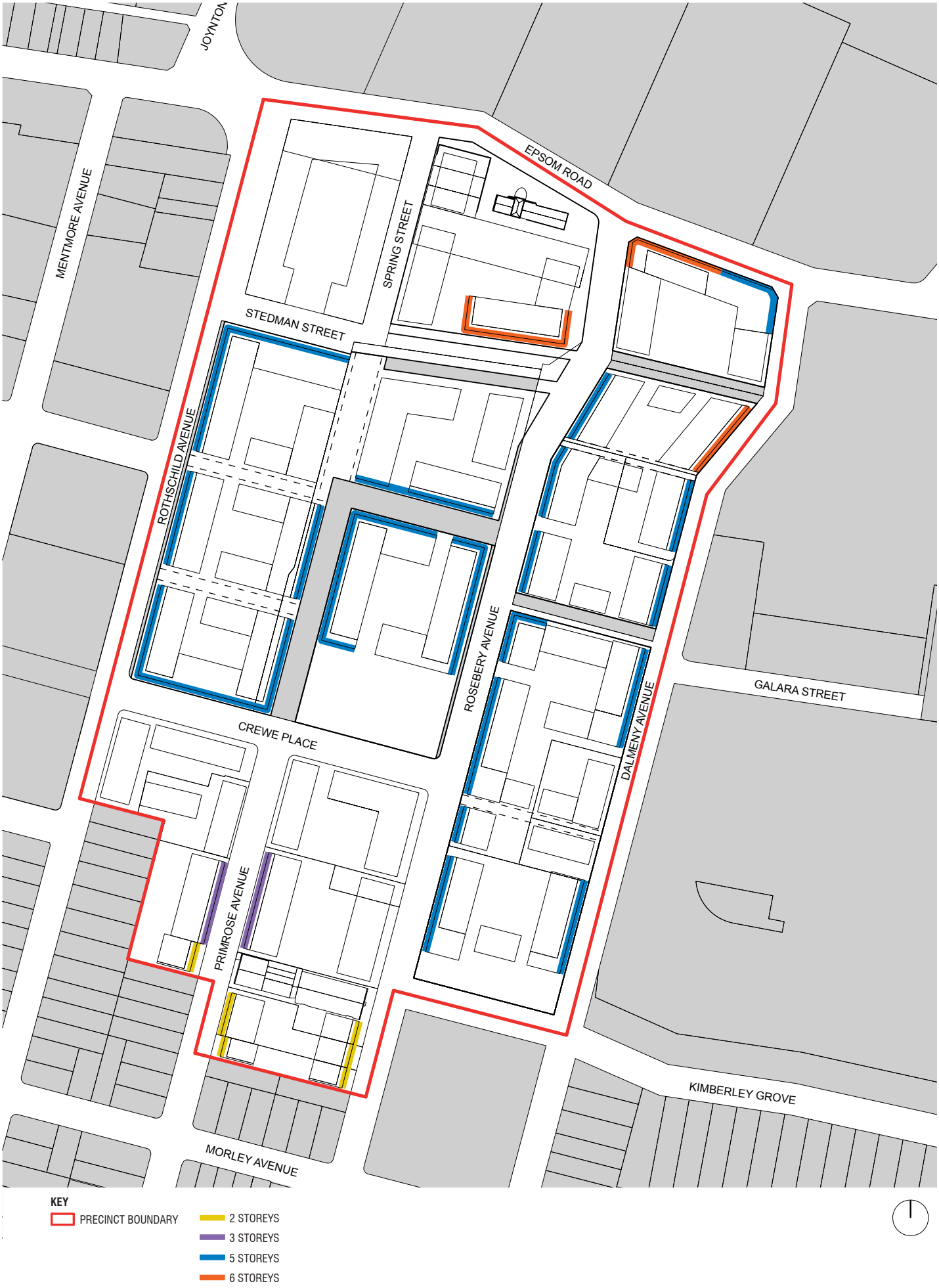


Figure 5.191 North Rosebery Height in Storeys



Figure 5.192 North Rosebery Street Frontage Height in Storeys



5.7.2.2 Above ground car parking

This section should be read in conjunction with Section 5.2.12 *Above ground and adaptable car parking spaces*.

Provisions

(1) Where above ground car parking is permissible under Section 5.2.12, it should project no more than 1 metre above ground or as required to comply with Flood Planning Levels.

5.7.2.3 Fencing

Provisions

(1) Fences on front property boundaries must:

(a) Be predominantly open to enable some overlooking of the street for safety and surveillance*;*

(b) Assist in highlighting entrances and creating a sense of communal identity within the streetscape;

(c) Be designed and detailed to provide visual interest to the streetscape; and

(d) Be a maximum height of 1.4 metres from ground level where fronting a street or pedestrian lane.

5.7.2.4 Deep soil planting

Provisions

(1) The private front gardens required for ground floor apartments are to be included as part of the deep soil area.

(2) All remaining deep soil areas are to comply with the relevant provisions within Section 4.2.3.6 *Deep soil planting*.

5.7.3 Building type and use

Provisions

(1) Dwelling types are to comply with Figure 5.193 *North Rosebery Typology and Uses*.

(2) Retail/Commercial or Non-residential uses are to be provided at ground floor where indicated in Figure 5.193 *North Rosebery Typology and Uses*.

(3) Modern terrace and maisonette style development is preferred where indicated in Figure 5.193 *North Rosebery Typology and Uses*. An example of appropriate development is at Figure 5.194.

(4) Figure 5.193 *North Rosebery Typology and Uses* indicates the location of potential childcare centres in the precinct. These locations are indicative only and final locations should take into consideration the provisions at section 4.4.4 of this DCP. Vehicular parking or drop-off areas for the potential childcare centre at 12-40 Rosebery Avenue must not be provided within the proposed adjacent through site link.

Figure 5.193 North Rosebery Typology and Uses

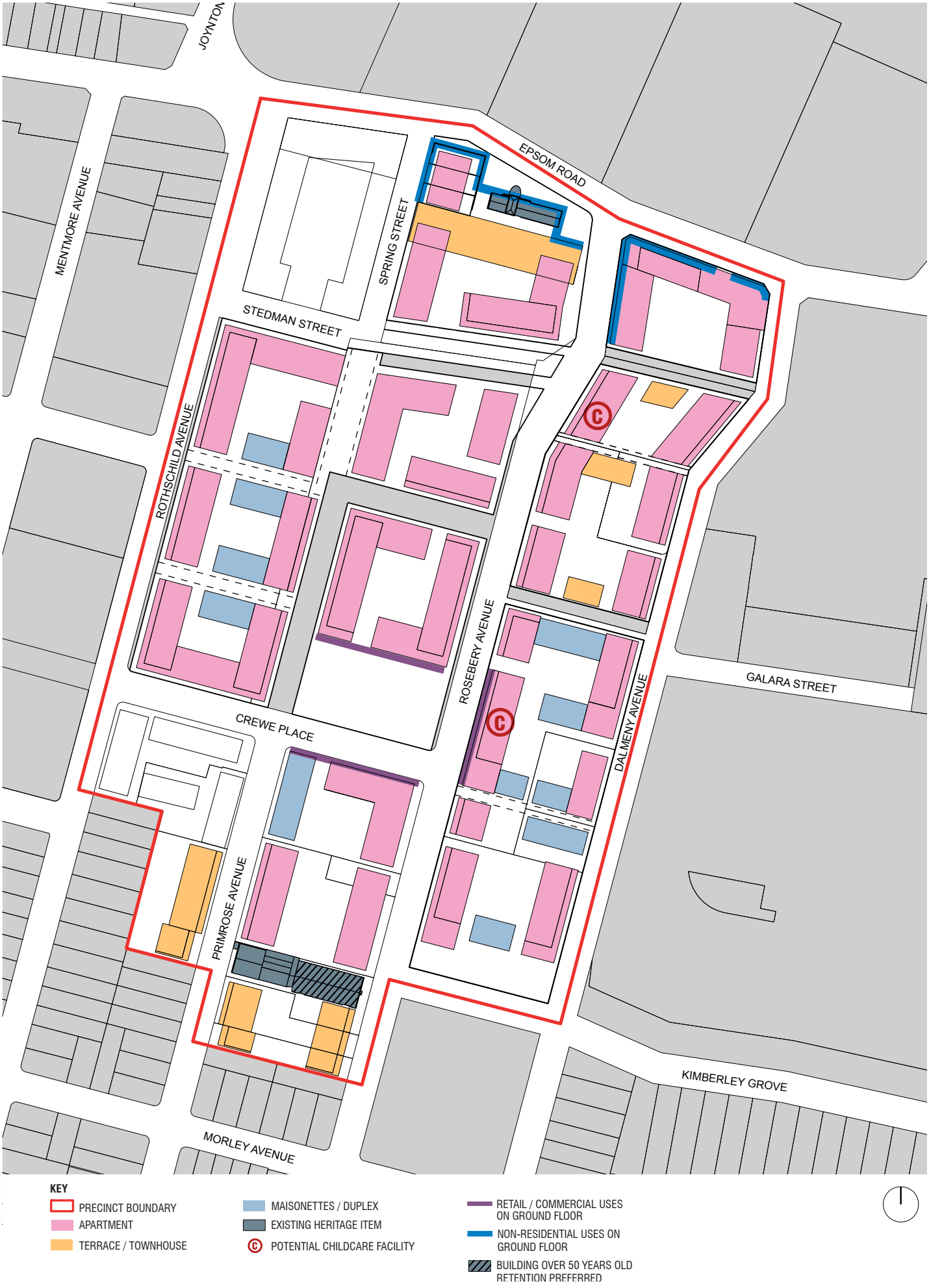


Figure 5.194
Example of modern terrace typology in Alexandria



5.7.4 Staging and implementation

Objectives

(1) To ensure the redevelopment of the North Rosebery neighbourhood is coordinated in an orderly manner and development of sites can occur independently without impeding adjacent sites.

Provisions

(1) All sites are to have a public road frontage and be accessible via a public street.

(2) An interim alternative street block layout or built form layout may be considered on a site by the Consent Authority to allow for staged redevelopment and/or retention and refurbishment of existing industrial/ commercial buildings provided that:

(a) Any area of proposed redevelopment which impedes the achievement of the public domain infrastructure required in Figure 5.188 *North Rosebery Public Dedication* be of a temporary nature and be conditioned as such; and

(b) A staging plan and delivery sequence for the remaining public domain infrastructure in Figure 5.188 *North Rosebery Public Dedication* be submitted with the development application.

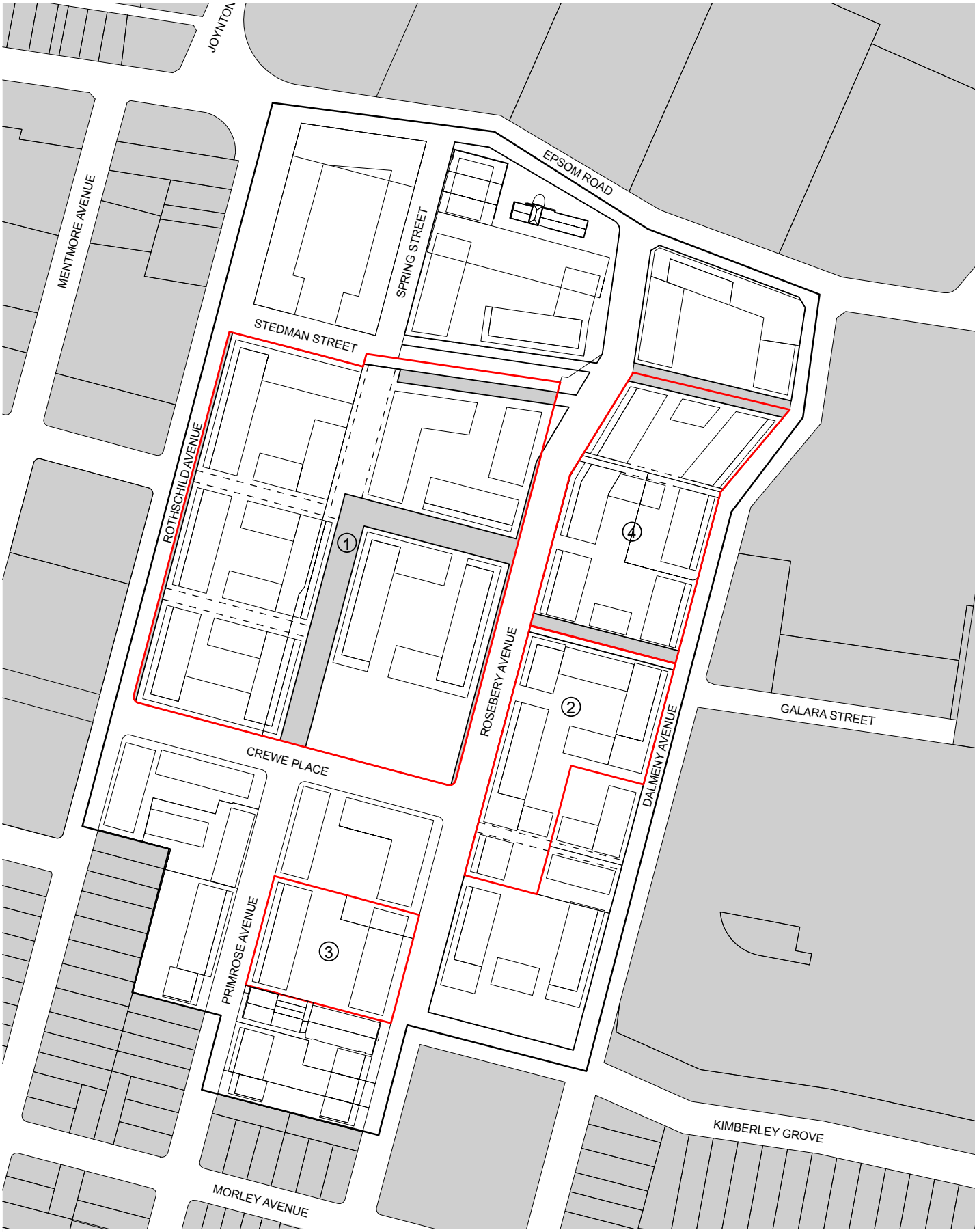
5.7.5 Land Amalgamation

Provisions

(1) The maximum Floor Space Ratio applicable to sites identified in Figure 5.195 *North Rosebery Land Amalgamation* may only be achieved when landholdings are amalgamated in accordance with Figure 5.195 *North Rosebery Land Amalgamation*.

(2) Any alternative land amalgamation scheme must be supported by an urban design study and will be assessed on its merits.

Figure 5.195 North Rosebery Required Land Amalgamation



KEY

PRECINCT BOUNDARY

LOTS REQUIRED TO AMALGAMATE

① Lot 2 DP 566811
Lot 3 DP 1065657

② Lot 682 DP 7534
Lot 683 DP 7534
Lot 684 DP 7534
Lot 685 DP 7534
Lot 686 DP 7534
Lot 687 DP 7534
Lot 688 DP 7534
Lot 689 DP 7534
Lot 690 DP 7534
Lot A DP 323125
Lot 721 DP 7534
Lot 12 DP 853289

③ Lot 658 DP 7534
Lot 1 DP 880733

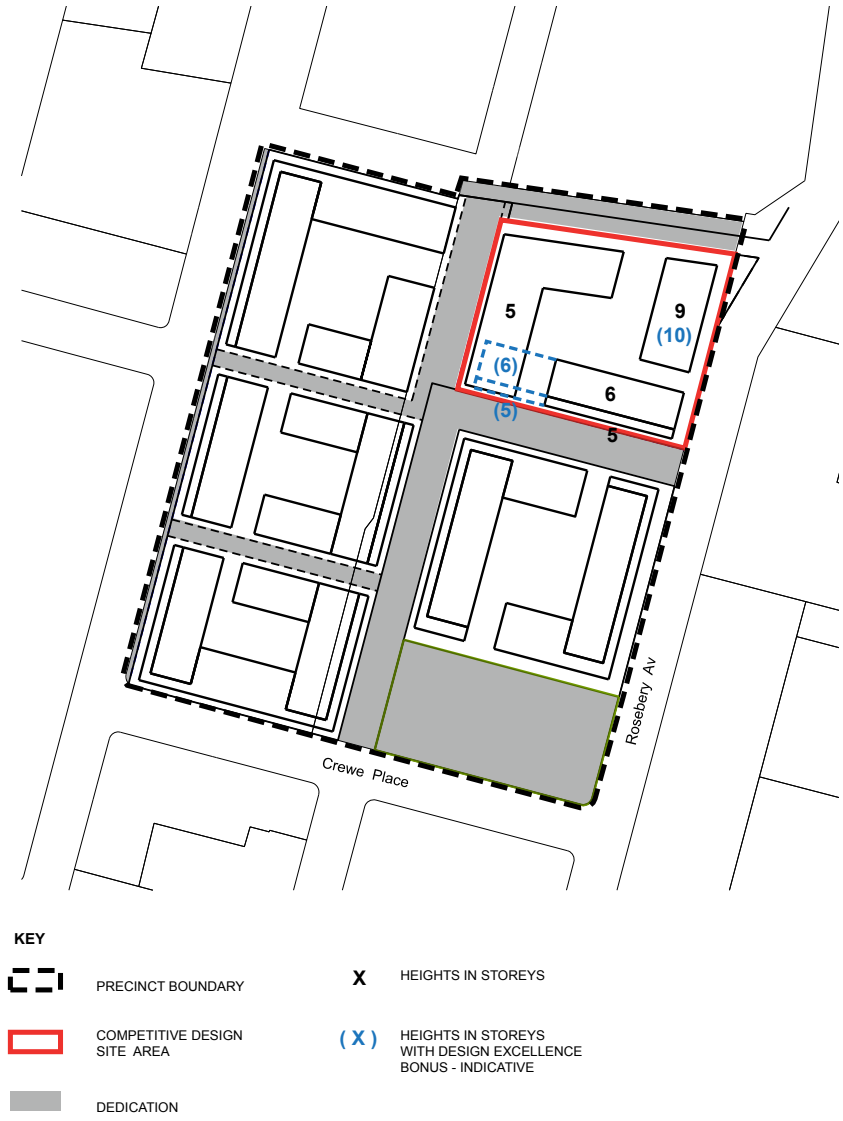
④ Lot 2 DP 229802
Lot 100 DP 730818
Lot 1 DP 311533

5.7.6 Design Excellence

(1) Where a site is the subject of a competitive design process under Clause 6.21D of *Sydney Local Environmental Plan 2012*, which requires such a process for development including tall buildings of 8 storeys or greater (greater than 25 metres), the preferred location of potential additional height is indicated in brackets in Figure 5.191 *North Rosebery Height in Storeys*. Alternative locations for additional height will be assessed on merit.

(2) Figure 5.196 *5-13 Rosebery Avenue Design Excellence Competition Site* shows as an example the portion of the site at 5-13 Rosebery Avenue that would be subject to a competitive design process under Clause 6.21D(1)(a) of *Sydney Local Environmental Plan 2012*.

Figure 5.196
5-13 Rosebery Avenue Design Excellence Competition Site



5.7.6.1 Design Excellence Strategy - 12-40 Rosebery Avenue and 108 Dalmeny Avenue

(1) Two separate competitive design processes are to be undertaken for the site in accordance with Division 4 of Sydney Local Environmental Plan 2012. Each competitive design process is to comprise an invited competitive design alternatives process involving a minimum of three architectural firms. Figure 5.197 illustrates the two separate process areas.

(2) The total additional floor space across the entire site must not exceed the amount set out in Clause 6.36 of Sydney Local Environmental Plan 2012.

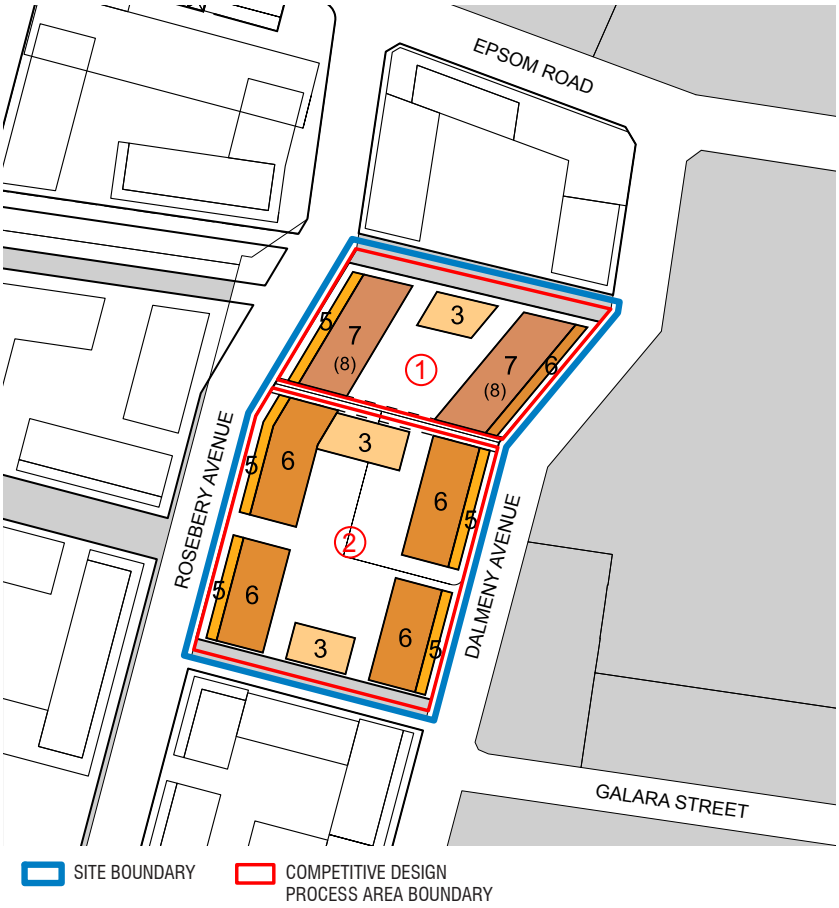
(3) Any additional floor space awarded is to be accommodated within the proposed envelopes as shown in Figure 5.191 *North Rosebery Height in Storeys*.

(4) The competitive design alternatives processes are to provide for the following ecologically sustainable development outcomes:

(a) All townhouses and terraces are to achieve a BASIX energy score of at least 50 and a BASIX water score of at least 45: and

(b) All apartments are to achieve a BASIX energy score of at least 30 and a BASIX water score of at least 40.

Figure 5.197
12-40 Rosebery Avenue and 108 Dalmeny Avenue Competitive Design Process Areas



5.8
Southern Enterprise Area

This Section applies to the land identified in Figure 5.1 *Specific Areas* as the Southern Enterprise Area.

Where land is located in Green Square and the Southern Enterprise Area, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 Green Square and this Section, this Section applies to the extent of the inconsistency.

The Southern Enterprise Area contains strategically important employment lands located between Sydney Airport, Port Botany, the new residential and commercial centres at Green Square and Mascot Town Centres and the Sydney CBD.

The Southern Enterprise Area contains areas that are to be largely maintained and managed for industrial uses over time, while other parts are in transition and will over time accommodate more intense forms of employment generating activities.

5.8.1 General

The Southern Enterprise Area locality statement, provided at Section 2 of this DCP, details the elements that contribute to this area's current and future character and a number of principles that will help to reinforce and enhance that character. The locality statement provides the direction for the development controls and built form guidelines for this area as contained in this section of the DCP.

The Southern Enterprise Area Urban Strategy shows the strategic context within which development in the Southern Enterprise Area is to take place, providing a framework for urban renewal.

Objectives

(a) Ensure development in the Southern Enterprise Area satisfies the outcomes expressed in the locality statement and supporting principles.

(b) Provide a cohesive urban strategy to:

i. manage and retain strategic industrial uses and critical urban services in key locations;

ii. where appropriate, facilitate a more diverse built form to allow the transition of the area to a mixed-business area; and

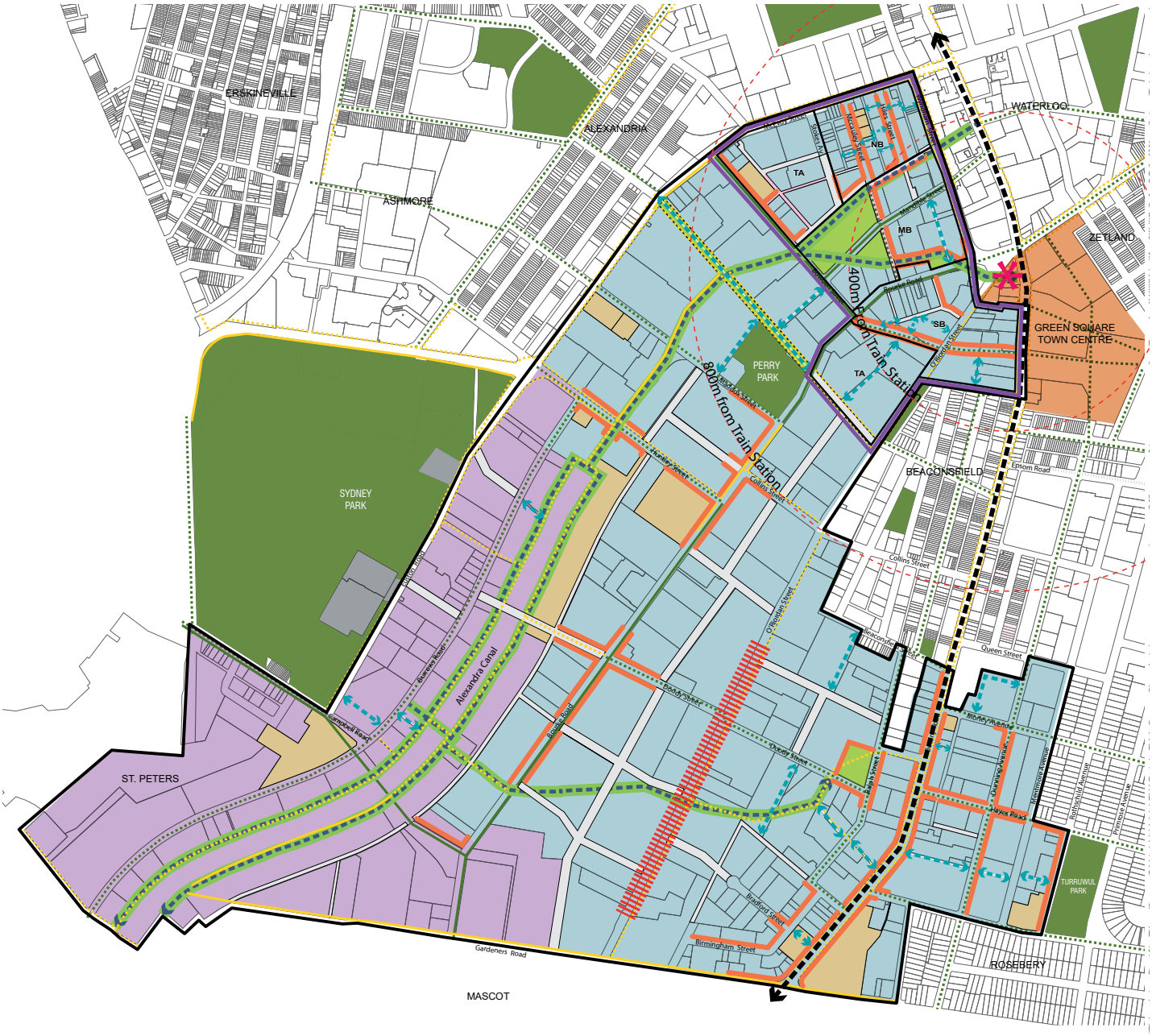
iii. deliver the uplift in amenity and public domain needed to support the area as it grows.

Provisions

(1) Development is to be consistent with the locality statement and supporting principles for the Southern Enterprise Area.

(2) Development in the Southern Enterprise Area is to be in accordance with Figure 5.198 Southern Enterprise Area Urban Strategy.

Figure 5.198 Southern Enterprise Area Urban Strategy



KEY

- SOUTHERN ENTERPRISE AREA BOUNDARY
- EXISTING OPEN SPACE
- PROPOSED OPEN SPACE
- PROPOSED STREETS
- PROPOSED STREETS - PEDESTRIANS/CYCLISTS ONLY
- LIVEABLE GREEN NETWORK
- MAIN PUBLIC TRANSPORT CORRIDOR
- THROUGH-SITE LINKS
- EXISTING SHARED PATHS
- EXISTING SEPARATED CYCLEWAYS
- PROPOSED SHARED PATHS
- PROPOSED SEPARATED CYCLEWAYS
- BULKY GOODS
- INDUSTRIAL AREA
- B6 - ENTERPRISE CORRIDOR AND B7 - BUSINESS PARK
- HERITAGE ITEMS
- GREEN SQUARE TRAIN STATION
- GREEN SQUARE TOWN CENTRE
- ACTIVE FRONTAGES
- NORTH ALEXANDRIA
- NB NORTH ALEXANDRIA – NORTH BLOCK
- MB NORTH ALEXANDRIA – MID BLOCK
- SB NORTH ALEXANDRIA – SOUTH BLOCK
- TA NORTH ALEXANDRIA – TRANSITION AREAS

N

5.8.2 Land Use

The Southern Enterprise Area is strategically important employment land, critical for the growth of the local, state and national economies. Ensuring the long term economic and operational viability of employment generating uses is therefore of primary importance.

Objectives

(a) Ensure the long term economic, operational and environmental viability of the various employment zones in the Southern Enterprise Area.

(b) Allow opportunities for land use to evolve into more innovative and knowledge-intensive sectors in appropriate locations.

(c) Minimise the potential for land use conflict.

(d) Allow for the provision of affordable housing where it does not negatively impact on the primary functions and role of the Southern Enterprise Area as an employment centre.

5.8.2.1 Non-industrial uses in the industrial zone

This Section applies only to development on land zoned for industrial uses, as identified on Figure 5.198 Southern Enterprise Area Urban Strategy.

Objectives

(a) Allow for appropriate ancillary uses in association with industrial development.

(b) Encourage active frontages that contribute to the amenity of the streetscape.

Provisions

5.8.2.1.1 Ancillary uses

(1) Ancillary office use is to be:

(a) directly associated with the industrial use;

(b) no larger than 15% of the gross floor area of the development; and

(c) located at the street frontage of the development site to provide an active frontage.

5.8.2.1.2 Industrial retail outlets

(1) Industrial retail outlets are to be:

(a) integrated into the design and layout of the industrial building; and

(b) located at the street frontage of the development site to provide an active frontage.

5.8.2.2 Land uses in North Alexandria

This Section relates only to development in the mixed business area of North Alexandria, as identified on Figure 5.198 Southern Enterprise Area Urban Strategy.

A diverse built form will support a wide range of economic activities in North Alexandria including industrial, commercial, office, entertainment, creative industries, and other urban services, with affordable spaces for innovation to occur. These complementary uses will be carefully sited, cognisant of existing built form character and heritage, the interface with adjoining areas, the potential for land use conflict and the benefits of co-location.

Objectives

(a) Encourage a diverse range of economic activities in North Alexandria including industrial, commercial office, entertainment, creative industries, and other urban services.

(b) Maximise opportunities arising from current and planned built form, heritage and public domain assets to encourage clusters of appropriate land uses.

(c) Enhance the unique character of North Alexandria to attract business, workers, visitors and events.

(d) Encourage intensification of commercial office uses in the south-block near Green Square train station which supports but does not compete with Green Square Town Centre.

(e) Encourage creative industries in and around the heritage conservation area of the north-block and provide for compatible entertainment and night-time uses in a manner complementary to daytime activation.

(f) Incorporate active frontages to enliven the public domain in key locations and enhance interactions between buildings and adjoining public spaces.

(g) Encourage a diverse range of uses in the mid-rise, large floor-plate building stock of the mid-block.

(h) Provide for areas of gradual transition in use and built form towards surrounding zones.

Provisions

(1) The following uses are encouraged in the locations listed below:

  (a) North-block: activity-generating, higher-order business uses including innovation, technology and creative industries, and cultural and entertainment uses (including late night entertainment uses);

  (b) Mid-block: innovation, creative, technology and knowledge-intensive enterprises alongside light industry;

  (c) South-block: commercial office with ancillary retail; and

  (d) Transition areas: more ‘traditional’ industrial uses including warehousing and manufacturing.

(2) Engaging and activity-attracting uses, which draw visitors and pedestrian traffic or address and enliven adjoining streets through design detail, lighting and alfresco events, are to be incorporated wherever possible at ground level in the lanes within the north-block and adjoining sites fronting the southern side of McEvoy Street.

5.8.2.3 Affordable housing

'Affordable housing' is permitted on some land in the Southern Enterprise Area.

This Section is to be read in conjunction with Section 4.2 Residential Flat, Commercial and Mixed Use Developments of this DCP.

Objectives

(a) Ensure affordable housing provides high levels of amenity for its residents.

(b) Ensure affordable housing does not reduce the potential of the zone to accommodate employment uses.

Provisions

(1) Affordable housing is only to locate where it will not unreasonably restrict existing or planned employment uses in the zone. When determining an application for affordable housing, the consent authority will consider:

  (a) the proximity of the site to existing and approved employment generating activities;

  (b) the likelihood that the proposed affordable housing would constrain the operational potential of employment generating uses in proximity to the site;

  (c) the impact existing and approved employment generating activities in the zone may have on the health, wellbeing and amenity of future residents;

  (d) the likely impact of the built form, including consideration of:

    i. its ability to meet State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and the land use and planning controls provided by the Sydney LEP 2012 and the Sydney DCP 2012; and

    ii. the likely impact on the public domain;

    iii. the contribution of the development to the objectives of the land use zone; and

    iv. the suitability of the site for residential use.

(2) Development for the purposes of affordable housing is to assume non-residential development on adjacent blocks. Amenity requirements for visual privacy, solar and daylight access and natural ventilation for affordable housing must be accommodated within the development site, without requiring building separation or design restrictions on future development on adjacent sites.

(3) In addition to any other setbacks required by this DCP the minimum setbacks from side and rear development site boundaries (excluding new streets, open spaces, through-site links and the like) are to be:

  (a) habitable rooms – 12m

  (b) habitable rooms with windows perpendicular to the boundary – 9m

  (c) non-habitable rooms – 6m

  (d) non-habitable rooms with windows perpendicular to the boundary – 4m

(4) Side and rear setbacks should be landscaped and provide a high-quality visual buffer from adjacent development.

(5) Communal and private open spaces should, where possible, be located away from busy roads and employment uses.

(6) Residential entries are to be separate to commercial/retail entries and located on local streets away from busy roads where possible.

5.8.2.4 Addressing land use conflict

The Southern Enterprise Area contains a high proportion of industrial activities whose operations can be adversely affected when lower impact employment uses or sensitive land uses locate nearby.

It is important that as development occurs, it does not undermine the efficient function of existing uses. Equally, as the area changes, new development must remain cognisant that lower impact, more sensitive uses may seek to locate in the area in the future and that land use conflicts must be managed to allow this transition.

Definitions

'Sensitive land uses' are references to buildings for residential use (including mixed use buildings), places of public worship, hospitals, educational establishments or childcare centres.

Objectives

(a) Minimise land use conflict and its potential impacts on the operational viability of all employment uses.

(b) Ensure that development for sensitive land uses does not undermine the long-term viability of the Southern Enterprise Area to accommodate industrial uses.

(c) Ensure sensitive uses are designed and built to mitigate against the potential impacts that existing and planned industrial uses, or other employment uses, may have on them.

(d) Ensure new industrial development, or other development for employment uses, is designed and built to mitigate any potential impacts they may have on existing and planned sensitive uses.

(e) Minimise the exposure of sensitive uses to air and noise pollution from busy roads and industrial sources.

Provisions

(1) Where sensitive uses are proposed, Council may require an Air Quality Assessment report to be prepared by suitably qualified consultants to be submitted with development applications. The Air Quality Assessment report is to demonstrate that air quality is within acceptable limits and/or impacts can be mitigated.

(2) Where sensitive uses are proposed, development is to be appropriately designed to minimise any impact of air pollution. Design considerations provided in the *NSW Government's Development near Rail Corridors and Busy Roads – Interim Guidelines* are to be addressed.

(3) New development should not limit the operation of approved truck routes. Where located on an approved truck route, new development is to appropriately mitigate against the 24 hour, 7 days a week operation of that route.

(4) A Noise Impact Assessment, prepared by a suitably qualified acoustic consultant, is to be provided when submitting a development application for sensitive land uses located in close proximity to existing industrial activities. The Noise Impact Assessment should include mitigation strategies, which must be implemented, that manage noise at the new development. Mitigation strategies may include, for example, landscape buffers, screened and acoustically sealed balconies, green walls, and the use of specific building materials or sound walls.

(5) Sensitive uses are not to locate where the noise generated by an established industrial activity cannot be appropriately mitigated at the new development.

(6) A development application for a new building or for a change of use of an existing building, for a land use that is likely to generate external noise, must be accompanied by a Noise Impact Assessment prepared by a suitably qualified acoustic consultant. The Noise Impact Assessment is to include mitigation strategies, which must be implemented, to mitigate the impacts of noise generated by the new development on other activities in the vicinity. Mitigation strategies may include, for example, landscape buffers, sound locks, the use of specific building materials or sound walls.

5.8.3 Development

This Section should be read in conjunction with Section 4 Development Types of this DCP. In the event of any inconsistency, this Section applies to the extent of the inconsistency.

5.8.3.1 Subdivision

The Southern Enterprise Area includes land zoned for industrial purposes as well as land zoned for more flexible employment generating uses including light industrial, commercial and retail uses. It is important that the subdivision of land, including strata subdivision, continues to support the objectives of the employment zones and does not inhibit the delivery of new essential infrastructure.

Objectives

(a) Ensure lot sizes and street frontages can support the desired building types and uses and achieve internal spaces appropriate to their function.

(b) Ensure the subdivision of land does not impede the provision of new streets, through-site links, open spaces or the Liveable Green Network.

(c) Ensure the subdivision of land zoned for industrial purposes does not impede the efficient operation of the industrial zone that is essential to the operation of the City.

(d) Ensure that the subdivision of land does not impede the future conservation and adaptive reuse of heritage items.

(e) Ensure the mid-block of North Alexandria can support flexible, generous building layouts for a range of business activities of different scales and with different operational needs.

Provisions

(1) Subdivision is not to impede setbacks, new streets, pedestrian and cycling routes or through site links where identified on the *Streets and lanes map*, the *Building setback and alignment map*, the *Public domain setbacks map*, *Proposed open space map* or the *Through-site link map*.

(2) Where located on land zoned for industrial purposes, the minimum lot size for a Torrens title subdivision is 2,500sqm and the minimum street frontage of lots is to be 35m.

(3) Battle-axe subdivisions are not permitted.

(4) The minimum allotment size permitted for a strata title subdivision of a single industrial development, a single industrial unit, or the gross floor area of any industrial unit forming part of a multi tenanted development, is 150sqm.

(5) Where identified on the Streets and lanes map, the *Building setback and alignment map*, the *Public domain setbacks map*, *Proposed open space map* or the *Through-site link map*, setbacks, new streets, Liveable Green Network connections, through-site links or open space is to be provided as part of any subdivision or strata subdivision of a lot.

(6) Subdivision is not permitted in the mid-block of North Alexandria.

5.8.3.2 Building height

Objectives

(a) Ensure the height in storeys and street frontage height in storeys reinforces the existing or future neighbourhood character.

(b) Ensure appropriate floor to ceiling heights that promote daylight access into buildings and contribute to the flexible use of buildings.

Definitions

A storey is the space between a floor and the next floor level above, or if there is no floor above, the ceiling or roof above. It does not include an attic, a mezzanine or a space that contains only a lift shaft, stairway or meter room.

Street frontage height in storeys is the vertical height of the primary facade.

Provisions

(1) Development is not to exceed the maximum number of storeys as shown in the *Building height in storeys map* and *Building street frontage height in storeys map*.

(2) The maximum may only be achieved where it can be demonstrated that the proposed development reinforces the neighbourhood character.

(3) Where the *Street frontage height of buildings map* does not indicate a maximum height, the maximum street frontage height is to be consistent with the street frontage height in storeys of adjacent buildings, or the predominant street frontage height in storeys in the vicinity of the proposed building.

(4) Height of buildings and the street frontage height in storeys are not to match anomalous tall neighbouring buildings that are inconsistent with the neighbourhood.

(5) Buildings that are primarily for an industrial purpose are to have a minimum floor to ceiling height of 5m on the ground floor.

(6) In the mid-block and transition areas of North Alexandria, buildings are to have a minimum floor to ceiling height of 4.5m for at least 30% of the ground level of the building.

5.8.3.3 Building alignment and setbacks

This section should be read in conjunction with Section 5.8.4.2.3 Street, Pedestrian and Cycle Network and Section 5.8.4.3 Liveable Green Network of this DCP.

Objectives

(a) Ensure development provides an appropriate presentation to the public domain through landscaping and setbacks.

(b) Ensure setbacks to all lot boundaries provide a high-quality frontage and relationships to the public domain and/or adjoining properties.

Provisions

(1) Primary setbacks, upper level setbacks and landscape setbacks are to be provided in accordance with the *Building setback and alignment map* and the *Building street frontage height in storeys map*.

(2) Where a setback is not identified on the *Building setback and alignment map*, the building setback from any existing and future street is to:

  (a) where it is identified on the *Active frontages map* and/or is an office building type of more than three storeys – have no setback from the street boundary (i.e. be built on the street boundary); or

  (b) in all other circumstances – have a landscape setback open to the sky of 6m between the building and the street boundary.

(3) Setbacks required to the front of buildings are to form a visual extension of the public domain and include landscaping which complements the streetscape to enhance the appearance and reduce the bulk of industrial buildings.

(4) Landscaped setbacks are to be provided clear to the sky and clear of built obstructions including storage areas, signage, parking and building overhangs, including sun control devices.

(5) Dedication of landscape setbacks is generally not required.

(6) Fences are not permitted along street frontages.

(7) Provide side and rear setbacks that:

(a) create high quality frontages to adjoining properties, the Liveable Green Network connections, through site links and open spaces where applicable;

(b) create visual interest where public access will occur on that frontage;

(c) ensure overland flow paths are not blocked or diverted;

(d) locate contiguous areas of soft landscaping and tree planting with vegetation on neighbouring properties; and

(e) are generally level with adjoining properties and public domain.

5.8.3.4 Active frontages and street level design

Amenity in the public domain is linked with activity and visual interest at street level. Key locations in the Southern Enterprise Area are to provide active frontages. Elsewhere, the design of building frontages can add interest and vitality to the public realm and provide a level of comfort for pedestrians.

Objectives

(a) Activate important streets and corner sites throughout the Southern Enterprise Area.

(b) Integrate awnings and colonnades into building design to maximise amenity in areas of anticipated activity.

(c) Optimise the overall activation of the public domain through the design of building frontages.

(d) Maximise the fine grain activation of North Alexandria's public domain through use, size and design of street level tenancies.

(e) Provide colonnades in North Alexandria to maximise pedestrian amenity and create opportunities for comfortable seating and outdoor dining.

Provisions

General

(1) Active frontages are to be provided in accordance with the *Active frontage map*.

(2) Provide awnings over all building entrances and in accordance with the *Footpath, awnings and colonnades map*.

(3) Buildings on a proposed street (still to be built) are to provide an appropriate frontage to that future street.

(4) All ground level building frontages to public spaces and through-site links are to have:

(a) building entries at least every 20m; and

(b) large windows to spaces with high occupancy rates (like offices and showrooms) comprising at least 50% of each frontage.

(5) Loading docks and roller doors must not be visible from the primary street frontage.

(6) Industrial and warehouse components of mixed developments are to be screened behind active uses or a commercial component of the development.

(7) Ensure building foyers are oriented to the street and are appropriately scaled to allow sufficient ground floor space for fine grain active frontages and retail uses as appropriate.

North Alexandria

(1) Building frontages along the active frontages in North Alexandria's north-block are to achieve a fine grain, provide visual interest and create opportunities for interactions with pedestrians appropriate to their use.

(2) The building frontages along the southern edge of the Liveable Green Network north of Mandible Street and along both edges of the Ashmore Connector are to be provided as arcades in accordance with Figures 5.216, 5.223 and 5.224 Indicative cross sections.

5.8.3.5 Building layout and design

Objective

(a) Encourage flexible building design to ensure buildings can be converted for a range of uses.

(b) Encourage new development to respond to design elements of traditional industrial and commercial development.

(c) Ensure appropriate landscaping, external break out spaces, drainage and parking.

(d) Ensure site planning results in high quality, safe and legible spaces that have a positive address to adjoining properties and the public domain.

Provisions

General

(1) Development involving perpendicular orientation of buildings to the street (gun-barrel development) is not permitted. Narrow lots less than 20m in width are, as far as practicable, to be consolidated to enable the orientation of buildings parallel to the primary street frontage.

(2) Building design is to maximise the use of natural lighting and ventilation.

(3) Internal courtyards are to be incorporated where floor plates are greater than 2,500sqm.

(4) Blank walls must be screened with landscaping or treated as sculptural elements incorporating public art, variation in materials and other methods reflecting contemporary architectural design.

(5) The facade of the development is to:

(a) be articulated using architectural elements and a variety of design languages for functional zones within building groups; and

(b) use a proportion of solid surfaces, preferably masonry material, which reflects the established character of the surrounding area.

(6) Buildings located on corner sites must reinforce the corner by massing and facade orientation.

(7) Office-type buildings of more than three storeys are to be designed to be built boundary to boundary for the first four floors of that development.

(8) The area's heritage and former industrial past is to be recognised through public art in the private domain.

(9) Rooftop structures such as plant rooms, solar panels, air conditioning and ventilation systems are to be incorporated into the design of the building and concealed within the roof form or located within a well-designed, integrated roof top element.

(10) Above ground water tanks are to be located behind the front facade and screened from the public domain. Details, including elevations showing the location and screening method are to be submitted with the development application.

(11) Where there is a commitment to provide a recycled water network, all buildings are to be constructed to be capable of providing a dual reticulation water system for water services and be capable of fully connecting to a non-potable recycled water network and configured to supply all toilets, washing machine taps, car wash bays, cooling towers and irrigation usage.

North Alexandria – North-block

(1) Heritage listed and contributory buildings are to be sensitively adapted for reuse, with attention given to:

(a) conserving historic facades;

(b) minimising the extent of alterations to structural walls;

(c) achieving a flexible layout of internal space which conserves floor structures, internal walls and interfloor heights;

(d) any new walls or floor plates not intersecting significant openings; and

(e) maintaining a substantial portion of any significant roof form(s).

Note: applications will be assessed individually for retention of the building's heritage significance and compatibility of new works with the building and area.

(2) New buildings are to be sensitive and complementary to the surrounding area's scale, form and materiality.

(3) Development is to enhance and preserve the fine grain, textured character and low scale industrial heritage fabric.

(4) Sites facing on to McEvoy Street are to announce the heritage character area to the street through materiality and design.

(5) Ground floor design is to contribute to 24 hour pedestrian comfort, passive surveillance and indirect lighting.

(6) Development is to encourage use of the adjoining laneways as flexible, shared, programmable spaces through frequent openings which address the laneway and increased permeability through private sites.

(7) The internal arrangement of spaces in buildings in the north-block is to be flexible to allow for a variety of creative and knowledge-based industries.

(8) Development adjoining the Mandible Street Park is to enhance the public domain through well-designed massing and facades.

North Alexandria – Mid-block

(1) Development is to enhance the surrounding public domain through well-designed massing and facades which responds to the scale of and continues the fine grain character of the north-block.

(2) Facades are to be of face brick, including brick detailing and articulation with a depth of at least 350mm to provide visual interest.

(3) Structural timber framed buildings (with more than 50% of the structure as timber) are encouraged.

(4) New buildings are to activate and engage with nearby laneways and the Liveable Green Network including, where appropriate, the incorporation of roof terraces to provide activation and passive surveillance.

(5) The use of coloured panels or cladding to achieve visual interest is not permitted.

(6) Existing larger floor plates are to be retained and designed with generous, flexible layouts to support enterprise of different scales and activity including light industrial, creative and commercial spaces.

(7) Buildings exceeding 45 metres continuous frontage are to employ different architectural expressions.

(8) Development adjoining the Mandible Street Park is to enhance the public domain through well-designed massing and facades.

5.8.3.6 Landscape and fencing

Objectives

(a) Enhance visual amenity by providing high quality landscaped setbacks and private communal open space.

(b) Provide spaces for workers to socialise and recreate outdoors.

(c) Deliver increased green coverage on roofs in excess of that achievable with trees and ground level landscaping alone.

(d) Improve thermal performance of buildings through passive cooling.

Provisions

5.8.3.6.1 Landscaping

(1) Deep soil planting is to be provided for a:

  (a) minimum of 15% of a site where it is located in the B6 Enterprise Corridor or the IN1 General Industrial zones; or

  (b) minimum of 10% of a site for other areas.

(2) Deep soil planting is to be provided in the front landscape setback and external breakout spaces.

(3) The minimum dimension for deep soil planting is to be 3m in any direction.

(4) Landscape design is to be generally consistent with Section 4.2.3.5 of this DCP and:

  (a) include plant species local to the Sydney region;

  (b) be compatible with the flood risk, for example dense planting is not to be located in a flow path;

  (c) have water permeable paving for low traffic and pedestrian areas;

  (d) include water efficient irrigation systems installed below mulch level;

  (e) enhance the appearance of the building and car parking areas without creating opportunities for concealment;

  (f) clearly delineate paved surfaces of different uses including pedestrian areas, car parking spaces and driveways; and

  (g) create attractive views to and from the public domain and help reduce the visual bulk and scale of the development.

5.8.3.6.2 On-structure plantings

(1) Where it is demonstrated that the deep soil planting (including tree canopy) requirements of 5.8.3.6.1(1) cannot be provided, development is to incorporate green roofs (as defined by schedule 9 of this DCP).

(2) On long span structures that cannot support green roofs (for example the long span roof structures typical of warehouse buildings) Council may accept the substitution of green roofs with solar panels.

5.8.3.6.3 Fences

(1) Fences are not permitted between the building and the primary street frontage. Where front fencing is required for security purposes, it is to be integrated into the overall design of the development and screened by the landscaped setback.

(2) Solid fences are not permitted. Palisade fences are preferred.

(3) The maximum height of side and rear fences is to be 1.8m.

(4) Fences are to be constructed in a dark colour to reduce visual impact.

5.8.3.6.4 Private communal open space

(1) Where development is located in the B6 Enterprise Corridor or the IN1 General Industrial zones, and where the site area is greater than 5000sqm, it is to provide at least one area of private communal open space unless located within 400m of existing public open space.

(2) Private communal open space is to:

(a) be directly accessible from the main office component of the development;

(b) include appropriate landscaping, shading, paving and a place for tables and chairs;

(c) where provided at grade, be one area of level, visible open space outside the front setback area; and

(d) have a minimum contiguous area of 100sqm and a minimum dimension of 8m in any direction.

(3) Private communal open space may be accommodated on a green roof or roof terrace, provided that space is accessible to all building users.

(4) Front landscape setback areas are not to be included as part of the calculation of private open space.

5.8.3.7 Parking, access and loading and servicing

This Section should be read in conjunction with Section 3.11 Transport and Parking of this DCP.

Objectives

(a) Minimise visual impact of parking and loading areas on the public domain.

(b) Encourage parking, vehicle access, loading and servicing areas that are:

(a) integrated with the use, form and arrangement of buildings on the site;

(b) safe, functional, accessible and easy to maintain; and

(c) landscaped to minimise large expanses of hard paving and provide an area of high amenity.

(c) Maximise pedestrian and cyclist safety inside and around developments by slowing vehicles and/or separating areas for pedestrians, cyclists and vehicles.

Provisions

(1) No parking is permitted in the landscape setback.

(2) All vehicles are to enter and leave the site in a forward direction.

(3) The design of parking and servicing areas is to:

(a) enable uninterrupted two way vehicle movements to and from the site where required by Australian Standards Parking Facilities: Off-street Parking;

(b) slow vehicles to <30 km/hr;

(c) separate parking and loading areas;

(d) provide separated pedestrian access routes to the main entries to the building both from the public domain and within the site from parking areas;

(e) provide a separated pedestrian walkway for the main pedestrian flows from customer carparks with greater than 50 car spaces; and

(f) locate parking access ramps within the building footprint.

(4) Where shared access and turning areas are proposed, a single development application is required for all development which will use the shared arrangements, and it is to address how the land is to be subdivided and resulting easements.

(5) Design all major vehicular circulation, including strata industrial circulation, generally to be 'street like' in appearance and include a carriageway, kerbs, footpaths and tree planting.

(6) Development is to be consistent with the Street Tree Master Plan, Park Tree Management Plans and the Landscape Code.

(7) Where at grade car parking is proposed, at least one tree of medium size (or larger) is to be planted and maintained in deep soil, in addition to perimeter planting. In addition, for every four car parking spaces provided (or part thereof), another tree of medium size (or larger) is to be planted and maintained in deep soil. This planting is to:

(a) be planted in bays that contain deep soil with a minimum dimension of 3m bays are to be provided with a raised kerb barrier that facilitates passive irrigation, and native ground cover planting;

(b) be planted in soil with a suitable rooting volume for the required number of trees;

(c) use trees that develop a clear trunk height greater than 4.5m to provide adequate shade and vehicle clearance;

(d) improve pedestrian amenity;

(e) not to hinder the visibility of either drivers or pedestrians, with open sightlines maintained between parking areas, public streets and paths;

(f) not conflict with lighting and services; and

(g) break up large areas of impervious surfaces.

(8) Minimise the visual impact of vehicular access and servicing areas on the public domain by:

(a) minimising the size of the vehicular access (width and height);

(b) setting roller shutters back from the street frontage of the building; and

(c) providing landscaping to screen views to the roller shutter.

(9) Locate vehicular access points away from active pedestrian areas on secondary streets or lanes.

(10) Minimise the width of driveway footpath crossings and maximise the width of pedestrian clear paths of travel.

5.8.3.8 Adaptable parking

This Section is to be read in conjunction with Part 7, Local Provisions – General, Division 1 'Car parking ancillary to other development' under Sydney LEP 2012 and with the provisions of Section 3.11 Transport and Parking of this DCP.

This Section does not apply to development in North Alexandria, where above ground floor parking is not permitted due to its potential impact on that area's desired character.

Objectives

(a) Allow for flexibility in the provision of car parking spaces where below ground car parking is demonstrated to be significantly constrained by a high water table, acid sulphate soils or contamination.

(b) Ensure the design of above ground car parking spaces and associated vehicular circulation areas are easily adaptable to other future uses, for example retail, commercial or residential.

Provisions

(1) Above ground car parking must be screened along the street frontages.

(2) The minimum proportion of above ground car parking spaces that are to be designed and laid out to be easily adaptable for other uses in the future is to be consistent with Table 5.19 Adaptable Parking.

Table 5.19: Adaptable parking

Category of land shown on the Public Transport Accessibility Level (PTAL) Map and the Land Use Transport Integration Map (LUTI) in *Sydney LEP 2012*:	Percentage of above ground car parking spaces to be designed for future adaptation:
A or D	100%
B or E	80%
C or F	65%

Note: As an example, a development proposes 150 car parking spaces. Due to the high water table 50%, or 75 car spaces can be located above ground. The site is shown as Category E on the PTAL map, therefore, at least 80%, or 60, of the above ground car parking spaces must be designed so they can be adapted to another use. For the purpose of this provision the PTAL Map applies to commercial development and the LUTI Map applies to residential development.

(3) Adaptable car parking spaces must remain on common title, and not be strata titled and have a minimum clear height of 3.3m.

(4) Adaptable car parking spaces are to be designed so that once adapted the space will:

(a) be accessible from lift lobbies, the street or public domain;

(b) have access to sunlight and ventilation; and

(c) be provided with appropriate services.

(5) The applicant must designate which consolidated group of spaces and including associated vehicular circulation are the adaptable spaces and provide an indicative plan showing the proposed alternative use layout.

(6) Council may deem above ground spaces to be 'required' for the purposes of calculating GFA where it is satisfied that the development meets other provisions of this DCP.

5.8.3.9 Storage areas

Objective

(a) Mitigate the visual and environmental impact of storage areas.

Provisions

(1) Locate storage within the primary building.

(2) Open storage areas that are visible from the public domain are not permissible.

(3) Where materials are to be stored outside the primary building, storage areas are to be located next to the primary building and fully enclosed with solid fencing, surrounded by mature vegetation.

(4) Open storage areas must not compromise truck or vehicle manoeuvring and car parking areas.

(5) Ancillary buildings and storage sheds are to be located behind setback and front building lines, and must be consistent with the design of the main building and the design of the entire development.

(6) Details of proposed ancillary buildings, open storage, service areas, solid and liquid waste storage and collection areas are to be provided with the development application.

5.8.4 Public domain

This section should be read in conjunction with section 3.1 Public Domain Elements of this DCP.

5.8.4.1 Public open space

Public open space is relatively scarce in the Southern Enterprise Area and new open space is needed to support the transition of the area from mostly 'low demand' industrial activity to higher employment, higher value land uses that demand greater amenity in the public domain and better connections to infrastructure, such as public transport.

Public open space is to support a range of recreational and cultural activities, both active and passive.

Objectives

(a) Increase the amount of publicly accessible open space in the Southern Enterprise Area.

(b) Provide a network of high quality, publicly accessible and safe open spaces that meet the active and passive recreational needs of both workers and residents in and around the Southern Enterprise Area and encourage a sense of community.

(c) Maximise opportunities for increasing the amount of public open space by enabling a flexible approach to its required locations, configurations and elements.

(d) Ensure that the location and size of open spaces assist with stormwater management.

Provisions

(1) Public open space is to be provided and designed in accordance with:

(a) the Public Open Space Map;

(b) Schedule 5 - Public open space dedication and design criteria; and

(c) Table 5.20: Provisions for open space by locality in the Southern Enterprise Area.

(2) Landscaping and public domain design is to be of high quality and include indigenous species, landscape sculptural elements and reference to the area's industrial heritage.

(3) Public art is to recognise the heritage and former industrial past of the area.

(4) Public open spaces are to have good solar access and protection from wind and noise.

(5) Public open space is to provide shade and seating for passive recreation.

(6) Small pocket parks are to function as small break out parks linked to linear spaces. Pocket parks may incorporate:

(a) outdoor gym equipment; and

(b) landscaping using indigenous species.

(7) Linear parks are to function as open space corridors that link larger open spaces. Linear parks may incorporate:

(a) pedestrian and cycle paths;

(b) facilities for dog walking;

(c) outdoor gym equipment; and

(d) where appropriate, a minimum of 1.5 metres of continuous landscaping using indigenous species.

(8) Local parks are to function as larger recreation spaces for workers and residents. Local parks may incorporate:

(a) play equipment and free play areas for informal activities; and

(b) continuous landscaping using indigenous species.

(9) Active parks are to provide spaces for physical and recreational activity. Active parks may incorporate:

(a) spaces for ball sports, including multi use sports fields, half sports fields or multi-purpose courts; and

(b) play equipment and free play areas for informal activities.

(10) Where open space performs a dual recreation and stormwater detention function, the design of the detention basin is to:

(a) include appropriate stormwater management measures to restrict gross pollutants from entering the basin;

(b) allow the release of detained water within 24 hours of the end of the stormwater event to protect the soft landscaping within the basin;

(c) have one or more embankment batters of not more than a 1 in 6 gradient to allow for the safe exit of persons from the basin after a stormwater event; and

(d) provide an appropriate balance between the stormwater management and recreation functions.

Table 5.20: Provisions for open space by locality in the Southern Enterprise Area

Locality	Requirements	Guidelines
North Alexandria (note localities overlap with Area A of Section 5.2.6)	One active park/s with a combined area of about 23,000sqm.	To include one sports field, subject to flooding/stormwater management restrictions. Provide for amenities and explore provision of space for sports courts and urban sports. Carefully design boundaries to interface well with the Liveable Green Network and pedestrian connections. Where appropriate, adapt and re-use existing industrial buildings within proposed Mandible Street Park to facilitate sports courts, amenities, bike hub or other community uses. Consider the need for flexible paved public space, capable of hosting public events, which engages with the park-lands and the Active precinct in the north block. Consider inclusion of space for community events.
	The Liveable Green Network will operate as a Linear Park with an area of about 1,200 sqm being in the McEvoy East and East Alexandria locality.	Refer to provisions for Liveable Green Network in Section 5.8.4.3.
Rosebery West	One local park with an area not less than 4,000 sqm, or two parks, with the size of one park no less than 3,000sqm.	Ideally to be located west of Botany Road. Location and configuration of open space to be determined by Council.
Enterprise Corridor	One local park located at the corner of Ralph and Doody Streets with an area not less than 5,500sqm.	Where possible it is to be located adjacent to the Liveable Green Network via Alexandria Canal. To include landscaping for habitat enhancement.
	At least 3 pocket parks, ideally connected to the Liveable Green Network, totalling no less than 600sqm.	Location and configuration to be determined by Council.
	Sydney Pipes Park (10,000sqm) a 20-metre wide linear park or ecological reserve located in the existing location of Sydney water pipeline, or alternative linear park of minimum width 15m.	Location and configuration to be determined by Council.
	One active park of at least 6,000sqm, incorporating a half-sized sports field.	Location and configuration to be determined by Council.
	The Liveable Green Network will operate as a Linear Park with an area of about 11,500 sqm in the Enterprise Corridor locality.	Refer to provisions for Liveable Green Network in Section 5.8.4.3.
Alexandra Canal	At least 3 pocket parks connected to the Alexandra Canal, totalling no less than 600sqm.	Location and configuration to be determined by Council.
	The Liveable Green Network will operate as a Linear Park with an area of about 30,000 sqm in the Alexandra Canal locality.	Refer to provisions for Liveable Green Network in Section 5.8.4.3.
Outdoor courts in all localities	Multiple outdoor courts, including rooftop courts.	ocation and configuration to be determined as opportunities arise. Courts should generally be 31x 18m to allow for multiple uses. Courts can be co-located with community hubs and/or sports fields. They may also be accommodated on rooftops in some circumstances.

5.8.4.2 Street, pedestrian and cycle network

The Southern Enterprise Area are near a number of Australia's major trip generators such as the airport, port and Sydney CBD. The area is divided by the major transport and economic corridor between the airport and port and the Sydney CBD with thousands of people passing through every day. This corridor also contains two new planned centres, including the Green Square Town Centre and Mascot Town Centre precinct, which will also generate substantial demand for road space, public transport seats and pedestrian and cycling infrastructure.

As the area grows, new streets and pedestrian and cycling routes are essential to increase permeability and connectivity within and through the area, providing for greater and more direct route choices and the opportunity for additional future public transport connections. The movement of vehicles, pedestrians and cyclists around the Southern Enterprise Area is critical to its success as an efficiently functioning employment area and as a pleasant place to spend time.

Where required by Council, street closures and one-way systems can provide legible circulation patterns for movement and access, whilst shared streets can enhance street amenity and provide opportunities for alfresco activation. Through-site links provide more direct and pleasant walking routes for pedestrians and cyclists.

This Section should be read in conjunction with any other relevant provisions for streets and pedestrian and bike networks and building alignment and setbacks of this DCP.

Objectives

(a) Ensure new streets, pedestrian and cycling routes and through-site links are provided to improve permeability and walkability and support the growing worker population.

(b) Ensure new streets, pedestrian and cycling routes and through-site links respond to key connections within and adjacent to the Southern Enterprise Area.

(c) Ensure new development does not impede the delivery of proposed roads, pedestrian and cycling routes and through-site links.

(d) Provide connections through street blocks and large sites to provide street addresses for new development where necessary.

(e) Provide a legible and safe circulation pattern for vehicular movement which responds to access requirements and encourages safe vehicle speeds.

(f) Create a safe, well designed and accessible network for cyclists and pedestrian movements that links with existing networks and promotes public use.

Provisions

5.8.4.2.1 Street network - General

(1) Where required by Council, the street network is to be provided and dedicated in accordance with:

(a) the Streets and lanes map and the Public domain setbacks map;

(b) Figure 5.199: Southern Enterprise Area Street Hierarchy and Layout; and

(c) Figure 5.200: North Alexandria Public Domain Dedications and Easements.

(2) Streets are to:

(a) be provided generally in accordance with Figures 5.201 – 5.227 Indicative street sections;

(b) where practicable include bio-retention swales or rain gardens, either centrally located or to the side of the roadway, to filter polluted low flow water run-off prior to entering the stormwater system;

(c) provide landscaping along both sides of the street to enhance the pedestrian environment;

(d) where practicable, provide street tree pits for passive irrigation via stormwater run-off and harvest;

(e) where appropriate, design tree pits soil specs and tree selections for enhanced bio-retention capacity and tree performance;

(f) utilise strata cell systems or similar to expand harvest opportunity and treatment within available planting areas;

(g) provide grassed/ planted verges where practicable to reduce extent of hard stand within footways; and

(h) provide for improved street lighting appropriate to levels of anticipated night-time activity.

(3) New development is not to be located where a new street, pedestrian and cycling route and/or through-site link is proposed unless it is of a temporary nature.

(4) Where only part of a collector road can be achieved, it is to be provided generally in accordance with Figures 5.201 Indicative half local street section.

(5) Proposed streets are generally to be dedicated to Council at the time of development, however an alternate approach may be agreed where Council does not intend to provide the road in the short to medium term.

(6) Where a site comprises three or more buildings, staged delivery of streets may be considered to allow for partial or staged redevelopment of the site or retention/refurbishment of existing buildings.

(7) Staged delivery of streets may only be supported where an access staging plan is provided that demonstrates a long-term strategy for delivering vehicular, pedestrian and cycle movement on and connections through the site. An access staging plan is to demonstrate:

(a) layout of all buildings showing locations of primary and secondary entries and extent of active frontages;

(b) provision of all existing and future streets, Liveable Green Network connections, through-site links and open spaces including setbacks from existing and future boundaries;

(c) vehicular, servicing and pedestrian circulation systems within and through the site;

(d) site grading strategy; and

(e) indicative development staging.

(8) An alternative street arrangement may be considered by the Consent Authority to that shown in Figure 5.199: Southern Enterprise Area Street Hierarchy and Layout for 138 -196 Bourke Road, Alexandria, provided that satisfactory north-south and east-west connectivity is still achieved across the site.

(9) In North Alexandria, and where required by the Consent Authority, street closures, one-way systems, shared zones and new traffic signals are to be provided in accordance with Figure 5.228 North Alexandria Movement of Vehicles and Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists.

(10) Traffic management devices are not to impede cycle or pedestrian movements.

5.8.4.2.2 Street network - North Alexandria

(1) Where required by the Consent Authority, street closures, one-way systems, shared zones and new traffic signals are to be provided in accordance with Figure 5.228 North Alexandria Movement of Vehicles and Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists.

(2) Circulation and major vehicle access and egress points are to be consistent with Figure 5.228 North Alexandria Movement of Vehicles.

(3) The following lanes in the north-block are to be treated and operate as shared zones to increase amenity, improve walkability and enable alfresco activation:

(a) McCauley Lane;

(b) Hiles Lane;

(c) Balaclava Lane

Figure 5.199 Southern Enterprise Area Street Hierarchy and Layout



Figure 5.200 North Alexandria Public Domain Dedications and Easements

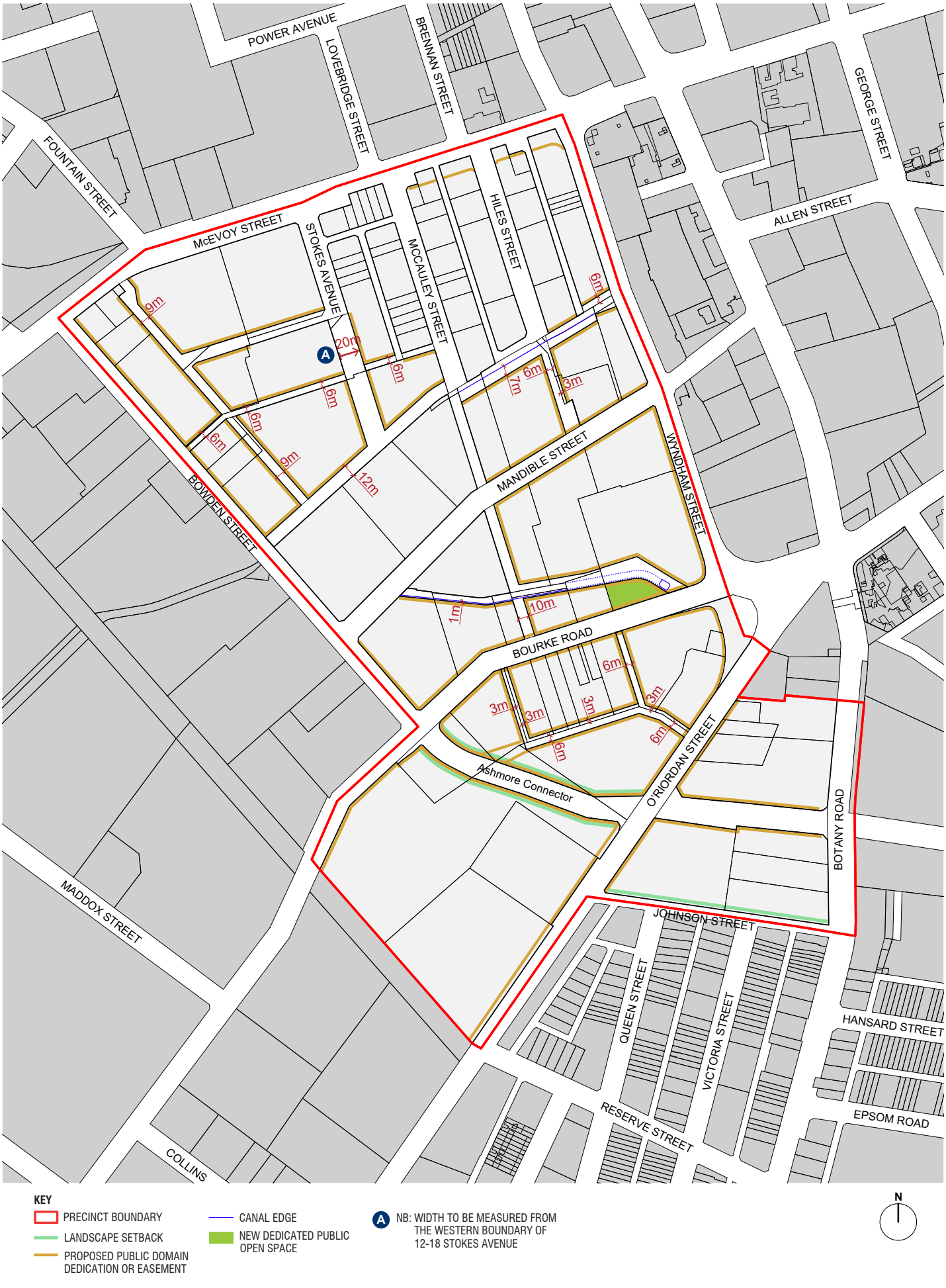


Figure 5.201
Indicative street section – Half local street (10.5m)

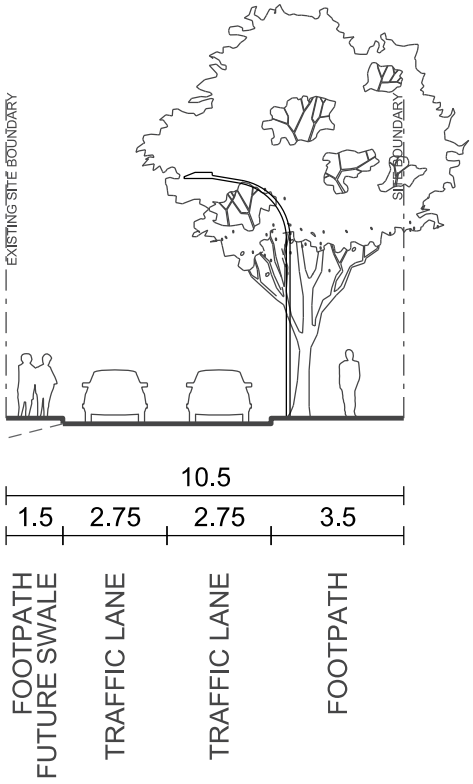


Figure 5.202
Indicative street section – Local street (10m)

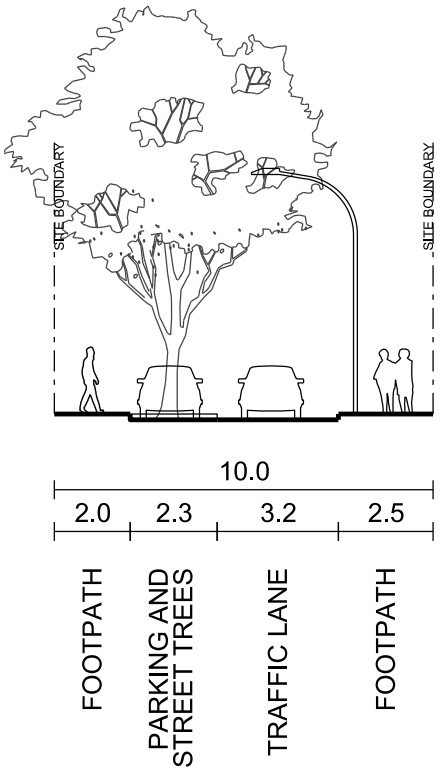


Figure 5.203
Indicative street section – Local street (12.6m)

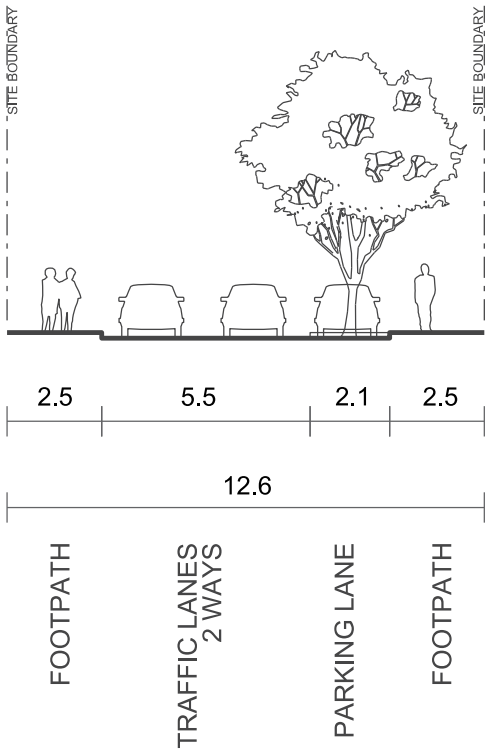


Figure 5.204
Indicative street section – Local street along canal (16m)

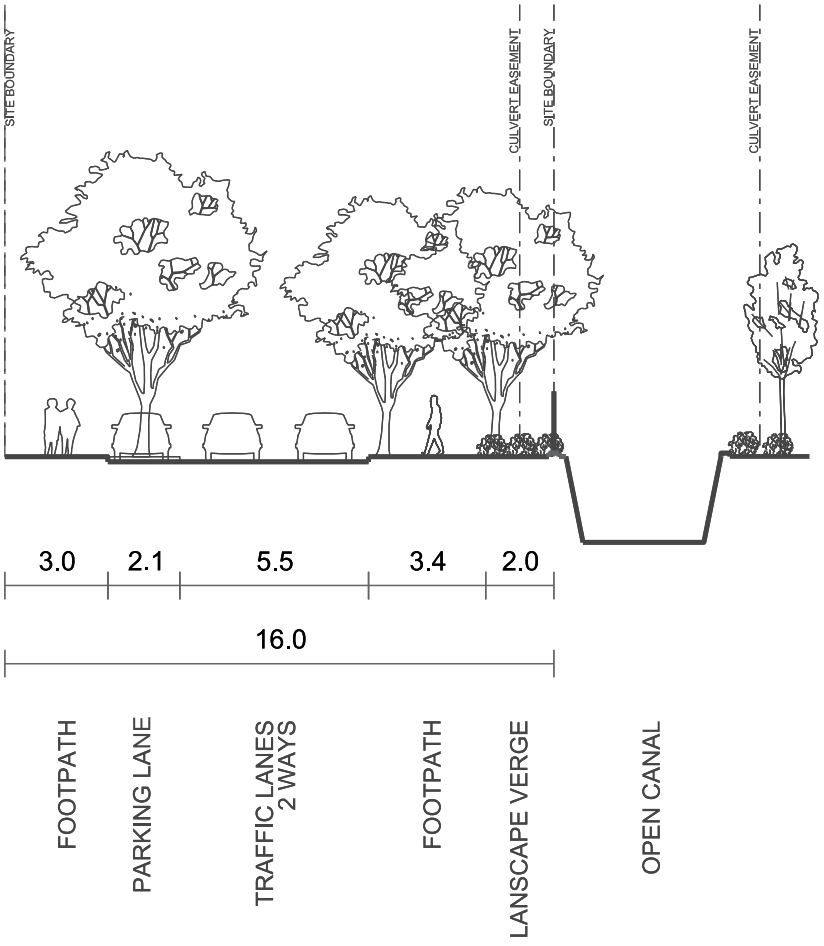


Figure 5.205
Indicative street section – Local Street (20m)

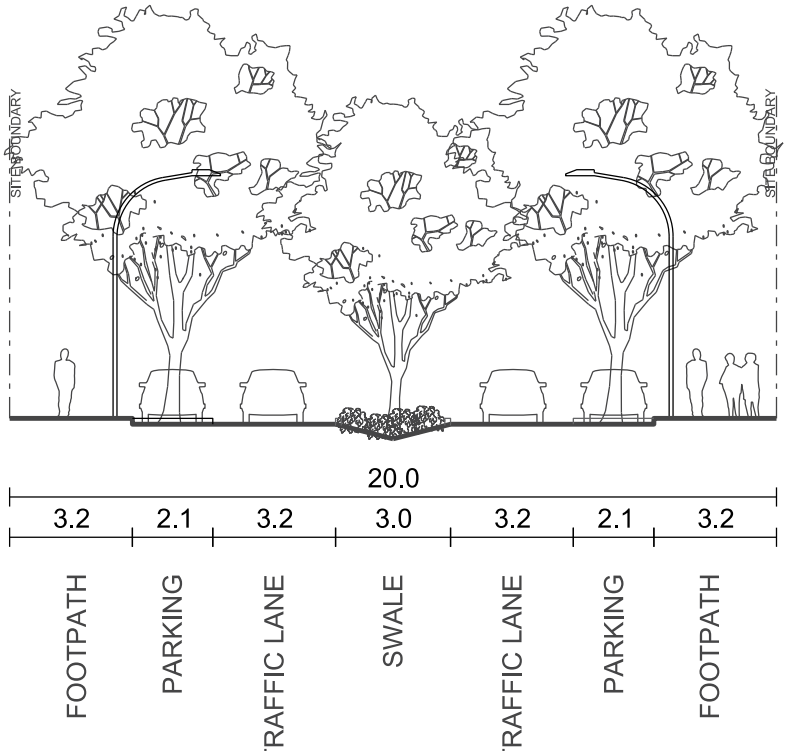


Figure 5.206
Indicative street section – Collector Road (21m)

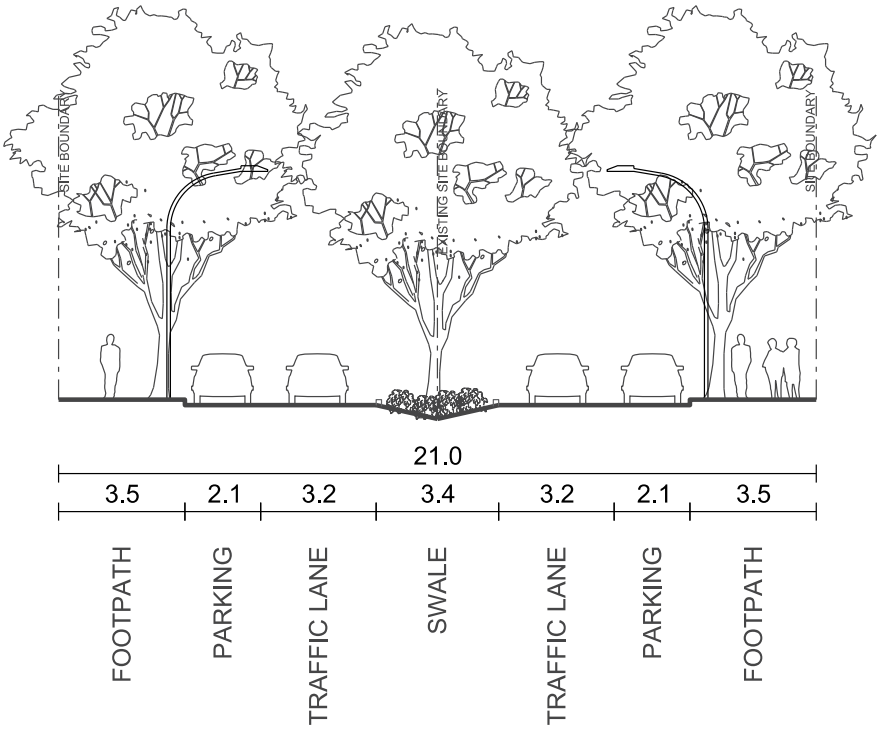
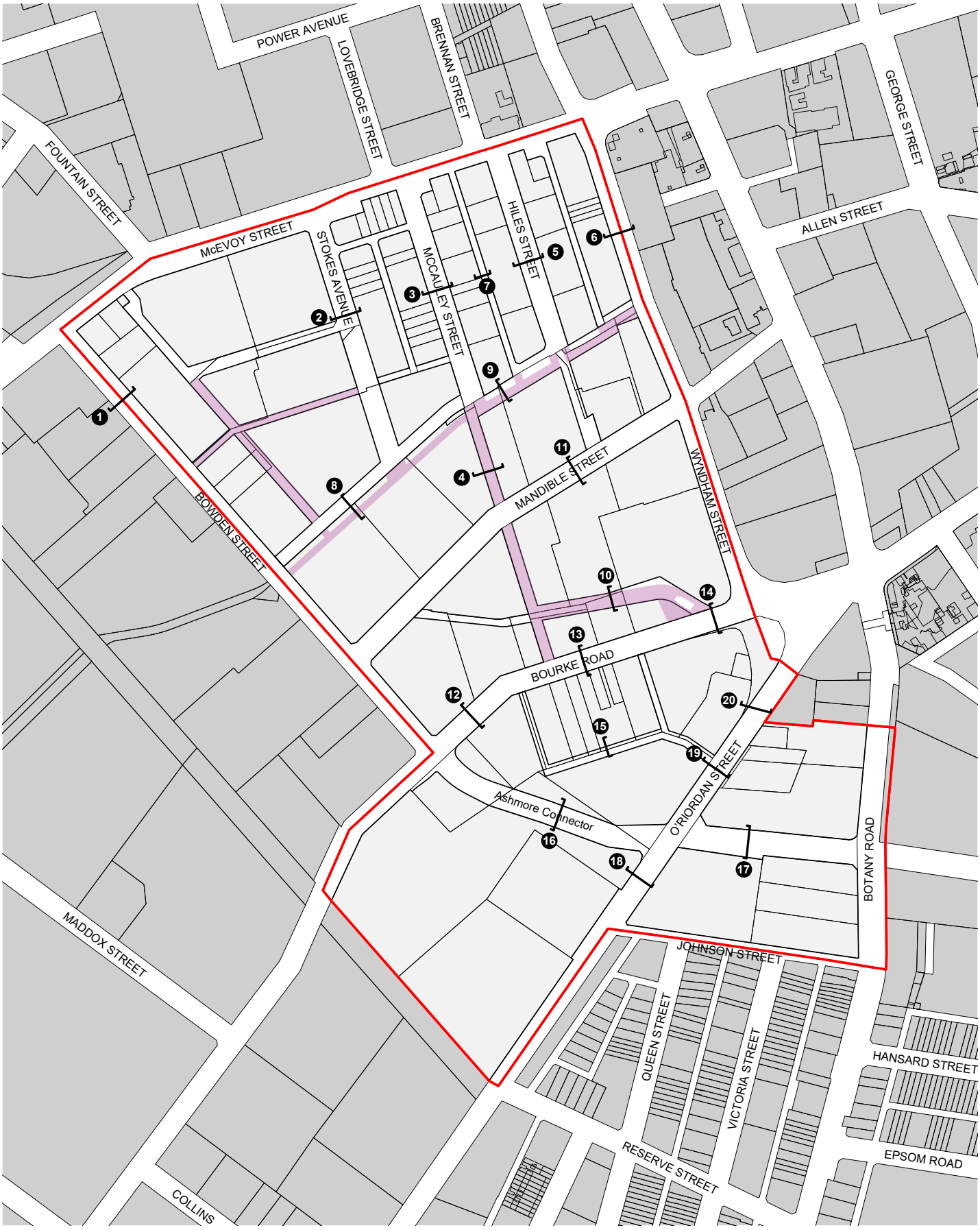


Figure 5.207 Index of indicative street sections - North Alexandria



KEY

- PRECINCT BOUNDARY
- 1 BOWDEN STREET
- 2 STOKES AVENUE
- 3 MCCAULEY STREET
- 4 MCCAULEY STREET EXTENSION
- 5 HILES STREET
- 6 WYNDHAM STREET
- 7 NORTH-BLOCK LANEWAYS
- 8 CANAL STREET
- 9 LIVEABLE GREEN NETWORK (NORTH)
- 10 LIVEABLE GREEN NETWORK (SOUTH)
- 11 MANDIBLE STREET
- 12 BOURKE ROAD (A)
- 13 BOURKE ROAD (B)
- 14 BOURKE ROAD (C)
- 15 SOUTH-BLOCK LANEWAY
- 16 ASHMORE CONNECTOR (WEST)
- 17 ASHMORE CONNECTOR (EAST)
- 18 O'RIORDAN STREET (A)
- 19 O'RIORDAN STREET (B)
- 20 O'RIORDAN STREET (C)

N

Figure 5.208
Indicative street section – Bowden Street, North Alexandria

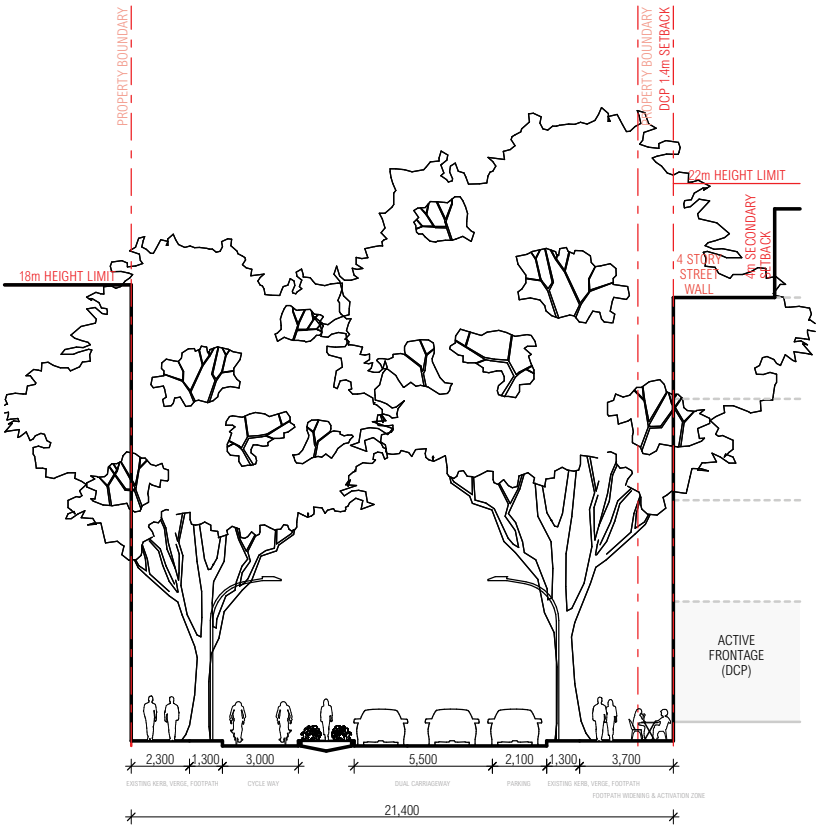


Figure 5.209
Indicative street section – Stokes Avenue, North Alexandria

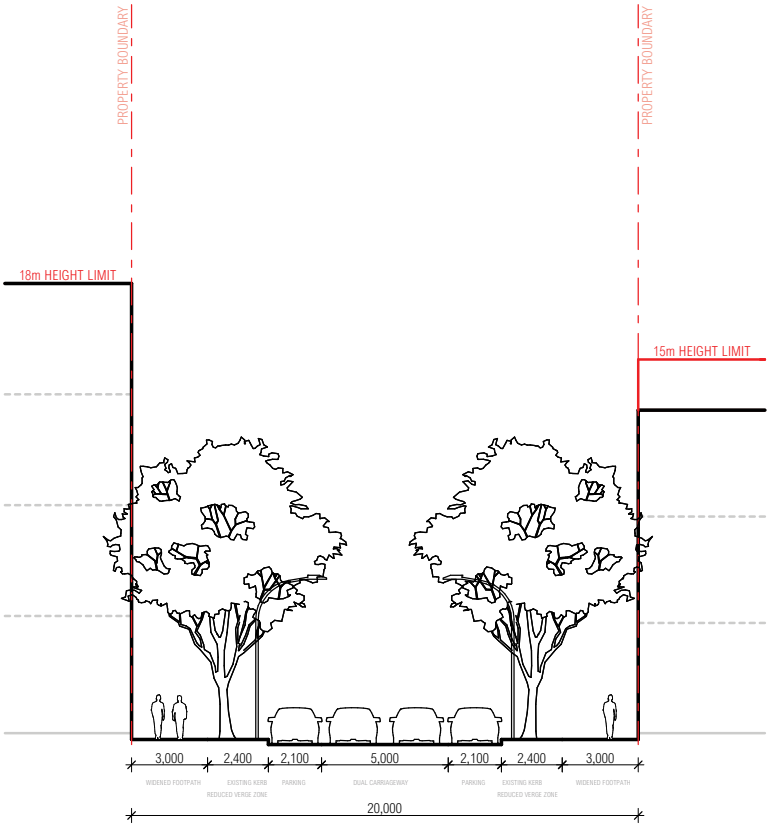


Figure 5.210
Indicative street section – McCauley Street, North Alexandria

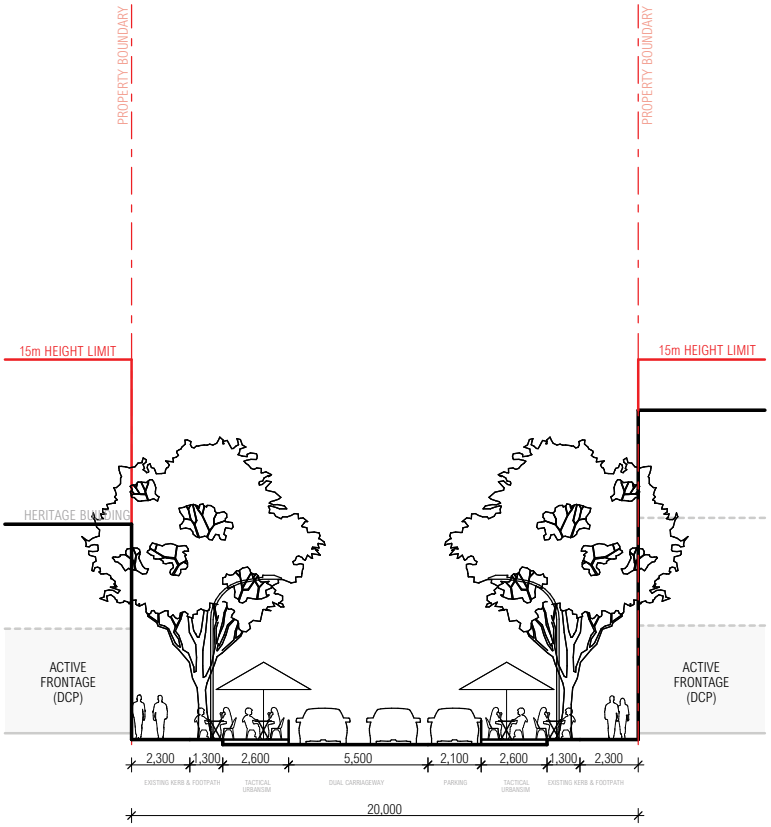


Figure 5.211
Indicative street section – McCauley Street extension, North Alexandria

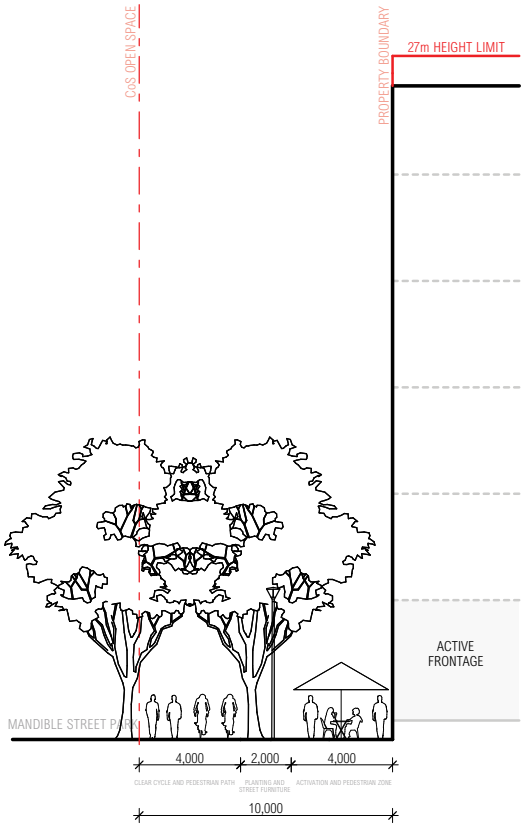


Figure 5.212
Indicative street section – Hiles Street, North Alexandria

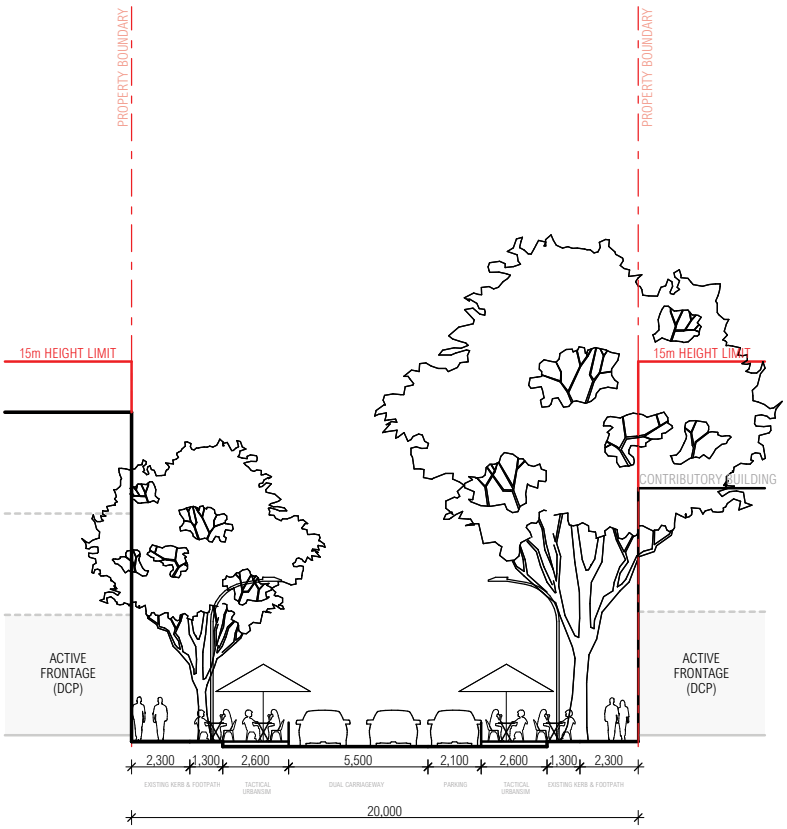


Figure 5.213
Indicative street section – Wyndham Street, North Alexandria

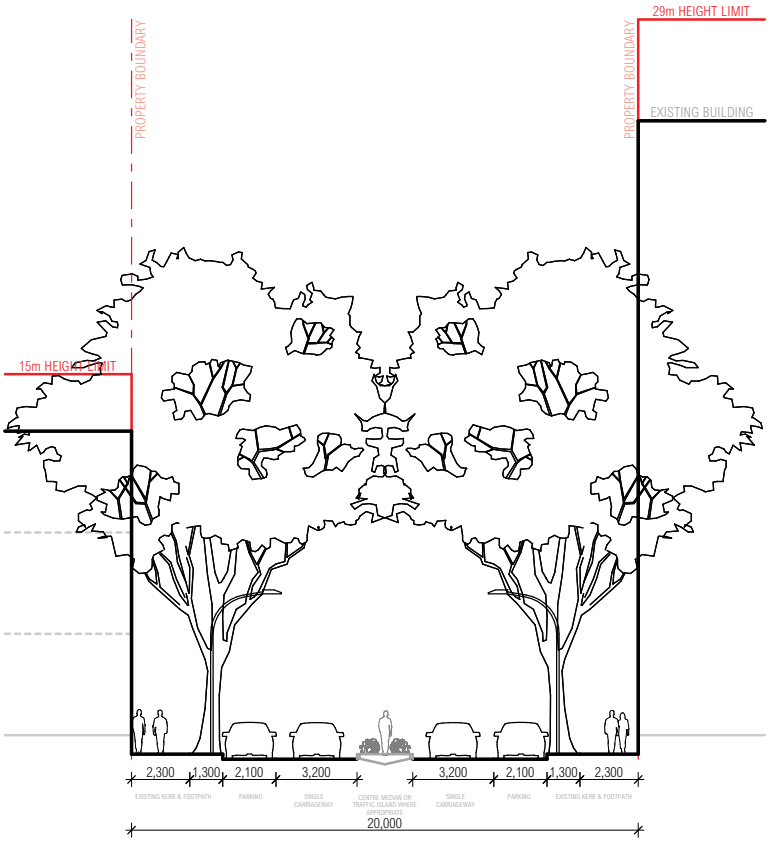


Figure 5.214
Indicative street section – north-block laneways - North Alexandria

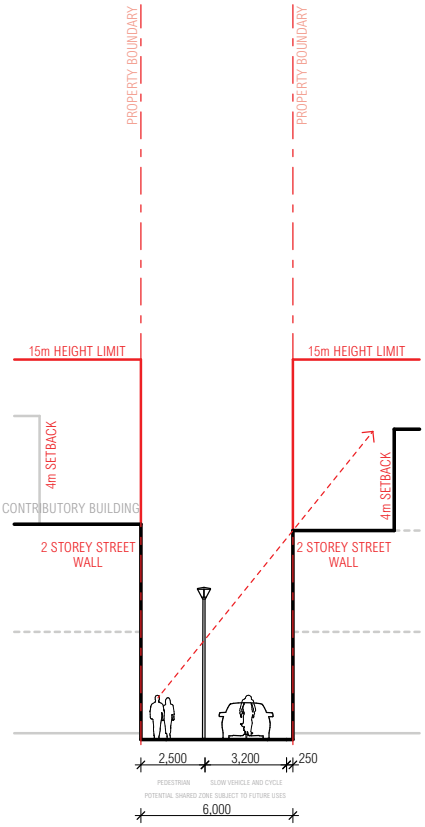


Figure 5.215
Indicative street section – Canal Street, North Alexandria

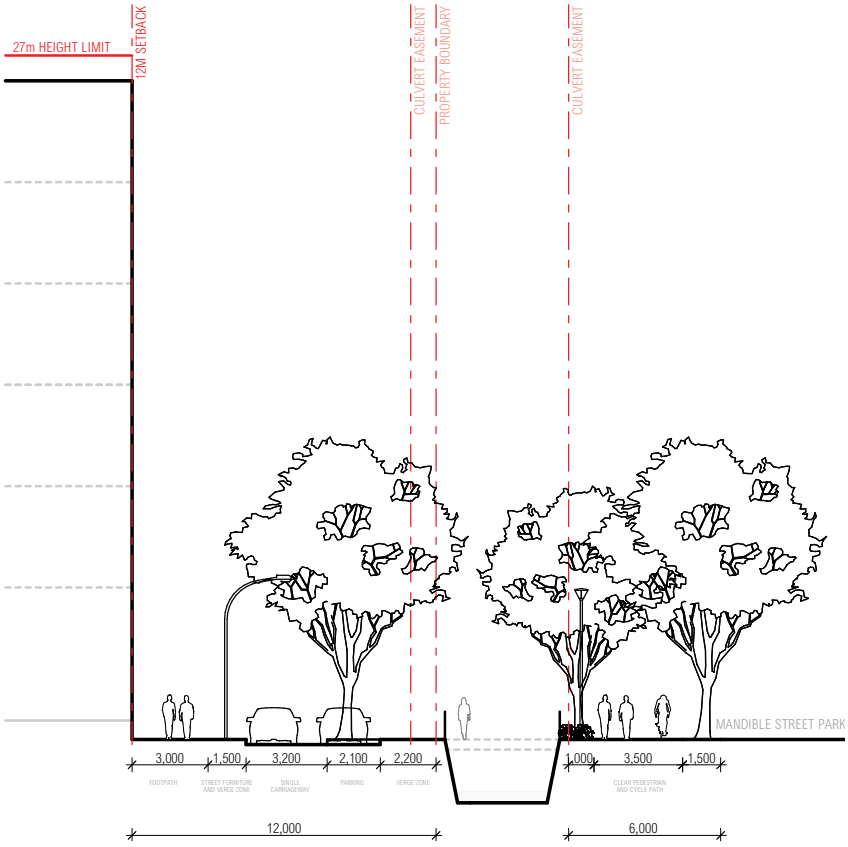


Figure 5.216
Indicative street section – Liveable Green Network North, North Alexandria

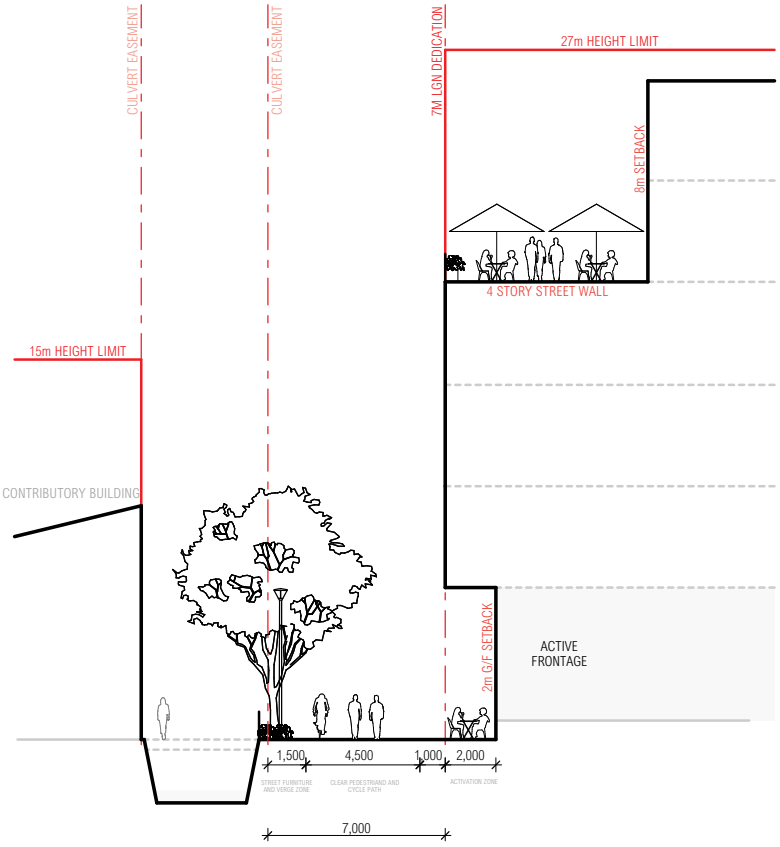


Figure 5.217
Indicative street section – Liveable Green Network South, North Alexandria

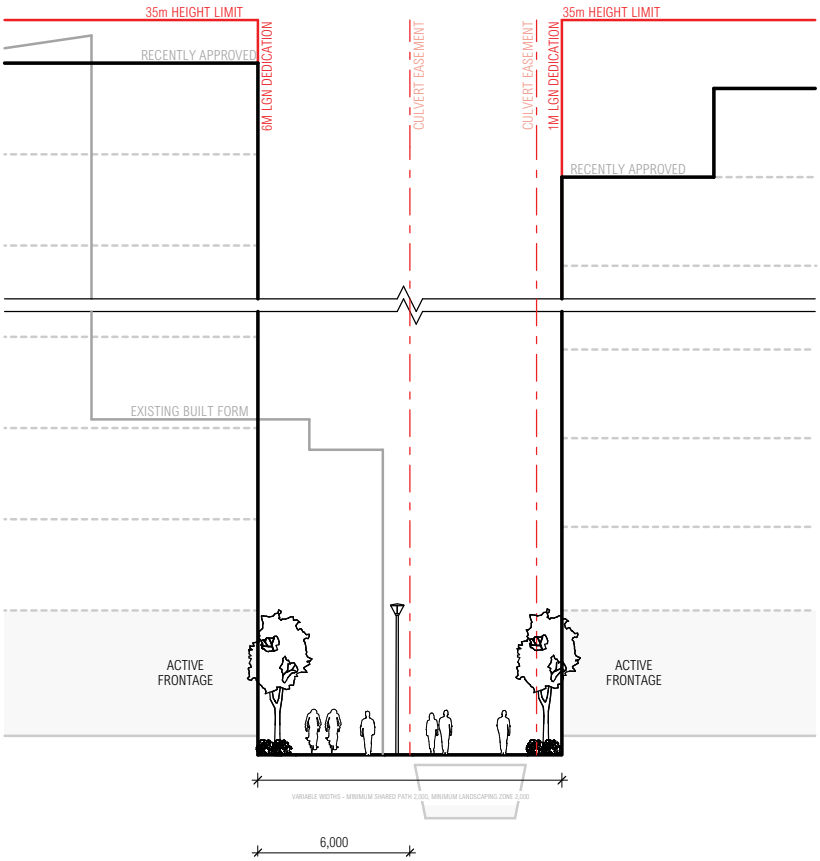


Figure 5.218
Indicative street section – Mandible Street, North Alexandria

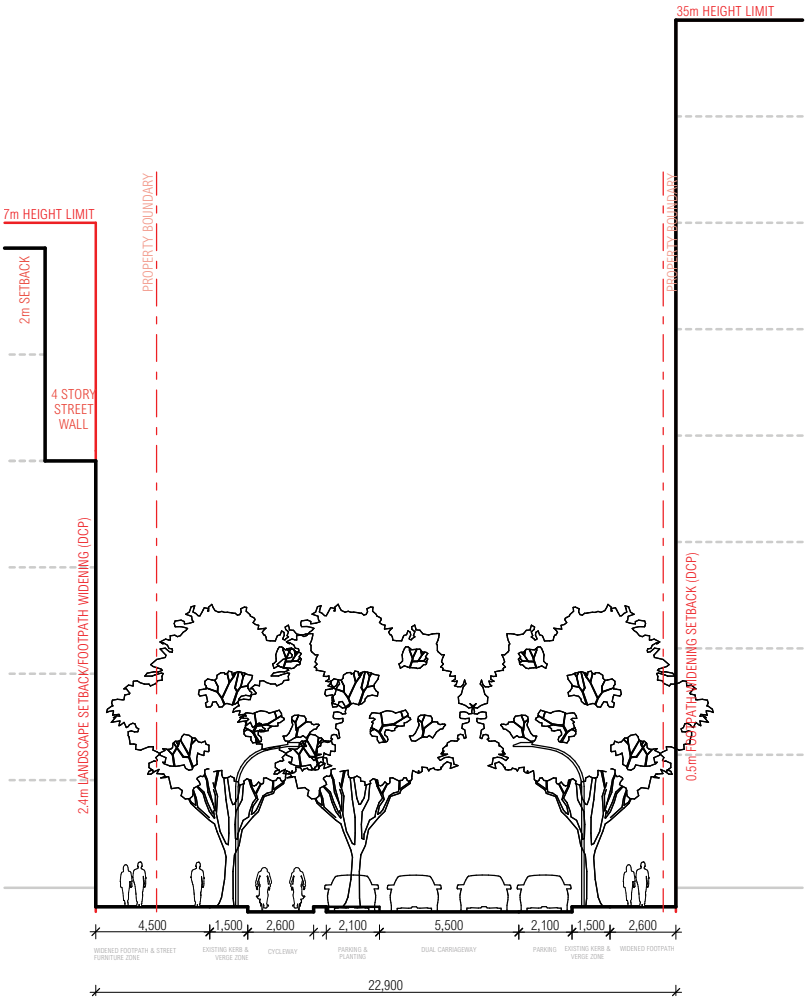


Figure 5.219
Indicative street section – Bourke Road (A), North Alexandria

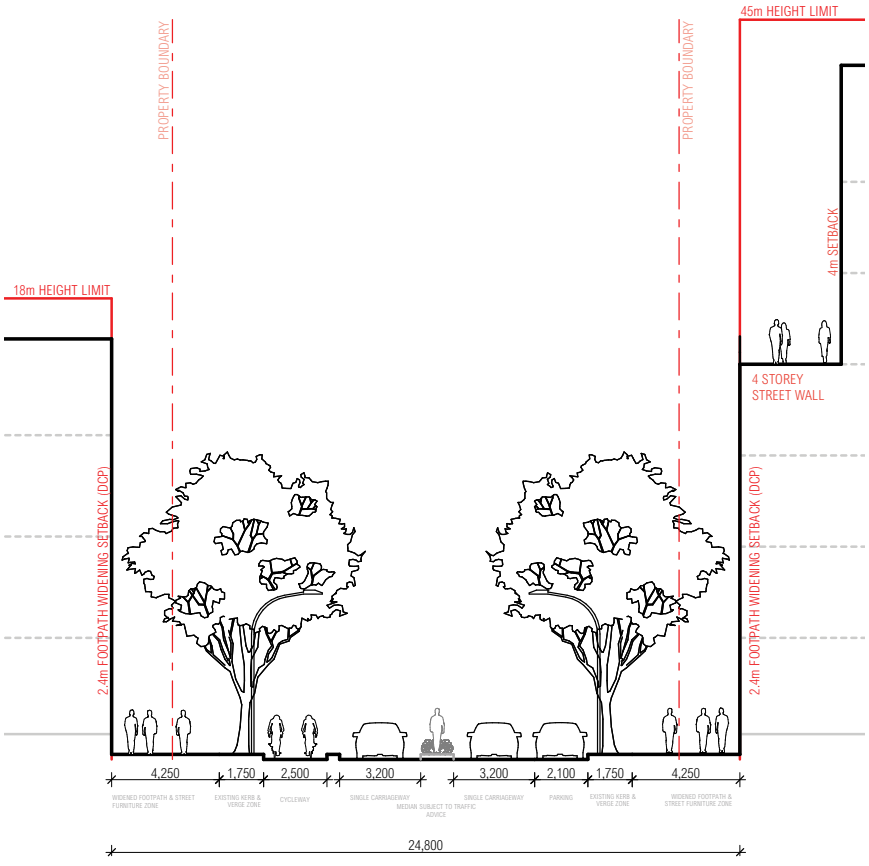


Figure 5.220
Indicative street section – Bourke Road (B), North Alexandria

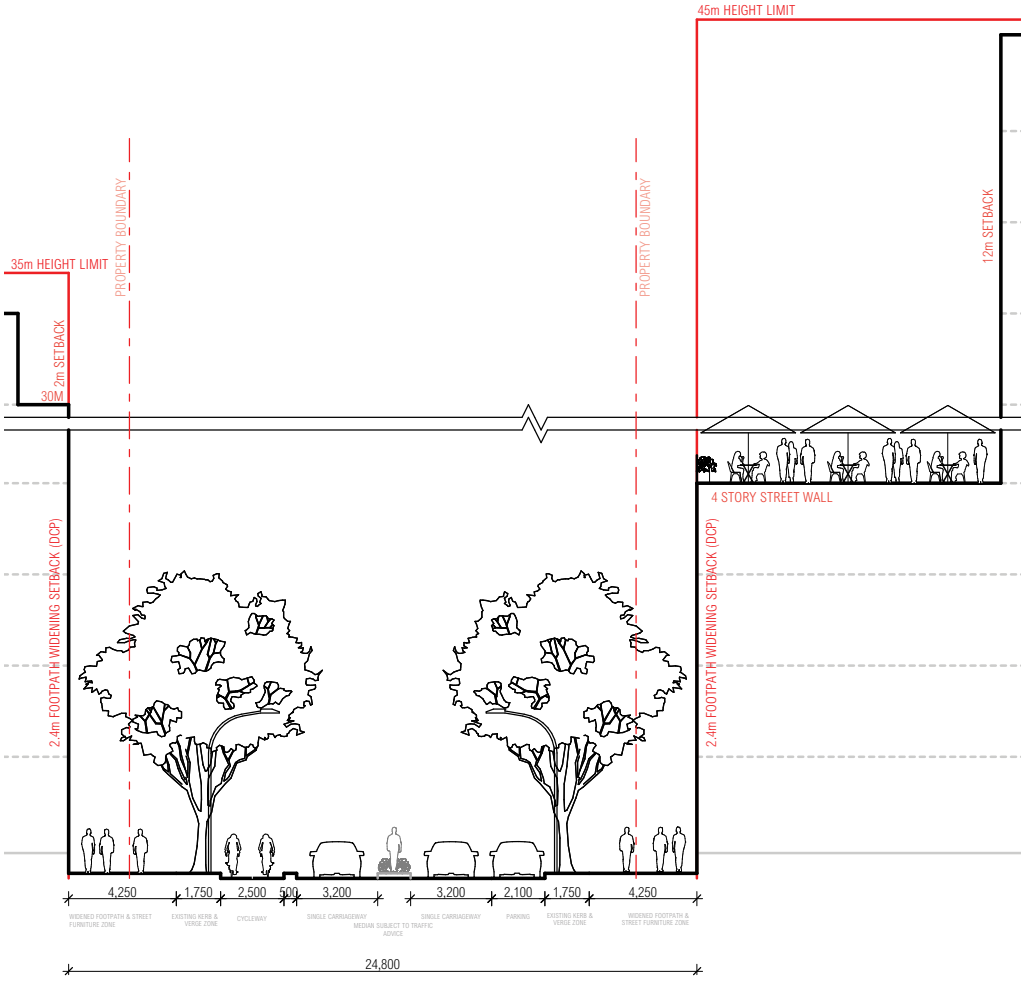


Figure 5.221
Indicative street section – Bourke Road (C), North Alexandria

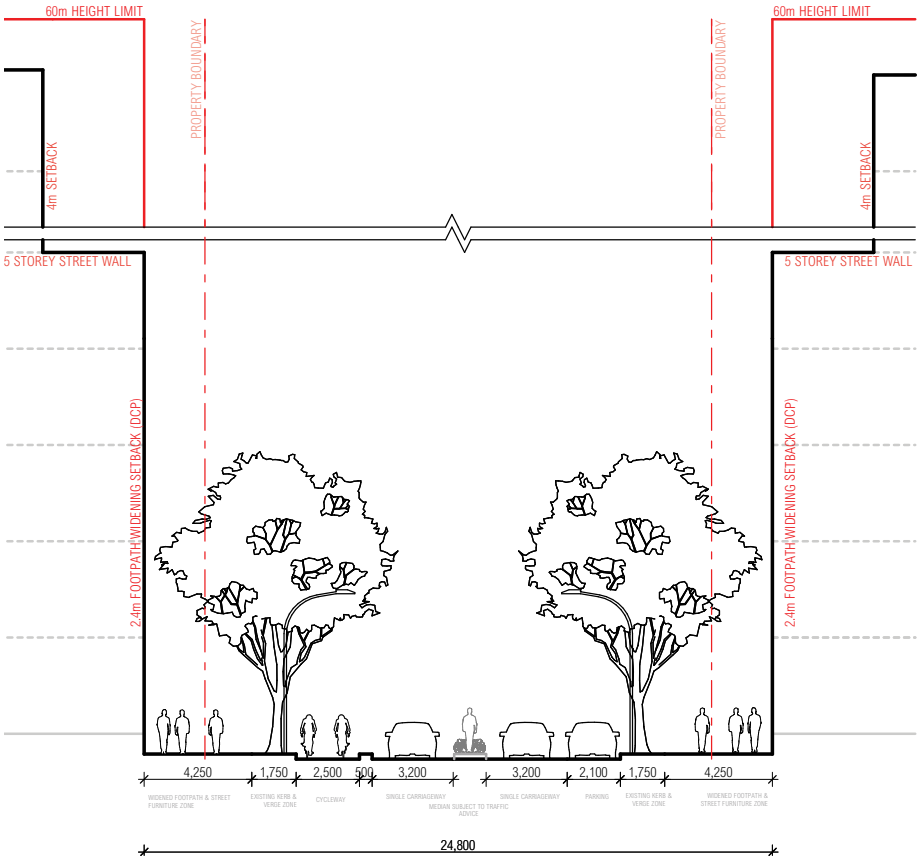


Figure 5.222
Indicative street section – South-block laneway, North Alexandria

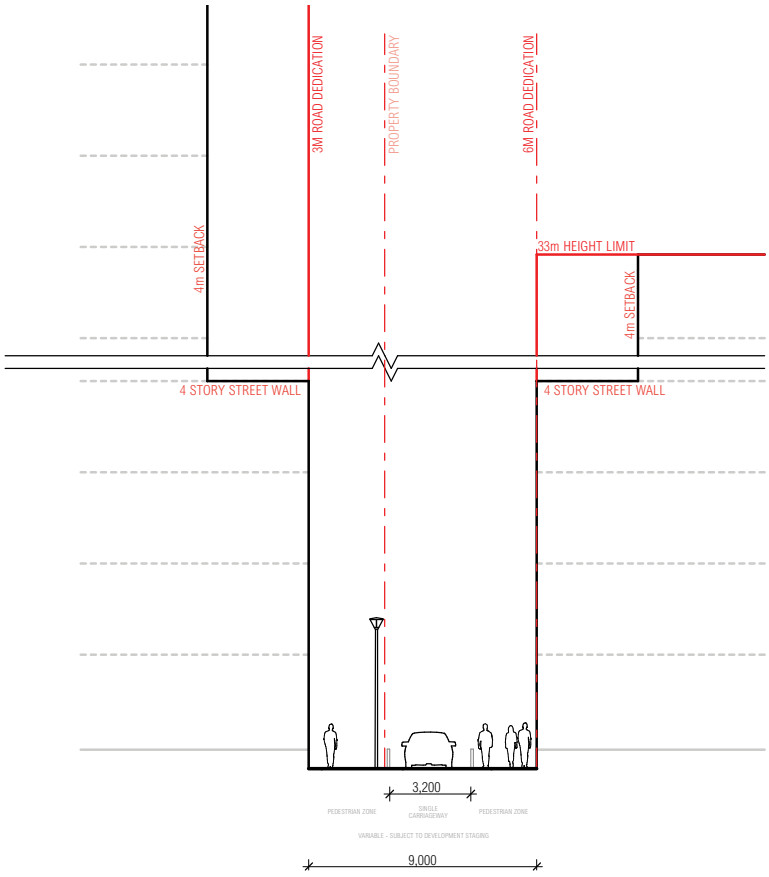


Figure 5.223
Indicative street section – Ashmore Connector East, North Alexandria

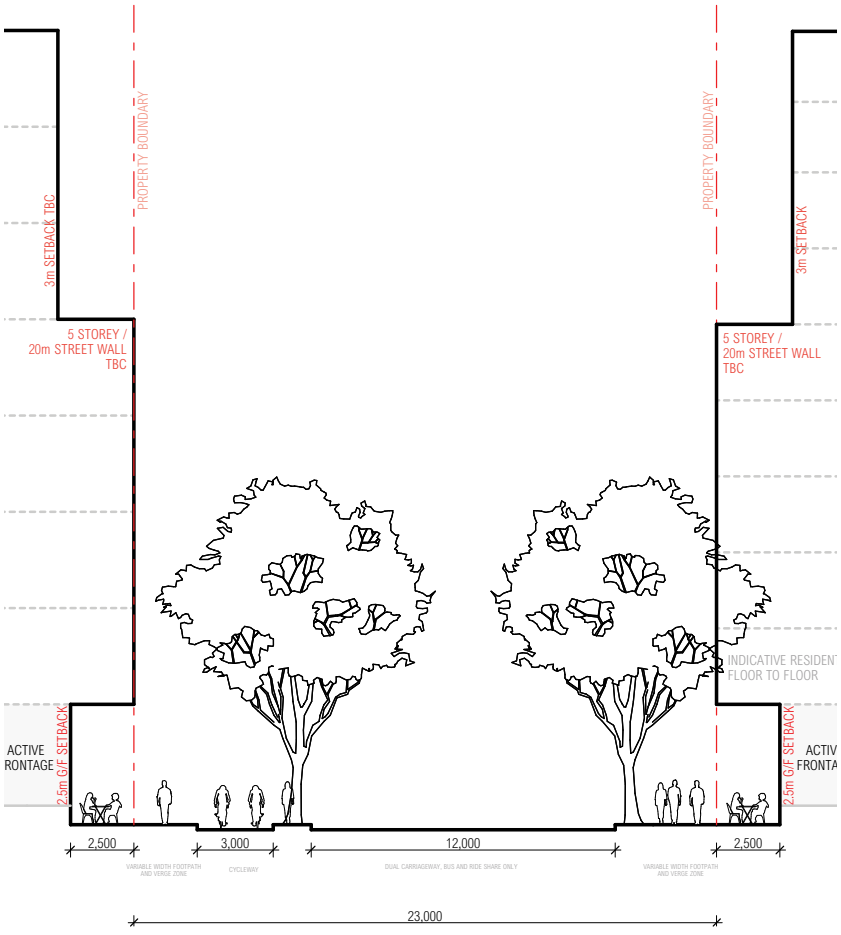


Figure 5.224
Indicative street section – Ashmore Connector West, North Alexandria

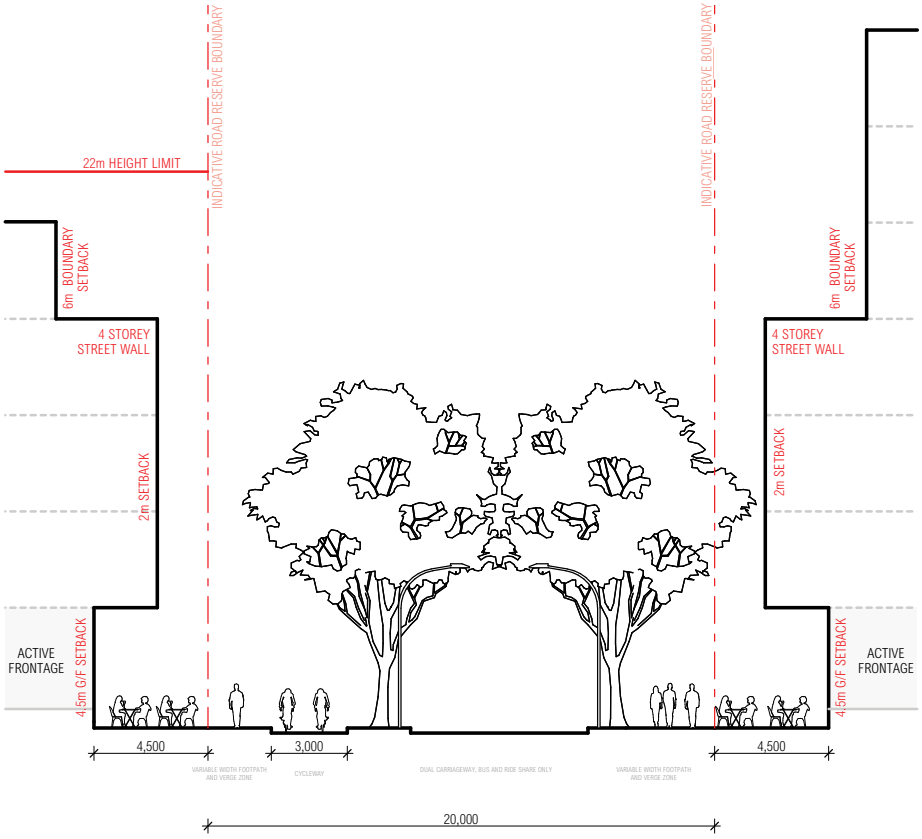


Figure 5.225
Indicative street section – O'Riordan Street (A), North Alexandria

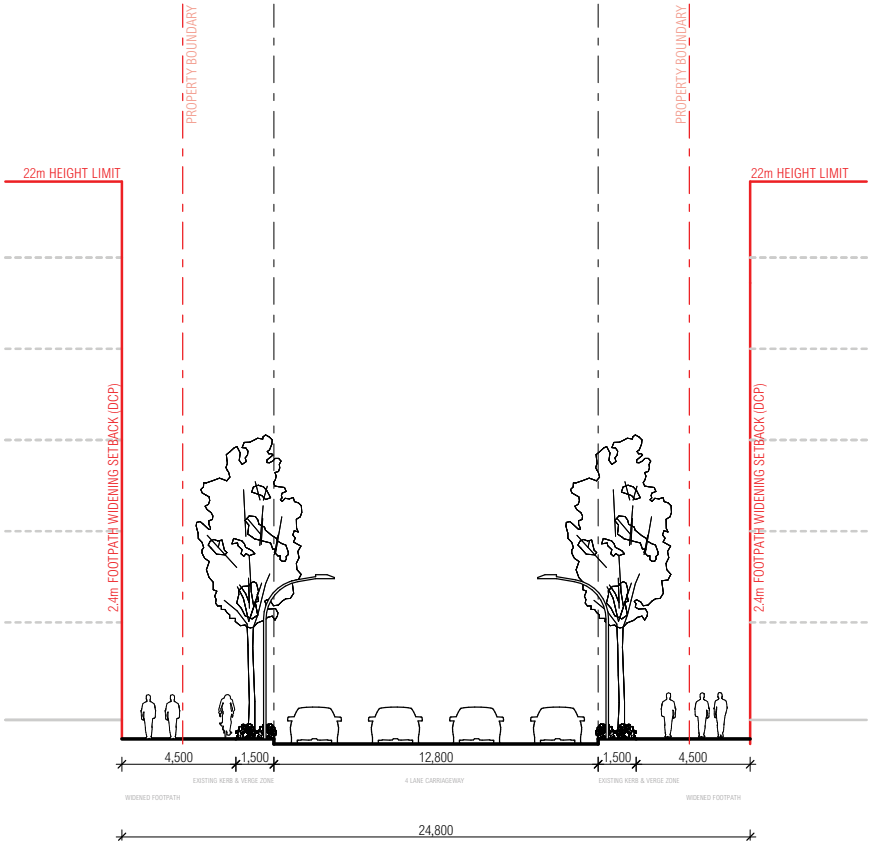


Figure 5.226
Indicative street section – O'Riordan Street (B), North Alexandria

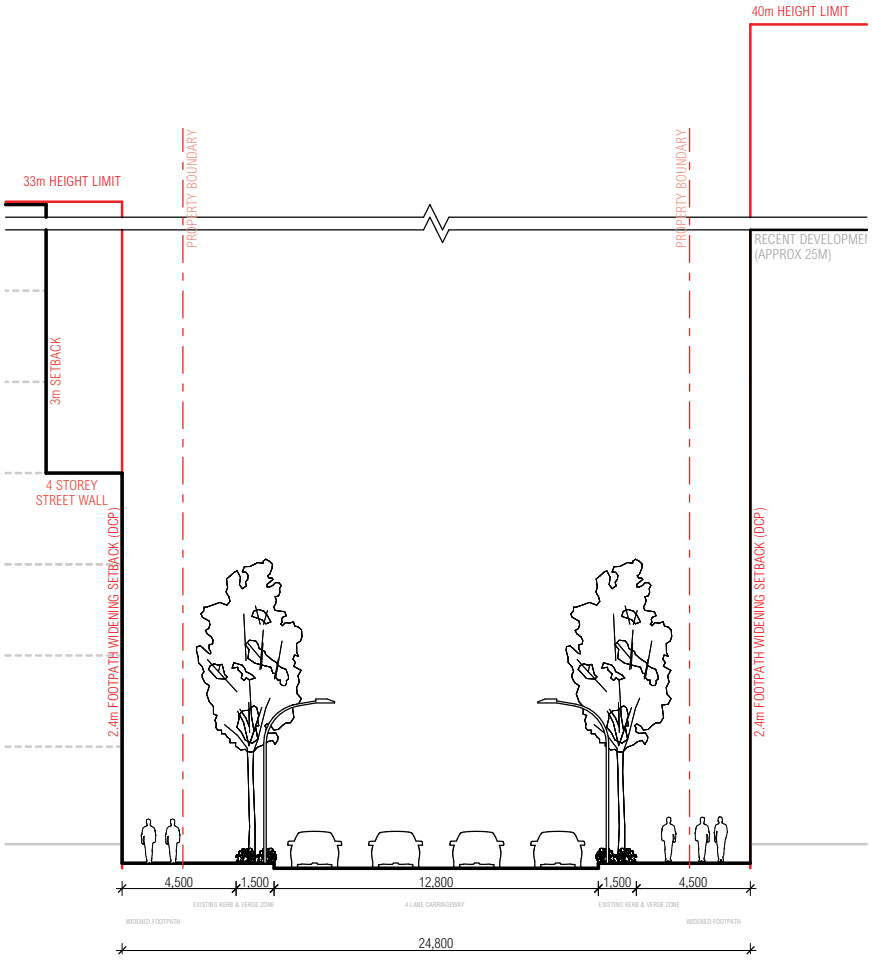


Figure 5.227
Indicative street section – O'Riordan Street (C), North Alexandria

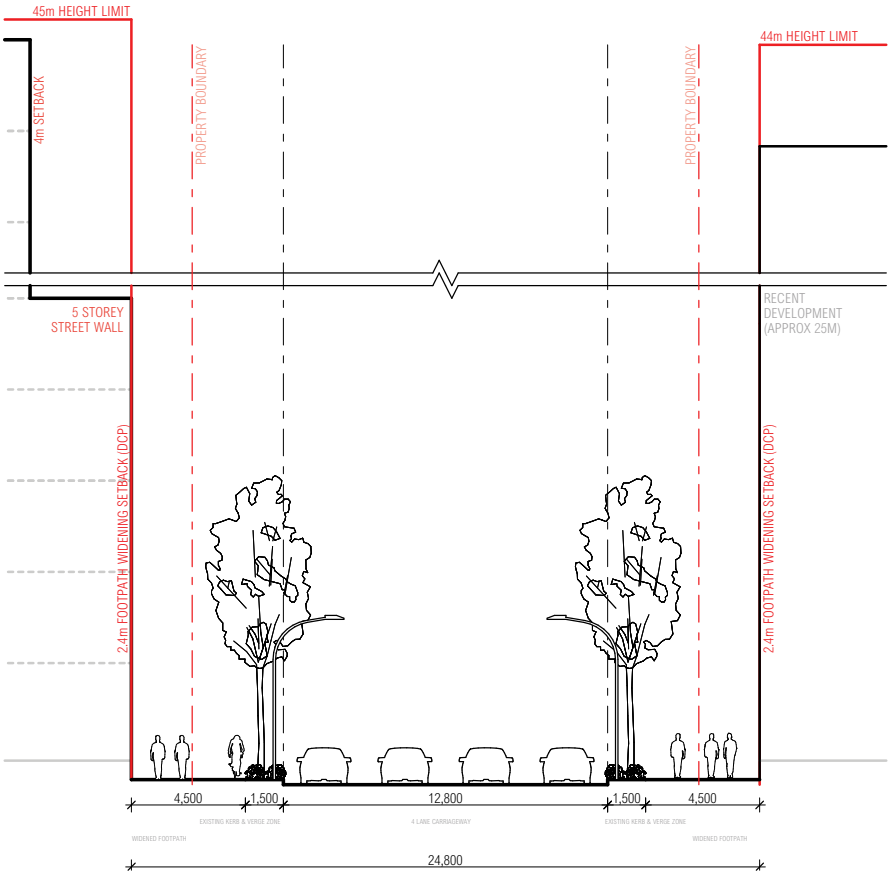


Figure 5.228 North Alexandria Movement of Vehicles

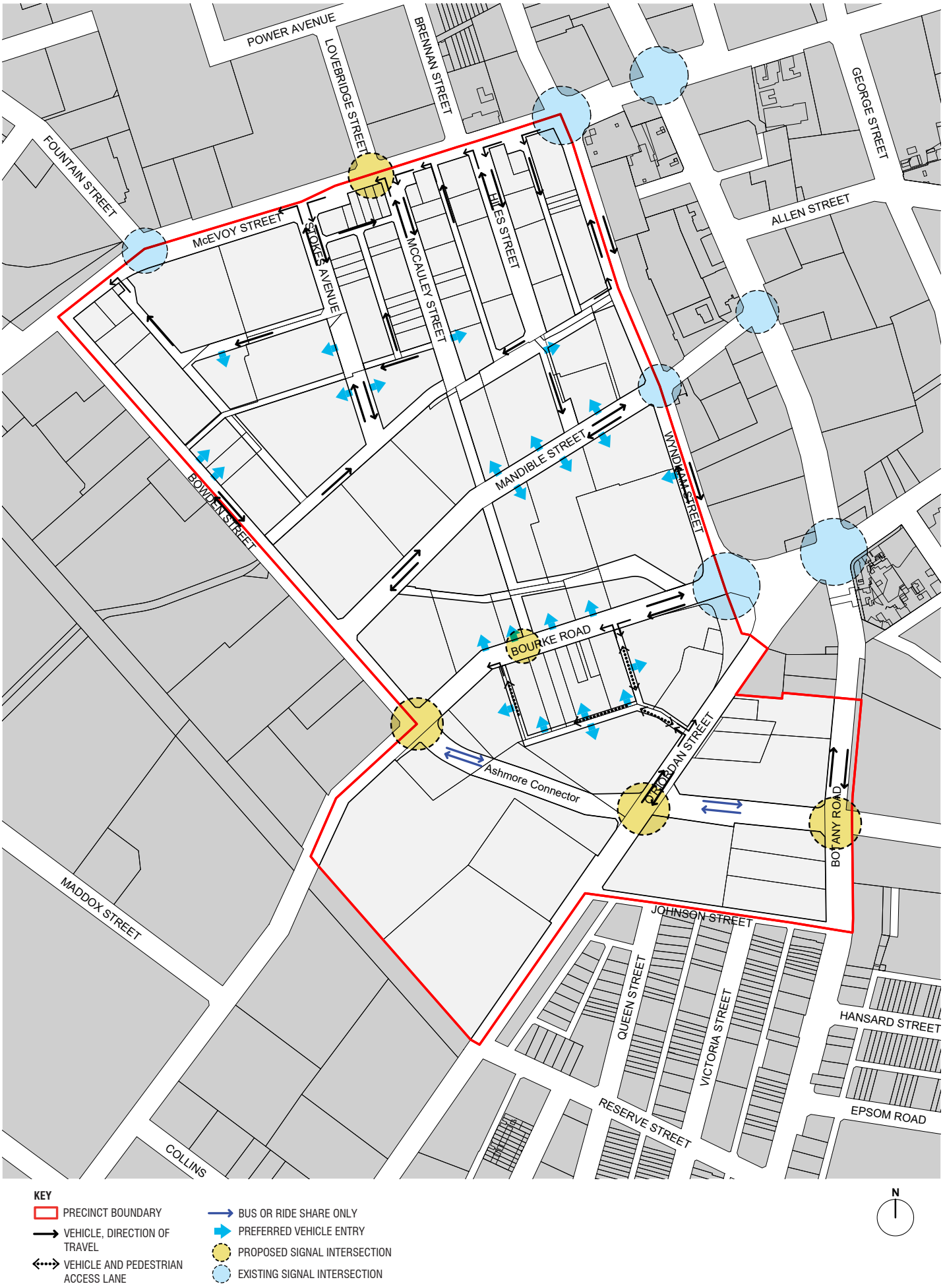
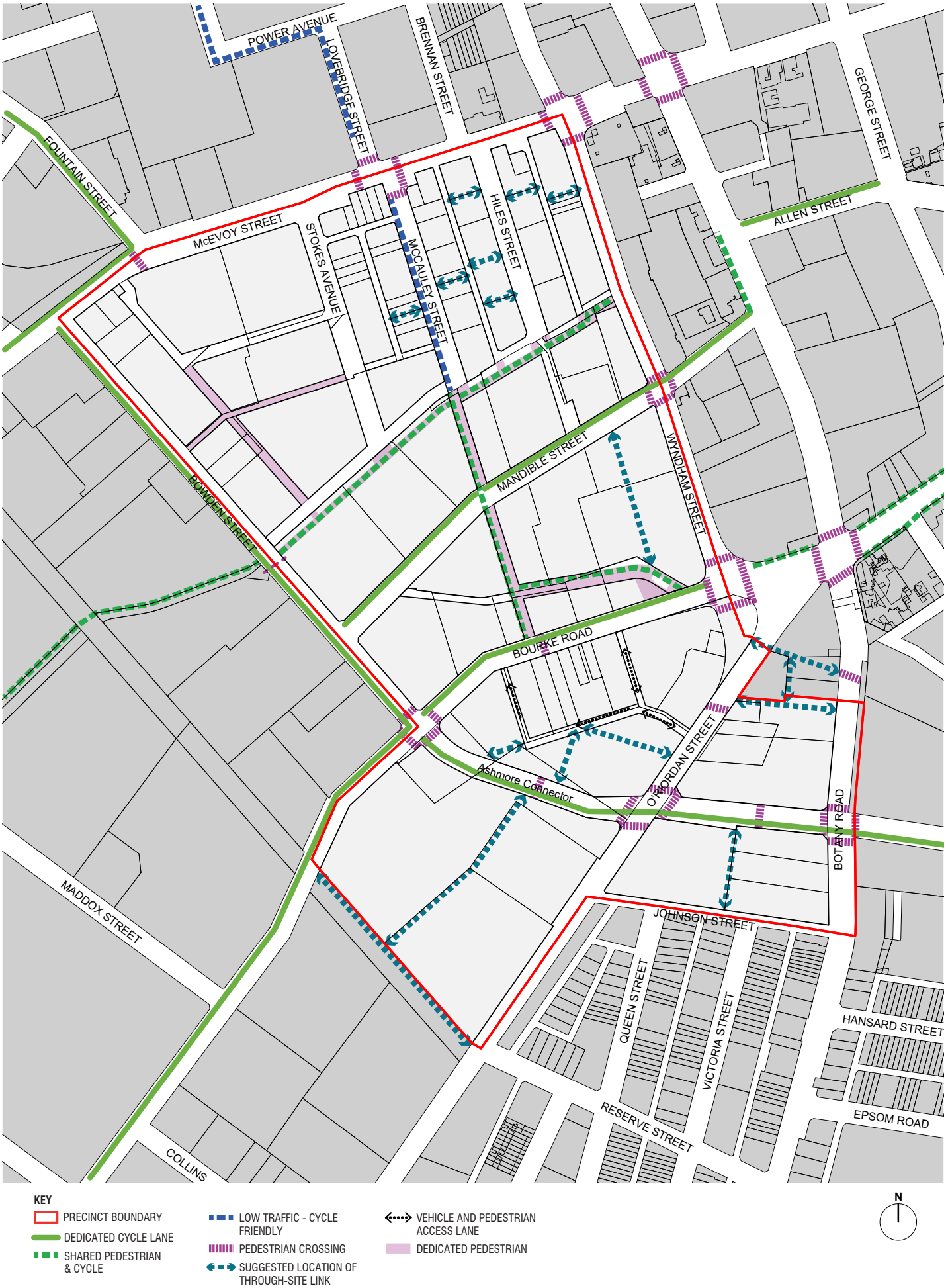


Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists



5.8.4.2.3 Pedestrian and Cycle Network

(1) Where required by Council, through-site links, pedestrian and cycle routes and pedestrian crossings are to be provided and/or dedicated in accordance with:

(a) Public domain setbacks maps and Through site links map; and

(b) Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists.

(2) New development is not be located where a new pedestrian and cycling route and/or through site link is proposed, unless it is of a temporary nature.

(3) Land required for the purpose of footpath widening as identified in Public domain setbacks maps is to be dedicated to Council and provided clear to the sky. An additional building setback may be required from the site boundary as detailed in Section 5.8.3.3 Building alignment and setbacks in this DCP.

(4) Through-site links are to be designed:

(a) with a minimum width of 6m, or 8m where bike access is proposed;

(b) to be open to the sky;

(c) to be level with any adjoining footpath and fully accessible;

(d) to be accessible to pedestrians and cyclists 24 hours a day;

(e) to provide a safe environment including lighting and clear sightlines; and

(f) be activated and surveyed through the design of adjoining buildings.

(5) Design of the public domain is to provide sufficient space for cyclists and pedestrians to move around each other and is to be consistent with the City of Sydney Street Design Code.

5.8.4.3 Liveable Green Network

The Liveable Green Network forms part of the City's pedestrian and cycling network that connects people to the City Centre, village centres and neighbourhoods, public transport, education and cultural precincts and major parks and recreation facilities. The network extends from the Alexandra Canal, along its tributaries and throughout the City.

This Section relates to development along the Liveable Green Network that is within the Southern Enterprise Area. This section should be read in conjunction with the various sections of this DCP that relate to public domain, pedestrian and cycle links, built form and urban ecology.

Objectives

(a) Facilitate a Liveable Green Network along the Alexandra Canal and its tributaries that provides opportunities for walking, cycling and active and passive recreation.

(b) Ensure future development positively addresses the Liveable Green Network.

(c) Improve and increase pedestrian and cycle connections to centres, public transport nodes, open spaces, facilities and services both in and around the Southern Enterprise Area.

(d) Ensure the Liveable Green Network is legible and safe.

(e) Ensure the Liveable Green Network includes landscaped spaces that provide habitat.

(f) Increase the proportion of trips made by walking and cycling in and through the Southern Enterprise Area.

Provisions

General

(1) New development along the Liveable Green Network is to:

(a) maximise opportunities for surveillance;

(b) provide interest and minimise blank walls and incorporate building entries and large windows at least every 20m;

(c) provide a minimum of 25% of any frontage on to the Liveable Green Network as active frontage;

(d) provide direct access, locating entries to the building along the Liveable Green Network.

(2) Setbacks and building alignments are to be consistent with the *Public domain setbacks map*, *Through-site links map*, Figure 5.200 *North Alexandria Public Domain Dedications and Easements* and Table 5.21 Landscape setbacks for the Liveable Green Network.

(3) Setbacks to facilitate the Liveable Green Network are generally required to be dedicated to Council with new development being built to the new site boundary.

(4) New development is not to be located where the Liveable Green Network is proposed unless it is of a temporary nature.

(5) Landscaping is to incorporate locally indigenous species and features such as rockeries to provide habitat.

North Alexandria

(1) Opportunities to re-invigorate the Sheas Creek canals are to be explored in North Alexandria, including:

(a) covering the canal between Hiles Lane and Wyndham Street to provide space for a potential public plaza at the threshold to this section of the network;

(b) covering over the canal to create additional public spaces where recent development has restricted the width of the Liveable Green Network corridor;

(c) preserving the open canal at the Bourke Road junction where it is visible from Green Square Train Station plaza;

(d) providing frequent footbridges to maximise pedestrian connectivity, particularly between the north- and mid-blocks;

(e) allowing space between buildings and public domain to encourage increased activation and alfresco dining;

(f) investigating opportunities to expose the canal elsewhere for visual amenity and character; and

(g) connecting the cycle and pedestrian path over Bowden Street to the continuation of the Liveable Green Network.

Table 5.21: Landscape setbacks for the Liveable Green Network

Condition	Setback
Where located along the Alexandra Canal i.e. Gardeners Road to south of Huntley Street (for indicative section see Figure 5.230: Alexandra Canal section)	10 metres measured from the edge of the canal.
Where located along the Liveable Green Network length between Mandible Street and Bourke Street (for indicative section, see Figure 5.231: Mandible Street to Bourke Road section)	6m on the north side of the canal and 1m setback on south side. Setback to be measured from the edge of the open channel.
Where the located in the Liveable Green Network length between Bourke Road and Doody Street (for indicative section see Figure 5.232: Bourke Road and Doody Street section)	10 metres measured from the edge of the open channel on both sides of the channel.
Where not detailed above, and where the existing water channel (pipe) is closed (for indicative section see Figure 5.233: Closed channel section)	5 metres measured both sides of the centreline of the pipe.
Where not detailed above, and where the existing water channel is open (for indicative section see Figure 5.234: Open channel section)	6 metres measured from the edge of the open channel on both sides of the channel.

Figure 5.230
Alexandra Canal section

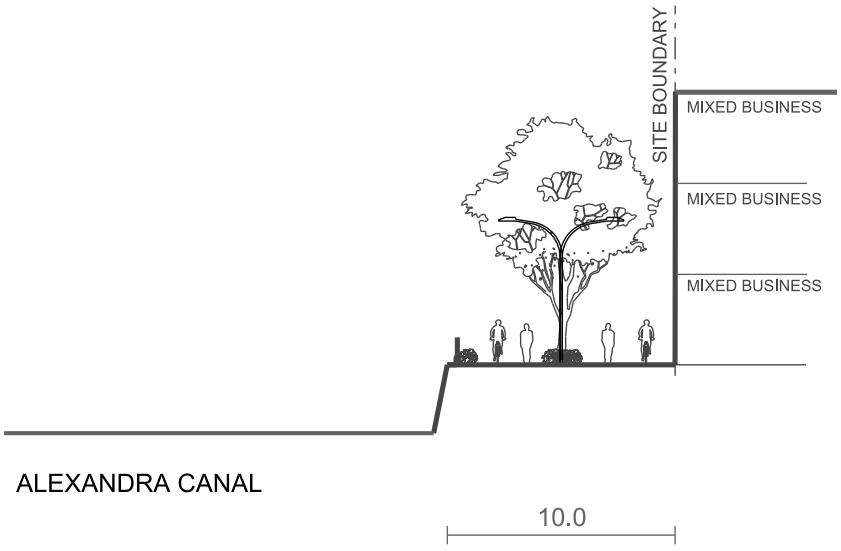


Figure 5.231
Mandible Street to Bourke Road section

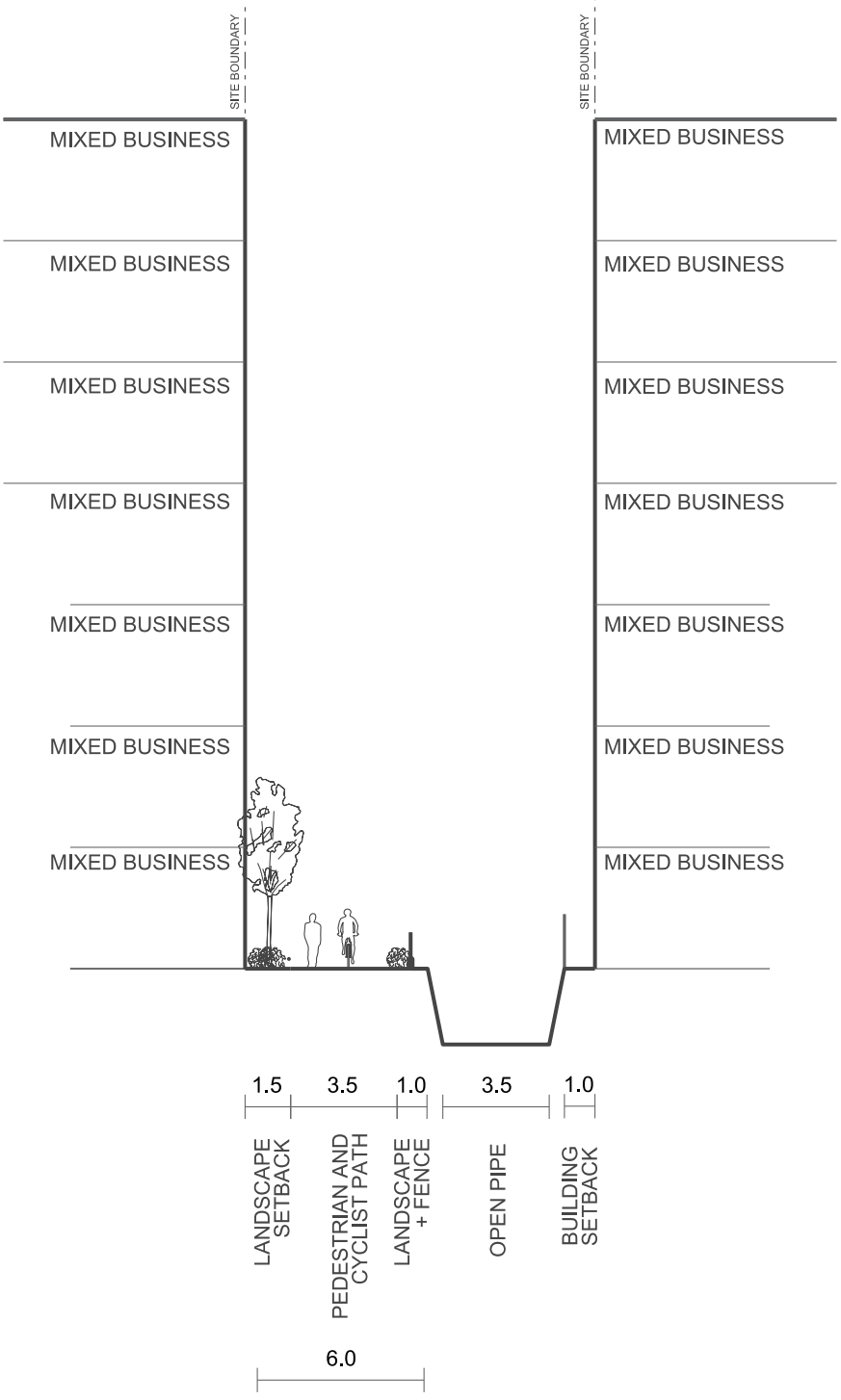


Figure 5.232
Bourke Road to Doody Street section

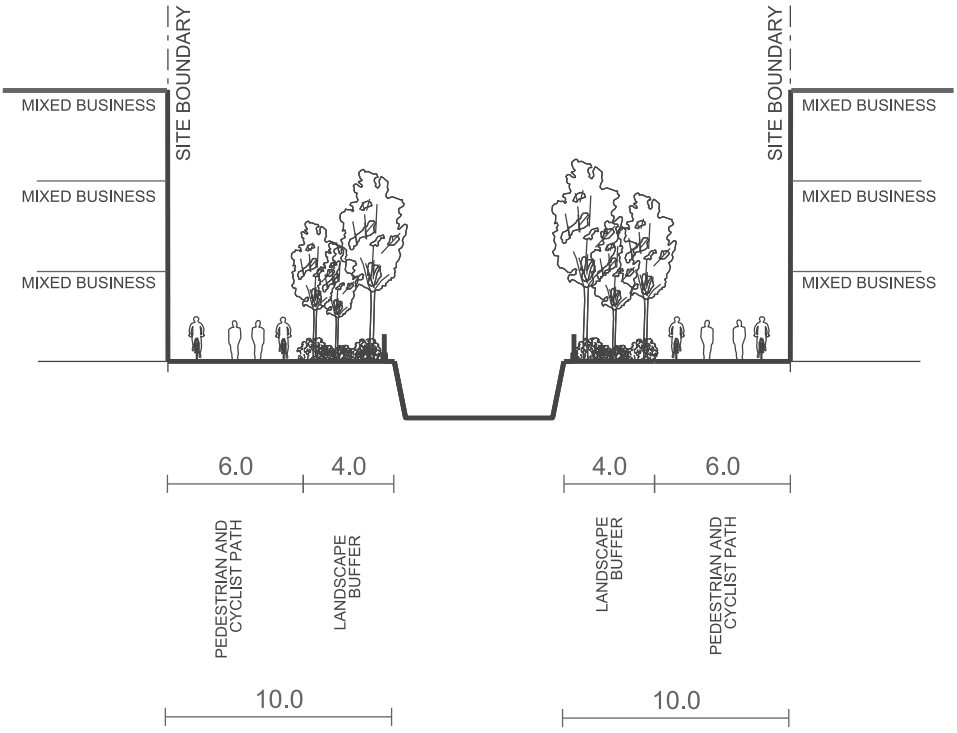


Figure 5.233
Closed channel section

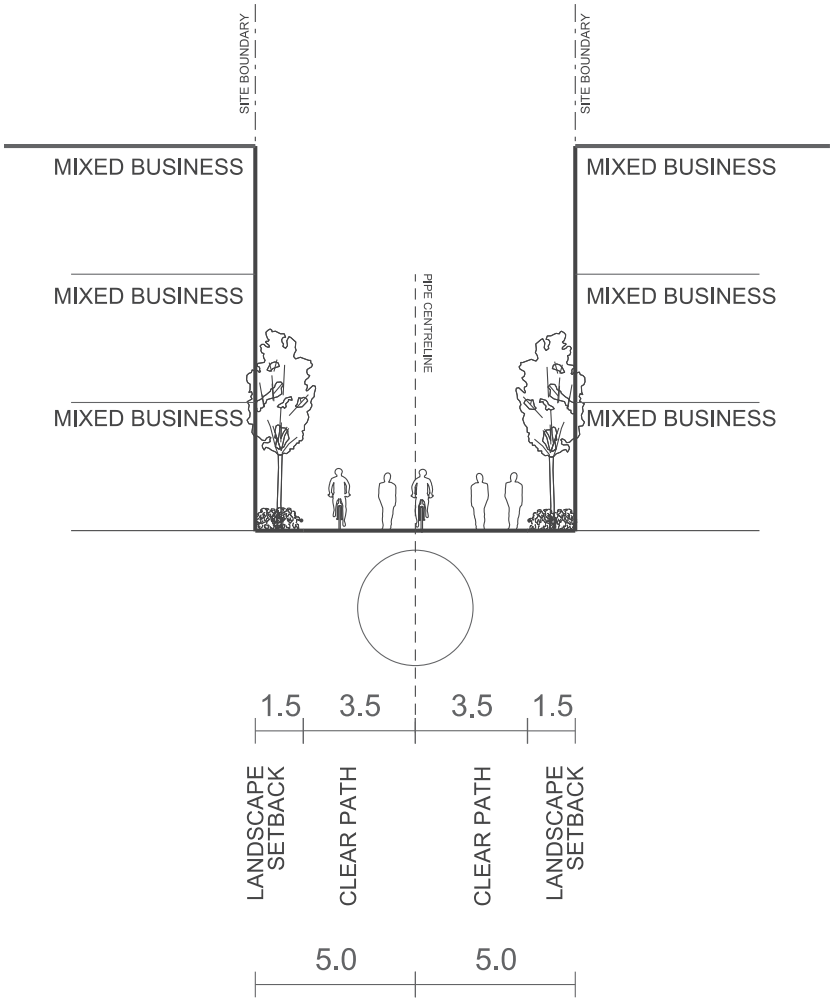
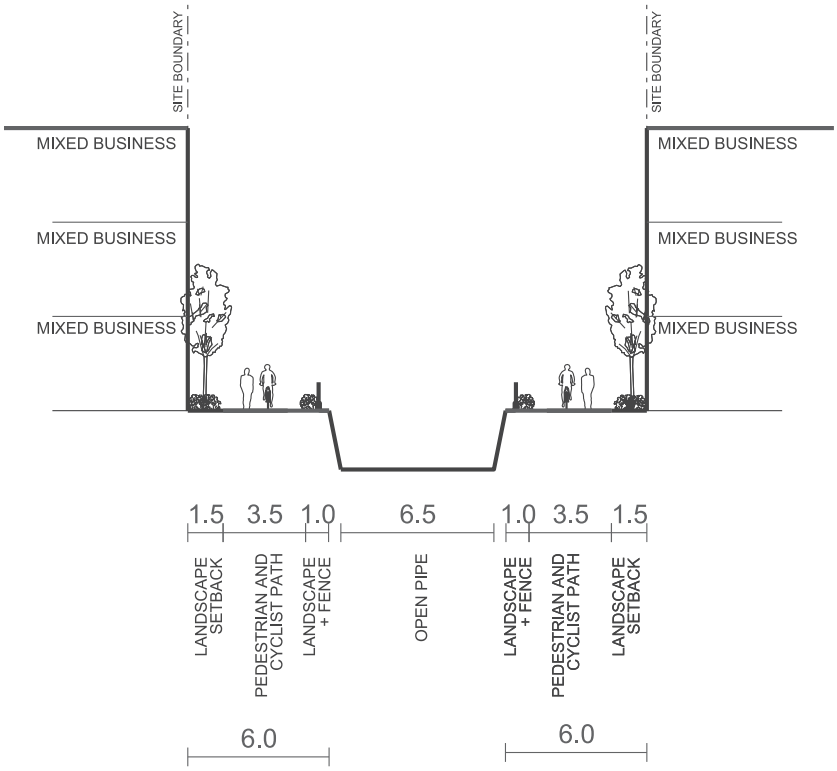


Figure 5.234
Open channel section



5.8.4.4 Public domain in the Enterprise corridor

This Section applies to the land in the Enterprise corridor in *Sydney LEP 2012*. It is to be read in conjunction with Clause 6.28 of the *Sydney LEP 2012*.

This Section identifies how additional height or floor space may be achieved where the development proposes the dedication of land for public domain in the Southern Enterprise Area.

Objectives

(a) Ensure a high level of amenity and an appropriate level of public domain is achieved in the Southern Enterprise Area.

(b) Establish the circumstances under which development may achieve additional height or additional floor space pursuant to Clause 6.28 of the *Sydney LEP 2012*.

Provisions

(1) Where land is proposed to be dedicated for the purpose of public domain then development may achieve additional height or floor space in accordance with Clause 6.28 of the *Sydney LEP 2012*, but only where Council determines there is a need for public domain.

(2) The additional height or floor space can only be achieved under Clause 6.28 of the Sydney LEP where:

(a) the development contributes to the desired character of the locality in which it is located and has little or no adverse impacts on the amenity of that locality; and

(b) development:

i. dedicates land for a public road identified on the Streets and lanes map,

ii. dedicates land for a footpath widening or Liveable Green Network setback identified on the Public domain setbacks map;

iii. dedicates land for substantial public open space; or

iv. dedicates land for or provides a public access easement for a through-site link identified on the Through-site links map.

(3) Where this DCP identifies multiple public domain requirements, the development may achieve additional height or floor space in accordance with Clause 6.28 of *Sydney LEP 2012*, but only where all public domain is proposed to be dedicated, and where the consent authority determines there is a need for public domain.

(4) Additional height or floor space cannot be achieved under Clause 6.28 of *Sydney LEP 2012* for public domain works undertaken by the developer where no land is dedicated or otherwise provided to Council for public domain.

5.8.5 Managing transport demand

To address high levels of traffic congestion in the Southern Enterprise Area it is essential that sustainable transport use is actively promoted.

This Section should be read in conjunction with Clause 7.26 under Sydney LEP 2012 and the requirements of Section 3.11 Transport and Parking and Schedule 7, of this DCP.

The requirements of Section 3.11.1 are superseded by this Section.

Objectives

(a) Promote sustainable transport use to reduce traffic congestion on local and regional roads in and around the Southern Enterprise Area.

(b) Achieve a minimum mode share target of people arriving at work by sustainable transport modes of:

i. 45% of workers in North Alexandria are to arrive at work by public transport or active transport; and

ii. 40% of workers in the remaining mixed business areas are to arrive at work by public transport or active transport.

Provisions

(1) Development is to actively promote sustainable transport modes.

(2) Where development increases the amount of carparking on a site:

(a) a Transport Impact Study is required to address the potential impact of the development on surrounding movement system;

(b) a Green Travel Plan is to be prepared which includes initiatives to promote sustainable transport modes. Green Travel Plans are to be prepared in accordance with Schedule 7 and demonstrate how initiatives to promote sustainable transport options are to be implemented and maintained over time; and

(c) a Transport Access Guide and a strategy is to be prepared and made available for employees and visitors.

5.8.6 Environment

5.8.6.1 Stormwater management and waterways

This Section should be read in conjunction with provisions of Section 3.7 Water and Flood Management of this DCP.

Objectives

(a) Assist in the management of stormwater to minimise flooding and reduce the effects of stormwater pollution on receiving waterways.

(b) Ensure that development manages and mitigates flood risk and does not exacerbate the potential for flood damage or hazard to existing development and to the public domain.

(c) Ensure that flood risk management addresses public safety and protection from flooding.

Provisions

(1) Development applications are to be prepared in accordance, and be compatible with, the assumptions and flood information documented in the Alexandra Canal Catchment Floodplain Risk Management Study and Floodplain Risk Management Plan available from the Council as it applies to the Southern Enterprise Area.

(2) Development is to comply with Council's floodplain management policies and flooding provisions of this DCP.

(3) Any portion of the building or structure lower than the 1% AEP + .50 metre freeboard is to be built from flood compatible materials (i.e. materials that will not experience any significant damage as a result of the ingress or passage of floodwaters, including debris).

(4) All services associated with the development are to be flood proofed to the 1% AEP + .50 metre freeboard or, where associated with critical services, the Probable Maximum Flood (PMF). Flood proofing is to be undertaken using a combination of measures sufficient to ensure that the structure and building contents are able to withstand the forces due to the ingress or passage of floodwaters, including debris.

(5) A suitably qualified engineer is to certify that the structure can withstand the forces of floodwater, debris and buoyancy for the 1% AEP + .50 metre freeboard or the PMF in cases with significant safety or evacuation issues.

(6) Overland flowpaths and other stormwater management systems must be designed such that personal safety is not compromised and damage to property is minimised. In designing for the PMF flood vertical evacuation procedures must be considered.

(7) All buildings that are accessible to the public, and where the depth of the PMF at the site access is greater than 0.8m, are to provide temporary refuge for persons escaping floodwaters.

5.8.6.2 Urban ecology

This section should be read in conjunction with the provisions of Section 3.5 Urban Ecology of this DCP.

The large industrial sites, warehouses and generally less intensely used sites that characterise much of the Southern Enterprise Area can provide habitat for a range of plant and animal species, including birds, bats and reptiles. This is particularly the case where sites have remained vacant or unused for an extended period of time.

Landscaping associated with new development will serve many purposes including enhancement of amenity and air quality, managing stormwater runoff and protecting and enhancing the urban ecology.

Objectives

(a) Protect and enhance existing habitat and create new areas of habitat in the Southern Enterprise Area, contributing to the wider urban biodiversity of the City.

(b) Ensure landscaping improves, protects and enhances urban biodiversity.

(c) Protect and promote the recovery of priority species and groups of fauna and flora and reinstate original locally indigenous vegetation.

Provisions

(1) New development is to retain and enhance existing habitat and create opportunities for new areas of habitat.

(2) Buildings and structures should be sited to protect existing areas of vegetation and habitat.

(3) Landscaped areas are to be designed and located to create a buffer between potential habitat and development, for example along property boundaries.

(4) Where development is proposed on sites with substantial vegetation and/or sites and buildings that have remained undisturbed for 1 or more years, Council may require an ecological assessment of priority species or groups as identified in the City of Sydney Draft Urban Ecology Action Plan. In the Southern Enterprise Area, relevant species include the:

  (a) long-nosed bandicoot;

  (b) small birds such as the Superb Fairy Wren, New Holland Honeyeaters;

  (c) reptile species; and

  (d) microbat species.

(5) Where development is in close proximity to known sightings of a threatened or endangered species, population or community, an assessment of significance is required.

(6) Where a priority species or habitat is identified, Council may require protection or species relocation measures to be undertaken.

(7) When undertaking stormwater works along the Alexandra Canal, any impacts on habitats must be assessed and appropriately mitigated.

5.9
Danks Street South

This Section applies to the land identified as Danks Street South in Figure 5.1 Specific Areas. It should be read in conjunction with the locality statement and principles in Section 2.5.3 Danks Street and Section 2.13.7 Young Street.

Where land is located in Danks Street South both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency.

5.9.1 Danks Street South urban strategy

Objectives

(a) Development in Danks Street South is to be undertaken in accordance with the following objectives and Figure 5.235 Danks Street South Urban Strategy.

(b) Ensure development is of the highest quality, and responds to the existing surrounding local character and its history, particularly its former industrial uses.

(c) Ensure that redevelopment is coordinated and effectively managed to provide appropriate community facilities and services as required.

(d) Introduce a mix of dwelling types to provide flexibility and choice for a diverse community.

(e) Provide a variety of building heights and forms which respond to the hierarchy of streets and open spaces, residential amenity and solar access.

(f) Ensure towers are designed to minimise wind impact and overshadowing to the public domain, including the use of setbacks and podiums.

(g) Introduce a permeable network of streets and pedestrian links that respond to key desire line connections and maximise opportunities for walking and cycling.

(h) Design new streets to prioritise pedestrians and cyclists and slow traffic speeds.

(i) Ensure all streets include tree planting. Large street trees species should be located in central medians to provide shade, amenity and reduce the scale of surrounding buildings.

(j) Use landscaping to assist in the management of stormwater quality.

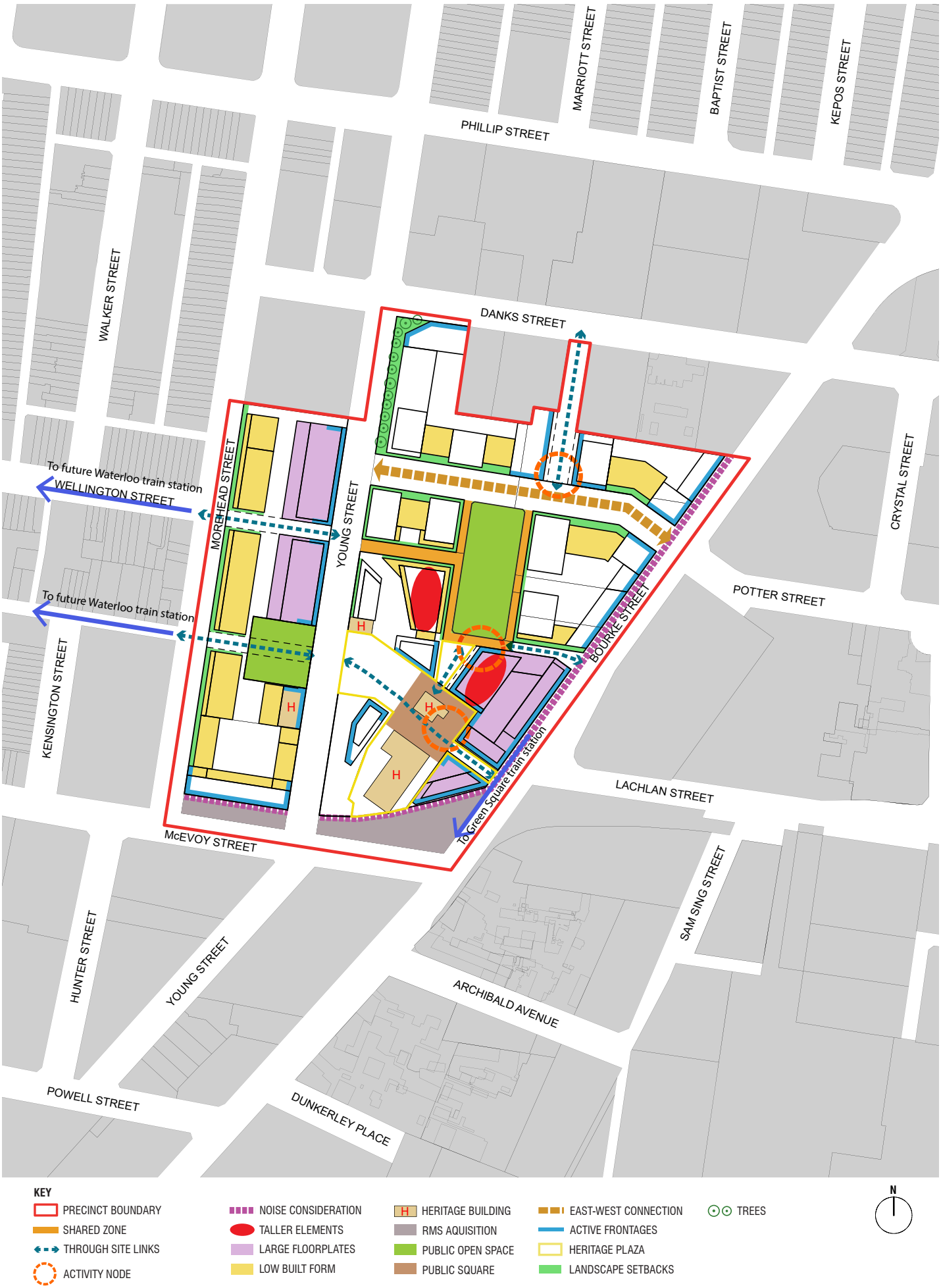
(k) Provide one central park within the precinct of 3,900 square metres (including shared zones) and one smaller park on Young Street of 1,500 square metres. The design of the parks should allow for passive recreation.

(l) Provide one new heritage plaza area around the heritage listed Sydney Water buildings for passive recreation, social interaction opportunities and small scale community events.

(m) Provide a pedestrian and cycle connection between Danks Street and the central park.

(n) Create a strong and consistent landscape character throughout the precinct. Retain and protect established trees in the area. Native plants should be a characteristic feature of new planting.

Figure 5.235 Danks Street South Urban Strategy



(o) Introduce a mix of land uses with commercial and retail uses at ground level on Danks Street, Bourke Street, McEvoy Street, Young Street and around the heritage plaza.

(p) Provide large floorplate buildings to accommodate commercial / retail uses particularly along Bourke and Young Streets.

(q) Provide local shops and services (including childcare facilities) to meet the needs of the population.

(r) Provide Sydney Water 24-hour vehicular and pedestrian access to their assets, namely the Valve House and Pump House.

(s) Minimise the exposure of habitable areas of buildings and public spaces to traffic noise and ensure dwellings can be naturally ventilated while not exceeding appropriate internal noise levels.

5.9.2 Urban design principles

Principle 1: Connections

- Provide a north-south connection from Danks Street to the new central park and heritage plaza.
- Increase permeability with new east-west connections through the precinct.
- Incorporate pedestrian and cycle links between Morehead Street and Young Street.
- Provide clear and direct access to public transport routes.
- Integrate the precinct with surrounding neighbourhoods.

Principle 1
Connections



Principle 2: Land uses

- Locate commercial/retail uses at ground level along Danks Street, Bourke Street, McEvoy Street, parts of Young Street and around the new heritage plaza.
- Carefully locate residential uses cognisant of noise and other potential land use conflicts.
- Provide one central park for passive recreation.
- Provide one heritage plaza area for interaction and passive recreation, associated retail uses and access to Sydney Water's Pump House and Valve House.
- Provide a public square within the heritage plaza around the Valve House.
- Provide an additional park adjacent to the heritage item at 198-222 Young Street.
- Ensure sites are appropriately remediated to a condition suitable for their proposed use.

Principle 2
Land Use



Principle 3: Built form

- Provide a variety of building types and scales.
- Taller buildings are to be located in the centre of the precinct and are to minimise overshadowing impact to open space and surrounding residential properties.
- Provide street frontage heights that provide a human scale to buildings.
- Provide building heights that transition down to meet the Waterloo Heritage Conservation area to the west of Morehead Street.
- East-west oriented buildings are to be of low scale to maximise solar access to site.

- Minimise overshadowing and wind impact to open space and surrounding developments.
- Protect, maintain and respond to the heritage listed buildings within the precinct.

Principle 3
Built Form



5.9.3 Local infrastructure and public domain

The objectives and provisions within this Section must be read in conjunction with the provisions for streets, lands and footpaths in Section 3.1.1 under the General provisions, and Section 5.2 Green Square, which set out specific provisions for local infrastructure.

Objectives

(a) Introduce a main east-west street that connects Young Street to the intersection of Bourke Street and Potter Street.

(b) Introduce a central park with frontage to the new east-west street that accommodates passive recreation.

(c) Introduce a north-south pedestrian/ cycle link from Danks Street to the heritage plaza through the central park.

(d) Introduce an east-west pedestrian/ cycle link through the heritage plaza connecting Young and Bourke Streets.

(e) Introduce a legible, open and permeable pattern of streets, lanes and generous footpaths that respond to key connections to the adjacent neighbourhoods and within Danks Street South and are designed for pedestrian and cycle priority.

(f) All public open space and landscaping is to be designed to be the highest quality, and of consistent design throughout that is accessible for all people.

(g) Provide a pleasant and safe environment for the enjoyment of pedestrians and cyclists, which encourages interaction and improves the amenity of the area for residents, workers, and visitors through provision of solar access and mitigation of noise in the public domain.

Provisions

5.9.3.1 Public open space

Section 5.2 Green Square locates part of the Danks Street South precinct within Catchment Area G 'Danks Street neighbourhood' in Figure 5.54 Green Square Public Open Space and Table 5.10 Provision for open space catchment areas.

(1) Where required by Council, public open space is to be dedicated to Council in the locations identified on Figure 5.236 Danks Street South Open Space, and Figure 5.237 Danks Street South Dedication and Easements.

(2) Provide one central park no less than 3,900 square metres (including shared zones) and one park of no less than 1,500 square metres as identified in Figure 5.236 Danks Street South Open Space.

(3) Provide a heritage plaza as identified in Figure 5.236 Danks Street South Open Space to provide curtilage to the two heritage listed Sydney Water buildings – the Valve House and Pump House. The plaza is to include a public square of around 1,400 square metres around the Valve House.

(4) Design of the parks, heritage plaza and through site links is to incorporate and be in accordance with the requirements set out in Table 5.24: Danks Street South - Open Space Design Requirements and relevant Council public domain plans, including *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.

(5) Provide a high quality landscape setting that enhances the built form, public domain and heritage of the precinct.

(6) Create active, engaging and unique spaces that respond to the site, context and sense of place, and respect, enhance, and celebrate the Sydney Water heritage listed buildings.

(7) Create spaces that foster informal encounters, community participation and understanding of the local environment, including influences from the past occupants of the site, natural history and landforms, past uses, location and climate.

(8) Ensure all existing significant trees and heritage curtilages are protected and enhanced as part of the public domain design.

(9) Create public spaces that are flexible, adaptive and positively address environmental performance and sustainability.

(10) Maximise visual permeability and opportunities for passive surveillance including improving views from the surrounding streets and identified view corridors.

(11) All public spaces are designed to be inclusive and universally accessible, to cater for all ages, enrich the community and provide infrastructure that promotes leisure time and maximises social interaction.

(12) Meeting places, points of interest, shade and grouped social seating opportunities are to be located at predicted nodes of activity.

(13) Seamlessly integrate new public spaces with streets, access requirements and through site links in adjacent development sites.

(14) Utilise a broad range of distinctive place making elements.

Key site considerations

(15) Achieve a consistent and integrated precinct-wide design of public art and public domain, guided by relevant Council plans, including *Open field agency: Public domain and public art strategy for Danks Street South* and related public domain concept plans as they apply from time to time.

(16) The central park is to provide flexible spaces that provide for a range of passive recreation activities and interests.

(17) Ensure the interface between the central park and surrounding buildings is clearly delineated with a laneway/ shared zone to invite public use of the park.

(18) Provide an open and legible route for pedestrian/cycle movement through the precinct between Danks Street in the north and McEvoy Street in the south.

(19) Provide legible links to the Bourke Street cycle network.

(20) Respond to the planned future road widening and signalised intersection upgrades along Lachlan and McEvoy Street, in particular noise and high level vehicular movement, to maximise pedestrian amenity.

Heritage Plaza

(21) The heritage plaza, as shown in Figure 5.238 Danks Street South Heritage Plaza, is to include:

- (a) A public square of around 1,400 square metres surrounding the Valve House, which will predominantly be dedicated to Council, as identified in Figure 5.237 Danks Street South Dedications;
- (b) A publicly accessible private plaza space around the Pump House;
- (c) An east-west through site link which provides a pedestrian and bicycle connection between Bourke Street and Young Street;
- (d) A north-south through site link connecting the public square and the central park; and
- (e) Small areas of private open space, adjoining the public square, associated with the development blocks to the north of the heritage plaza.

(22) Ensure a holistic approach to the design and experience of the heritage plaza across public, publicly-accessible and private spaces within the whole.

(23) Celebrate the history of the Sydney Water site, the living function of the heritage buildings and the raw, unfinished quality of the space to respect the past of the site whilst making it a living place.

(24) The heritage plaza area may include seating and spaces for outdoor dining where the plaza interfaces with adjacent buildings, where appropriate and sensitively designed, whilst allowing for Sydney Water and essential services vehicular access. (See also 5.9.4.4 Land Uses.)

(25) The heritage plaza must be designed to provide vehicular access for essential services and Sydney Water vehicles only and must not impede ongoing Sydney Water operations.

(26) The north-south through site link is to read as a transitional plaza space to the north of the Valve House which links the softer, green central park and the hard heritage plaza and maximises visual connections between the two spaces. It is to incorporate some planting elements, permeable pavers and active edges.

Table 5.22: Danks Street South - Open Space Design Requirements

Type	Requirement	Guidelines
Central park	2,830sqm (excluding shared zones)	(a) Provide for deep soil planting (b) To be used for passive recreation (c) Where appropriate provide informal active spaces, such as fitness stations, that complement the public domain and provide activity in the park (d) Provide a clear link from the heritage plaza area to the park (e) Park design should accommodate passive recreation spaces and some areas of mass planting (f) Tree species should be native species with good tree canopy cover.
Young Street park	1,500sqm	(a) Explore opportunities for community garden (b) Provide for deep soil planting (c) Be used for passive recreation (d) Tree species should be native species that provide good tree canopy cover.
Heritage Plaza	To include a public square of around 1,400sqm, generally dedicated to Council	(a) Limit vehicular access to essential services and Sydney Water vehicles only (b) Provide a seamless public domain that integrates with adjacent areas and buildings (c) Provide outdoor dining opportunities at the interface with adjacent buildings for local cafes and restaurants, where appropriate in the context of the need for vehicle access and which do not interrupt visual connections throughout the public domain network (d) Predominantly hard surface, with careful definition between public and private areas within the heritage plaza (e) Open and flexible space able to cater for a range of gatherings, day and night (f) Provide for clear and legible pedestrian and cycle through-site links; one east-west, connecting Bourke and Young Streets and one north-south, connecting the central park and the public square (g) Be designed holistically across public and private ownership within the heritage plaza having regard to the heritage listed Pump House and Valve House (h) Utilise suitable paving materials which retain an industrial character.
Danks Street through site link	1,170sqm	(a) Provide a safe pedestrian and cycle connection between Danks Street to the main east- west street (b) Provide a tree lined walkway using native tree species (c) Provide soft landscaping with mass planting and good tree canopy cover (d) Allow private vehicular entry to the existing car park at 9-15 Danks Street, if no other option is possible (e) Design the through site link to ensure landscape is maximised considering the need to provide vehicular access, if it arises from (e) above.

Figure 5.236 Danks Street South Open Space



Figure 5.237 Danks Street South Dedications

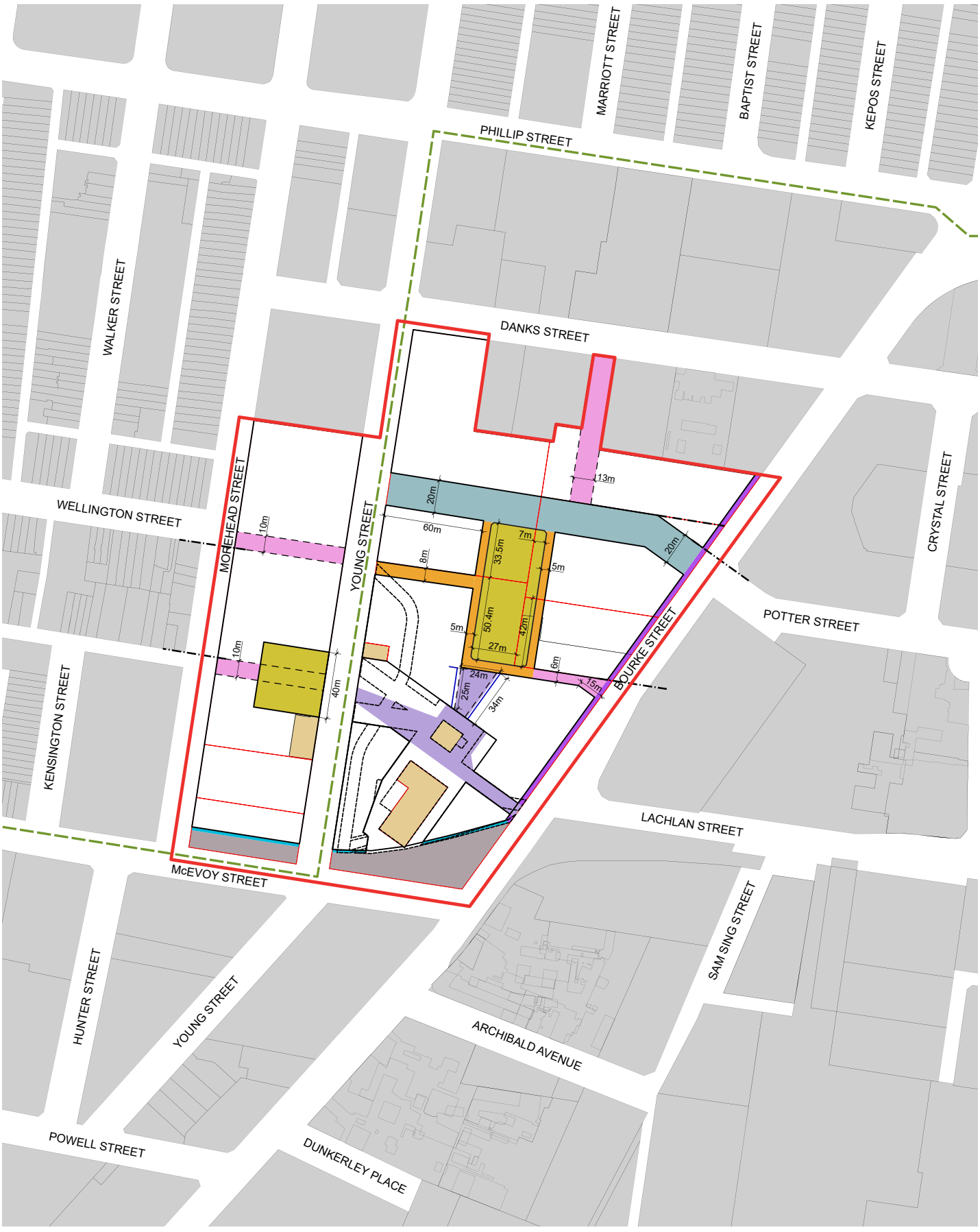


Figure 5.238 Danks Street South Heritage Plaza

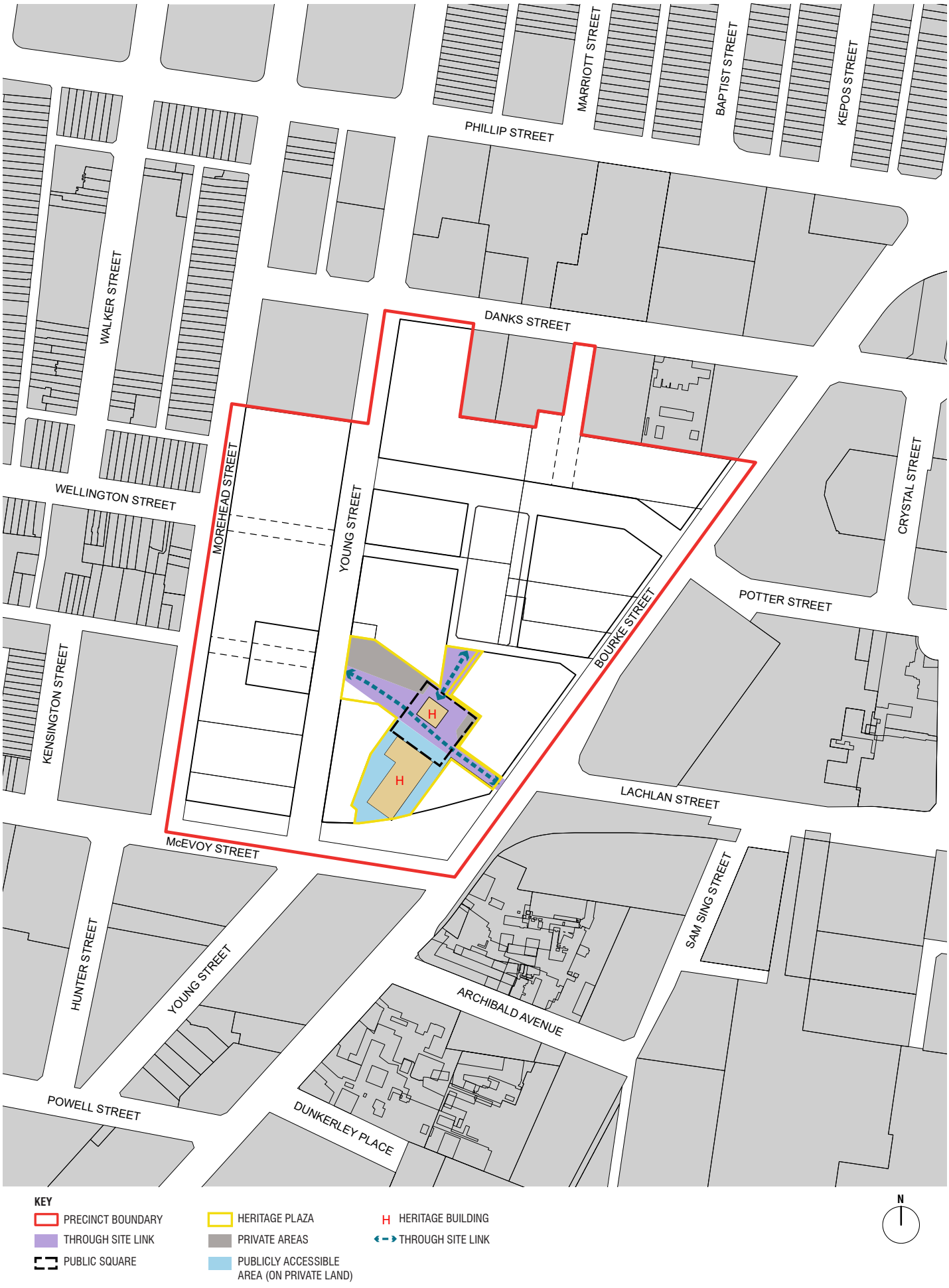
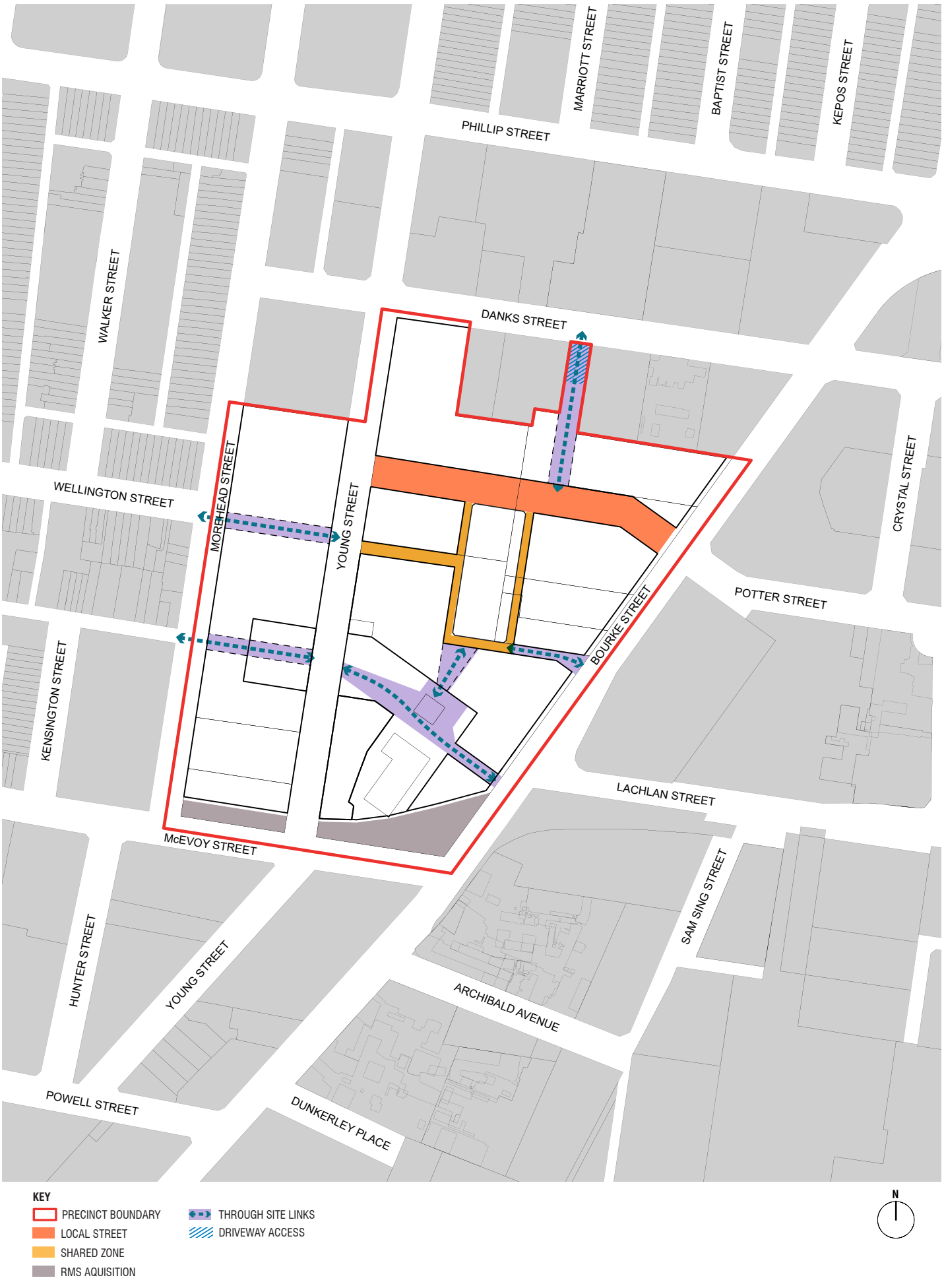


Figure 5.239 Danks Street South Street Hierarchy



5.9.3.2 New streets

The following provisions for streets within Green Square are to be read in conjunction with Section 3.1.1 General provisions for streets, lanes and footpaths.

(1) Where required to be provided, new streets and lanes, are to be:

(a) introduced and dedicated to Council in the locations identified in Figure 5.237 Danks Street South Dedications and Figure 5.239 Danks Street South Street Hierarchy; and

(b) designed in accordance with the standards set out in Figure 5.240 – 5.241 Danks Street South Street Sections.

(2) Street furniture elements and material palettes are to be consistent with the City of Sydney design code and relevant Council public domain strategies and plans as they apply from time to time, including *Open field agency: Public domain and public art strategy for Danks Street South*.

(3) A three metre setback is to be dedicated along Bourke Street in accordance with Figure 5.237 Danks Street South Dedications to provide a shared cycle/ pedestrian zone, and is to be designed as part of the public domain and in accordance with the *City of Sydney Cycle Strategy and Action Plan 2007-18*.

(4) The new street surrounding the central park is to be one-way (clockwise) and be provided as a shared zone.

(5) The design of the shared zone along the new park's edge should be incorporated into the overall design of the park.

(6) If necessary, in the short term, traffic may be permitted on the pedestrian/ cycle link (from Bourke Street) for construction staging requirements only.

Figure 5.240
Danks Street South – Street Section – Park Edge (9m shared zone)

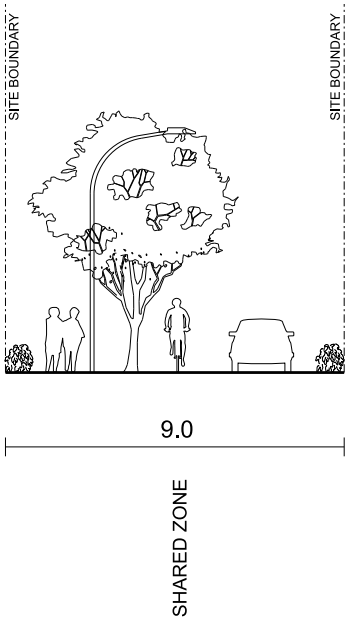


Figure 5.241
Danks Street South – Street Section – Pedestrian/cycle link (width varies)

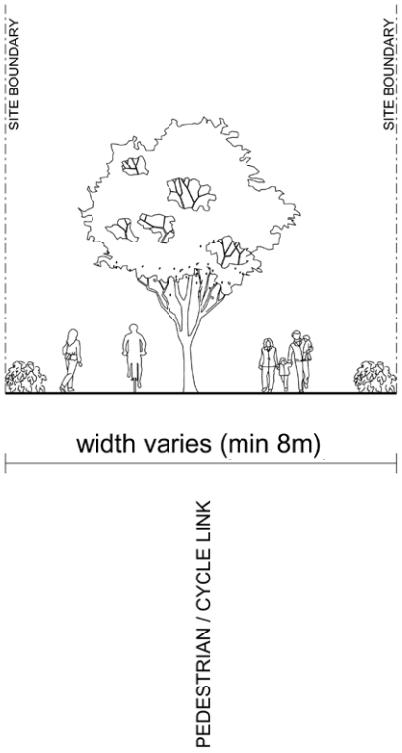
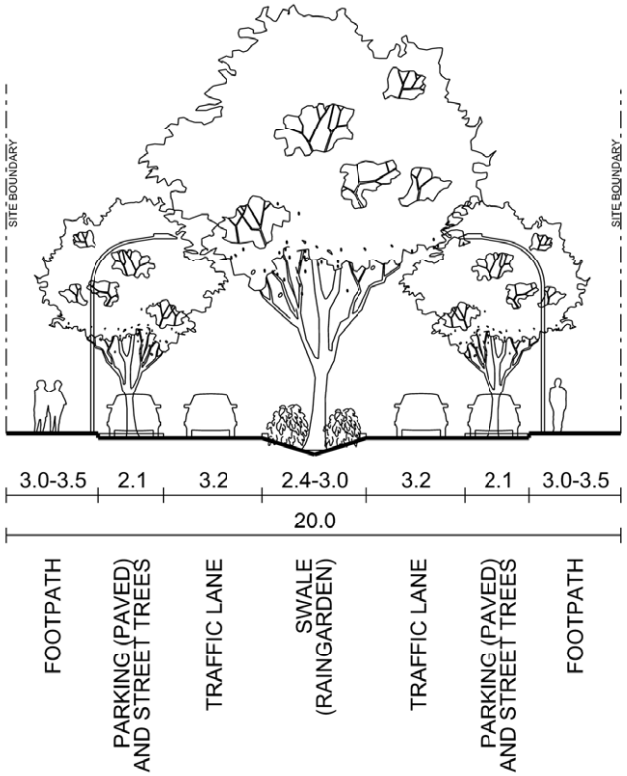


Figure 5.242
Danks Street South – Street Section – East - West Street (20m)



5.9.3.3 Movement and connectivity

(1) Circulation and major vehicular access and egress points are to be consistent with Figure 5.243 Danks Street South Circulation and Access.

(2) Introduce new traffic signals at the junction of the new main east-west street and Bourke Street in accordance with Figure 5.243 Danks Street South Circulation and Access.

(3) Car parking is not permissible in the buildings identified in Figure 5.243 Danks Street South Circulation and Access.

(4) Driveways and car park entries are to be consolidated and minimised in accordance with Figure 5.243 Danks Street South Circulation and Access.

(5) Consolidated car parks are not to be built under proposed parks or other public domain identified for dedication in Figure 5.237 Danks Street South Dedications. Cut throughs under the public domain between Blocks A and B are permitted to facilitate the consolidated basement carpark identified in Figure 5.243 Danks Street South Circulation and Access.

(6) At grade or above ground car parking is not permissible.

(7) All basement car parks are to be setback 3 metres from the property boundary.

(8) The short term carpark entry for the City West Housing development (895-901 Bourke Street) is to be provided off Bourke Street until the new north-south shared zone adjacent to the central park is provided. Long term carpark entry is to be provided off this shared zone.

(9) To ensure that the laneway around the central park can operate safely as a shared zone, any short term carpark entry to Block B on the site at 903-921 Bourke Street (shown in Figure 5.243 Danks Street South Circulation and Access), which is required for staging purposes, is to be closed following development of a long term entry from Block A at 903-921 Bourke Street via a consolidated basement.

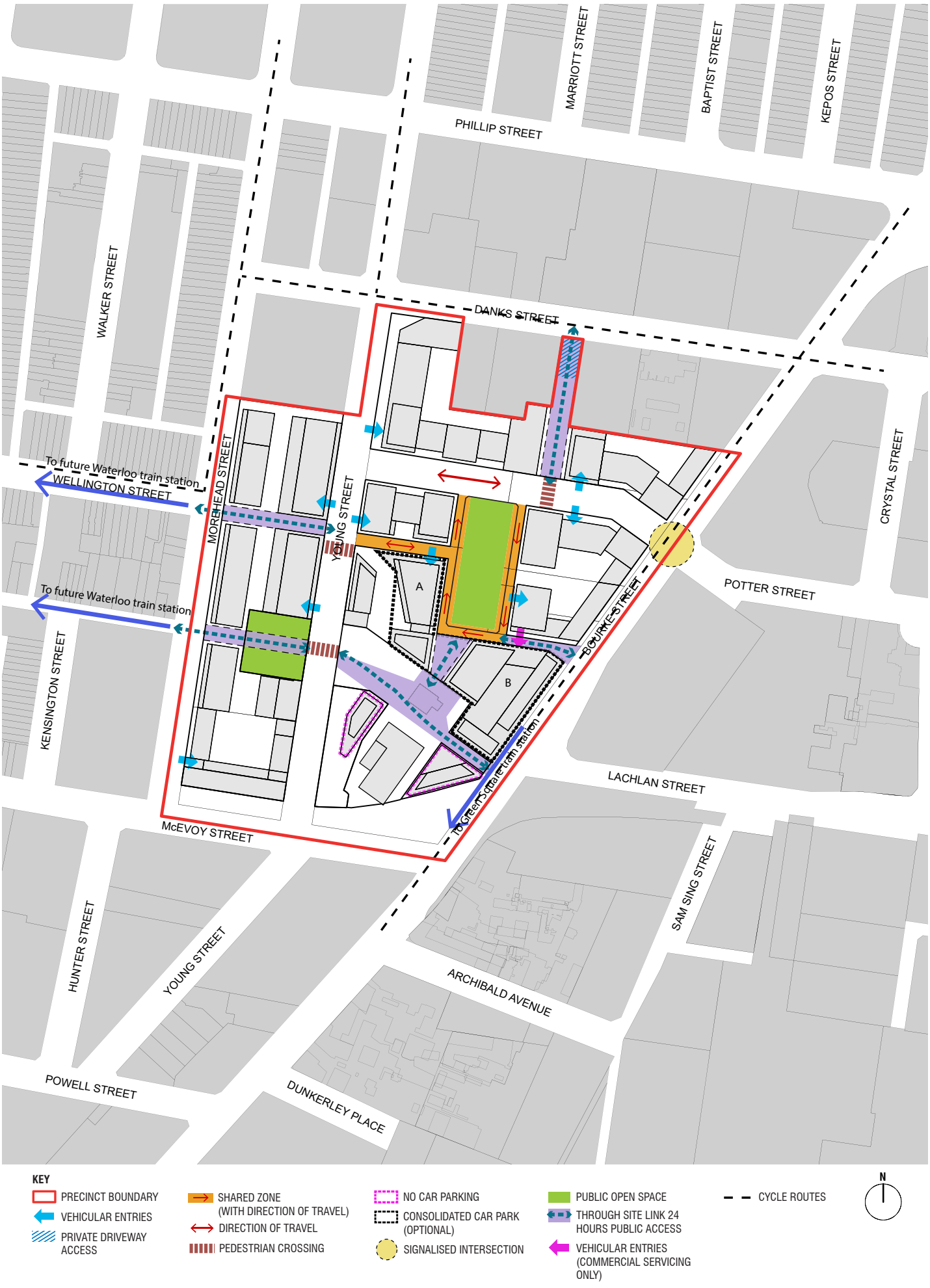
(10) A permanent vehicular access point into Block B on the site at 903-921 Bourke Street may be considered, where necessary for commercial servicing requirements only, providing that:

- (a) the access can be designed to be restricted to non-residential users;
- (b) there is no access to any car parking connected with the residential component of the development; and
- (c) it can be demonstrated that the laneway around the central park can still operate safely as a shared zone.

(11) Private vehicle usage of the pedestrian and cycle link from Bourke Street to the central park may be considered in connection with the commercial servicing requirements of Block B on the site at 903-921 Bourke Street, providing that:

- (a) It can be demonstrated that a vehicular access point in this location along Bourke Street can operate safely and not impact on traffic flows at the Bourke/McEvoy/Lachlan Street intersection;
- (b) The link is designed as a shared zone and is clearly demarcated for use for commercial servicing purposes only; and
- (c) Vehicular traffic is prevented from driving beyond the access point to Block B and no through-routes to or from the central park are created as a result.

Figure 5.243 Danks Street South Circulation and Access



(12) Private vehicular access to the entry of 9-15 Danks Street may be considered along part of the pedestrian and cycle link between Danks Street and the central park providing that the green, landscaped nature of the link can be maximised and safe pedestrian and cycle movement can be accommodated.

(13) Design of the public domain is to provide sufficient space for cyclists and pedestrians to move around each other, and be consistent with the Sydney Street Design Code requirements for Activity Strips and mid to high activity Local Streets.

(14) A clear and open east-west pedestrian and cycle through site link is to be achieved across the heritage plaza to provide an alternate connection between Bourke and Young Streets away from busy roads. It is to be carefully designed and demarcated so as to prevent conflict with Sydney Water vehicles within the plaza.

(15) Provision of parking spaces for Sydney Water maintenance vehicles only is to be provided adjacent to the Sydney Water heritage buildings and is not to interfere with pedestrian movement.

5.9.3.4 Bike routes and facilities

(1) Bike facilities, including bike routes and bike parking facilities, are to be designed as part of the public domain in accordance with the Council's *Cycle Strategy 2007-2018*, Figure 5.243 Danks Street South Circulation and Access and relevant Council public domain plans as they apply to the precinct from time to time, including *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.

(2) A three metre setback clear to the sky is to be dedicated in accordance with Figure 5.237 Danks Street South Dedications along the full length of Bourke Street for a shared footpath extension for bicycles and pedestrians.

(3) A bicycle and pedestrian link from Danks Street is to connect Danks Street through to the central park and the heritage plaza. Its design must fully cater for bikes and pedestrians with crossing points in accordance with Figure 5.243 Danks Street South Circulation and Access and Figure 5.236 Danks Street South Open Space.

(4) Bicycle and pedestrian links are to be provided connecting Morehead Street to Young Street. Where there are changes in level, ramps may be considered to provide for bicycle connections.

(5) All pedestrian and bicycle through site links are to be clear to the sky with windows and entries to ground floor apartments providing passive surveillance and activation.

5.9.3.5 Quality of landscaping and landscape setbacks

(1) All setbacks are to be provided in accordance with Figure 5.252 Danks Street South Setback and Alignment.

(2) All landscaped setbacks are to be designed in accordance with the City's Landscape Code and are to remain with the maintenance responsibility of the body corporate/strata.

(3) A minimum dimension of 2 metres of the private front gardens required for ground floor apartments is to be included as deep soil.

(4) Private open spaces to all dwellings on the ground floor are to be located to address the street and be accessible from the footpath.

5.9.3.6 Street trees

(1) Tree planting details and spacing requirements must be in accordance with the City's *Street Tree Master Plan*.

(2) The minimum pot size for new trees should be 100 litres for smaller growing species and between 200–400 litres for larger growing species.

Species Type:

(3) The following species are indicative of the size and form of tree for each street/location.

- East West Street Median:
  - Brush Box (Lophostemon confertus)
- East West Street footpath:
  - Maple (Acer buergarianum)
- Shared zones:
  - Water Gum (Tristaniopsis laurina)
  - Tulip Tree (Liriodendron tulipifera) or
  - Ash (Fraxinus pennsylvanica)

Soil Volume:

(4) The minimum volume of soil available to support the growth of each tree is to be not less than 30 cubic meters. The following is to be considered in the calculation of available soil volumes:

(a) the space occupied by rock (structural soil) or other structural pavement supports is generally to be excluded from the soil volume calculation;

(b) existing site soil is included in soil volume calculations only if it can be demonstrated that the soil has acceptable physical and chemical qualities to sustain long term tree growth and tree roots have unrestricted access to it; and

(c) the alignment of service trenches, the space they occupy, and their possible restriction of natural root spread and development is considered in the calculation of available soil volumes.

5.9.4 Building layout, form and design

The objectives and provisions within this Section must be read in conjunction with Section 4 Development types.

Objectives

(a) Provide a range of building heights, types and architectural styles to create architectural diversity and visual interest.

(b) Ensure the design of the built form and heights contribute to the physical definition of the existing and proposed street network.

(c) Retain important views in and out of Danks Street South by extending vistas along new streets, parks and plazas.

(d) Achieve variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens the public realm.

(e) Ensure excellent and varied design through the use of competitive design processes for prominent developments.

(f) Ensure the use of high quality façade design and finishes throughout the precinct, with particular attention to tall buildings and built form that terminates a vista or is highly visible.

(g) Provide a transition of building heights to the built form in adjacent precincts.

(h) Ensure new development is designed to minimise negative impacts on surrounding development in terms of privacy and solar access. Ensure buildings provide articulation and a human scale to the public domain.

(i) Ensure new development appropriately addresses noise and wind impacts.

(j) Ensure ground floor entries are clearly demarcated and distinguishable from the rest of the development.

(k) Create pockets of mixed uses across the precinct to activate the precinct during the day and in the evenings.

(l) Ensure land uses cater to the needs of the local community.

(m) Provide active frontages along nominated streets and public places to encourage a vibrant urban environment that facilitates community activity, safety, natural surveillance and territoriality.

(n) Reduce the visibility of attics from the street.

Provisions

5.9.4.1 Floor Space Ratio

(1) Consolidation of land identified in Figure 5.244 Danks Street South Land Amalgamation is to occur before a development application can be considered by the consent authority.

(2) Alternative amalgamation schemes are to be assessed individually and are to be supported by an urban design study.

(3) Site amalgamation may not be necessary for simple refurbishment of existing buildings.

(4) Any land that is identified for acquisition by the NSW Government's Roads and Maritime Service is not to be included in the developable site area calculations.

(5) Any staged development application or application for subdivision is to identify how the gross floor area will be distributed through the site.

5.9.4.2 Height of buildings

(1) Development is not to exceed the maximum number of storeys as shown in Figure 5.245 Danks Street South Height in Storeys.

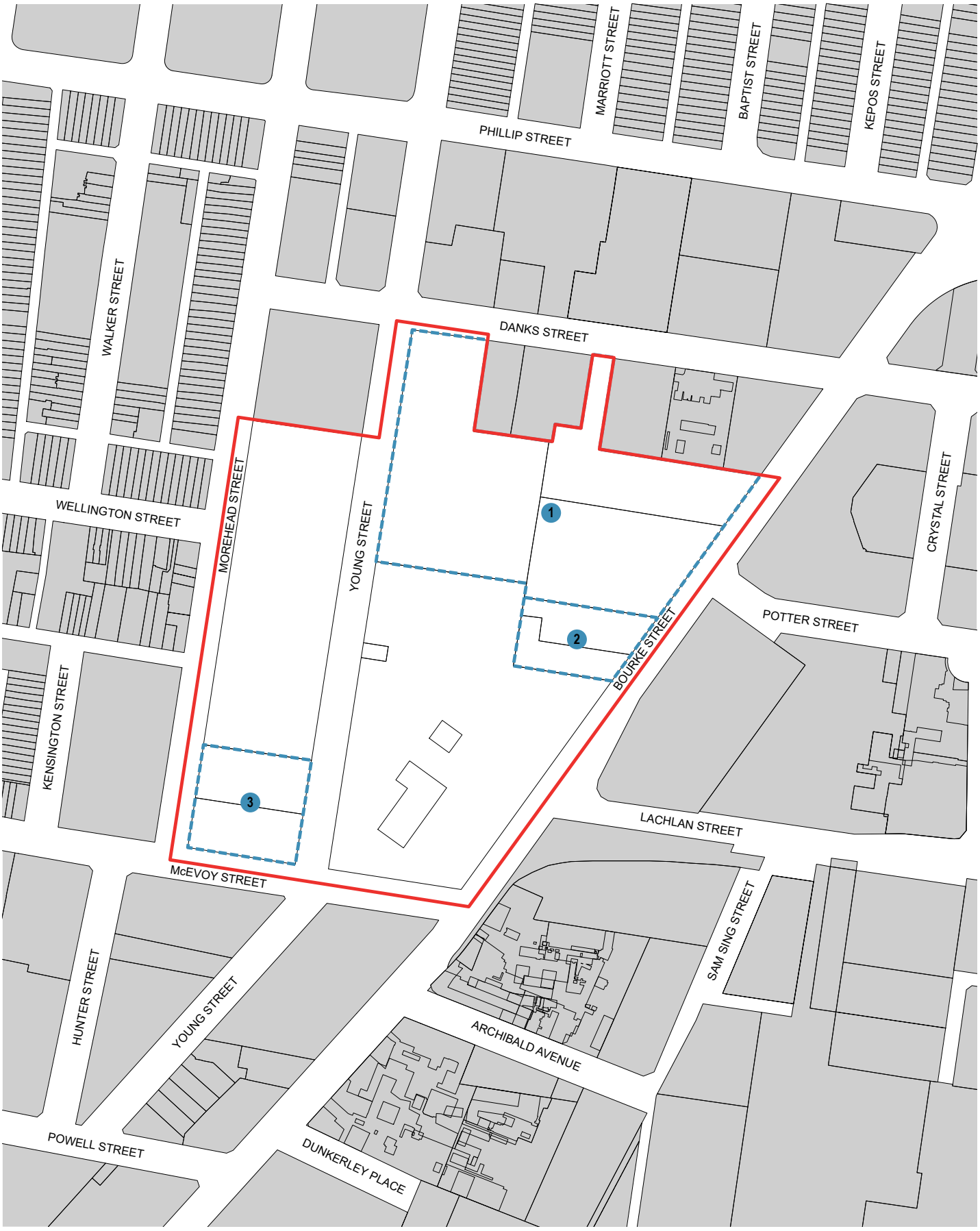
(2) Street frontage heights are not to exceed the maximum height shown in Figure 5.246 Danks Street South Street Frontage Heights. Above this, additional storeys are to be set back in accordance with 5.9.4.9(1).

(3) Plant and lift overruns are to be incorporated within the roof form.

5.9.4.3 Indicative built form

(1) A variety of built form options are possible within each of the street blocks. An indicative built form is presented in Figure 5.247 Danks Street South Indicative Built Form which responds to the objectives and constraints noted in this Development Control Plan. Alternate building layouts may be considered within each street block provided they respond to the Danks Street South Urban Strategy (Section 5.9.1) and Urban Design Principles (Section 5.9.2) and demonstrate better amenity for the development, neighbouring developments and the public domain in relation to sunlight, daylight, wind and noise.

Figure 5.244 Danks Street South Land Amalgamation



KEY

- PRECINCT BOUNDARY
- LOTS REQUIRED TO AMALGAMATE
  - 1 LOT 3 DP 775039, LOT 4 DP 600884, LOTS A & B DP 438772 and LOT 1 DP 89250
  - 2 LOT 1 DP 88482 and LOT B DP 88095
  - 3 LOT 1 DP 68206 and LOT 2 DP 592165

N

Figure 5.245 Danks Street South Height in Storeys



Figure 5.246 Danks Street South Street Frontage Height



Figure 5.247 Danks Street South Indicative Built Form



5.9.4.4 Design excellence

This Section applies to competitive design processes in Danks Street South. Competitive; Design Process sites, identified in Figure 5.248 Danks Street South Competitive Design Process Sites are required to undertake a competitive design process. Where there is an inconsistency between Section 3.3.5 Awarding additional floor space and this Section, this Section applies to the extent of the inconsistency.

The following provisions complement Clause 6.43 under Part 6, Division 5 of Sydney LEP 2012.

(1) Each competitive design process site in Danks Street South is to be the subject of a separate competitive design process. The number of competitive design processes and the location and extent of each is to be in accordance with Figure 5.248 Danks Street South Competitive Design Process Sites.

(2) A Design Excellence Strategy is required for each development site as shown in Figure 5.248 Danks Street South Competitive Design Process Sites, and is to be approved by Council prior to the commencement of a competitive process, unless already detailed in this Section.

(3) The sequencing of competitive design process sites is to be commensurate with the project staging plan prepared for each development site.

(4) Floorspace is not to be transferred across competitive design process sites.

(5) Only additional building height is to be awarded as a result of a competitive design process. It is to be accommodated within the building heights as shown in Figure 5.245 Danks Street South Height in Storeys.

(6) If design excellence is not demonstrated, a reduction in building height commensurate to the lower building height in storeys shown in brackets in Figure 5.247 Danks Street South Indicative Built Form is required.

(7) No additional floor space is to be awarded as a result of a competitive design process.

(8) To achieve diversity across a development site, no architectural practice which is selected a winner for a competitive process may be invited to participate in any other competitive process.

Design Excellence Strategy – 903-921 Bourke Street, Waterloo

In addition to provisions (1) to (8) above, the competitive design processes to be undertaken on the site at 903-921 Bourke Street, Waterloo are to be in accordance with the following site-specific Design Excellence Strategy.

(9) Two separate invited competitive design alternatives processes are to be undertaken for the development site. The location and extent of each competitive design process site is shown in Figure 5.248 Danks Street South Competitive Design Process Sites, identified as D1(a) + D1(b) and D2(a) + D2(b).

(10) For each competitive design process site, a minimum of 3 competing consortiums must participate, comprised of the following:

Competitive Design Process Site	Block Reference	Constitution of Each Competing Consortium
1	D1(a) + D1(b)	Emerged and established Competitors for Block D1(a) and an emerging architectural firm for Block D1(b)
2	D2(a) + D2(b)	Emerged and established Competitors for Block D2(a) and an emerging architectural firm for Block D2(b)

Figure 5.248 Danks Street South Competitive Design Process Sites



(11) The Selection Panel for each competitive design process is to comprise a total of six (6) members. The proponent is to nominate three (3) panel members and the City of Sydney is to nominate three (3) panel members.

(12) Any additional building height that results from a competitive design process is already accommodated within the building heights Figure 5.245 Danks Street South Height in Storeys and the upper building heights shown in Figure 5.247 Danks Street South Indicative Built Form. No additional floor space is to be awarded as a result of a competitive design process.

(13) Each competitive design process is to be coordinated to ensure the integration of individual development blocks to achieve whole of site planning and design excellence.

(14) Each competitive design process is to provide for the following ecologically sustainable development outcomes:

(a) BASIX Energy 50 for residential buildings below 6 storeys;

(b) BASIX Energy 40 for residential buildings above 6 storeys;

(c) BASIX Water 45 for all residential development; and

(d) 5.5 stars NABERS Energy rating for any commercial office premises with a net lettable area of 1,000sqm or more.

5.9.4.5 Uses

(1) Ground floor land uses are to be consistent with Figure 5.249 Danks Street South Ground Floor Level Uses in location and extent.

(2) Active uses including retail and commercial uses are to be provided in the locations identified in Figure 5.250 Danks Street South Active Frontages with a minimum tenancy depth of 10 metres from the line of enclosure.

(3) A range of retail and commercial spaces are to be provided at ground level throughout the precinct, in accordance with Figure 5.249 Danks Street South Ground Floor Level Uses.

(4) Large footprint buildings are to be provided in accordance with Figure 5.249 Danks Street South Ground Floor Level Uses and Figure 5.251 Danks Street South Building Typology to ensure commercial and retail uses can be accommodated.

(5) Showrooms, fresh food, small scale supermarkets, and tenancies to accommodate dentists, accountants and medical practices are encouraged in the precinct to serve the future and existing community.

(6) Dwelling types are to comply with Figure 5.251 Danks Street South Building Typology.

(7) Childcare and community facilities are encouraged to be located within the precinct.

(8) At grade or above ground car parking is not permissible.

(9) The privately owned plaza area around the Sydney Water Pump House shown in Figure 5.238 Danks Street South Heritage Plaza is to be publicly accessible during daylight hours.

(10) Use of the privately-owned sections of public square to the north of the through-site link may be acceptable in the locations shown in Figure 5.238 Danks Street South Heritage Plaza provided that:

(a) The nature of the use and any enclosure or installation is sufficiently temporary in nature so as to be compatible with occasional disruption due to Sydney Water operations;

(b) The scale and form of any physical installation is in-keeping with the overall heritage character of the plaza;

Figure 5.249 Danks Street South Ground Floor Level Uses

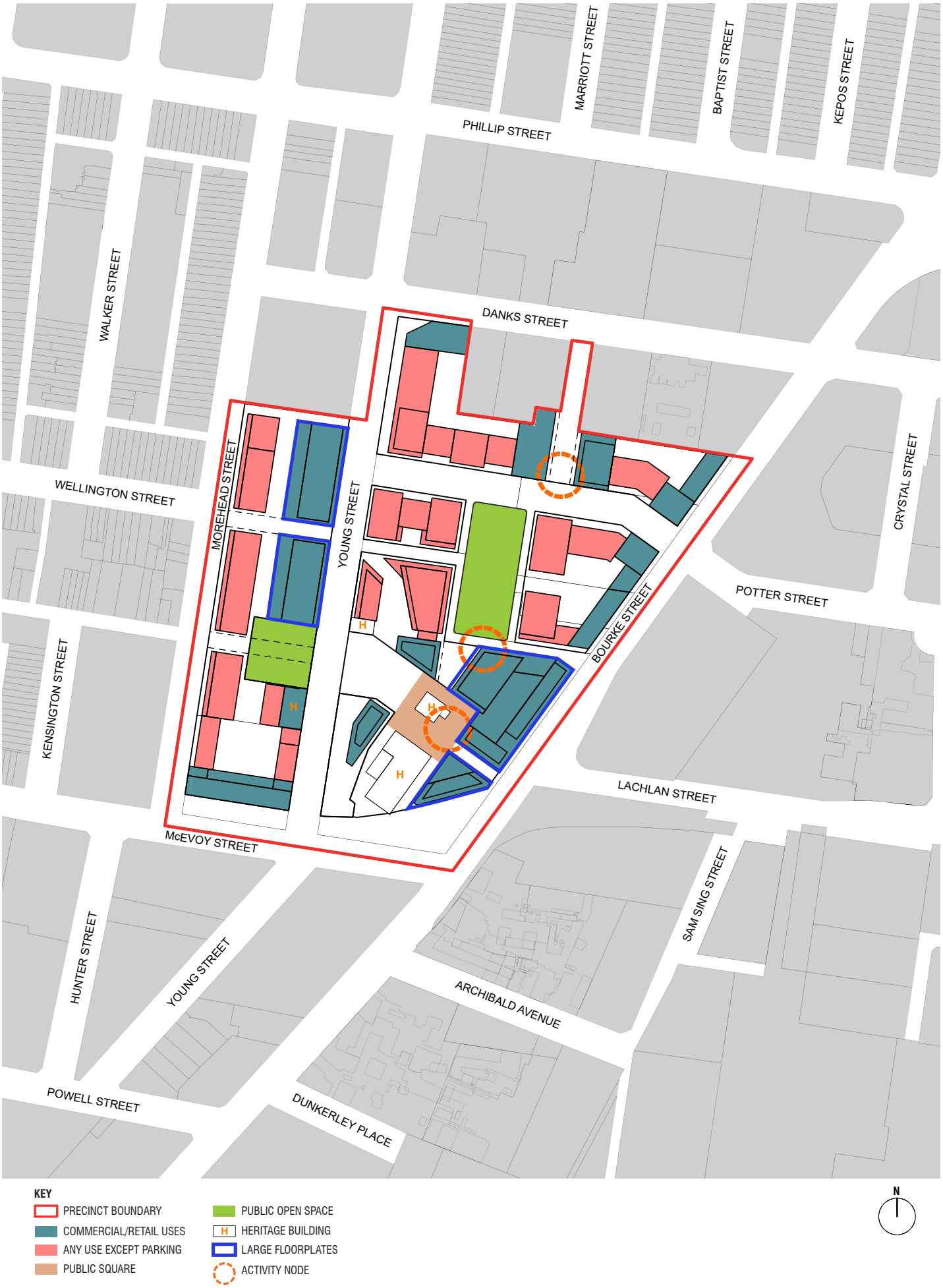
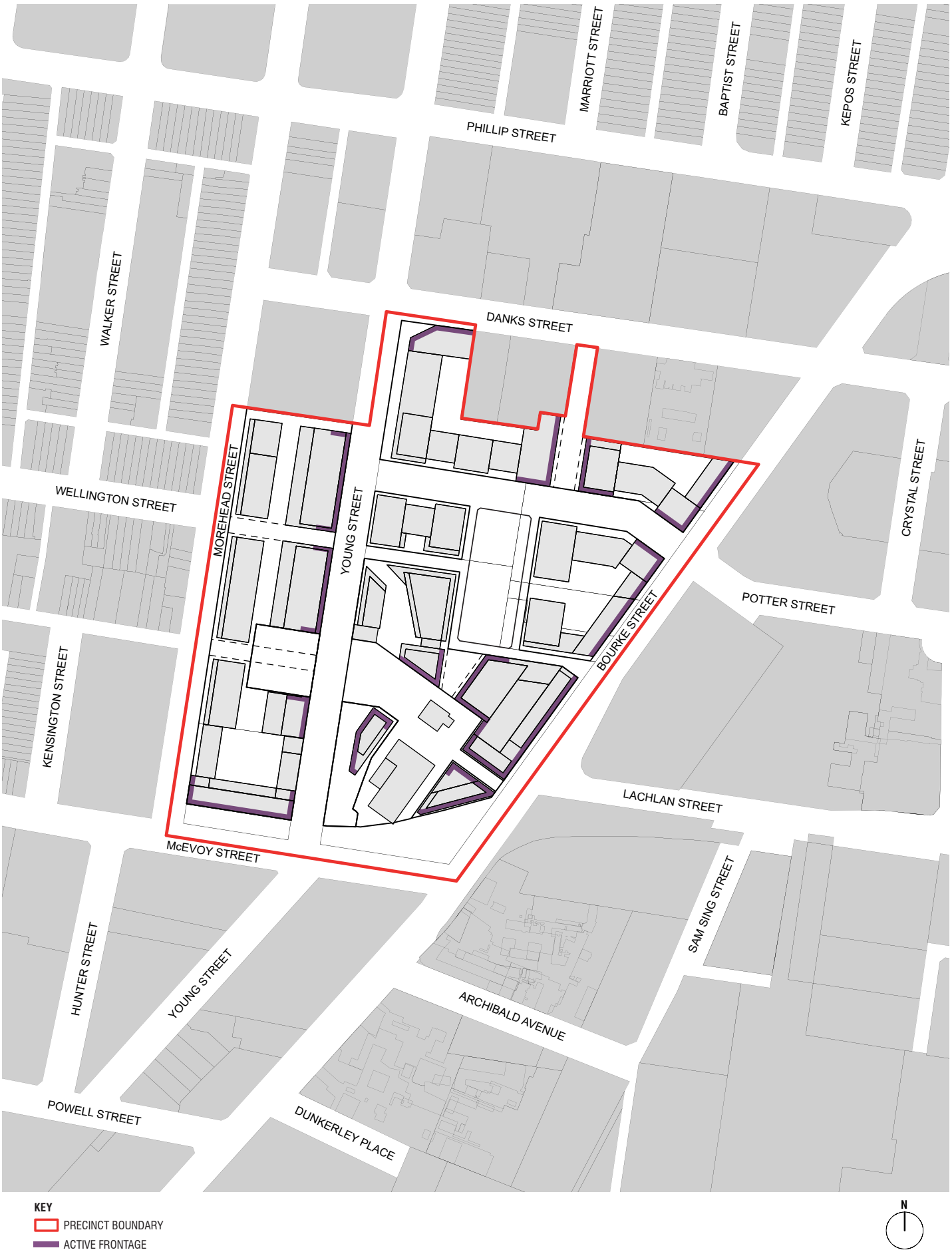


Figure 5.250 Danks Street South Active Frontages



(c) The height and positioning of any enclosure does not interrupt views to or from the heritage buildings or impede visual connections and sightlines through the heritage plaza to the wider public domain network;

(d) Any method of demarcation between the public square, the wider heritage plaza and any private use is sensitively designed and subtly achieved cognisant the heritage context and wider heritage plaza public domain treatment;

(e) The grading of the overall heritage plaza is consistent throughout; and

(f) Any method of enclosure does not exacerbate the noise impact to adjoining development associated with surrounding roads or operation of the Sydney Water buildings on the site.

(11) The habitable areas of residential development are to be oriented away from high traffic impact and potential land use conflicts, both horizontally and vertically.

(12) Where required by Council, appropriate noise studies to quantify the potential impact associated with road traffic or other potential land use conflicts are to be undertaken to assist with the design, layout and form of new development.

5.9.4.6 Design and architectural diversity

(1) Provide diversity and interest in the architectural character of the precinct. Buildings that are located adjacent to or opposite to one another are not to be of the same or similar design.

(2) Large development sites which have multiple buildings or building cores are to be designed to provide individual character so that each core is recognisable from the street (including different architectural languages for elements such as building entrances, balconies and balustrades, awnings, planters, pergolas, boundary walls and fences.

(3) Development adjacent to the heritage listed Pump House and Valve House is to include the use of traditional materials, preferably face brick in a mod brown colour, similar to those used in the now-demolished Central Workshops.

(4) The articulation and design of the buildings fronting the new east-west street between Bourke Street (at Potter Street) and Young Street is to respond to the rhythm of the varied building setback and the achievement of carefully designed landscaping within this setback.

5.9.4.7 Public art

(1) Public art is to be provided in accordance with the City's Public Art Policy, City Art Strategy and Interim Guidelines for Public Art in Private Developments as they apply from time to time.

(2) To ensure a consistency of approach across the neighbourhood, all public art is have regard to *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*, and to any associated public domain concept plans.

Public Art Strategy – 903-921 Bourke Street, Waterloo

In addition to provisions (1) and (2) above, public art to be provided within the site at 903-921 Bourke Street, Waterloo is to be in accordance with the following site-specific Public Art Strategy.

(3) Public art is to be provided within the site and the fabric of new buildings on the site which recognises and responds to:

(a) The traditional custodians of the land and their cultural practices;

(b) The history of the site, including past natural environments, land uses and industry, with a particular celebration of the site's contemporary utility-based uses, the living function of the pumps, old building outlines and the raw, unfinished quality of the site;

(c) The site's ability to provide an accessible and inclusive common space for established and emerging communities;

(d) Opportunities to retain the unique and increasingly rare vast open spaces within the locality to provide areas of visual stillness and quiet contemplation;

(e) Opportunities for a sense of place to evolve through exploratory and experimental interplay between people, architecture, urban design, heritage and landscape over time and throughout development.

(4) Opportunities for high quality public art to be integrated within the architectural and public domain design are to be identified for each stage of development and are to be included in the brief for each competitive design process on the site. In any design competition, submissions must respond to *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.

(5) A Preliminary Public Art Plan is to be submitted and approved with any Stage 2 development application on the site in accordance with the City's Guideline for Public Art in Private Development.

(6) The approved Preliminary Public Art Plan is to inform a Detailed Public Art Plan which reflects the public art elements chosen for each development stage and/or designed through any associated competitive design process and which is to be submitted and approved by the City of Sydney Public Art Advisory Panel prior to the issue of a Construction Certificate for that relevant stage.

5.9.4.8 Development sites and building layout

(1) The layout of buildings within the development sites is to be consistent with the following principles:

(a) The built form layout is generally consistent with that shown in Figure 5.251 Danks Street South Building Typology. Changes to this built form will only be considered where an improved public benefit and design excellence is demonstrated.

(b) Building forms and depths must respond to noise from busy roads and allow habitable spaces to be naturally ventilated whilst meeting internal noise criteria, where cross ventilation cannot be achieved in line with Apartment Design Guide criteria.

(c) Buildings face the street or heritage plaza to provide street address to apartments.

(d) Full height gaps are provided between buildings for solar access and visual connections between street and private open spaces, but not adjacent to busy roads to minimise noise intrusion within sites.

(e) Low angle views between buildings are maximised to allow orientation throughout the precinct and to reduce the effects of visual enclosure.

(f) All ground floor building entrances integrate with the shared cycleway on Bourke Street.

(g) Building entries are clearly demarcated for residents of buildings and pedestrians.

(h) Building entrances are not located adjacent to bus stops.

Figure 5.251 Danks Street South Building Typology

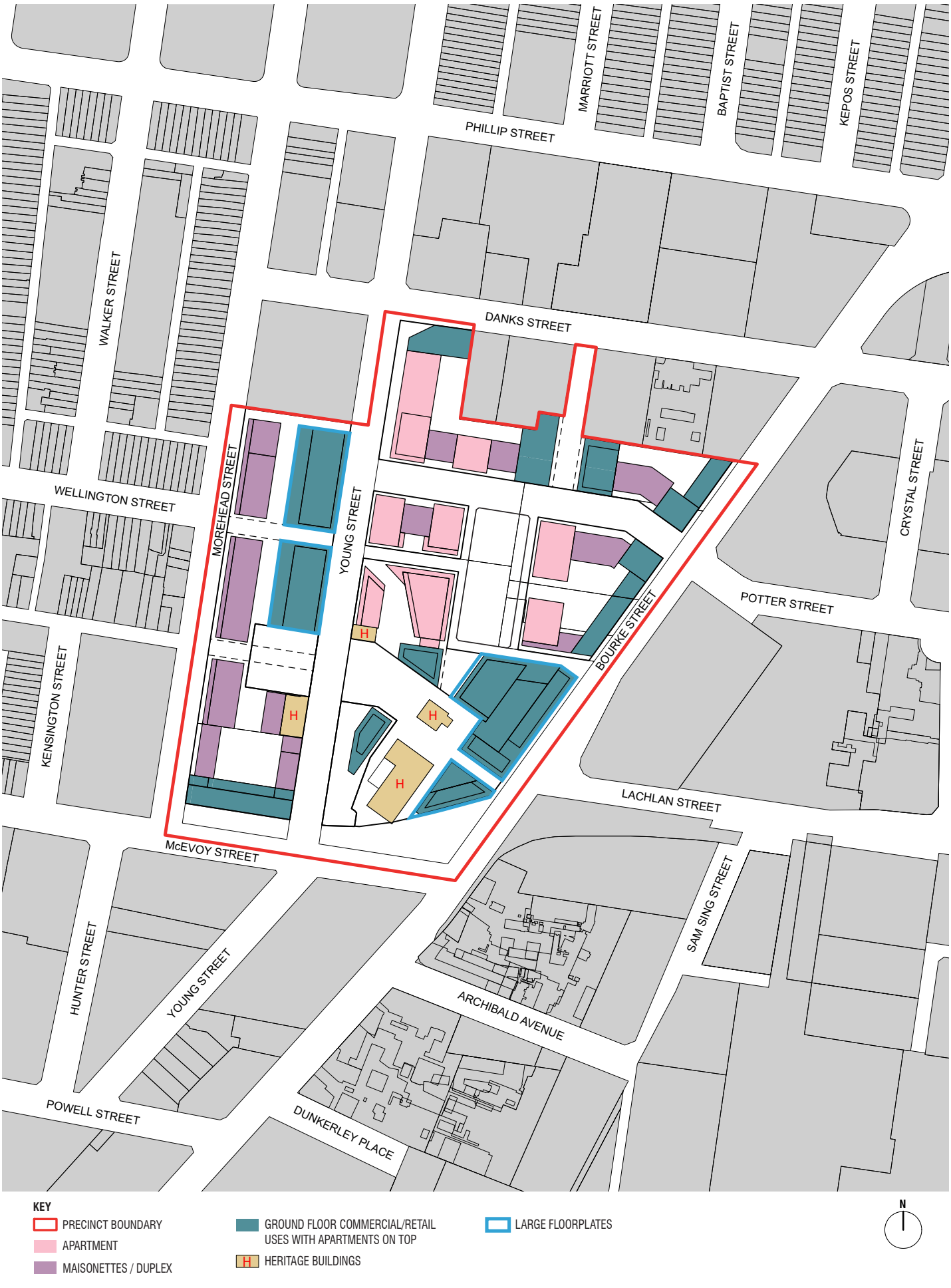
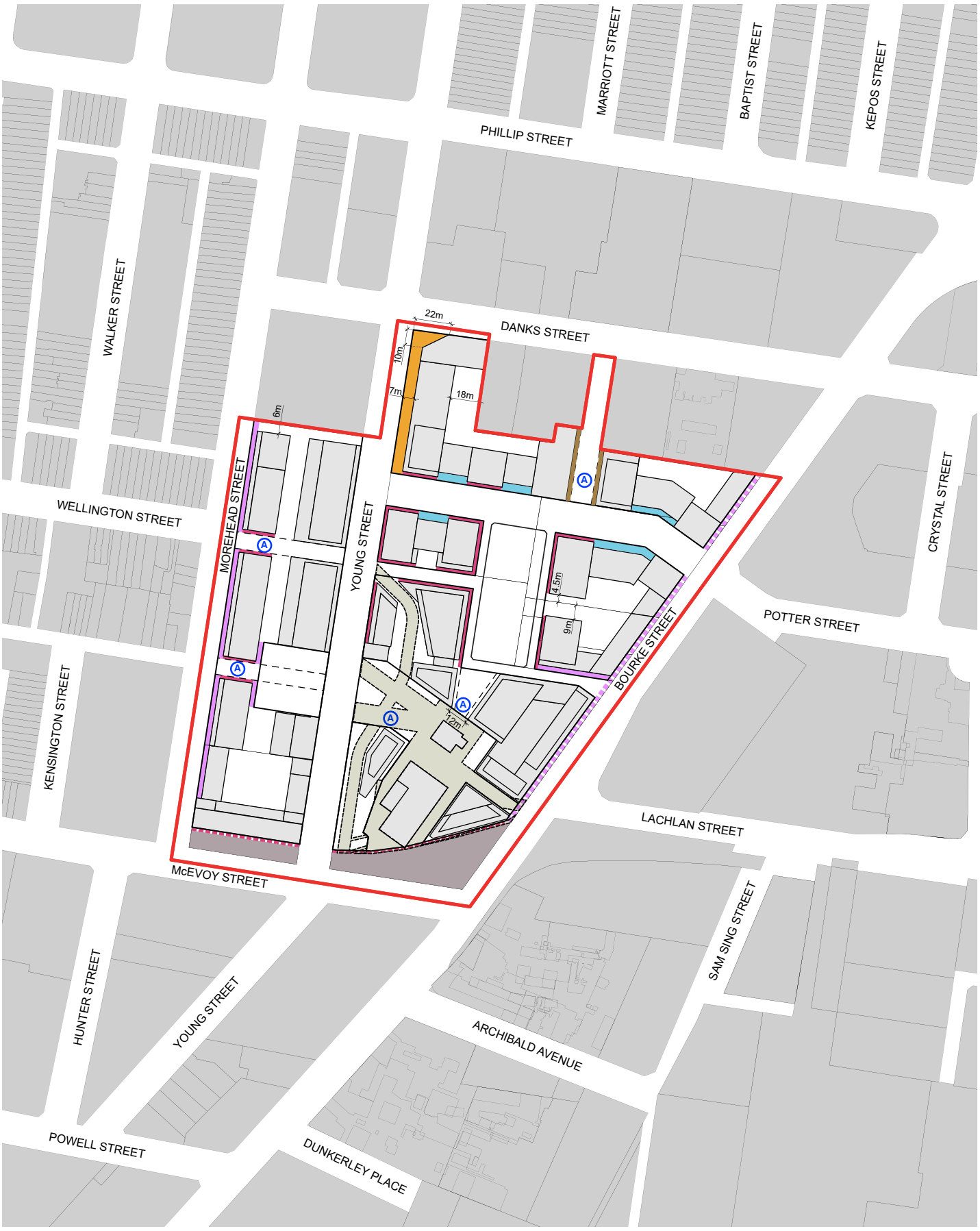


Figure 5.252 Danks Street South Setback and Alignment



5.9.4.9 Building alignment and setbacks

(1) All levels above the street frontage height are to be setback a minimum of 3 metres from the primary building line in accordance with Figure 5.246 Danks Street South Street Frontage Height.

(2) Ground floor apartments are to provide a minimum of 2 metre landscape setback clear to the sky for the full height of the building and/or in accordance with Figure 5.252 Danks Street South Setback and Alignment, whichever is the greater.

(3) Ground and first floor residential street setbacks may be delineated by vertical fin walls to mark individual dwellings.

(4) Side and rear building setbacks are to be provided in a manner that does not impede development on adjoining sites and maximises privacy.

5.9.4.10 Attics

(1) All attic spaces are to have a maximum coverage of 50% of the floor below.

(2) Lift and plant overrun is to be accommodated within the attic space.

(3) Attics in apartments are to be setback a minimum of 3 metres from the edge of the floor below.

5.9.4.11 Fences

(1) Fences at the front of a property are to:

(a) Be sufficiently transparent to enable some outlook from the front doors of ground level apartments to the street for safety and surveillance.

(b) Assist in highlighting entrances and in creating a sense of communal identity within the streetscape.

(c) Be designed and detailed to provide visual interest to the streetscape.

(d) Be a maximum of 1.4 metres high from footpath level.

5.9.4.12 Substations

(1) Substations are to be integrated into the design of buildings and landscaped where appropriate, to minimise their visibility and intrusion in the public domain.

5.9.4.13 Contamination and remediation

Given the current and historic land uses within the precinct, there is a high likelihood of contamination in Danks Street South. Development applications for changes of use of existing buildings or construction of new buildings must be supported by information sufficient to allow Council to meet its obligations under State Environmental Planning Policy No.55, as it applies from time to time, to determine the suitability of land for redevelopment. In addition, the following clauses apply:

(1) A contamination study and remediation strategy demonstrating that contaminants can be reduced to a level appropriate for the proposed land use(s) is to be submitted with any site specific DCP or a Stage 1 development application.

(2) The use of long term Environmental Management Plans to secure an appropriate remediation outcome is generally unacceptable to Council. Remediation of the site to a suitable condition for the proposed use is to be achieved without reliance on a long term Environmental Management Plan.

5.9.4.14 Noise and ventilation

The Danks Street South Precinct is highly impacted by noise associated with surrounding busy roads, Sydney Water pumping infrastructure and a nearby active Hillsong Church campus. The provisions in this Section must be read in conjunction with the NSW Apartment Design Guide objectives on noise and ventilation.

(1) Residential apartment buildings are to respond to both noise criteria in this DCP and natural ventilation criteria in the NSW Apartment Design Guide. Maximum noise levels, in a naturally ventilated state, must not exceed the following levels:

(a) LAeq 1hour 35dB for bedrooms between 10pm and 7am;

(b) LAeq 40dB at any time for all other habitable space and;

(c) LAeq 1 hour 45dB at any time for all other habitable space in development in all other locations.

(2) A noise study is required to be undertaken to establish the level of noise pollution affecting any residential development site in the Danks Street South precinct.

(3) If the noise study indicates the likelihood of a noise issue, the impacts of external noise and pollution are in the first instance to be minimised, while achieving natural ventilation, through careful siting and layout of buildings. Where it is proposed to address noise and natural ventilation through the siting and layout of apartments, alternative approaches to the following design criteria of the NSW Apartment Design Guide are permitted for noise-affected apartments:

(a) Solar and daylight access

(b) Private open space and balconies

(c) Natural cross ventilation

(4) Acoustic attenuated natural ventilation devices may be used where siting and layout cannot mitigate noise.

(5) Noise mitigation measures in the operational Sydney Water buildings are to be completed prior to the occupation of any surrounding buildings. These can include, but are not limited to, upgrades to roof cladding, glazing, facades and doors. Any mitigation measures are not to detract from the heritage significance of the building.

5.9.4.15 Wind testing

(1) Development is to provide wind tunnel testing that demonstrates that all streets comply with the following wind standards:

(a) Wind Safety Standard, being an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

(b) Wind Comfort Standard for Walking, being an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

(2) Development is to provide wind tunnel testing that demonstrates that all non-active use areas of public open spaces comply with the following wind standard:

(a) Wind Comfort Standard for Sitting in Parks, being an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second.

(3) Development is to provide wind tunnel testing that demonstrates that all active use areas of public open spaces comply with the Wind Comfort Standard for Walking (as defined in provision 1(b) above).

5.9.5 Heritage

There are four heritage listed buildings within Danks Street South. These are an electricity sub-station (still operational), two operational buildings housing key infrastructure owned by Sydney Water (the Valve House and Pump House) and 198-222 Young Street. These provisions apply to these heritage items and development within the vicinity of these items.

Depending on the degree of subsurface and historical disturbance, there is potential for Aboriginal or historical archaeology in the precinct. Development proposals will need to undertake further detailed archaeological assessments of their own sites and, if required, ensure monitoring during construction to ensure that there is no impact upon archaeology.

The following provisions should be read in conjunction with the provisions in Section 3.9 Heritage.

Objectives

(a) Ensure development is undertaken in accordance with the principles of the Burra Charter (ICOMOS Australia) and appreciates the Conservation Management of this precinct.

(b) Ensure development maintains the heritage significance of the individual buildings and the group of buildings as a whole.

(c) Ensure development in the vicinity of the heritage items is designed and sited to minimise impact on the heritage significance of the item and its setting.

(d) Ensure the indigenous and European cultural heritage is conserved and development impact is minimised.

(e) Ensure development is appropriately designed to protect and manage the potential archaeological resources.

Provisions

(1) Development affecting a heritage item is to retain an appropriate setting to allow for the continued appreciation, prominence and integrity of the item including the following minimum setbacks:

  (a) 3 metre setback around the Sydney Water Pump House.

  (b) 3 metre setback around the Sydney Water Valve House.

(2) Development affecting a heritage item is to achieve the following:

  (a) Minimise the extent of exterior alterations.

  (b) Use traditional techniques and materials, unless contemporary techniques and materials result in a better conservation outcome.

  (c) Provide interpretation of each building including their significance, history and ongoing use.

  (d) Where required to be adapted, to meet contemporary needs or safety standards, alterations should be reversible and minimal, where possible.

(3) Where practicable, development should enhance the heritage items by:

  (a) Removing unsympathetic additions, alterations, particularly the area facing the heritage plaza and central park.

  (b) Face-brick and sandstone not to be rendered, painted or otherwise coated.

(c) Noise mitigation measures in the Sydney Water buildings to be completed prior to the occupation of any surrounding buildings. Mitigation measures to not detract from the heritage significance of the building.

(d) Provide interpretation of each building including their significance, history and ongoing use.

(4) Development proposals across the precinct are to undertake detailed Aboriginal and historical archaeological assessments regarding their site prior to detailed design development.

(5) Any new interventions are to be carefully designed so as to avoid any disturbance of potential archaeological items located within these areas.

(6) In the event of any disturbance to the site having to take place, a suitable heritage consultant or archaeologist is to be engaged to assess, record and monitor the works. Archaeologists are to meet the current Heritage Council requirements for an Excavation Director and obtain appropriate approvals, exemptions to or excavation permits required under Section 57(1) or sections 139-146 of the Heritage Act 1977 prior to any excavation of areas of identified archaeological potential.

(7) Any archaeological evidence uncovered on the site is to be retained in situ wherever possible, so long as it will not be damaged by any works on site.

(8) Any archaeological finds retained in situ are to be appropriately catalogued for future reference.

5.9.6 Staging and implementation

It is envisaged that development in Danks Street South will be delivered in stages, progressively implemented as each property is redeveloped.

Objectives

(a) Ensure the redevelopment of Danks Street South is coordinated in an orderly manner to ensure the activities on adjacent sites and amenity of residential neighbours are not adversely impacted on.

(b) Secure high quality, legible and useful public domain at the earliest opportunity, in particular the shared zone between Morehead Street and Young Street, the through-site link across the heritage plaza and the 3 metre setback on Bourke Street.

(c) Provide 24 hour access for Sydney Water maintenance vehicles on the site at 903-921 Bourke Street.

(d) Ensure the heritage plaza can accommodate all users appropriately.

(e) Ensure that as far as practicable, the development of sites can occur independently, without reliance on infrastructure from adjacent sites.

(f) Provide vehicular access during the construction phase of sites.

(g) Address stormwater management upon the outset of construction works, to ensure adjacent areas are not adversely affected.

Provisions

(1) A staging plan is to be submitted to Council with a staged development application.

(2) All sites are to have a public road frontage and be accessible via a public street or shared zone.

(3) Development is to ensure any necessary flood / stormwater management solutions or required decontamination / remediation works are co-ordinated appropriately across each stage of development.

(4) An interim alternative street block layout or built form layout may be considered on a site by the Consent Authority to allow for staged redevelopment and/or retention and refurbishment of existing industrial/ commercial buildings, provided that:

(a) the development secures at least some elements of the required public domain infrastructure for that site as identified in Figure 5.237 Danks Street South Dedications; and

(b) any area of proposed development which impedes the achievement of the public domain infrastructure required for the precinct in Figure 5.237 Danks Street South Dedications be of a temporary nature and be conditioned as such; and

(c) a strategy outlining a likely development staging plan and delivery sequence for the remaining public domain infrastructure required in Figure 5.237 Danks Street South Dedications be submitted to accompany the development application.

(5) Access to the Sydney Water buildings is to be maintained for Sydney Water and Ausgrid maintenance vehicles, as well as emergency vehicle, throughout all construction phases.

(6) Appropriate acoustic treatments and noise mitigation measures to operational Sydney Water buildings are to be completed prior to the occupation of any surrounding buildings.

(7) A Plan of Management detailing arrangements for essential vehicular access, private use and public accessibility in the southern half of the heritage plaza area surrounding the heritage listed Pump House is to be submitted and approved as part of any Stage 2 development application associated with the land.

5.10
Botany Road Precinct

This section applies to the land identified as Botany Road Precinct (the Precinct) in Figure 5.1 Specific Areas map. It should be read in conjunction with:

- other requirements of this DCP; and
- the locality statement and principles in section 2.13.13 Botany Road Precinct.

Where land is also located in the Precinct, as well as in Green Square (and therefore subject to section 5.2), both sections of the DCP apply. Where there is an inconsistency between section 5.2 and this section, this section applies to the extent of the inconsistency.

5.10.1 General

Objectives

(a) Provide a cohesive urban strategy for future development within the Precinct.

Provisions

(1) Development is to be in accordance with the locality statement at section 2.13.13 and supporting principles for the Botany Road Precinct.

(2) Development is to be in accordance with Figure 5.253 Botany Road Precinct Urban Strategy.

5.10.2 Land use

The Precinct is an area in transition and will evolve into a vibrant commercial precinct, supporting a diverse range of businesses and employment generating land uses. Housing, including affordable housing, is supported where it can provide amenity for residents, does not impede delivery of employment floorspace on adjoining lots or disrupt the continuous commercial environment at ground level.

5.10.2.1 Land-use diversity

Objectives

(a) Maintain and reinforce the primacy of commercial and business uses in the Precinct.

(b) Facilitate diversity in the land-use mix.

(c) Retain and enhance the presence and visibility of Aboriginal and Torres Strait Islander peoples, businesses and organisations.

Provisions

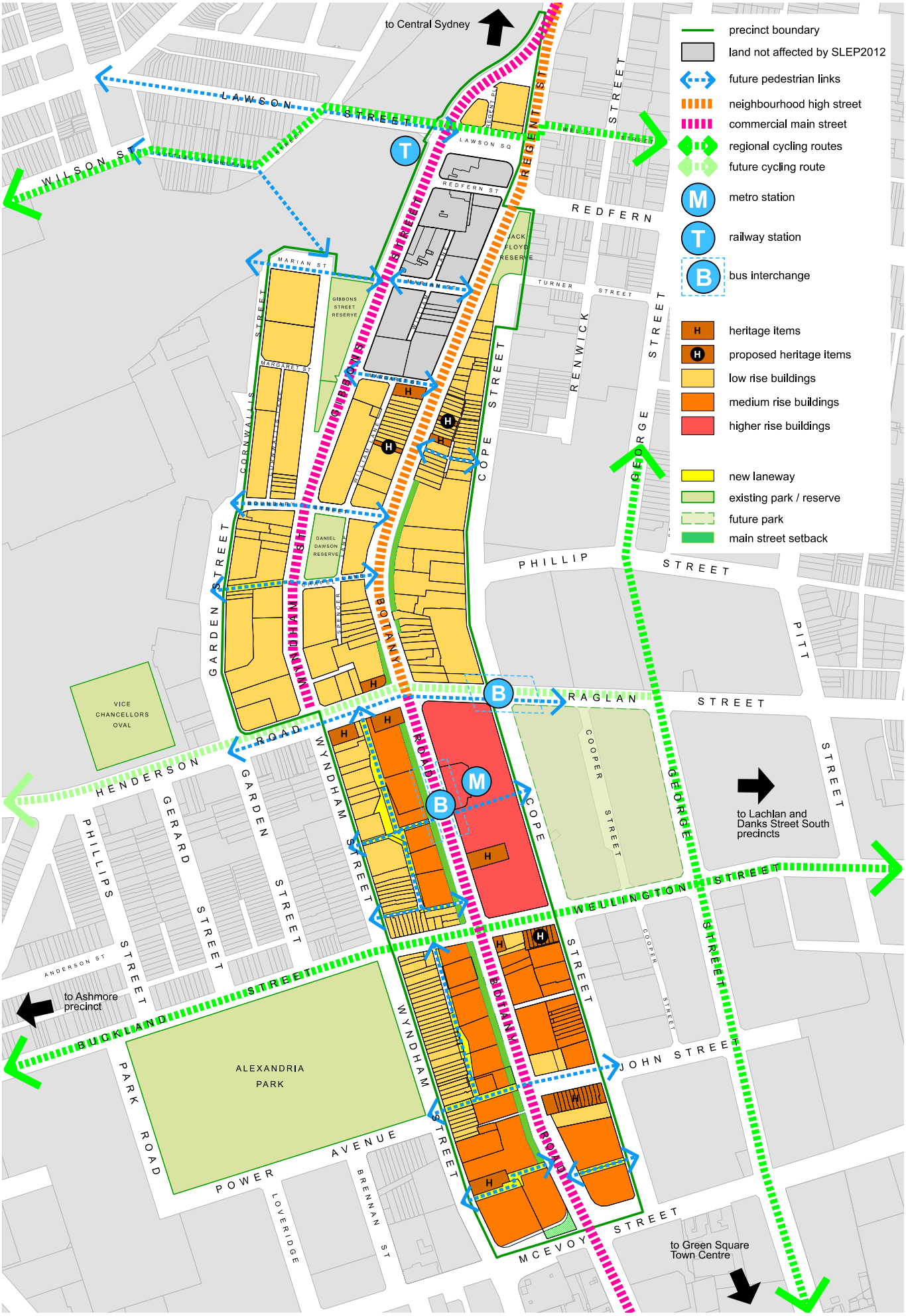
(1) A diverse range of commercial and business land uses are encouraged within the Precinct.

(2) Development comprising residential uses is permitted where it does not undermine the employment generating function of the Precinct.

(3) Entertainment uses are encouraged to locate on Botany Road and Gibbons Street.

(4) Development on sites with services, businesses or dwellings that are important to Aboriginal and Torres Strait Islander communities is encouraged to enable those to remain within the Precinct during and after construction.

Figure 5.253 Botany Road Precinct Urban Strategy



5.10.2.2 Mixed-use development

Objectives

(a) Facilitate the delivery of housing so it is complementary to a range of non-residential uses.

(b) Ensure development comprising residential uses does not impact on the ability of adjoining sites to develop for a range of employment generating uses.

(c) Ensure sensitive uses, including residential uses, are protected from noise and/or air quality impacts from major road corridors and surrounding employment and entertainment uses.

Provisions

5.10.2.2.1 General

(1) Development comprising residential uses must mitigate noise and pollution impacts of major roads.

(2) Habitable rooms in apartments are to be naturally ventilated.

(3) In meeting the requirements of section 4.2.5.3 'Development on busy roads and active frontages' development must consider possible future changes to the road network, including the potential reintroduction of two-way traffic on Gibbons Street and Regent Street.

(4) Any noise and air quality assessment must consider the displacement of traffic that may result from the conversion of Regent Street to a two-way single lane of traffic in each direction.

(5) For development on Botany Road and Regent Street, noise impact assessments must take into consideration possible future non-residential land uses, including entertainment uses, on the ground and first floor and on adjoining lots.

(6) For residential development on Botany Road, Wyndham Street, Cope Street, Gibbons Street or Regent Street, dwellings are to receive solar and daylight access from the primary street frontage and not from a laneway, side, rear or interior facing facade.

5.10.2.2.2 Affordable housing

Definitions

Affordable housing has the same meaning as the Environmental Planning and Assessment Act 1979.

Aboriginal and Torres Strait Islander housing is housing occupied by Aboriginal or Torres Strait Islander peoples.

Culturally appropriate housing is housing that is designed in consultation with the occupier/s so that it is suited to their specific needs.

Objectives

(a) Ensure affordable housing is provided in accordance with the principles of the City of Sydney Affordable Housing Program.

(b) Ensure affordable housing meets the needs of the local community.

Provisions

(1) 10 per cent or more of the total number of dwellings in affordable housing developments is to be provided for Aboriginal and Torres Strait Islander housing.

(2) Aboriginal and Torres Strait Islander housing is to be culturally appropriate housing.

(3) Affordable housing must be provided in accordance with the City of Sydney Affordable Housing Program adopted by Council on 24 August 2020.

5.10.2.3 Ground and first floor uses, active frontages and awnings

This section is to be read in conjunction with the provisions in section 3.2.3 Active frontages and section 2.3.4 Awnings of this DCP.

Objectives

(a) Ensure street frontages are active and create interest at the street level.

(b) Ensure the needs of workers are met with supporting retail, services and food and drink premises.

(c) Facilitate safe and comfortable pedestrian environments, including protection from direct sun, rain and wind, and passive surveillance.

Provisions

(1) Ground floor and first floor uses are to be in accordance with Figure 5.254 Ground Floor Uses.

(2) Ground floor uses fronting Botany Road and Regent Street are to provide windows and entrances to provide passive surveillance of the public domain and indirect lighting at night time.

(3) Large signs and other elements at ground level that block views into ground floor tenancies must not occupy more than 15% of any glazed areas.

(4) Sites identified in the *Active street frontages map* must give consideration to managing flooding and stormwater impacts while maintaining an active frontage with minimal setbacks and direct street access.

(5) Continuous awnings are to be provided in accordance with the *Footpath, awnings and colonnades map*.

5.10.2.4 Managing change

Objectives

(a) Ensure existing built form and land uses do not unreasonably constrain growth and change in the Precinct.

(b) Ensure development comprising residential uses does not constrain non-residential development potential.

Provisions

(1) Section 4.2.9 'Non-residential development in the B4 Mixed Uses zone' does not apply to development in the Precinct.

(2) Any development comprising residential uses is not to impact on the potential of adjoining sites to be developed for a non-residential purpose.

(3) Amenity requirements for visual privacy, solar and daylight access and natural ventilation for development comprising residential uses must be satisfied within the development site, without requiring building separation or design restrictions on future development on adjoining sites.

(4) Any development comprising residential uses cannot rely on an existing or future form of development on adjoining sites that is not consistent with the development outcomes of this DCP to achieve amenity outcomes.

(5) Amenity impacts that may arise from non-residential development on existing or possible future residential development, such as loss of daylight or sunlight access, acoustic privacy or visual privacy, are to be considered in the context of the locality statement and objectives for the Precinct.

Figure 5.254 Ground Floor Uses



5.10.3 Movement and local infrastructure

Objectives

(a) Interpret the pre-colonial function of Botany Road as a key walking track.

(b) Create a walkable and pedestrian friendly street network to improve connectivity between sites within the Precinct and with nearby centres, residential areas, other employment zones and open space.

(c) Deliver a continuous laneway network to facilitate rear building servicing and vehicle access.

(d) Prevent driveways and car park entries on main roads.

(e) Increase visibility of, and access to, key public transport nodes.

(f) Encourage sustainable transport modes over private car usage.

(g) Increase permeability of large street blocks and reduce walking distances to key destinations.

(h) Deliver canopy cover and greening within road corridors and reservations.

(i) Extend and improve connections to the regional cycling network.

Provisions

5.10.3.1 Laneway network

(1) Where required by Council, laneways are to be provided in accordance with the *Streets and lanes map*.

(2) Where possible, laneways are to be designed to facilitate movement of medium rigid vehicles to enable loading and servicing of buildings.

(3) Laneways that do not have footpaths are to be designed as shared zones to ensure pedestrian safety.

(4) Where new laneways enable rear access to existing developments with vehicle access points from a primary street, conversion to laneway access is encouraged.

5.10.3.2 Vehicle access and car parking

This section is to be read in conjunction with section 3.11.11 of this DCP.

(1) Driveways and vehicle access points are not to be provided where shown on the *Pedestrian priority map*.

(2) Temporary vehicle access arrangements may be provided if a laneway identified in the *Streets and lanes map* will not provide access at the time of development completion.

(3) Any temporary car park and/or service vehicle area must be designed to be capable of future conversion to vehicle access via the planned laneway, and for permanent closure of the temporary access arrangement.

(4) The area used for temporary vehicle access arrangements must be capable of conversion to another use.

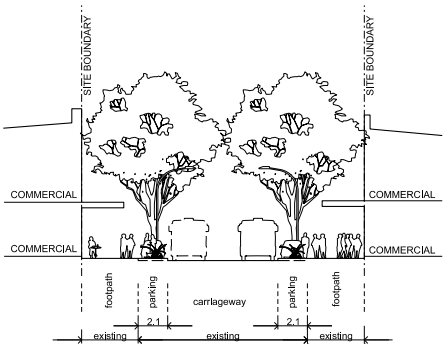
(5) At grade off-street car parking is not permitted within the Precinct.

(6) Development on a laneway must provide driveways, vehicle access, loading and servicing from the laneway.

5.10.3.3 Streets

(1) Street cross sections are to be generally in accordance with figures 5.255 to 5.263.

Figure 5.255
Street Cross Section - Regent Street



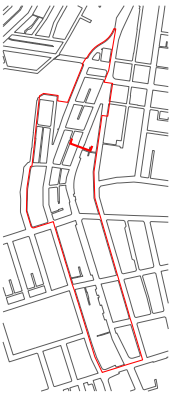
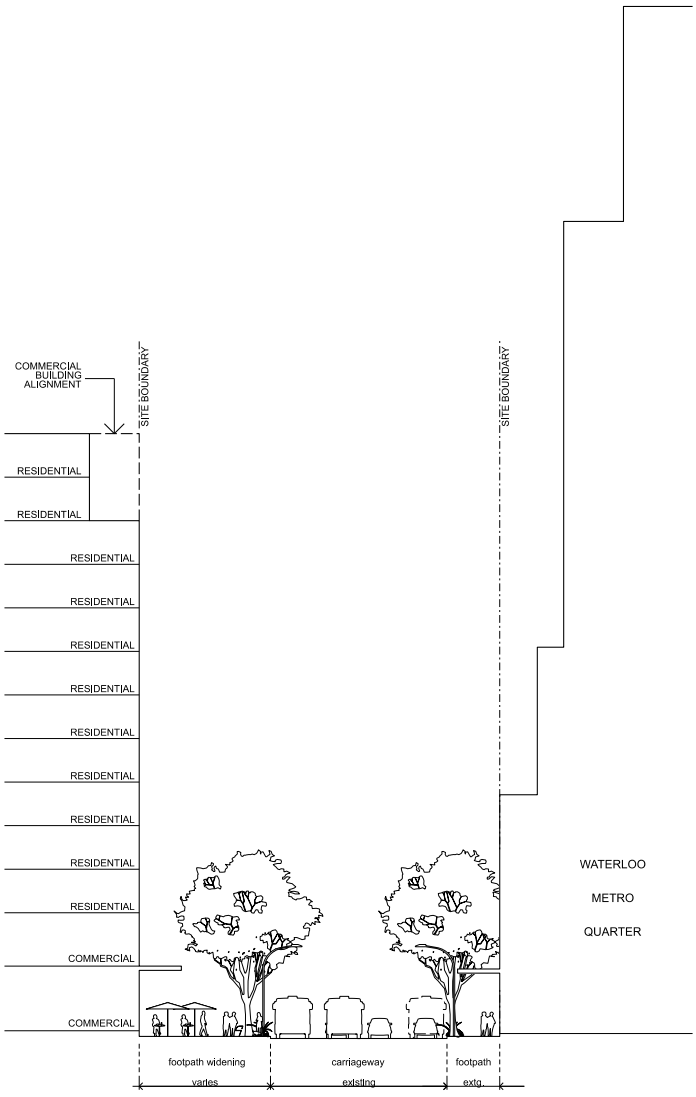


Figure 5.256
Street Cross Section - Botany Road (North)



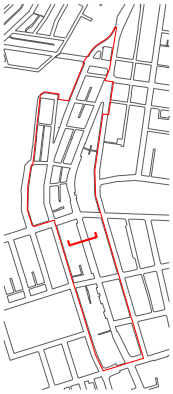
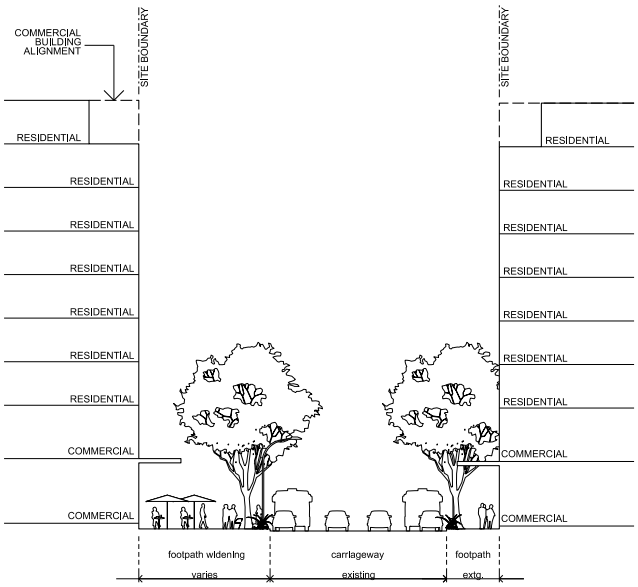


Figure 5.257
Street Cross Section - Botany Road (Mid)



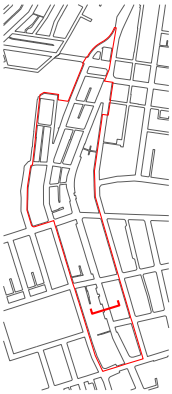
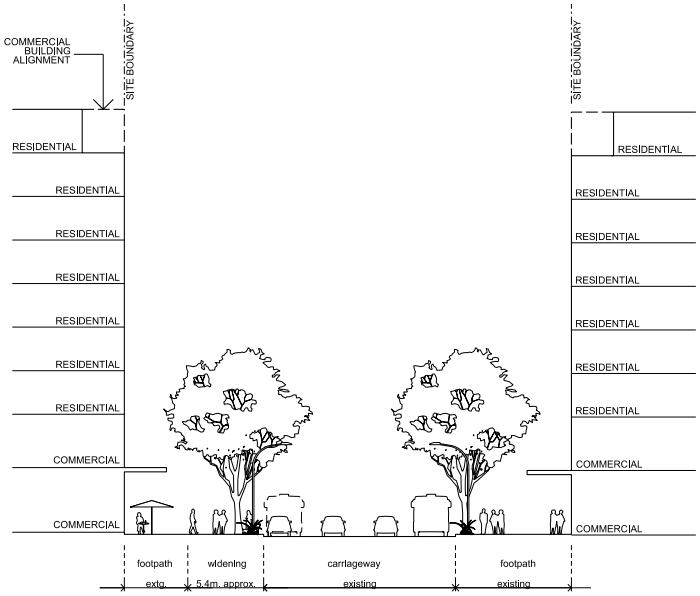


Figure 5.258
Street Cross Section - Botany Road (South)



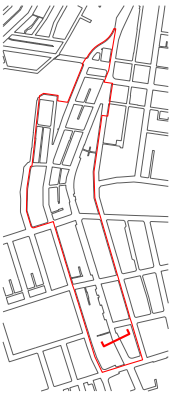
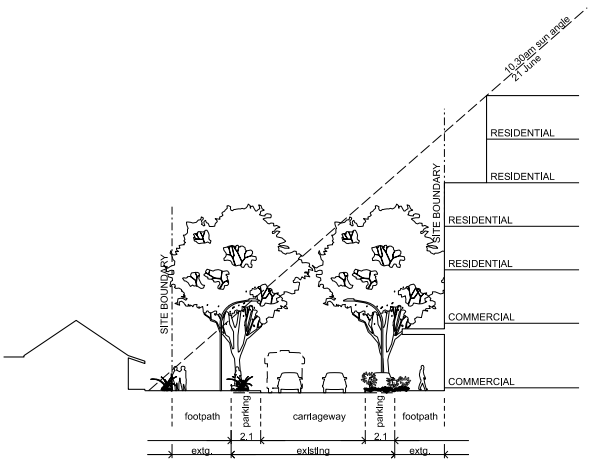


Figure 5.259
Street Cross Section - Wyndham Street (North)



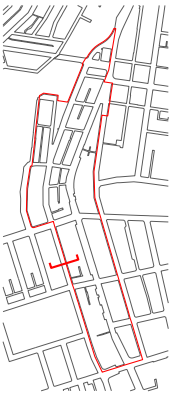
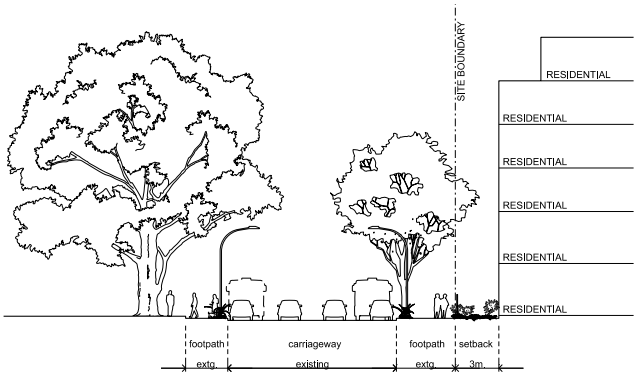


Figure 5.260
Street Cross Section - Wyndham Street (South)



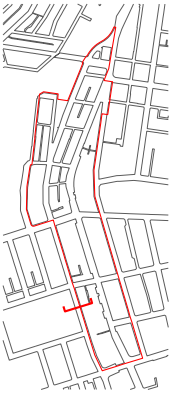
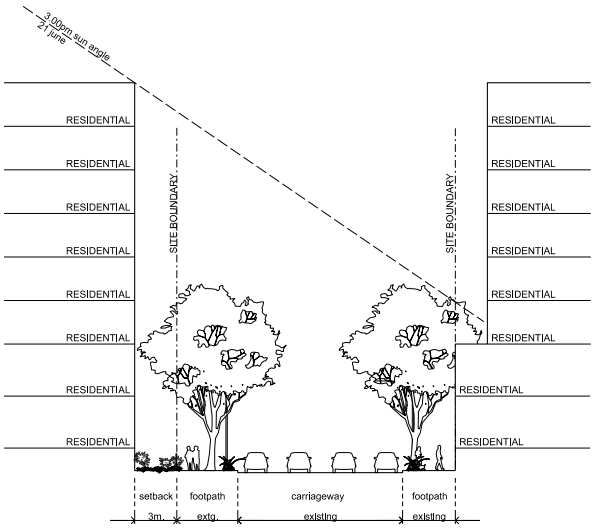


Figure 5.261
Street Cross Section - Cope Street



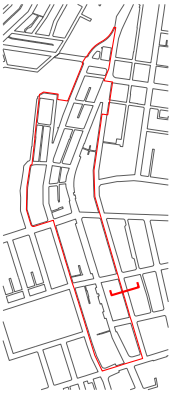


Figure 5.262
Street Cross Section - Regent Street Additions (Pitched roofs)

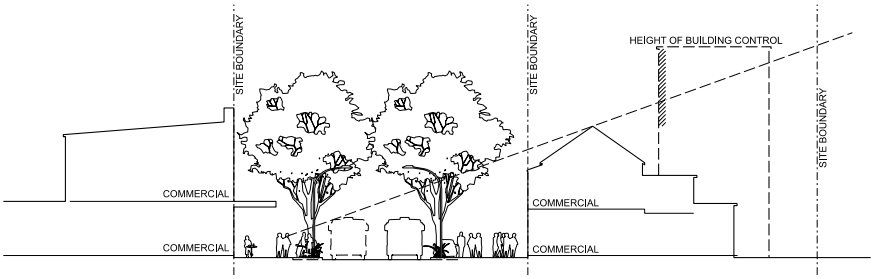
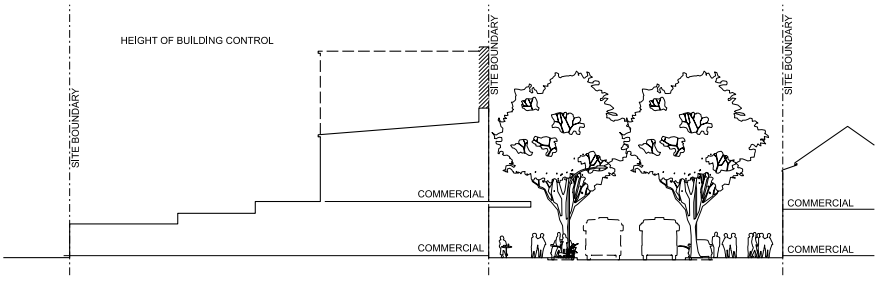


Figure 5.263
Street Cross Section - Regent Street Additions (Parapets)



5.10.3.4 Design and use of SP2 zoned land

(1) Development is generally not permitted on land that is identified for acquisition in the Sydney LEP 2012.

(2) Public domain works within SP2 zoned land is to underground utilities within the reservation as agreed with the consent authority and in a manner that facilitates tree planting and growth.

5.10.4 Building layout, form and design

5.10.4.1 Building heights

Objectives

(a) Incentivise provision of employment floorspace and affordable housing in well located areas.

(b) Ensure a high level of amenity at street level, enabling sunlight access to streets and a comfortable and safe wind environment.

(c) Facilitate change and diversity in business activities through provision of flexible and adaptable spaces.

(d) Ensure existing parks and open space are protected from excessive overshadowing from new development.

(e) Provide landmark buildings on highly visible sites.

Provisions

(1) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, maximum height in storeys are to be in accordance with the *Building height in storeys map*.

(2) On Botany Road Precinct Opportunity Lands, where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012:

(a) where development comprises residential uses, maximum height in storeys are to be in accordance with Figure 5.264 Height in Storeys - Residential (Affordable Housing); or

(b) where development comprises no residential uses, maximum height in storeys are to be in accordance with Figure 5.265 Height in Storeys - Non-residential.

(3) Notwithstanding clause (1) and (2), development is to minimise overshadowing to parks and other identified open space in Figure 1 Botany Road Precinct Urban Strategy between 10 am and 2pm at the winter solstice.

(4) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, development is to provide minimum floor-to-floor heights of:

(a) Ground floor and first floor: 3.7 metres

(b) Second floor and above: 3.1 metres

(5) Where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012, development is to provide minimum floor-to-floor heights of:

(a) Ground floor: 4.6 metres

(b) First floor: 3.8 metres

(c) Second floor and above (non-residential uses): 3.6 metres

(d) Second floor and above (residential uses): 3.1 metres.

Figure 5.264 Height in Storeys where incentive heights are utilised - Residential (Affordable Housing)

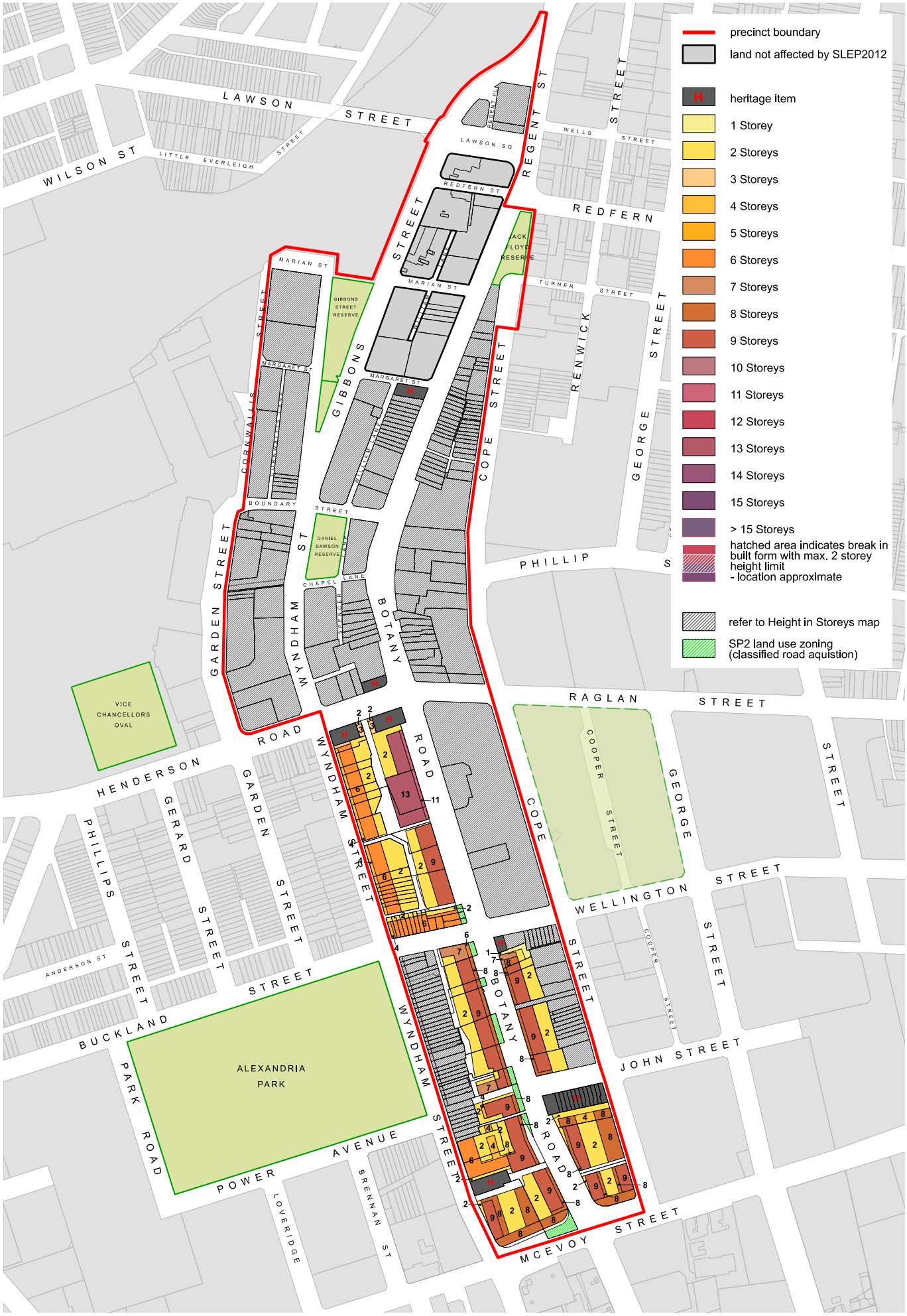
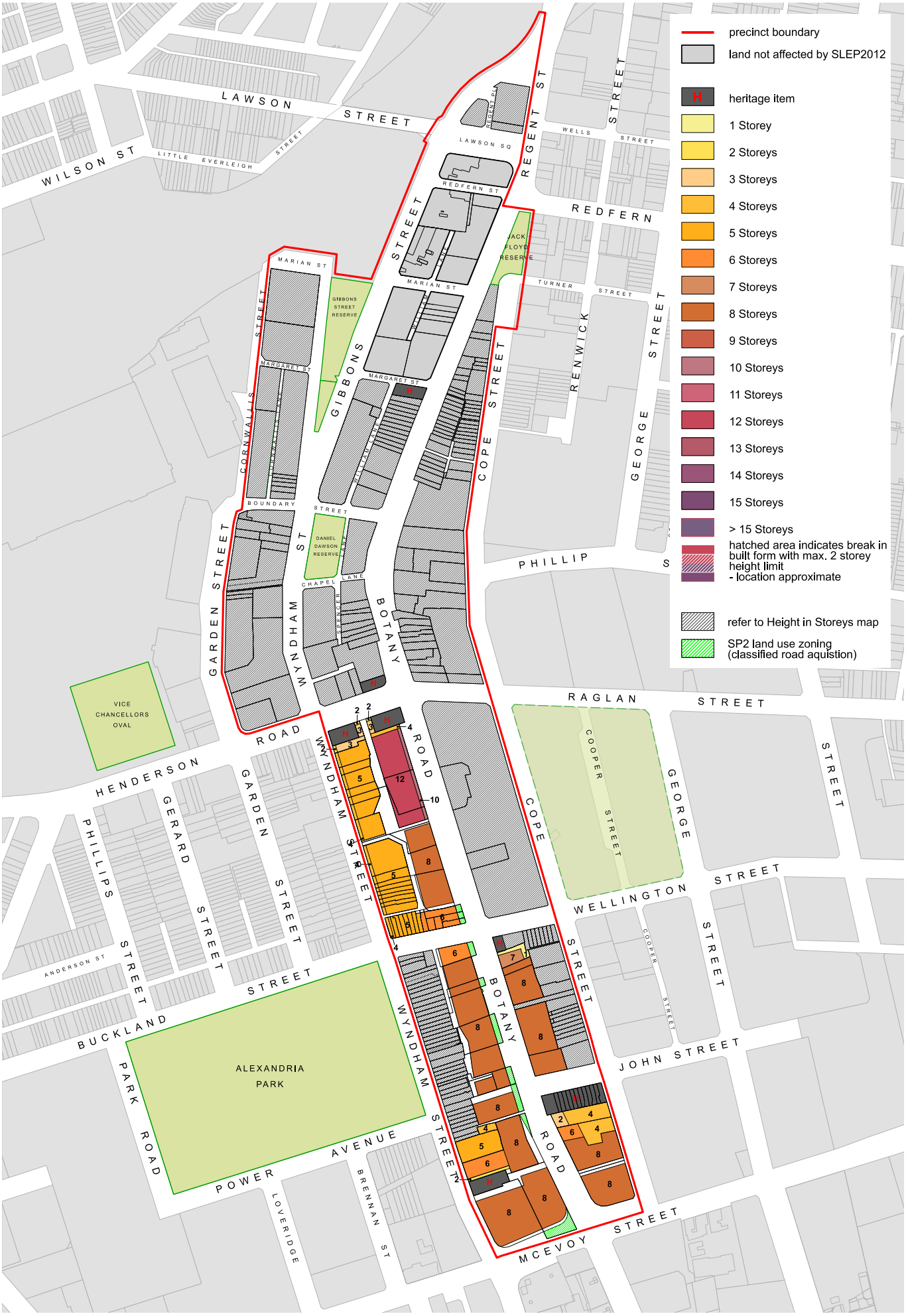


Figure 5.265 Height in Storeys where incentive heights are utilised - Non-residential



5.10.4.2 Building alignment and setbacks

Objectives

(a) Establish appropriate street wall heights and horizontal articulation.

(b) Ensure setbacks are provided to transition to nearby heritage items and heritage conservation areas.

Provisions

(1) Primary setbacks are to be provided in accordance with the *Building Setback and Alignment map* and the *Public domain setbacks map*.

(2) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, upper level setbacks are to be in accordance with the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map*.

(3) On Botany Road Precinct Opportunity Lands, where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012:

  (a) where development comprises residential uses, upper level setbacks are to be in accordance with Figure 5.267; or

  (b) where development comprises non residential uses, upper level setbacks are to be in accordance with Figure 5.268.

(4) Where upper level setbacks are not identified in (2) or (3), buildings are to present a consistent street wall, with no upper level setback to the street frontage.

(5) Sun shading devices to glazing on walls at the street alignment are permitted to project up to 0.6 metres beyond the building line subject to any required approval under the Roads Act 1997.

5.10.4.3 Materiality and design

Objectives

(a) Retain and enhance the low scale, fine and medium-grain main street character of Regent Street.

(b) Ensure the materiality and design of new development contributes to the Precinct being an attractive employment area.

(c) Ensure heritage items and surrounding heritage context is respected and protected.

(d) Maximise the use of ecologically sustainable building materials in new development.

Provisions

(1) Facades facing Regent Street are to be sympathetic to the materiality and diversity of design shown in properties covered by the Redfern Estate Heritage Conservation Area, including face or rendered brick in a variety of matching or complementary colours.

(2) Where development is not facing Regent Street, facades are to be of face brick for at least 70 per cent of the first four floors. Face brick is to include brick detailing and articulation with a depth of at least 350mm.

(3) Notwithstanding provision (2) above, structural timber framed buildings (with more than 50% of the structure as timber) are encouraged. Where structural timber framed buildings are provided, a glass curtain wall facade system may be employed.

(4) The use of coloured panels or cladding to achieve visual interest is not permitted.

(5) Buildings exceeding 45 metres continuous frontage are to employ different architectural expressions.

Figure 5.267 Upper Level Setbacks where incentive heights are utilised - Residential (Affordable Housing)



Figure 5.268 Upper Level Setbacks where incentive heights are utilised - Non-residential



5.10.4.4 On-structure plantings

Objectives

(a) Deliver increased green coverage in excess of that achievable with trees and ground level landscaping alone.

(b) Improve thermal performance of buildings through passive cooling.

(c) Ensure development supports biodiversity.

(d) Ameliorate pollution impacts of main roads.

Provisions

(1) All non-residential development in the Precinct is to provide green roofs, as defined in schedule 9 of this DCP.

(2) Where green roofs accessible, they are encouraged to feature local endemic indigenous plant species, including edible species.

(3) On-structure plantings cannot be relied upon to ameliorate predicted built form-induced wind impacts.

5.10.4.5 Public art

Objectives

(a) Encourage public art on key sites to promote a sense of place and a distinct cohesive identity for the Precinct.

(b) Promote the visibility of local Aboriginal and Torres Strait Islander community through public art.

Provisions

(1) Any inactive walls, service cupboards and the like on ground level secondary and rear frontages should be designed to attract and showcase informal public art.

(2) Corner sites, particularly those on major intersections, are encouraged to incorporate formal public art commissions by Aboriginal and Torres Strait Islander artists.

(3) Development with a capital investment value exceeding $10 million is to provide a detailed public art plan upon submission of a stage 2 DA, consistent with the City of Sydney Guidelines for Public Art in Private Development, and prepared by, or in consultation with, First Nations artists.

5.10.4.6 Visual and Acoustic Privacy

Objective

(a) Ensure a high level of amenity by protecting the visual and acoustic privacy of dwellings and private open spaces through design and layout of development.

Provision

(1) Development is to use building orientation, design and layout to manage visual and acoustic privacy to ensure adequate access to daylight and natural ventilation.

5.10.4.7 Energy and water efficiency

Provisions

(1) On Botany Road Precinct Opportunity Lands, where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012, any BASIX affected development must exceed the BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water.

(2) Where a recycled water network is available, development is to be dual reticulated.

5.10.5 Connecting with Country

Note: Indigenous Cultural and Intellectual Property (ICIP) means the rights that Indigenous people have, and want to have, to protect their traditional arts and culture. ICIP includes but is not limited to the following rights:

- right to protect traditional knowledge and sacred cultural material;
- right to ensure that traditional laws and customary obligations are respected;
- right to be paid for use of ICIP;
- right to full and proper attribution or naming of the community connected with the ICIP;
- right to prevent insulting, offensive and misleading uses of ICIP in all media; and
- right to control the recording of cultural customs and expressions, and language which may be essential to cultural identity, knowledge, skill, teaching about Indigenous culture.

More information about ICIP is available from the Arts Law Centre of Australia website.

Objectives

(a) Ensure local Aboriginal and Torres Strait Islander communities are consulted about major development in the Precinct.

(b) Provide opportunities for collaboration and co-leadership with Aboriginal and Torres Strait Islander peoples in major development.

(c) Maintain and enhance the social, cultural and economic presence of Aboriginal and Torres Strait Islander peoples, organisations and businesses in the area.

(d) Maximise opportunities for acknowledging and continuing the social and cultural significance of "Aboriginal Redfern".

(e) Ensure development maintains and contributes to the Precinct having a place of belonging and pride for Aboriginal and Torres Strait Islander peoples.

5.10.5.1 All development

(1) Development is to consider Indigenous inclusion, comfort and access in the design and operation of publicly accessible areas, including building forecourts, through-site links, retail spaces and hospitality venues.

(2) Development is encouraged to consider opportunities for acknowledging and celebrating Aboriginal and Torres Strait Islander living cultures through art, performance, architecture, landscaping and other creative expression involving the engagement of suitably qualified Indigenous practitioners and respect for ICIP.

(3) Development is to identify potential impacts, such as displacement, on Aboriginal and Torres Strait Islander people and organisations.

(4) Where impacts are identified, development is encouraged to consult with the affected community with an aim to ameliorating or reducing impacts.

5.10.5.2 Major development

Major development and delivery of public domain in the Precinct is subject to Connecting with Country considerations and requirements.

Note: Major development means development defined as major development in Part 4 of the *City of Sydney Act 1988*.

(1) Major development is to express acknowledgement of the Gadigal people as the Traditional Owners and custodians of the area through the design of built form and public domain.

(2) Major development is to consider opportunities to revive and enliven pre-development landscapes and traditional uses of Country (including waterways and native vegetation) through design of built form, landscaping, public art and public domain, drawing on knowledge of Country held by local Aboriginal knowledge holders.

(3) Major development is to contribute to strengthening the sense of Aboriginal and Torres Strait Islander community in the Precinct, and where possible create spaces for the community to meet and connect.

(4) For major development, targeted consultation with the Aboriginal and Torres Strait Islander community is required to seek community views:

(a) on whether the proposed development impacts on existing or recent spaces or activities on the site, or on surrounding properties, that are important for Aboriginal and Torres Strait Islander communities;

(b) on whether consider the proposed development impacts on the wider context of the Precinct being a place of belonging and pride for Aboriginal and Torres Strait Islander people; and

(c) on how the development may best maximise the presence, visibility and celebration of Aboriginal and Torres Strait Islander peoples, organisations, businesses and living cultures.

(5) Consultation is required with all relevant groups that may be affected by the development.

(6) Consultation activities are to be designed and led by Indigenous-owned consultation advisories or by organisations with Indigenous consultation experience.

(7) Development applications for major development are to include an Aboriginal and Torres Strait Islander consultation report, detailing pre-lodgement consultation activities, the outcomes of consultation, and measures to address issues and concerns raised in consultation. Any ICIP is to be respected and acknowledged in the report.

(8) Development is to implement the recommendations of the report where they:

(a) have evidence of broad support from those consulted;

(b) are within the capacity of the development to deliver; and

(c) are commensurate with the scale of the development.

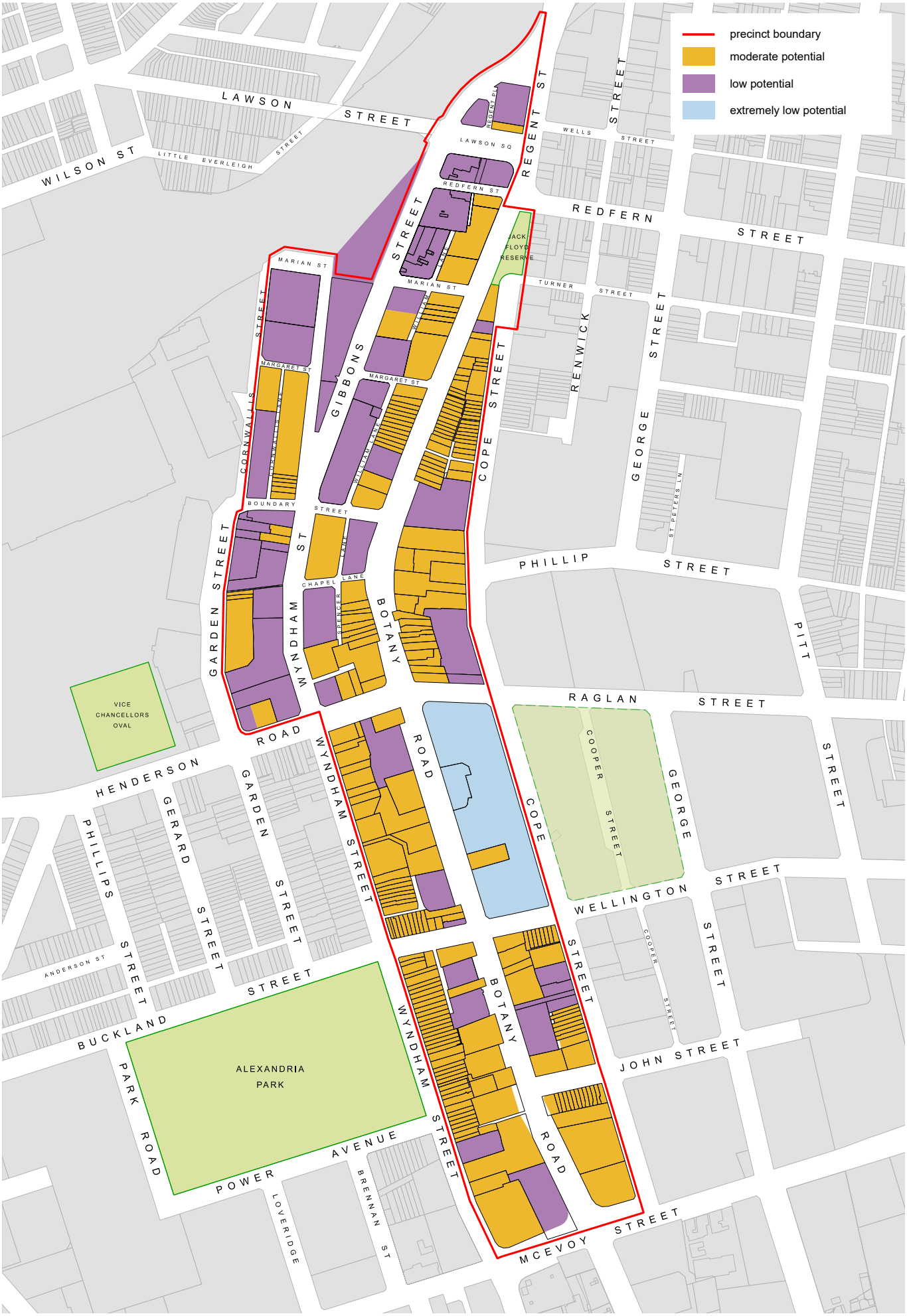
5.10.5.3 Aboriginal archaeology

Note: If the presence of Aboriginal objects are found, all work must be stopped and the find reported to Heritage NSW in accordance with the National Parks and Wildlife Act 1974.

Note: If impact to Aboriginal archaeological resources cannot be avoided, an application for an Aboriginal Heritage Impact Permit under section 90 of the National Parks and Wildlife Act 1974 is required.

Note: The Heritage NSW website includes guidelines on Aboriginal and non-Aboriginal heritage and archaeology.

Figure 5.269 Aboriginal Archaeological Potential



Objective

(a) Ensure appropriate assessments are undertaken to identify and protect Aboriginal archaeological resources

Provisions

(1) All development in the Precinct, with reference to Figure 5.269 Aboriginal Archaeological Potential, involving ground disturbance is subject to an Aboriginal Objects Due Diligence Assessment in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010.This assessment must identify the potential for those works to harm Aboriginal objects.

(2) If recommended by a Due Diligence Assessment, development is to undertake a Baseline Historical Archaeological Assessment which includes processes to avoid, minimise or mitigate impacts and consult with the Metropolitan Local Aboriginal Land Council prior to any physical impact. Should this assessment or consultation confirm potential for archaeological resources an Historical Archaeological Assessment is to be undertaken.

(3) On sites where Aboriginal archaeological resources exist, new development is to include appropriate interpretation of the local Aboriginal history relevant to the specific resources found. Appropriate interpretation means engagement of suitably qualified Indigenous historians or artists and respect for ICIP rights.

5.10.6 Site-specific provisions

5.10.6.1 Redfern Estate heritage conservation area

Objectives

(a) Ensure development is complementary with the unique built form characteristics of the heritage conservation area.

(b) Ensure improvement and restoration of features that are contributory to the heritage conservation area is undertaken through redevelopment.

(c) Focus new development on locations where it does not detract from the heritage conservation area.

(d) Ensure development showcases “Connecting with Country” approaches in the context of a heritage conservation area.

Provisions

(1) For existing buildings with pitched roofs, additional built form must be entirely set back from existing pitched roofs, at a depth equal to the existing rear gutter.

(2) For other buildings, additional built form must be set back at least 2.5 metres from the existing frontage.

(3) Terraces fronting Regent Street must have their ground floor and first floor balconies restored to original condition, including removal of detracting awnings, signage and fill-in walls, and replacement of detracting windows.

(4) Extensions and additional built form must be distinctive from the existing heritage fabric and employ materials clearly distinguishable from the existing building.

(5) New development is to reflect the siting, scale, lot size, subdivision pattern and street wall height of the existing building and adjoining lots.

(6) Reflecting the Aboriginal, pre-colonial heritage of the local area and surrounds, and acknowledging Country through design, landscaping, on-structure planting and/or public art overrides non-Indigenous heritage to the extent of any inconsistency.

5.10.6.2 131 Regent Street, Redfern

Objectives

(a) Ensure development delivers a landmark gateway building for Botany Road Precinct on a visually prominent site.

(b) Culturally important public art is maintained, and opportunities for additional public art are provided on a visually prominent location.

(c) Enhance the visibility of "Aboriginal Redfern" and the cultural recognisability of Botany Road Precinct.

(d) Provide private open space adjoining Jack Floyd Reserve.

Provisions

(1) Development is to maintain the "Spanish Mission" wall fronting Cope Street and provide a southern extension of the wall at a similar height, for the purposes of informal public art.

(2) A public art strategy must be provided at Stage 2 DA stage detailing initial and ongoing management of the Cope Street public art site.

(3) Open space is to be provided adjoining Jack Floyd Reserve.

5.10.6.4 74-88 Botany Road, Alexandria

Objectives

(a) Ensure development is capable of exhibiting design excellence.

(b) Ensure sensitive uses, including residential uses, are protected from noise and/or air quality impacts from major road corridors and surrounding employment and entertainment uses.

Provisions

5.10.6.4.1 Design Excellence Strategy

(1) The following competitive design process must be completed before the lodgement of a detailed development application for the site:

(a) A competitive design alternatives process is to be undertaken in accordance with clause 6.21 of Sydney LEP 2012 for the entire site of 74-88 Botany Road.

(b) The competitive design alternatives process is to involve a minimum of three invited competitors including at least one emerging architectural firm.

(c) The selection panel is to comprise a total of four members. The proponent is to nominate two selection panel members and the City of Sydney is to nominate two selection panel members.

(d) No additional height is to be awarded as a result of the competitive design process.

5.10.6.4.2 Built Form

(1) Residential uses on the first floor are not to address the Botany Road frontage.

(2) Residential and commercial uses on the first floor are to be sufficiently separated to maintain residential amenity.

5.11

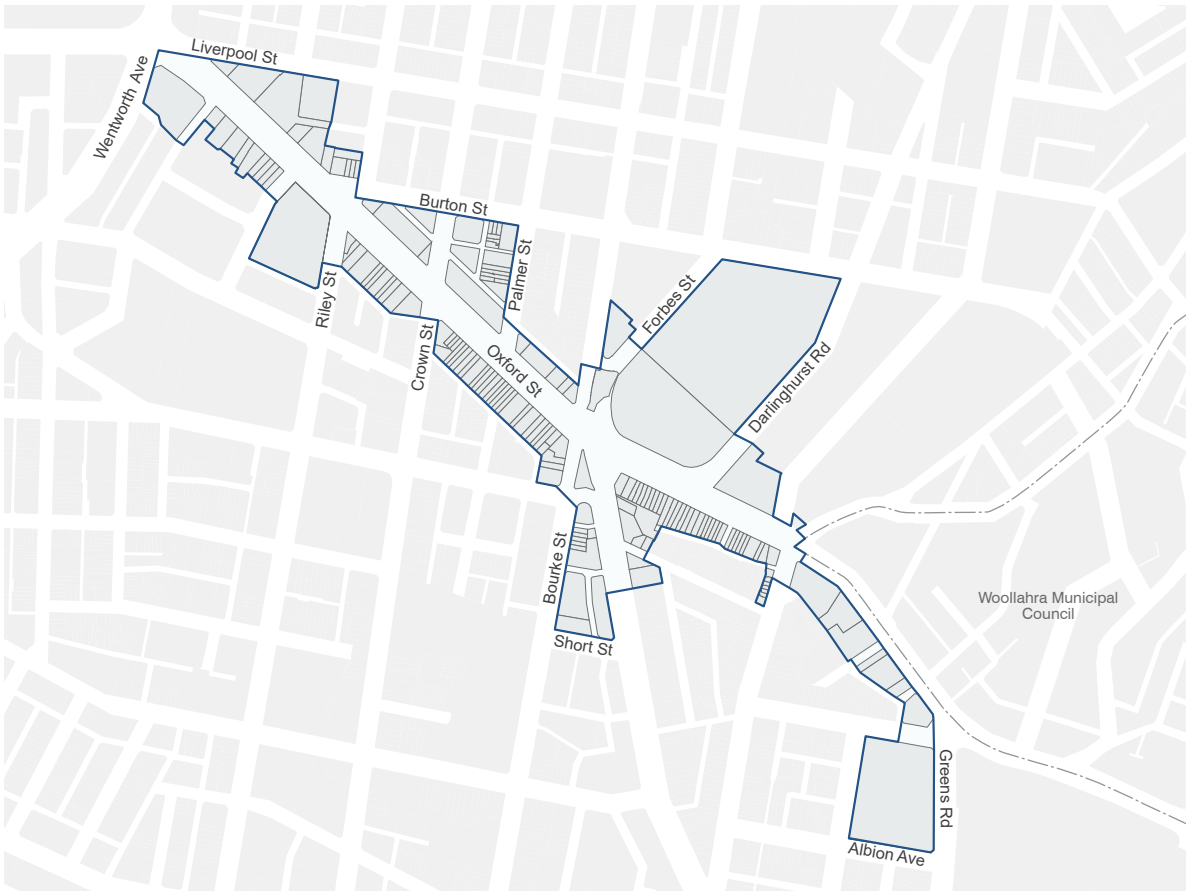
Oxford Street Cultural and Creative Precinct

This Section applies to the land identified in Figure 5.1 Specific areas map as the Oxford Street Cultural and Creative Precinct.

5.11.1 Locality statement

This locality includes the Oxford Street corridor between Whitlam Square and Greens Road in Paddington, with lots fronting Oxford Street and Whitlam, Oxford, Taylor and Three Saints Squares. It incorporates the National Art School, Darlinghurst Court House and former Gaol and the UNSW Art and Design Campus. The land shown in Figure 5.270 is identified as the Oxford Street Cultural and Creative Precinct.

Figure 5.270 Oxford Street Cultural and Creative Precinct



Oxford Street and its surrounding area is one of Sydney's iconic places and has long been appreciated as a creative and cultural precinct both locally and internationally. It follows an ancient path used by the Gadigal people of the Eora Nation and is one of Sydney's earliest main streets, characterised by Edwardian, Victorian, Art Deco, Inter-War and Federation style architecture. It is an important high street and a focus for community activity and for many years has been an iconic destination for nightlife and shopping.

Oxford Street's character is built on its diverse use, activities, heritage and building forms. It hosts a mix of fine grain businesses, educational institutions, health facilities, and spaces for residents, workers, visitors and festivals. Oxford Street is to continue to be a rich and diverse neighbourhood and high street with high quality public domain, a range of fine grain shops, galleries and venues. It provides a focus for infrastructure and the daily needs and services of residents in Darlinghurst and Paddington.

Oxford Street is an important place for the LGBTIQA+ community in Sydney, nationally and internationally and is home to the annual Gay and Lesbian Mardi Gras festival and parade. The precinct is synonymous with LGBTIQA+ life in Sydney and has historically accommodated LGBTIQA+ bars, clubs, restaurants, saunas, sex industry and adult entertainment venues and shops. The character and culture of the precinct is defined by a diversity of uses and a strong association with the LGBTIQA+ community. A rainbow crossing to celebrate the LGBTIQA+ community is located at the intersection of Bourke and Campbell Streets.

New development will reposition Oxford Street and its role in the Eastern Creative precinct by encouraging culture as a driver of creativity and enterprise, a source of job creation, and potential for place-making. It will build upon existing and emerging employment clusters within the area and capitalise on the area's proximity to long term establishments including the National Art School and UNSW Art and Design Campus. Development will aim to celebrate and acknowledge Oxford Street as a walking track of the Gadigal people. It will promote the preservation and strengthening Oxford Street and its surrounding neighbourhoods as a focal point for LGBTIQA+ community life and culture.

Through alternative height and FSR controls, future redevelopment of sites within the precinct will increase the provision of cultural and creative floor space and stimulate activity, encourage mixed uses, increase employment and pedestrian activity and contribute to the overall revitalisation of the local area.

Basements provide ideal and unique spaces for late night trading uses, such clubs and performance spaces, helping to activate a more diverse night-time economy on Oxford Street.

Temporary uses along Oxford Street are also encouraged to activate vacant spaces, stimulate activity and visual interest and improve amenity while permanent uses or development solutions are being sought. Temporary uses could mean the additional use of a premises for art installations or exhibitions, pop-up shops, events, performance, seminars, talks and the like. Some of these activities may be those permitted as exempt development in Schedule 2 of Sydney LEP 2012 or the State Environmental Planning Policy Exempt and Complying Development Code.

Development will conserve the heritage significance and character of the existing built form and streetscape and at a minimum retain the existing quantum of cultural and creative floor space. New development will increase the on-site provision of cultural and creative floor space, and encourage diverse and activated street frontages and lanes which contribute to the vibrancy of the day and night-time economies and the cultural and creative offering of this regionally significant precinct.

Principles

Development must achieve and satisfy the outcomes expressed in the locality statement and supporting principles below. Where there is an inconsistency between Section 5 and Section 2 of this DCP, Section 5 applies to the extent of the inconsistency.

Development is to:

(1) Support the realisation of the Oxford Street Cultural and Creative Precinct through the strategies shown at Figure 5.271 and Figure 5.272.

(2) Respond to and reinforce the role of Oxford Street as a local centre and activity street.

(3) Provide opportunities for acknowledging and continuing the social and cultural significance of Oxford Street as a walking track of the Gadigal of the Eora Nation.

(4) Enhance the presence, visibility and celebration of First Nations organisations, businesses and cultures.

(5) Consider opportunities for acknowledging and celebrating Aboriginal and Torres Strait Islander living cultures through art, performance, architecture, landscaping and other creative expression involving the engagement of suitably qualified Indigenous practitioners.

(6) Ensure that the retention and conservation of significant heritage fabric (including significant interiors), and structural stability of buildings, determines the extent of alterations and additions to heritage items and contributory buildings.

(7) Retain existing and increase cultural and creative floor space.

(8) Ensure that vertical additions to certain heritage items and contributory buildings:

(a) facilitate an increase in cultural and creative floor space;

(b) encourage uses that support Oxford Street's role as a local centre;

(c) respond to and complement the character of heritage items, contributory buildings and buildings constructed as a group;

(d) are subject to agreed heritage principles from the outset

(e) respond to and complement streetscapes and lanes; and

(f) minimise overshadowing to neighbouring residential properties.

(9) Reinforce the individuality of buildings, fine-grain pattern of tenancies, buildings constructed as a group, and different areas that characterises the precinct.

(10) Strengthen, support and promote Oxford Street's LGBTIQA+ cultural identity and importance.

(11) Identify and respect buildings and places of social and heritage significance to the LGBTIQA+ community.

(12) Seek to retain existing and provide new LGBTIQA+ businesses, organisations and venues to ensure that Oxford Street maintains its identity and status as a centre of LGBTQIA+ culture, retail and nightlife.

(13) Increase public pedestrian access to, and activation of, the National Art School, UNSW Art and Design Campus and the Darlinghurst Court House.

(14) Provide through-site links in long blocks to increase public access.

(15) Align buildings with, and activate streets and lanes, at the ground level.

(16) Retain and conserve shop fronts with heritage significance. The design of new shopfronts should take their cues from traditional shopfronts.

(17) Encourage cafes and restaurants in buildings on streets, corner sites and laneways to provide outdoor dining where footpath width permits.

(18) Enhance the local area's night-time offering.

(19) Encourage late night entertainment uses in new and existing basement levels.

(20) Provide awnings to the footpath, where appropriate.

(21) Locate land uses with consideration to:

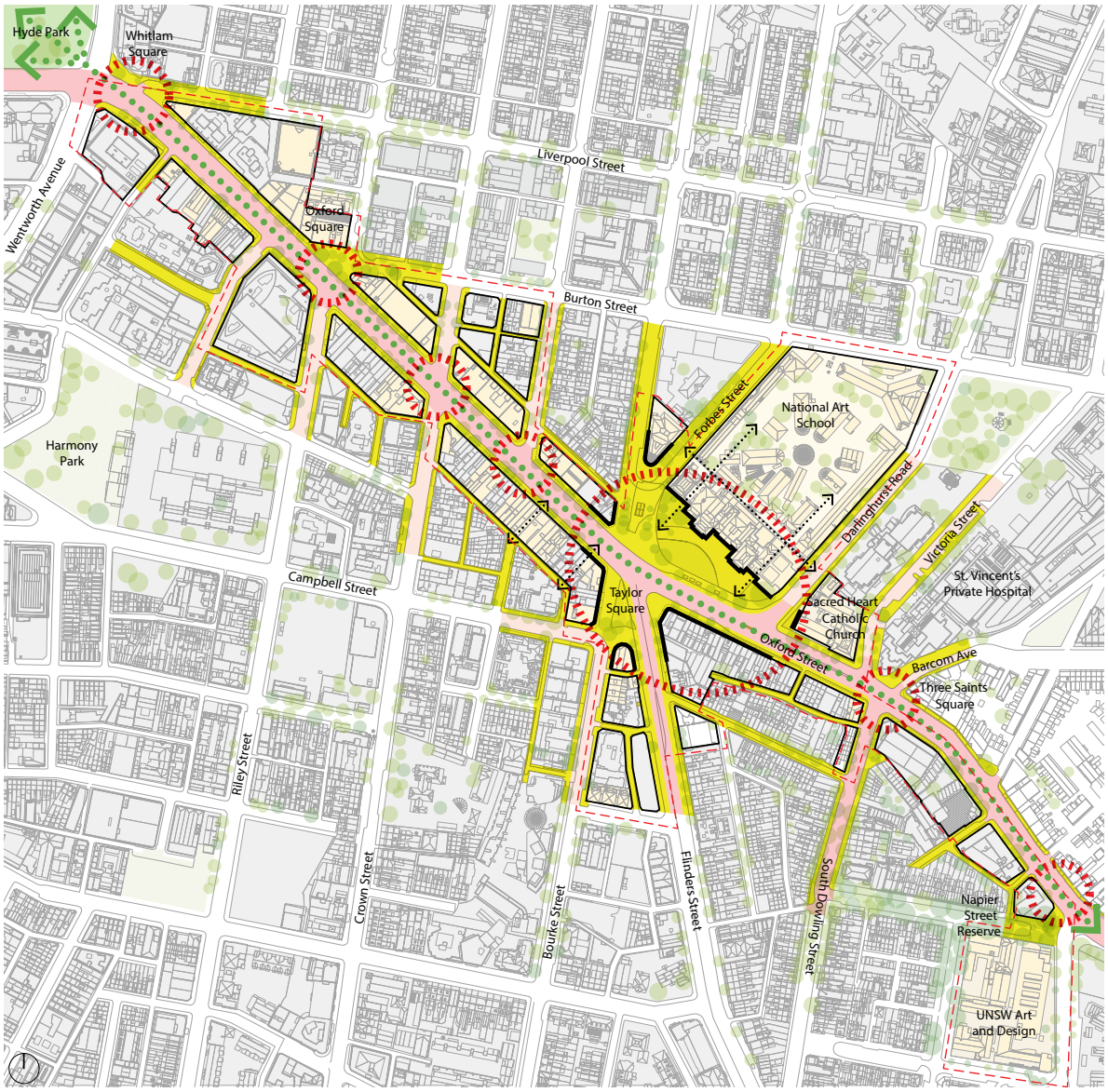
(a) the ability to activate the public domain;

(b) access and servicing requirements; and

(c) the potential for sound from cultural, creative and night-time uses and other land use conflicts.

(22) Avoid residential development in locations fronting Oxford Street due to low amenity associated with the main road and the potential conflict with desirable land uses that promote activity and the night-time economy. Residential floor space is not subject to the alternative height and floor space provisions of the Sydney LEP for the Oxford Street cultural and creative precinct.

Figure 5.271 Oxford Street Cultural and Creative Precinct structure plan



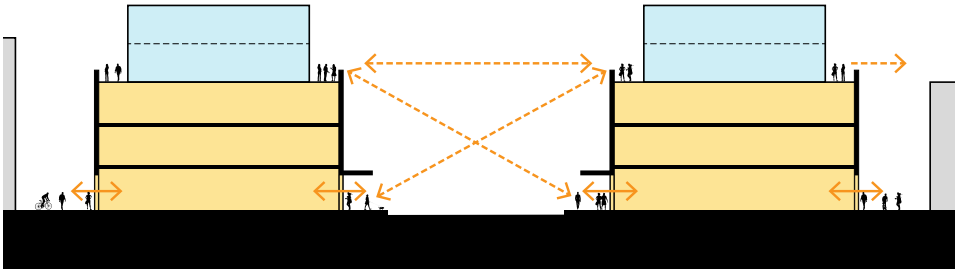


Figure 5.272
Typical section illustrating how development can respond to and reinforce the role of Oxford Street as an activity street, including active uses at street level, rear laneway activation and roof terraces above the street wall

Definitions

Development for a cultural or creative purpose is defined in clause 6.60D of the Sydney LEP 2012 and means development that involves live entertainment, performing arts, fine arts and craft, design (fashion, industrial or graphic), media, film and television, photography or publishing, or museums and archives dedicated to these purposes.

Cultural and creative purposes include facilities for

- live entertainment, including the presentation or rehearsal of music, film, theatre, cabaret/drag shows, spoken word, comedy or dance
- the on-site display, production and sale of an artwork, craft, design, media, film, technology, image or immersive technology, including meet-the-maker style retail spaces and creative enterprises
- training, teaching or discussion of art, craft and design.

Live entertainment described in section 3.15 of the Sydney DCP 2012 and means an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which the performers (or at least some of them) are present in person. Live entertainment does not include that associated with sex industry or adult entertainment uses.

5.11.2 Cultural and creative spaces

Art galleries, creative production and performance spaces and music venues, as well as creative start-ups and social enterprises, are incubators for Sydney's creative life. They diversify both the day and night-time economy, attract tourists and provide places for people to produce and engage with local culture. Oxford Street is identified as a precinct where the entertainment, arts, performance and cultural role, and the provision of space for cultural performance and production is to be strengthened and the loss of arts, creative and cultural floor space prevented.

Objectives

(a) Prevent the loss of existing cultural and creative floor space in the precinct as a result of redevelopment in the precinct.

(b) Require new cultural and creative floor space to be provided and existing cultural and creative floor space to be retained in development seeking additional height and floor space.

(c) Encourage the provision of cultural and creative spaces.

(d) Ensure that new cultural and creative floor space will have minimal impact on the amenity of neighbouring or sensitive land uses.

(e) Ensure that the design of new cultural and creative floor space meets appropriate locational and operational requirements.

(f) Provide a diversity of types and sizes of cultural and creative space in the precinct.

(g) Clarify how the provision of floor space with a cultural and creative purpose is calculated.

(h) Encourage the use of basements as floor space used for a cultural and creative purpose where they satisfy heritage requirements of Sydney DCP.

(i) Ensure that late night trading premises in the Oxford Street cultural and creative precinct support principles of diversity and inclusiveness and incorporate appropriate guidance and training in their operations.

Provisions

(1) As required by clause 6.60D of Sydney LEP 2012, all development in the precinct is to maintain or increase the quantum of floor space used for a cultural and creative purpose that existed on a single or amalgamated site on 10 September 2021. Existing floor space used for a cultural and creative purpose is calculated excluding spaces that are ancillary to or needed to service the cultural and creative purpose, such as service areas, corridors, offices, retail and sanitary facilities.

(2) Development accessing the alternative floor space and height permitted by clause 6.60D of Sydney LEP 2012 is to provide a minimum of 10 per cent of the total proposed GFA on the site for a cultural and creative purpose and retain the quantum of cultural and creative floor space that existed on a single or amalgamated site on 10 September 2021.

(3) The approved floor space for a cultural and creative purpose is to be maintained during the life of the consent or while the additional height and floor space is in existence and is not to be subject to a change of use except to other cultural and creative activities.

(4) Below ground basement space that is an entertainment facility for live performance or a cinema and which satisfies clause 6.60E of the Sydney LEP may contribute to the requirement to provide 10 per cent of the total GFA of a proposed redevelopment as floor space used for a cultural and creative purpose.

(5) Below ground floor space which satisfies clause 6.60E of the Sydney LEP is excluded from the GFA used to calculate 10 per cent of floor space used for a cultural and creative purposes. For example, in a proposed development which includes 5000sqm above ground and 1000sqm below ground the 10% of GFA for a floor space for a cultural and creative purpose is calculated 0.1 x 5000 = 500sqm

(6) The following types of cultural and creative spaces are sought as a priority in the precinct:

(a) Performance spaces – 200–500 person capacity

(b) Light industrial creative manufacturing, including ceramics, glass, plastics and metalwork

(c) Visual arts studios including “wet space”

(d) Large rehearsal spaces

(e) Music production and recording studios

(f) Film, television and new media studios

(g) Multi-purpose collaboration and education space

(7) Notwithstanding subsection (4), a variety of sizes of creative spaces should be provided within each development, as follows, or in accordance with the Creative Spaces guideline in Schedule 13:

(a) Small – 0-200 square metres

(b) Medium – 200-1000 square metres

(c) Large – 1000 square metres or more.

(8) Cultural and creative space may be located on any floor of a building provided that it:

(a) is designed so that the operation of the cultural and creative activity will minimise impact on neighbouring uses, including noise, vibration, odour, fumes, smoke, vapour, steam or dust;

(b) is orientated within the building to locate activities that may generate impacts on amenity towards the Oxford Street frontage and away from rear lanes or residential developmenton streets other than Oxford Street;

(c) accommodates spatial arrangements which are:

(i) appropriate to the specific type of space, or

(ii) are in accordance with the Creative Spaces guideline in Schedule 13;

(d) includes floor to ceiling heights which:

(i) for creative production spaces exceed requirements for commercial use, or

(ii) are in accordance with the heights outlined in the Creative Spaces guideline in Schedule 13; and

(e) accommodates access and servicing requirements which are:

(i) appropriate to the specific type of creative space, or

(ii) in accordance with the Creative Spaces guidelines in Schedule 13.

(9) Existing floorspace for a cultural and creative purpose in the Oxford Street cultural and creative precinct as at 10 September 2021 is identified as:

	Address	Cultural and creative business name	Estimated quantum of floorspace used for a cultural and creative purpose (sqm) prior to exclusion of ancillary uses and spaces
1	39 Burton Street, Darlinghurst	Eternity Playhouse	929
2	38-46 Oxford Street, Darlinghurst	Oxford Art Factory	576
3	52-54 Oxford Street, Darlinghurst	Toast Creative	68
4	16 Oxford Street, Darlinghurst	Darlo Drama	185
5	21 Oxford Street, Surry Hills	Broadcast Books, Mullinars Casting, Seymour Design, Akromat	268
6	113-115 Oxford Street, Darlinghurst	Jaxsta, Jungle Entertainment, Canopy	912
7	1-11 Oxford Street, Paddington	Under redevelopment	89

	Address	Cultural and creative business name	Estimated quantum of floorspace used for a cultural and creative purpose (sqm) prior to exclusion of ancillary uses and spaces
8	17 Oxford Street, Paddington	Palace Verona	1726*
9	City owned properties - 60 Oxford Street, 66 Oxford Street, 74-76 Oxford Street, 84 Oxford Street	Various but now vacant	3,055
		Total	7,808
	156 Forbes Street, Darlinghurst	National Art School	16,497
	Oxford Street and Greens Road, Paddington	UNSW Art and Design Campus	16,611
		Precinct total	40,916

* It is understood that the existing cinema is 631sqm when ancillary uses are excluded.

(10) Plans of Management for all new late night trading premises in the precinct must include Diversity and Inclusion (Aboriginal and Torres Strait Islander and LGBTQIA+) principles, guidelines and a commitment to ongoing staff training within their Plans of Management. This requirement will also apply to existing premises seeking to update their Plan of Managements.

5.11.3 Built form and high quality design on Taylor Square and other public spaces on Oxford Street

Taylor Square is an important public place, and is historically, visually and physically connected to the Darlinghurst Courthouse and former Darlinghurst Police station across Oxford Street to the north. It is a complex public space extending from the courthouse buildings across Oxford Street, edged by heritage buildings on Flinders, Campbell, Bourke and Oxford Streets and the Rainbow Crossing. The angle at which Oxford Street bisects the grid creates a number of triangular or irregular shaped sites and public spaces at Oxford Square, Whitlam Square, Three Saints Square and Taylor Square. New buildings and additions to heritage buildings in these spaces must provide strong visual and physical edges to the public space through high-quality architecture and construction. Their architectural expression must complement the historical context and allow opportunities for contemporary design. Buildings must strongly define and enhance the quality of the space and provide opportunities for ground level activation.

Objectives

(a) Establish an appropriate scale, massing and modulation for new development facing onto the public spaces listed at (i)-(iv) below, which frame, respect and respond to the place, architectural character, rhythm and grain of the existing built fabric of the high street.

(i) Taylor Square

(ii) Oxford Square

(iii) Whitlam Square

(iv) Three Saints Square – corner of Oxford Street, Barcom Street and Victoria Street.

(b) Achieve a street wall height that reinforces the scale and framing of the public spaces listed in (a) and protect the view corridor along Oxford Street towards Hyde Park and the City skyline.

Provisions

(1) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing Taylor Square and street intersections and define corner sites through appropriate massing and facade design.

(2) Despite any other provision of the DCP, a reduced upper level setback, which may result in a nil upper level setback on heritage listed and contributory buildings facing Taylor Square, Oxford Square, Whitlam Square, and Three Saints Square may be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:

(a) the relationship between the architectural language of the existing building and the addition, which is to enhance and emphasise the qualities of both the existing and new parts of the building; and

(b) the design and construction quality of the facades, including exposed side walls and expression of the roof.

5.11.4 Heritage conservation

Development within the Oxford Street precinct takes place within one of Sydney's earliest main streets, characterised by largely intact Victorian, Federation and Inter-War style architecture. The precinct is also almost entirely located in heritage conservation areas and includes 4 state heritage items, 52 locally listed buildings and 132 contributory buildings.

The DCP requires proposals for development on individual sites to demonstrate that heritage significance, retention of fabric and the structural stability on individual sites are a central consideration informing the design of additions and alterations to heritage buildings. The presumption for development is that all significant fabric and spatial arrangements of heritage items and contributory buildings must be conserved.

Objectives

(a) Ensure development in the precinct conserves and enhances the heritage significance, character, fabric and features of heritage buildings in the precinct and does not result in facadism.

(b) Ensure that heritage significance of the contributory buildings within Oxford Street and Victoria Street, East Sydney, Oxford Street, Paddington Urban and Victoria Barracks Heritage Conservation Areas is conserved and enhanced by retaining significant elements of the building and restoring or reconstructing altered or missing fabric.

(c) Ensure that the massing and modulation of the building form is appropriate in response to its context within the Oxford Street and Victoria Street, East Sydney, Oxford Street, Paddington Urban and Victoria Barracks Heritage Conservation Areas, setting of the surrounding heritage items, streetscapes of Oxford Street; Crown Street, Palmer Street, Riley Street, South Dowling Street; Victoria Street; and the surrounding low scale residential context.

(d) Ensure that the conservation of heritage significance, fabric and features is considered early in the design of additions to heritage listed and contributory buildings in the precinct.

(e) Ensure that the structural stability of heritage listed and contributory items is considered early in the design process and maintained throughout the design of proposals.

(f) Ensure that the significance and original character of the heritage listed Courthouse Hotel is retained and enhanced.

(g) Ensure development in the precinct conserves roofscapes with heritage significance and which are visible from Oxford Street.

Provisions

5.11.4.1 Heritage conservation

(1) Heritage facades are to be conserved. Alterations to heritage items affecting their original facade or parapet wall are to be limited to:

(a) restoration of significant features; and

(b) discrete, sympathetic or reversible additions that are compatible with and do not dominate the original or early architectural expression of the heritage item.

(2) No new openings are permitted in original parapet walls or blank arches of heritage buildings.

(3) Development affecting heritage items and contributory buildings is to retain:

(a) the main structural walls of the entire building;

(b) existing external openings;

(c) the floor structure and the inter-floor height with new floor plates and walls not to intersect significant openings;

(d) any surviving pressed metal ceiling(s) within existing shops and awnings;

(e) any further elements identified in a Conservation Management Plan applying to the building.

(4) Facadism, or demolition of a building except for its facades, is not supported as appropriate conservation of the significance of a heritage item or contributory building. Development must ensure that building facades maintain a relationship with the internal fabric and organisation of the interior of a building.

(5) Vertical additions to contributory buildings are not to visually dominate or compete with the original building form. They are to be designed to present as a recessive, light- weight addition, including roof form, which is set back in accordance with the provisions in Section 5.11.5.3, except where a design outcome of the highest standard can be achieved in accordance with provision 5.11.5.3(3) in this DCP.

(6) Any change to a ground floor Oxford Street facade is to respect and respond to the fine-grain nature of the street's architectural scale, character, form, detailing and arrangement of traditional shopfronts.

(7) Retain and conserve significant shop fronts with heritage significance.

(8) New development must retain any historic roof form or feature identified in a Statement of Heritage Principles and a Heritage Impact Assessment, and the following specific heritage roof features:

(a)	43,45,47 Oxford Street	Pitched gabled roofs sloped towards and visible from Oxford Street, and iron lacework parapet detailing
(b)	131 Oxford Street	Pitched gable roof and chimney and party wall visible from Oxford street
(c)	173-175 Oxford Street	Slate hipped roof and chimney visible from Oxford Street, historic significant extant roof limited to front
(d)	231 Oxford Street	Extant roofline
(e)	233-237 Oxford Street	Roof form and chimney visible from Oxford Street
(f)	245-261 Oxford Street	Pitched gabled roofs and chimney visible from Oxford Street

5.11.4.2 Statement of Heritage Principles

(1) Prior to the submission of a development application that affects a heritage item or contributory building in the precinct, a Statement of Heritage Principles should be prepared by a suitably qualified heritage consultant to inform the design development. The Statement of Heritage Principles should be agreed with the City through a pre-DA process. Any existing CMPs are to be updated with these agreed principles as required.

(2) The Statement of Heritage Principles is to:

(a) address the heritage significance of the place, site and building and the contribution of the site and/or building to the conservation area;

(b) identify the spatial planning and features of the building, including the grading of fabric, elements, and spaces and which elements are to be conserved;

(c) detail the physical structure of the building and propose methods to ensure that its stability is maintained with minimal impact on heritage fabric and spaces; and

(d) set out principles to guide the design of the development so that the significance is conserved.

5.11.4.3 Heritage Structural Impact Statement

(1) For development affecting a heritage item or contributory building in the precinct, a Heritage Structural Impact Statement is to form part of the Heritage Impact Assessment to be submitted with any development application.

(2) The Heritage Structural Impact Statement is to address:

(a) the consistency of the proposals with the Statement of Heritage Principles;

(b) the method for retaining significant fabric on site during the demolition and construction stages and for enabling the structural stability of the building and heritage features for their long-term retention; and

(c) the method for minimising any impact on the significant heritage features and the integrity of adjoining structures.

(3) The Heritage Structural Impact Statement is to be prepared with input from a suitably qualified structural engineer experienced with heritage properties.

5.11.5 Built form and design

Careful consideration of the impact of development on the unique built form character of Oxford Street must be demonstrated in all proposals for redevelopment. Oxford Street bisects the predominant street grid and features a series of unusually proportioned and shaped blocks, with many narrow and deep lots, and some which have been consolidated. The buildings fronting Oxford Street have a high quality and continuous fine grain built form with a strong heritage character which flanks the street and creates a clearly framed view corridor down the street towards Hyde Park and the city skyline beyond.

Additions to these buildings are to be predominantly lightweight, simply designed and recessive secondary forms except where they are of exceptional design quality and achieve a strong and complementary relationship with the existing building.

5.11.5.1 Additional building height

The built form on Oxford Street is characterised by a varied and stepped expression of heights which have evolved on the street and create continuous and fine-grain frontages. The existing pattern of stepped heights and the vertical articulation and rhythms along the street is to be reflected in vertical additions that are complementary to existing heritage character.

Objectives

(a) Define maximum building envelopes for future development to deliver a high-quality built form which ensures an appropriate level of amenity within the site and to surrounding properties.

(b) Establish an appropriate scale for new development which respects the existing built form of the high street, compatible with heritage items and contributory buildings in the surrounding context.

Provisions

(1) Development is not to exceed the maximum number of storeys as shown in Building Height in storeys maps.

(2) On sites which are awarded additional floor space under Clause 6.60D of Sydney LEP 2012, that floor space is to be accommodated within the maximum number of storeys shown in the Building Height in storeys maps.

(3) Additions of more than two storeys are not permitted except for buildings in Block X, as defined in the Alternative Building Height in Storeys maps, which are to be in accordance with those figures.

(4) One and two storey additions to existing buildings, roofs, plant, lifts, stairs and associated overruns and equipment are to be no more than 10 metres higher than the uppermost ceiling height of the existing built form as at 1 January 2021. They must not exceed the maximum height plane shown in Alternative Height of Buildings control in Sydney LEP 2012.

(5) The cumulative impacts on views from additional storeys in accordance with the Alternative Height of Buildings control in Sydney LEP 2012 is acceptable.

5.11.5.2 Architectural detail and materials

Oxford Street is a high street with a diversity of built form with rich architectural styles and detailing, characteristic of the Victorian, Federation and Inter-War periods. Architectural detailing can reinforce the lot pattern, fine grain and individuality of buildings. The detailing and choice of material in new development provides an important opportunity to reflect heritage elements, connect buildings constructed as a group and differentiate and reinforce the distinctive attributes of the built form in the precinct.

Objectives

(a) Ensure building proportion, facade articulation, materials, and architectural detailing that contributes, reinforces and responds to the highest quality heritage and contributory buildings in the surrounding context.

(b) Ensure that new development fits in with the existing fine-grain pattern of Oxford Street, surrounding streets and laneways, and reflects the historical subdivision pattern.

(c) Provide visual interest and activation through a fine grain and individually distinctive architectural details.

(d) Prevent the damage or removal of building parapets on buildings fronting Oxford Street.

Provisions

(1) Every building on Oxford Street is to have an individually distinctive massing, expression of floor levels, architectural language and fine grain tenancies. (Figure 5.273)

(2) The design of both the street wall and setback is to reflect the existing pattern of building arrangement and subdivision of Oxford Street.

(3) Additions may reflect the original phase of development where groups of buildings were developed as a set and then subdivided.

(4) Building facades are to be characterised by vertical proportions over the full height of the building. Facade elements and window openings above ground floor level are to be vertically proportioned.

(5) Window openings above any existing or required awning are be limited to between 20% and 40% of the facade wall area.

(6) Additions above and behind existing parapets are to be articulated from existing retained facade elements.

(7) The architectural detail and materials to be used in any additions and new development are to be at least equal in quality and level of detail to the highest quality found in neighbouring contributory buildings. While additions and new buildings are to have a contemporary character, their materials and design detailing must respond to (but not copy) elements and details observed in surrounding buildings, such as face brickwork, decorative string courses, brick bonds, rendered/painted banding and other masonry work. Design detail is to be demonstrated through a comparative analysis of the existing building elevation and the proposed development, documented with 1:50 elevations and 1:10 details.

(8) All new additions must include climate responsive design including but not limited to natural ventilation and external sun shading to block 80% of direct sun to glazing in summer (Dec- Feb).

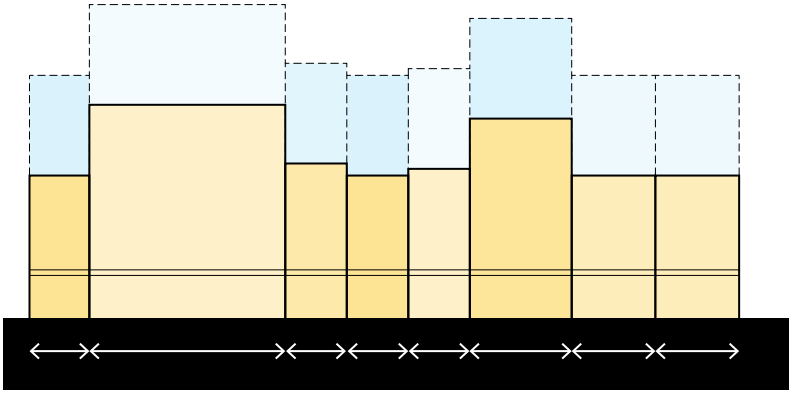


Figure 5.273
Additions are to reflect the individually distinctive massing on Oxford Street 5.11.5.2(1)

5.11.5.3 Building alignment, setbacks and street frontage heights

Oxford Street is characterised by a predominantly low scale built form, with a consistent building alignment and strong street edge. Street frontage heights will create the scale and type of built form required to maintain light to the street and manage its character and amenity.

Upper storey additions should be recessive, secondary forms which protect the heritage character of the precinct and reinforce the vista from Taylor Square to Hyde Park. Upper level setbacks will ensure that traditional parapet walls, often ornately detailed and an important heritage element, are protected and retained. They will ensure that new built form provides adequate solar access to neighbouring properties.

Objectives

(a) Establish a two storey scale, massing and modulation for new development which respects and responds to the architectural character, rhythm and grain of the existing built fabric of the high street.

(b) Achieve a street wall height that reinforces the human scale in the public domain and protects the view corridor along Oxford Street towards Hyde Park and the City skyline.

(c) Reduce the visual dominance of upper storey additions and protect the integrity of traditional parapets.

(d) Ensure any upper storey additions which seek a reduced setback display exceptional design quality which results in a complementary relationship with the architectural language of the existing building.

(e) Protect solar access in neighbouring residential properties with appropriate building setbacks from all boundaries.

Provisions

(1) Street frontage heights are not to exceed the maximum height on the Street Frontage Height maps. Above the street wall, additional storeys on heritage listed and contributory buildings are to be set back a minimum of 3 metres (Figure 5.274). Note that the maximum number of storeys shown on the Alternative Building Height in storeys maps includes attics and mezzanines.

(2) A greater minimum setback than that detailed in 5.11.5.3(1) may be required if identified as part of a Conservation Management Plan or Statement of Heritage Principles.

(3) A reduced setback, which may include a nil setback on heritage listed and contributory buildings facing the squares referred to in 5.11.3, noted in Objectives (a) may only be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:

(a) the relationship between the architectural language of the existing building and the addition, which is to be complementary and enhance and emphasise the qualities of both the existing and new parts of the building;

(b) the design and construction quality of the facades, including exposed side walls and expression of the roof.

(4) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing street intersections and define corner sites through appropriate massing and facade design.

(5) Subject to appropriate design which protects the integrity of the parapet, the 3 metre upper front setback of a building with frontages onto Oxford Street may be used to provide rooftop balcony space.

(6) Above the street wall on the southern side of Foley Street, additional storeys are not required to be setback from the street frontage (Figure 5.275).

(7) Notwithstanding any other provision in this section, building massing to side and rear boundaries is to ensure solar access to the windows of any dwelling, including ground floor habitable rooms, in accordance with the requirements of section 4.2.3.1 of this DCP (Figure 5.276).

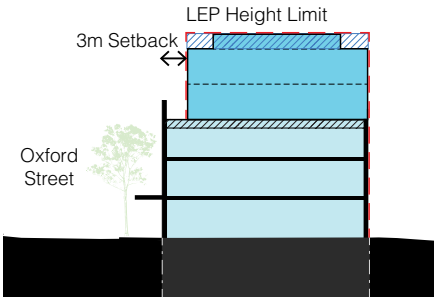


Figure 5.274
Above the street wall on Oxford Street, additional storeys are to be set back a minimum of 3 metres 5.11.5.3(1)

Figure 5.275
Above the street wall on the southern side of Foley Street, additional storeys are not required to be set back from the street frontage 5.11.5.3(6)

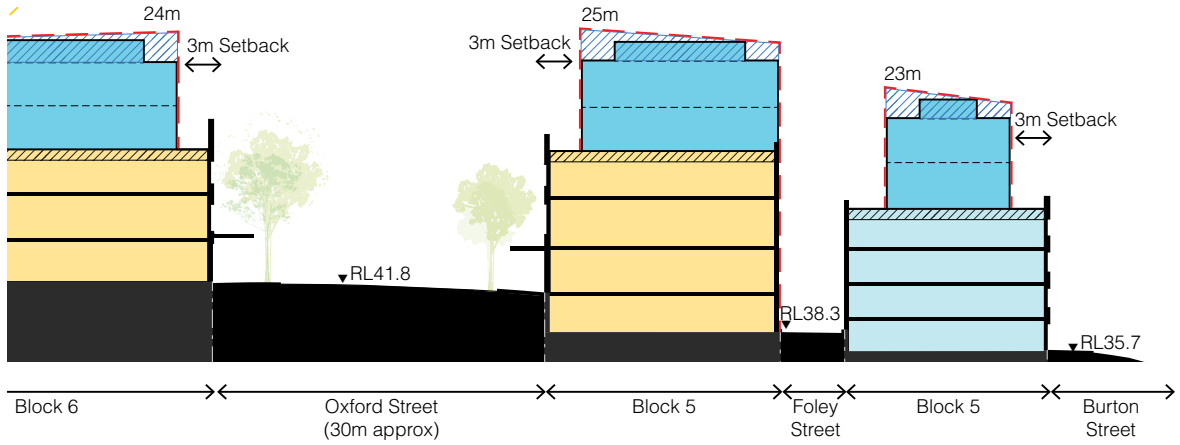
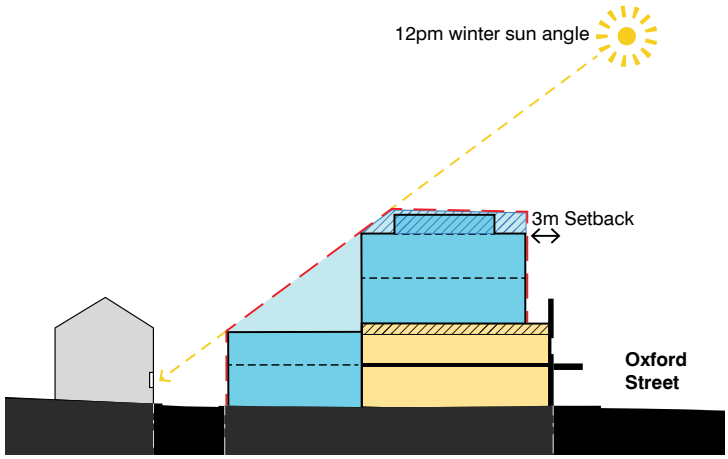


Figure 5.276
Building massing to rear boundaries is to ensure solar access to the windows of any dwelling, 5.11.5.3(7)





5.11.5.4 Awnings

Awnings located at ground level along the street frontage characterise Oxford Street. They define and shelter pedestrian space and have been characteristic of shops, cafes, hotels and other buildings reliant on pedestrian interaction from Sydney's earliest days. This is reflected in their historical association with the busiest pedestrian and commercial streets. Awnings also reduce the perceived scale of tall buildings and focus pedestrian views on street frontages and ground level activities, visually separating street level activity from less active uses above. Their location and design should respond to the surrounding uses and heritage context.

Objectives

(a) Provide awnings for pedestrian comfort and amenity along active frontages.

(b) Locate awnings to minimise sunlight, rainfall and wind impacts at building and tenancy entry points.

(c) Ensure awnings respond and contribute to heritage and contributory items and conserve their significance.

Provisions

(1) Footpath awnings are to be provided to all buildings on Oxford Street that had awnings on 2 December 2022.

(2) Continuous awnings are to be provided above retail uses and over entries for commercial uses.

(3) Contributory buildings must maintain or reinstate awnings which are associated with contributory buildings.

(4) New awnings are to integrate with and achieve a high degree of compatibility with existing adjacent awnings.

(5) Where an awning is not compatible with the heritage significance of a contributory building, the existing awning is to be removed and not replaced.

5.11.5.5 Specific sites

Objectives

(a) Provide guidance for development on specific sites.

Provisions

(1) Special conditions apply to development proposals for six sites in the precinct as below:

(a) 1-19 Oxford Street, Surry Hills (corner of Wentworth Avenue and Oxford Street) – Development in accordance with clause 6.60D of the Sydney LEP 2012 may incorporate a podium up to five storeys high to align with the Old Bank Building at 21 Oxford Street, Darlinghurst on corner of Brisbane Street to better define the corner, improve wind conditions and activate the entrance to Oxford Street at Whitlam Square.

(b) 115 Oxford Street, Darlinghurst (the former Arnold and Co Department Store) – Development which seeks a two-storey addition should ensure that the addition is above the original cornice line and not the more recent partial additions.

(c) 55-73 Oxford Street (Oxford Village), Darlinghurst – Development which seeks a two - storey addition should be built on the street boundary with no setback. Development is encouraged to create a more vertical rhythm, including predominantly masonry materials in line with the predominant morphology of the blocks to the east and west.

(d) 59 Oxford Street, Paddington (service station) – Development of this site is to ensure that upper level setbacks protect and do not reduce the canopies of the existing large Fig trees located to the east of the site and adjacent to the UNSW Art and Design Campus. Consideration is to be given to incorporating these Fig trees into open space associated with a redevelopment proposal, preferably allowing UNSW Art and Design to front Oxford Street with a new public space.

(e) 1-5 Flinders Street, Surry Hills – Development of this site in accordance with clause 6.60D of the Sydney LEP 2012 is to include a 3m front setback at level 3 above the existing street wall on Flinders Street, Taylor Square and Bourke Street. Development could achieve a nil setback at levels 4 and 5 in accordance with section 5.11.5.3(3) of this DCP.

(f) 163-169 Oxford Street, Darlinghurst - Development of these sites in accordance with clause 6.60D of the Sydney LEP 2012 is to include a 6.5m front setback above the existing street wall.

5.11.6 Active frontages and street level tenancy design

The public quality of Oxford Street is strongly linked to the continuous, fine grain activity and visual interest provided by street level tenancies and numerous entries to tenancies at, above and below street level. All development is required to provide active frontages to all streets and lanes and to minimise the frontage occupied by services, loading and parking access.

Through site links which increase the permeability of large blocks can also be activated by fine grain tenancies. Making building edges or tenancies "active" to the street adds interest and life and vitality to the public realm and could include the facades with windows, doors, bays or porches and lively internal uses visible from or extending into the street.

Objectives

(a) Maximise the fine grain activation of the public domain through use, size and design of street level tenancies.

(b) Activate important spaces and corner sites with food and drink premises with associated outdoor dining.

(c) Provide individual street level entries for tenancies above and below street level.

Provisions

(1) Street level tenancies on frontages mapped on the Active Frontages Map of the Sydney DCP 2012 are to accommodate uses that maximise pedestrian activity on the adjacent streets and lanes including shops, food and drink premises, customer service areas and activities, including cultural and creative uses, that provide visual interest and interaction with pedestrians.

(2) Food and drink premises are encouraged in street level tenancies with a frontage to the following public places or on listed properties:

  (a) Taylor Square

  (b) Oxford Square

  (c) 55-73 Oxford Street, Surry Hills (north-west corner)

  (d) 75-77 Oxford Street, Darlinghurst

  (e) 117-123 Oxford Street, Darlinghurst

  (f) 108 Oxford Street, Darlinghurst

  (g) 134 Oxford Street, Darlinghurst

(3) The maximum average width of street level tenancies is to be 5 metres, with the maximum width of any one tenancy at the street frontage being 8 metres. Longer tenancy widths at the street frontage may be considered by the Consent Authority in heritage items and contributory buildings where they reflect existing or significant historic tenancies in the building.

(4) A tenancy or part of a tenancy at street level is to have a maximum floor area of 300sqm at that level with the exception of tenancies provided as cultural and creative floor space. Tenancies on other levels may exceed 300sqm. Larger tenancies at street level may be considered by the Consent Authority in heritage items and contributory buildings where they reflect existing or significant historic tenancies in the building.

(5) Each street level tenancy is to have its own entry from the street.

(6) Self-contained lower ground or basement tenancies are to have separate and direct access from the street.

(7) An entry to upper levels, with vertical circulation core, is to be retained or provided for every building even if lots are amalgamated.

(8) Street level tenancies and foyers are to support an active street edge with a maximum of 25% opaque surfaces to the facade area and 75% transparent glazing or opening providing visibility to at least 6m into the spaces within.

(9) Street level tenancies are to have at least 35% of their floor area at the level of the footpath.

(10) Street level tenancies should achieve a fine grain, shop front design that includes elements of:

(a) a stall riser;

(b) pilasters; and

(c) clerestory window.

(11) Sites in the block bounded by Oxford, Crown, Campbell and Little Oxford Streets between numbers 147 and 175, with a street frontage length of more than 12m are to provide a through-site link or arcade.

(12) Sites shown with a black dashed arrow on Figure 5.271 are encouraged to provide a through-site link or arcade.

(13) Through-site links or arcades are to have a clear width of 3 to 6 metres and arcades are to have a minimum clear height of 1.5 times the width or 6 metres, whichever is less. Open to the sky links are encouraged to provide natural light and opportunities for passive surveillance from upper level windows.

(14) If a through-site link or arcade exists in a street block then no other through-site link or arcade is required in that street block.

5.11.7 Development fronting laneways

The Oxford Street precinct includes lanes that provide for service access to properties fronting Oxford Street. With careful management these lanes can be transformed into characterful areas that support the activity of Oxford Street, including cafes, small bars, community and exhibition spaces, galleries and shops while continuing their service function.

Objectives

(a) Provide fine grain activation of laneways on larger development sites.

(b) Maintain and enhance the intimate environment of lanes and ensure a sense of openness that reinforces a human scale.

(c) Minimise laneway frontage occupied by vehicular access, loading and services while ensuring servicing needs are managed.

(d) Ensure building massing on the north side of lanes provides solar access to residential windows on the south side of the lane.

Provisions

(1) New development on sites with a frontage to Arnold Place, Foley Street, Iona Lane, Verona Street, Rosebud Lane or Little Oxford Street (referred to as a laneway in provisions 1-5) is to:

(a) on sites with a laneway frontage greater than 6 metres wide – include small scale retail, food and drink, service and community facilities tenancies and spaces at laneway level with entries from the lane and visual surveillance of it;

(b) promote and create the opportunity for the inclusion of art, landscaping, street furniture and activity spaces;

(c) improve the pedestrian amenity of the laneway, small street or place through the use of materials, lighting and designated areas for pedestrians and vehicles;

(d) provide facades that create visual interest, equivalent to the existing buildings fronting Oxford Street that exhibit higher levels of detail at lower levels.

(2) All development fronting a laneway should orientate windows and balconies to overlook and provide passive surveillance.

(3) Development and public domain upgrades at ground level are to facilitate and respond to the design and operation of laneways as shared zones, providing for safe and accessible pedestrian movements, compatible site servicing, and laneway activation.

(4) Loading and servicing facilities are not required to be accommodated on site where there is an adjacent laneway. Loading and servicing vehicles may park temporarily in the laneway providing they can do so without blocking pedestrian access.

(5) Where this is not possible, or where the length of laneway frontage allows for both servicing and activation, design of new development is to minimise the length of laneway frontage occupied by vehicular access, loading, servicing, building services and the like.

5.11.8 Servicing and access

Many streets and lanes in the precinct provide an important servicing and access function for the adjacent commercial and residential tenancies. The servicing of new development including local centre uses and floor space used for a cultural and creative purpose should be carefully managed to ensure that impacts on residential amenity are minimised.

Objectives

(a) Ensure that impacts on residential amenity from servicing and access to non- residential premises on Oxford Street are minimised.

(b) Encourage a consolidated approach to servicing and access within each building with non-residential uses.

Provisions

(1) The location of vehicle access for the servicing of non-residential uses is to minimise impact on the local street network and residential amenity.

(2) A transport management plan incorporating all operations and servicing on the site shall be submitted with any development application. The plan should demonstrate a coordinated single building approach to loading, access and servicing which minimises the number of vehicle trips and parking on rear lanes or streets.

(3) The transport management plan is to address:

(a) the anticipated generation of waste, freight, delivery and servicing trips caused by the proposed development, with reference to the proposed uses and quantum of gross floor area,

(b) the expected timing of service and freight vehicle movements through the day and the week, and anticipated time slots per vehicle type,

(c) anticipated peak and priority time slots by land use, business or activity, and any proposed exclusive operational windows,

(d) design details for the proposed loading and servicing facilities, including number of service bays, clearance heights, grades and turning widths, and

(e) details of consolidation strategies that will be employed to reduce vehicle movements, including off-site delivery consolidation, waste contract consolidation and procurement-led consolidation.

5.12

Waterloo Estate (South)

5.12.1 General provisions

(1) This Section applies to Waterloo Estate (South), as shown in Figure 5.1

(2) The objectives and provisions of the *Waterloo Estate (South) Design Guide* apply to land in Waterloo Estate (South).



Section 6

Specific Sites

6 Specific Sites

Contents

Introduction		6.0-1
6.1	Sites identified in previous DCPs, masterplans or development consents	6.1-1
6.1.1	Repealed	
6.1.2	Repealed	
6.1.3	Commonwealth Bank "Money Box" site 108-120 Pitt Street, Sydney (Lot 120 in Deposited Plan 882436)	6.1-1
6.1.4	The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)	6.1-3
6.1.5	Local Infrastructure and Public Domain	6.1-4
6.1.6	Built Form and Design	6.1-6
6.1.7	Parking and Vehicular Access	6.1-7
6.1.8	261-263 Oxford Street, St. John's Church, Hall & Manse, Paddington	6.1-18
6.1.9	50-58 & 60-72 Sir John Young Crescent, Former Sydney Eye Hospital, Woolloomooloo	6.1-22
6.1.10	Victoria Park – South Dowling Corridor	6.1-24
6.1.11	Email Site – 13 Joynton Avenue, Zetland	6.1-27
6.1.12	AMP Circular Quay Precinct	6.1-30
6.2	Sites identified through Urban Design Studies	6.2-1
6.2.1	Repealed	
6.2.2	Repealed	
6.2.3	Repealed	
6.2.4	18 Huntley Street, Alexandria (Huntley St and Sydney Park Rd)	6.2-1
6.2.5	Repealed	
6.2.6	25-33 Erskineville Road, Erskineville	6.2-10
6.2.7	349-351 and 361-379 Oxford Street, Paddington (Telecommunications Building)	6.2-11
6.2.8	397-399 Cleveland Street and 2-38 Baptist Street, Surry Hills Shopping Village, Redfern	6.2-13
6.2.9	164-172 and 174-194 William Street, Bayswater Car Rental, Woolloomooloo	6.2-26
6.2.10	219-241 Cleveland Street (Australia Post site)	6.2-28
6.2.11	97-101 Pyrmont Bridge Road, Pyrmont	6.2-29
6.2.12	Darlinghurst Road, Potts Point	6.2-30

6.3	Specific site controls prepared as part of a Planning Proposal	6.3-1
6.3.1	87 Bay Street, Glebe	6.3-1
6.3.2	287-289 Crown Street, Surry Hills	6.3-5
6.3.3	904 Bourke Street, Zetland	6.3-7
6.3.4	60 Martin Place	6.3-18
6.3.5	65-79 Sussex Street, Sydney	6.3-21
6.3.6	230-238 Sussex Street, Sydney	6.3-24
6.3.7	505-523 George Street, Sydney	6.3-28
6.3.8	45 Murray Street, Pyrmont	6.3-33
6.3.9	51-55 Missenden Road, Camperdown	6.3-37
6.3.10	296-298 Botany Road and 284 Wyndham Street, Alexandria	6.3-40
6.3.11	7-15 Randle Street, Surry Hills	6.3-50
6.3.12	2-32 Junction Street, Forest Lodge	6.3-54
6.3.13	102-106 Dunning Avenue, Rosebery	6.3-59
6.3.14	4-6 Bligh Street, Sydney	6.3-65
6.3.15	225-279 Broadway, Glebe	6.3-68
6.3.16	12-22 and 24 Rothschild Avenue, Rosebery	6.3-71
6.3.17	72-84 Foveaux Street, Surry Hills	6.3-78
6.3.18	1-11 Oxford Street, Paddington	6.3-82
6.3.19	1-3 Burrows Road, St Peters	6.3-90
6.3.20	4-44 Wentworth Avenue, Surry Hills	6.3-93
6.3.21	187 Thomas Street, Haymarket	6.3-104
6.3.22	7-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe	6.3-113
6.3.23	30-62 Barcom Avenue, Darlinghurst	6.3-124
6.3.24	2 Chifley Square, Sydney	6.3-126

Introduction

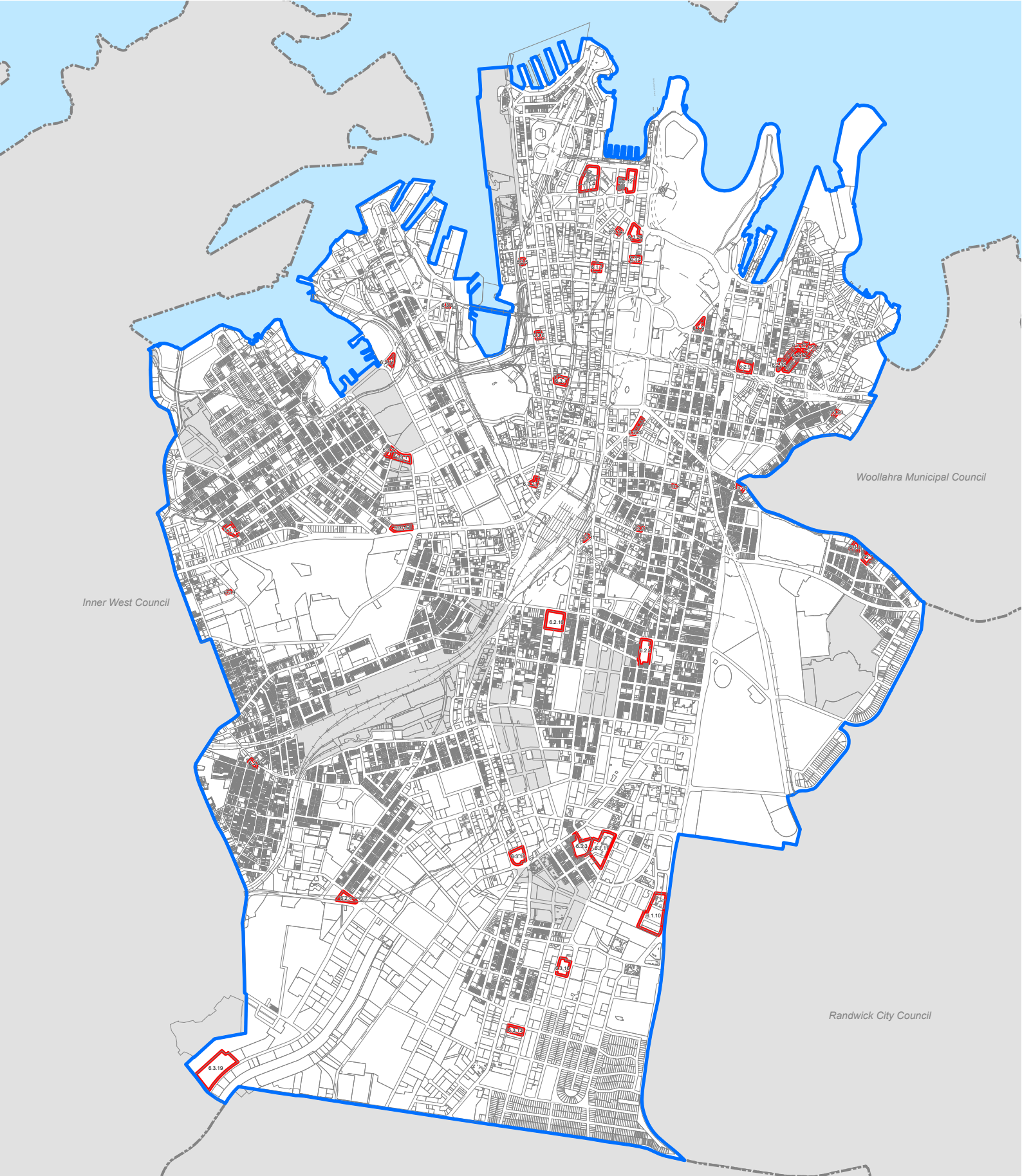
This Section includes objectives and provisions for each of sites identified on Figure 6.1 Specific sites map.

Section 6 is divided into three separate sections.

Section 6.1 comprises provisions for sites that have been identified in a pre-existing DCP or masterplan (deemed DCP) and for sites with a pre-existing masterplan development consent.

Section 6.2 consists of provisions for other sites identified in the urban design studies undertaken for the different neighbourhoods. The sites were identified as having potential to make a significant contribution to the desired future character of their neighbourhood.

Section 6.3 contains provisions to guide development on sites identified through a Planning Proposal.



Specific sites map

Figure 6.1

- City of Sydney - Local Government Area
- Land excluded from this DCP
- Section 6 specific sites

Sydney Development Control Plan 2012

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CITY OF SYDNEY

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6.1

Sites identified in previous DCPs, masterplans or development consents

This DCP repeals the DCPs listed in Section 1 Introduction as well as all deemed DCPs and masterplans that previously applied within the City of Sydney LGA.

The objectives and provisions for the following sites are a translation of the controls of repealed DCPs (including masterplans) and relevant development consents.

Development on these sites is to be designed with regard to Section 3 General Provisions and Section 4 Development Types of this DCP, with an emphasis on the specific requirements within this Section.

6.1.3 Commonwealth Bank "Money Box" site 108-120 Pitt Street, Sydney (Lot 120 in Deposited Plan 882436)

The following objective and provisions apply to the Commonwealth Bank "Money Box" site 108-120 Pitt Street, Sydney, being Lot 120 DP882436, as shown in Figure 6.1 Specific sites map.

Objective

(a) Establish the building envelope requirements for the Money Box site.

Provisions

(1) The development of the Commonwealth Bank "Money Box" site is to be in accordance with the development control envelope illustrated in Figure 6.2 and Figure 6.3 Money Box Development control envelope.

(2) To ensure suitable light clearances above lightwells, development must be undertaken in accordance with the section diagrams in Figure 6.4 and Figure 6.5.

Figure 6.2
Development control envelope

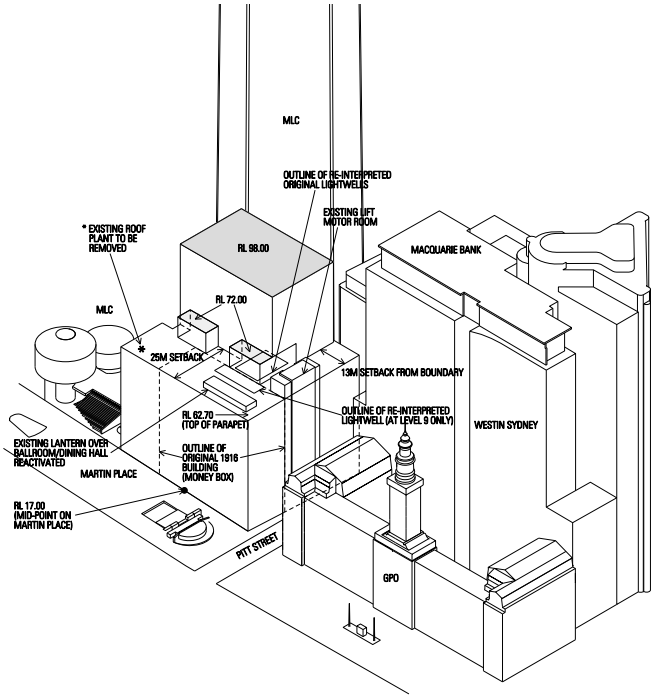


Figure 6.3
Money Box development control envelope

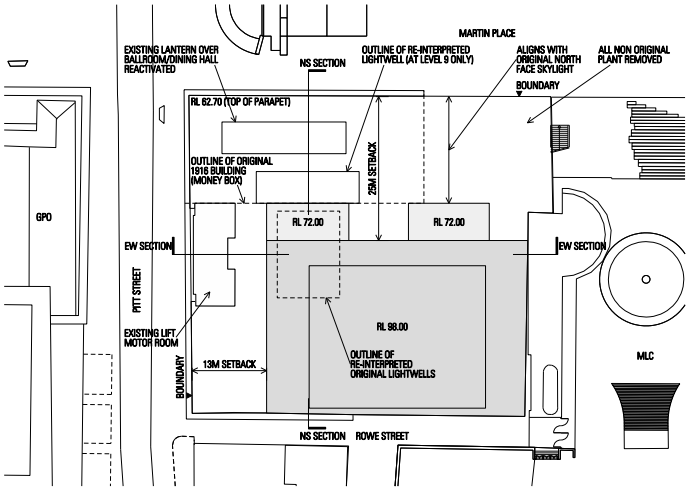


Figure 6.4
Money Box light well – north south section

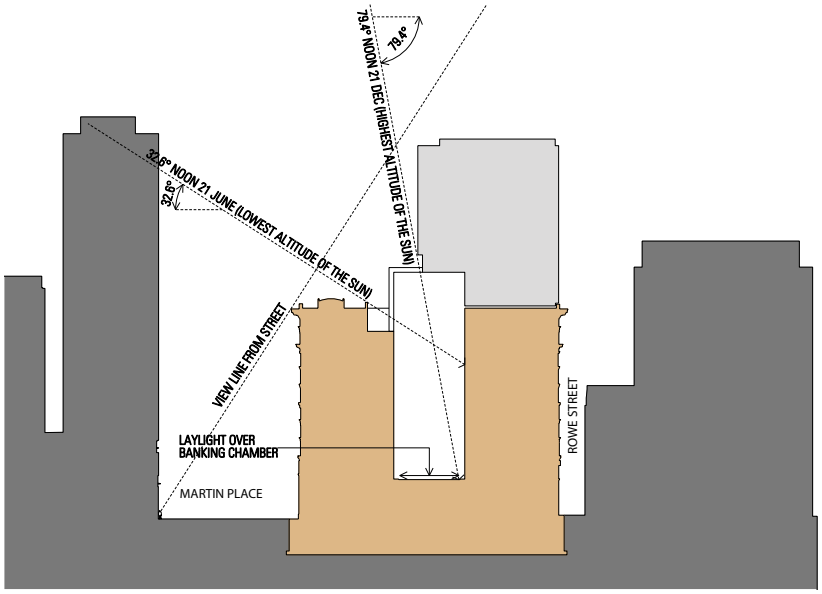
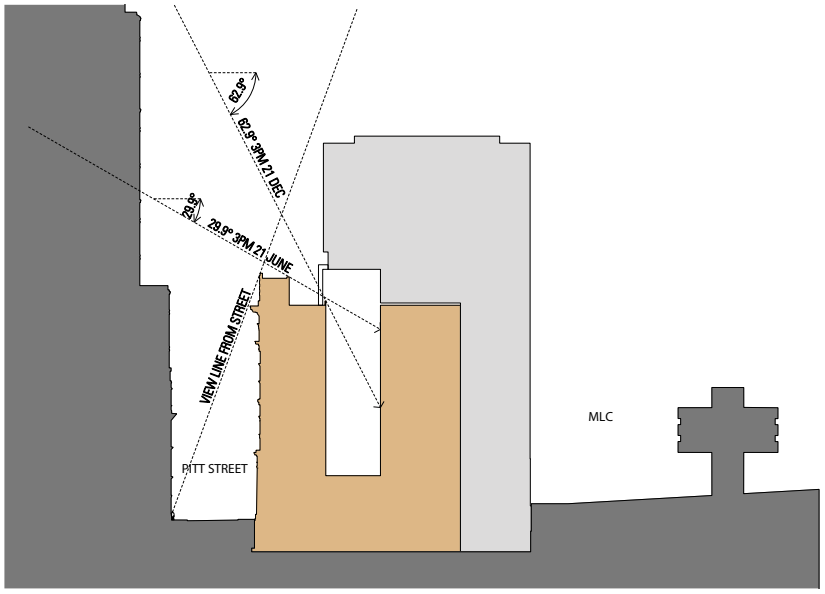


Figure 6.5
Money Box light well – east west section



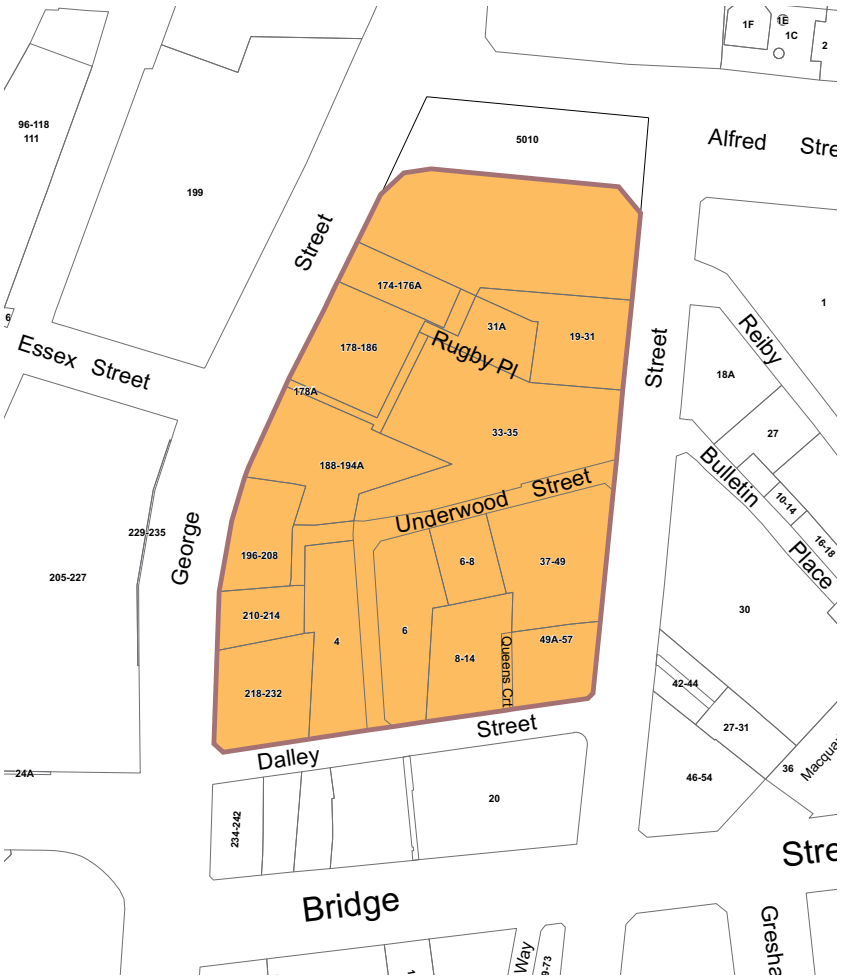
6.1.4 The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)

The following objectives and provisions apply to the APDG site bounded by Alfred, Pitt, Dalley and George Streets, Sydney as shown in Figure 6.1 Specific sites map and Figure 6.6 The APDG Site Plan.

If a development proposal within the APDG site is subject to Clause 6.25 APDG block in *Sydney LEP 2012*, then the provisions contained in this section of the DCP override similar provisions in this DCP, where there is inconsistency.

If development proposed for 1 Alfred Street retains the design integrity and is generally in accordance with the winning entry of the architectural competition held in November 2009, known as the Kerry Hills Architects Scheme, then the building envelope controls shown in Figure 6.17 1 Alfred Street Site Development Control Envelope (Kerry Hill Architects Scheme), override similar provisions where there is inconsistency.

Figure 6.6
The APDG Site Plan



Clause 6.25 APDG block in *Sydney LEP 2012* enables taller buildings to parts of the street block in order to provide an integrated lane network, a central publicly accessible open space and greater tower separation for better views and daylight access. These benefits can be achieved by certain landholdings being developed cooperatively.

There are a number of alternate outcomes to achieve these objectives. Development Blocks 1, 2 and 3 under clause 6.25 of SLEP 2012 are one option while Development Block 4 and Development Block 5 under clause 6.25 of SLEP 2012 allows for another option.

In this DCP, Figures 6.7 to 6.17 apply to the development of Blocks 1, 2 or 3 and Figures 6.7A to 6.16A apply to the development of Block 4 and Block 5 as relevant.

Objectives

(a) Provide detailed controls to satisfy the provisions of Clause 6.25 APDG block in *Sydney LEP 2012*.

(b) Facilitate the redevelopment of the site to achieve a high quality urban form.

(c) Ensure that development on the APDG site results in major public benefits.

(d) Ensure the publicly accessible open space is fronted with active uses and linked to surrounding streets with a network of lanes and through-site links.

(e) Maintain the legibility of the historical alignment of laneways and through-site links within the site.

(f) Enable additional building height at certain sites where the development of the site provides for publicly accessible open space, lanes and through-site links.

(g) Encourage commercial uses at the southern end of the site.

(h) Protect sunlight access to Australia Square.

(i) Create opportunities for views to and from Circular Quay.

(j) Deliver an activated Queens Court through-site link suitable for outdoor dining and enhanced by visual connections to adjacent office space in the podium and retail space.

6.1.4.1 Local Infrastructure and Public Domain

Provisions

General

(1) Where required to be provided, new streets, lanes and through-site links are to be provided in the locations identified in Figure 6.7 Public domain plan for blocks 1, 2 and 3 and in Figure 6.7A Public domain plan Option B for block 4 and block 5, and are to be designed and constructed in accordance with Figure 6.8 Streets, lanes and through-site links for blocks 1, 2 and 3 and in Figure 6.8A Streets, lanes and through-site links Option B for block 4 and block 5.

(2) Ensure the design of the laneway network and square integrates with the ground floor uses of adjoining buildings and provides opportunities for external leisure activities.

Streets, lanes and through-site links

(1) Through-site links are to be provided in the locations identified on the Through-site links map and Figure 6.9 Public domain principles plan for blocks 1, 2, and 3 and in Figure 6.9A Public domain principles plan Option B for block 4 and block 5.

(2) Extend the existing north-south alignment of Underwood Street up to Alfred Street to enhance pedestrian movement on the site.

(3) Create opportunities for outdoor dining along Alfred and George Streets.

(4) Bridge the level change between George and Pitt Streets through terracing along Alfred Street whilst maintaining equal access.

(5) Design Pitt Street to allow safe crossing points between Bulletin Place and Rugby Place and Bulletin Place and Underwood Street.

(6) Dalley Street is to have the character of a wide lane and function as a service street fronting with the service entries of the Stock Exchange building facing Bridge Street.

(7) Introduce widened footpaths on the southern side of Underwood Street, adjoining the new square and on the northern side of Dalley Street to the crossing of George Street at Grosvenor Street.

(8) Design laneway thresholds that indicate pedestrian crossing priority.

(9) Ensure lane alignments maintain clear sight-lines from each end.

(10) Where required to be provided, introduce a north-south lane and through-site link in the location shown as 1A in Figure 6.9 and Figure 6.9A Public domain principles plan. The link will connect Herald Square and Dalley Street and have the character of a narrow through-site pedestrian link to the north and shared use lane to the south.

(11) Rugby Place identified as 1B on Figure 6.9 and Figure 6.9A Public domain principles plan is to be a narrow lane for its entire length and is to widen towards the approach to the Rugby Club to create a seating area and encourage outdoor dining.

(12) Enhance pedestrian amenity of the redevelopment of 188-194A George Street by introducing widened footpaths on the southern side of Crane Place, identified as 1C on Figure 6.9 Public domain principles plan.

(13) For a development of block 4, integrate the George St plaza, marked G on Figure 6.9A Public domain principles plan, with the publicly accessible area on the northern part of 188-194A George Street.

(14) For a development of block 1 and block 5 enhance pedestrian amenity opposite the proposed square by introducing widened footpaths on the southern side of Underwood Street, identified as 1D on Figure 6.9 and Figure 6.9A Public domain principles plan.

(15) Enhance pedestrian amenity by introducing widened footpaths on the northern side of the through-site link identified as 1E on Figure 6.9 Public domain principles plan.

(16) Through-site links are to have a clear height up to the levels indicated on Figure 6.7 and Figure 6.7A Public domain plan.

(17) Enhance pedestrian amenity by extended and widening Queens Court to become an accessible through-site link identified as 1F on Figure 6.9 and 6.9A Public domain principles plan.

(18) The design of the Queens Court through-site link is to:

(a) be of a high standard of visual quality;

(b) be activated through double-height fine grain retail spaces that provide direct and visual connections to the through-site link;

(c) include a high-level glazed roof/awning to a minimum height of 9.2m above the finished ground level, to ensure high quality amenity is delivered that supports outdoor dining;

(d) incorporate public art to the blast wall, bracing and roof/glazed awning in a holistic manner;

(e) have a minimum clearance of 5.4m between the underside of the bridge link over part of the through-site link and the finished ground level. The bridge link is to be no greater than 3m total external width;

(f) reduce flooding impacts, be accessible and maintain clear sight lines from each end;

(g) include ground level as shown in Figure 6.19 to prevent a 100 year flood event passing through to Underwood Street;

(h) be of high quality materials in accordance with the City's Public Domain Codes.

(19) The building is to be planned and designed to accommodate future conversion of Dalley Street and Underwood Street into shared and/or pedestrian zones and associated stormwater works.

New Square – generally

(1) Any new public plaza is to:

(a) be designed in a manner that minimises changes in level while meeting the existing level conditions at adjoining publicly accessible land;

(b) be of high quality materials in accordance with the City's Public Domain Code;

(c) have the minimum number of signage and lighting structures to avoid visual clutter and minimise the use of bollards;

(d) provide opportunities for casual outdoor dining.

New Square – development of blocks 1 and 2

(1) For development of blocks 1 and 2 introduce a publicly accessible square near the centre of the street block in the location shown on Figure 6.7 Public domain plan.

(2) The new square is to:

(a) have a minimum area of 1,300sqm as shown outlined in red on Figure 6.9 Public Domain Principles plan;

(b) be defined by development and the convergence of new and existing lanes and through-site pedestrian links;

(c) be visually activated with doors and windows fronting the square, creating views into circulation spaces and elevated gathering spaces; and

(d) integrate an interpretive element relating to the historical alignment of the Tank Stream on the eastern boundary of the square.

New Square – development of block 4

(1) Public plazas are to be provided as shown generally on Figure 6.7A Public domain plan Option B.

(2) The combined area of the public spaces outlined in red on Figure 6.9A Public Domain Principles plan Option B, shall be a minimum of 1,800sqm.

(3) The new public plaza to George Street, marked G on Figure 6.9A Public Domain Principles Plan Option B, is to:

(a) have direct access from George Street;

(b) have a high level of solar access;

(c) be defined by George Street, new and existing lanes and through-site pedestrian links, and fine grain development;

(d) contain public access stairs on the northern edge from the plaza to lane level;

(e) integrate a multi-level building at the eastern edge of the plaza for community and associated uses, access to below plaza level community uses, and an internal passenger lift to facilitate equitable access from George Street to the laneways and Pitt Street;

(f) be visually activated to the north and east by active edges (including potential balconies and roof terraces) creating views into circulation spaces and gathering spaces; and

(g) incorporate high quality public art.

(4) The new public plaza at the Pitt Street level, marked P on Figure 6.9A Public Domain Principles Plan Option B, is to:

(a) integrate laneways and plaza areas with existing and proposed ground floor uses; and

(b) integrate an interpretive element relating to the historical alignment of the Tank Stream on the eastern boundary of this plaza.

Active Frontages

(1) For development of blocks 1, 2, and 3, active frontages are to be provided in the locations nominated on the Active frontages map.

(2) For development of block 4 and block 5, active frontages are to be provided in the locations nominated generally on Figure 6.12A Active Frontages Option B.

Awnings

(1) Footpath awnings are to be provided in the locations nominated on the Footpath awnings and colonnades map.

(2) For development of block 4, retractable canvas awnings are to be provided to internal laneways and squares.

6.1.4.2 Built Form and Design

Building Height

(1) Development must not exceed the maximum height in metres and RL for the land as shown in Figure 6.10 Alternative heights for blocks 1, 2 and 3 and in Figure 6.10A Alternative heights Option B for block 4 and block 5.

(2) Encourage a variety of built form options within development blocks 1, 2, 3, 4 and 5. The site area of each development block may increase with the addition of one of more optional additions A, B or C as indicated on Figure 6.11 APDG site development blocks 1, 2 and 3 and Figure 6.11A APDG site development blocks Option B.

Street Frontage Height and setbacks

(1) The street frontage height of a building is not to exceed the maximum height shown for the land on Figure 6.13 Street frontage height for blocks 1, 2, and 3 and as shown on Figure 6.13A Street frontage height Option B for block 4 and block 5.

(2) The maximum width of an elevation above the street frontage height of buildings, as shown in Figure 6.13, is to be 35% of the total height of the building, excluding curved facades where the change in tangent across the facade is greater than 60 degrees.

Note: For example, a tower of 200m height may have a maximum elevation width above the street wall of 70m (200m x 35%).

(3) Ensure a minimum of 95% of each of the building frontages are built to the alignment of the public domain to the height shown on Figure 6.13 Street frontage height for blocks 1, 2, and 3 and on Figure 6.13A Street frontage height in metres Option B for block 4 and block 5.

(4) Provide setbacks above the street-wall in accordance with Figure 6.14 Setbacks above the street frontage height for blocks 1, 2, and 3 and on Figure 6.14A Setbacks above the street frontage height Option B for block 4.

(5) The following minimum setbacks are required for tower forms:

(a) the north–western tower on block 1 - 0m to Alfred and George Streets and the new lane and 3m to southern boundary;

(b) the western tower - 4m to George Street at 188-194A George Street, increasing to 8m at the southern boundary of 196-208 George Street; 3m to the southern boundary and 4m to the eastern side;

(c) the south–eastern tower on block 1 - 8m to all streets and lanes;

(d) the eastern tower on block 4 - 6m to Pitt Street; 6m to tower building at 188-194A George Street; 6m to podium of approved building envelope for Tower B at 19-31 Pitt Street under development consent D/2015/1049; and variable to other streets and lanes; and

(e) the south-eastern tower on block 5:

(i) Pitt Street – 6m at the northeast corner of the tower, transitioning to 4m at the southeast corner of the tower;

(ii) Underwood Street – 3m at the western corner of the tower, stepping to 4m at the eastern corner of the tower; and

(iii) Queens Court (future through-site link) – 1m above RL 47.7m as shown in figure 6.10A Alternative heights Option B.

(6) The minimum setback for a wall with openings is 3m from a shared boundary.

Building design and bulk

(1) Building envelopes are to be in accordance with Figure 6.10 Alternative heights for blocks 1, 2 and 3 and with Figure 6.10A Alternative heights Option B for block 4 and block 5.

(2) Notwithstanding Figure 6.10 Alternative heights, a reduced building envelope for Block 1 may be permitted on the lot marked 'X' in Figure 6.13: Street frontage heights to allow a larger central public square.

(3) Introduce a slender tower in the north-west corner of the site known as 1 Alfred Street, which fronts Circular Quay in accordance with Figure 6.10 Alternative heights.

(4) For blocks 1 and 2 introduce two new commercial towers on the site, one in the south–east corner and the other on the western side fronting George Street as identified in Figure 6.10 Alternative heights for blocks 1 and 2.

(5) For block 4 introduce a new commercial tower on the eastern side of block 4 as identified in Figure 6.10A Alternative heights Option B.

(5A) For block 5 introduce a new commercial tower on the eastern side of block 5 as identified in Figure 6.10A Alternative heights Option B.

(6) Design the lower levels of the tower fronting Alfred Street to address the pedestrian scale environment at George Street and Herald Square.

(7) For block 4, any building on PT 181 DP606865 (the site of Jacksons on George) shall have a maximum height of RL 16 at the southern boundary of the lot increasing in height to the north in accordance with the 21 June 12pm Sun Angle.

(8) For block 4, the proposed community use building and the portion of the tower podium facing the new north-south lane shall be built to a maximum height of RL24.

(9) The tower on Block 4 shall be designed to mitigate wind impacts on Underwood and Pitt Streets including active systems, form and materials.

(10) New development must not cause the ground level environment on the APDG site or surrounding streets and lanes to have a mean wind speed or Gust Equivalent Mean wind speed exceeding:

(a) 10 metres per second for more than 5% of the year; or

(b) 15 metres per second more than once per year.

Developments are not to rely on physical barriers such as screenings or awnings.

(11) For block 5, the new commercial tower shall include an allowance for facade articulation equivalent to 1% of the building envelope established in Figure 6.10A Alternative Heights Option B.

(12) Ground floor retail/commercial uses are to accommodate amenities, storage, general back of house activities and other spatial requirements to support these uses.

(13) Where retail space is provided, generous double height spaces are to be provided to give visual connectivity to public spaces for activation.

(14) Open-plan office space is to be located on the lower levels of the podium that opens onto the Queens Court through-site link to provide visual connectivity and interest.

(15) Future development applications are to be informed by consultation with Sydney Water, Heritage NSW and Sydney Metro infrastructure to minimise any impacts on the Tank Stream and the Sydney Metro corridor.

(16) Where the building is in close proximity to adjacent towers, the design is to include sufficient treatments to ensure privacy impacts are minimised.

Design Excellence Strategy for Development Block 4

(1) The following competitive design processes must be completed before the lodgement of a stage 2 development application for Block 4:

(a) An invited architectural design competition for a building on the land shown as Area A on Figure 6.16A Design Excellence Option B; and

(b) The preparation of design alternatives on a competitive basis for a building on the land shown as Area B on Figure 6.16A Design Excellence Option B.

(2) The selection of architectural practices for each competitive design process will be informed by individual design briefs to be developed in accordance with the following:

(a) A range of emerging and established architects will participate in competitive design processes to ensure architectural design variety within Block 4.

(b) To ensure architectural design variety across Block 4, no architectural practice may participate in more than one competitive design process.

(c) A minimum selection of 6 established architectural practices will be invited to participate in the architectural design competition for Area A.

(d) A selection of 4 emerging architectural practices will be invited to participate in the competitive design alternatives process for Area B.

(e) To achieve a whole of site design excellence, the architectural design processes for the land shown as Area A and Area B on Figure 6.16A are to be run concurrently.

(3) For development on Block 4 to be eligible for the maximum additional floor space bonus available under clause 6.21D(3) of SLEP 2012, competitive design processes must be completed for both Area A and Area B on Figure 6.16A Design Excellence Option B.

(4) Having regard to the total area of Block 4 for which competitive design processes are required, the amount of any additional bonus floor space available to development on Block 4 under clause 6.21D(3) of Sydney LEP 2012 will be as follows:

(f) The amount attributable to a competitive design process for Area A is up to 77% of the maximum additional floor space available under clause 6.21D(3);

(g) The amount attributable to a competitive design process for Area B is up to 23% of the maximum additional floor space available under clause 6.21D(3).

Design Excellence Strategy for Development Block 5

(1) The following competitive design processes must be completed before the lodgement of a detailed development application for block 5:

(a) An invited architectural design competition is to be undertaken in accordance with Division 4 of Sydney LEP 2012 for the entire block 5 site identified as block 5 in Figure 6.11A – APDG Site- Development blocks Option B;

(b) The invited architectural design competition is to involve no less than five architectural firms;

(c) Any additional floor space pursued for a building demonstrating design excellence under clauses 6.25 (3A)(d) and 6.21D(3)(b), is to be accommodated within the building envelope shown in Figure 6.10A Alternative Heights Option B; and

(d) No additional building height under clause 6.21D(3)(a) is to be awarded as a result of the Competition.

6.1.4.3 Parking and Vehicular Access

(1) Vehicle and service entry points are to be consistent with Figure 6.15 Vehicular access plan for blocks 1, 2 and 3 and with Figure 6.15A Vehicular access plan Option B for block 4 and 5.

(2) One way vehicular access provided from the new north-south lane to George Street identified as 'A' and 'B' on Figure 6.15 Vehicular access Plan for blocks 1, 2 and 3 is short term only.

(3) Provide shared basement access between developments to minimise vehicular movements on lanes.

(4) Loading docks are not permitted on George, Pitt or Alfred Streets or on the new public square frontage.

(5) Above ground parking is not permitted.

6.1.4.4 Floodplain Management for Development Block 5

(1) A site specific flood study consistent with section 3.7 of this DCP and City of Sydney's Interim Floodplain Management Policy is to be prepared and submitted with the Development Application.

(2) Entry to the basement carpark is to be designed to prevent a 100 year flood event and include a crest of the basement carpark ramp to prevent a 20 year flood event at a minimum level of RL 4.15m.

6.1.4.5 Sustainability for Development Block 5

(1) New commercial buildings should be designed to meet a 6 star Greenstar rating.

(2) New commercial buildings should be designed to meet a 5.5 star NABERS Energy rating for base building of the commercial component, evidenced by the provision of a NABERS Energy Commitment Agreement prior to the issuing of relevant Construction Certificate.

(3) New commercial buildings should be designed to meet a 4 star NABERS Water score for the commercial component.

(4) New commercial development should achieve net-zero carbon, zero waste and water efficient outcomes.

Sydney Development Control Plan 2012

Figure 6.7

APDG Site
- Public domain plan

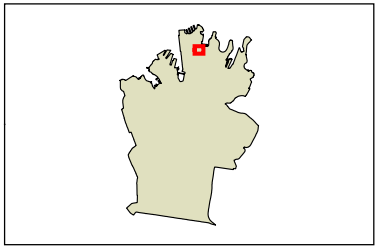
Legend

Public domain open to the sky and noted on property title

- Extension of Herald Square
- Lane - 6m wide minimum (types A & B). Open to sky unless height is shown on plan.
- Optional extension of square
- Publicly accessible square

Public domain noted on property title

- Through-site link 4.5m-6m wide. Height varies as shown on the plan as RLs.



N

0 30 m

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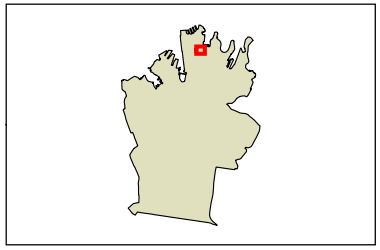
Sydney Development Control Plan 2012

Figure 6.7A

APDG Site
- Public domain plan (Option B)

Legend

- Extension of Herald Square
- Through-site link 4.5-6.0m wide
  Height varies as shown on the plan as RL's
- Lane - 6m wide minimum
  Open to sky unless height is shown on plan
- Publicly accessible square
- Optional extension of square
- Colonnade 3m wide



N

0 30 m

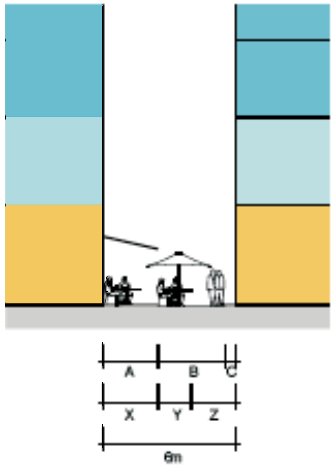
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Printing Date: 27 February, 2020



STREETS, LANES AND THROUGH SITE LINKS

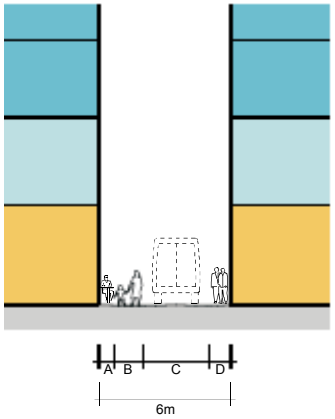
LANE TYPE A



KEY

A	Footpath with flush kerb 2.5m
B	Shared service road 3.0m No vehicle access 8am-6pm M-F
C	Footpath with flush kerb 0.5m 8am-6pm M-F
X	Seating & retractable awning 2.5m
Y	Seating & umbrellas 1.5m
Z	Min. clearance for pedestrian traffic 2.0m

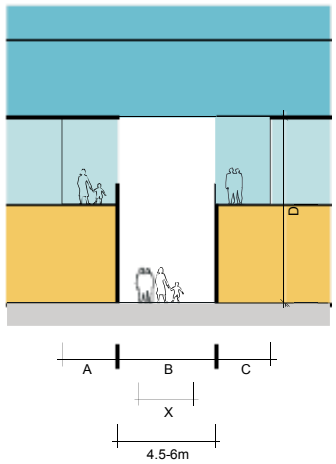
LANE TYPE B



KEY

A	Seating 0.5m
B	Footpath with flush kerb 0.5m
C	Shared service road 3.0m No vehicle access 8am-6pm M-F
D	Footpath with flush kerb 1.0m

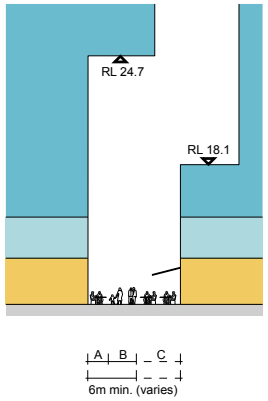
THROUGH SITE LINK



KEY

A	Gallery or balcony min. 1.5m
B	Through site link min. 4.5m
C	Gallery or balcony min. 1.5m
D	Minimum height 8m
X	Min. clearance for pedestrian traffic 2.0m

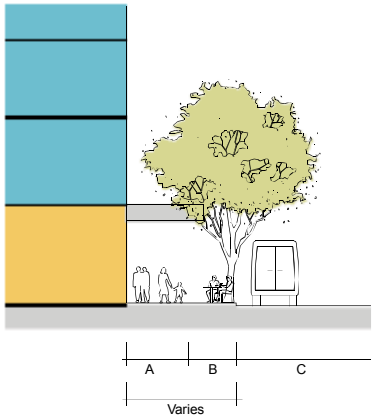
THROUGH SITE LINK A



KEY

A	Seating 2.0m
B	Min. clearance for pedestrian traffic 4.0m
C	Seating & retractable awning (varies)

TYPICAL STREET SECTION



KEY

A	Min. clearance for pedestrian traffic 2.0m (3.5m preferred)
B	Seating 0.8m-2.5m including street furniture and trees 1.0m
A	Awning
C	Traffic Lanes

Generally

- All seats, tables and umbrellas in the public domain must be removable (consistent with the concept of "naked streets" including minimal signage).
- Laneway awnings must not have fixed elements or vertical screens.
- Other street furniture (eg. planters and temporary bollards) should not be permitted.
- Design of the public domain and lanes should prioritise pedestrian activities and provide an equitable clear path of travel, preferably adjacent to the building line.
- Integrated surface treatments may also be used to provide navigational assistance.
- TGSI and fixed barriers are not preferred.
- Seating areas should be in consistent locations throughout a lane.

KEY

- Active uses (consistent with SDCP 1996 Part 2.5.2)
- Small commercial tenancies <200sqm
- Commercial uses (Residential uses on 1 Alfred Street)

KEY

- Lanes (Types A & B)
- Through Site Links

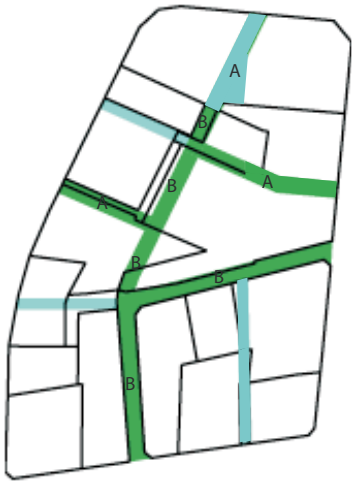
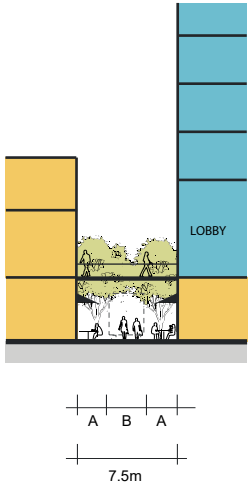


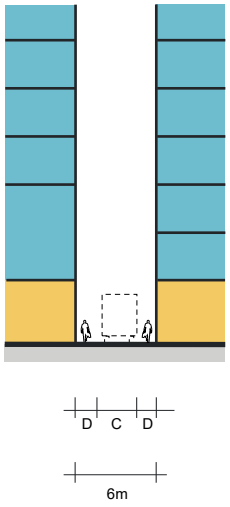
Figure 6.8A

STREETS, LANES AND THROUGH SITE LINKS - OPTION B

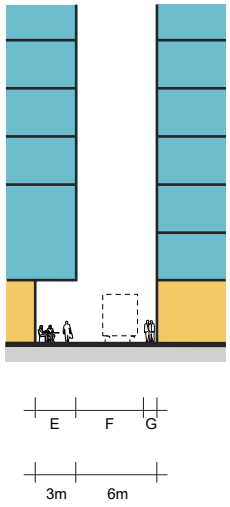
LANE TYPE A



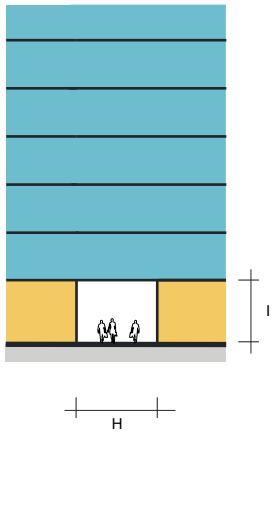
LANE TYPE B



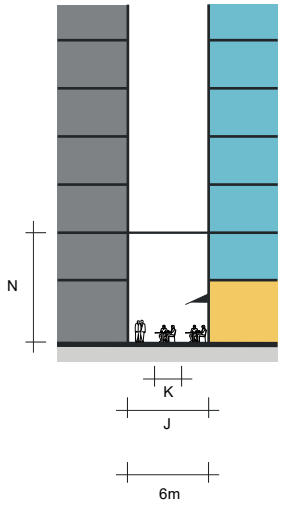
LANE TYPE C



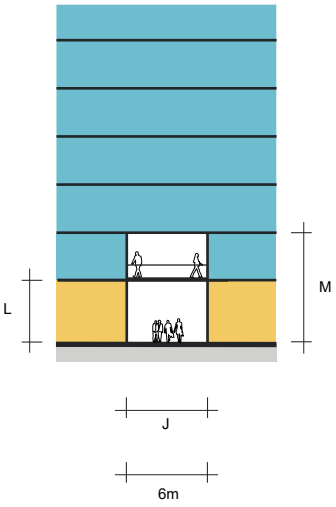
THROUGH SITE LINK B



THROUGH SITE LINK C



THROUGH SITE LINK C1



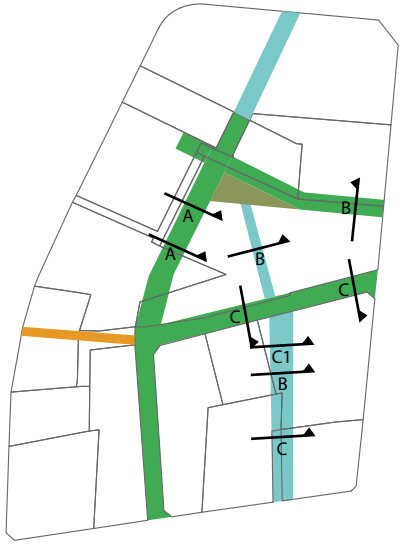
KEY

- Active Uses
- Commercial Uses
- Basement Access

A	Seating & retractable awning or umbrella 2.25m
B	Laneways. No vehicle access.
C	Shared service road 3m
D	Footpath with flush kerb 1.5m
E	Pedestrian setback 3m
F	Shared service road 5m. No vehicle access 8am- 6pm Monday to Friday.
G	Footpath with flush kerb 1m
H	Through site link min. 4m
I	Minimum height 4m on variant
J	Through site link min. 6m
K	Minimum clearance for pedestrian traffic 2m
L	Bridge link height 5.5m
M	Minimum height 9.5m
N	Glazed awning min height 9.2m

KEY

- Laneway
- Through-site link



Generally

- All seats, tables and umbrellas in the public domain must be removable (consistent with the concept of "naked streets" including minimal signage).
- Laneway awnings must not have fixed elements or vertical screens.
- Other street furniture (eg. planters and temporary bollards) should not be permitted.
- Design of the public domain and lanes should prioritise pedestrian activities and provide an equitable clear path of travel, preferably adjacent to the building line.
- Integrated surface treatments may also be used to provide navigational assistance.
- TGSI and fixed barriers are not preferred.
- Seating areas should be in consistent locations throughout a lane.

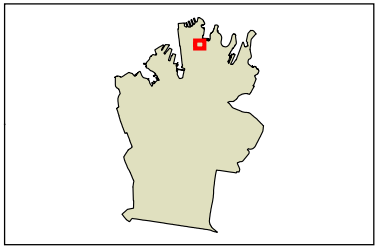
Sydney Development Control Plan 2012

Figure 6.9

APDG Site
- Public domain principles plan

Legend

- New square
- Publicly accessible square within block
- Lane
- Through-site link
- Connected laneway network



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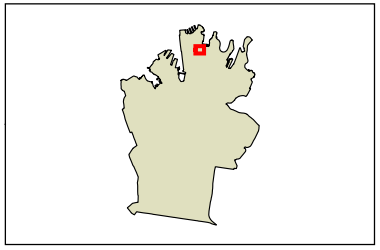
Sydney Development Control Plan 2012

Figure 6.9A

APDG Site
- Public domain principles plan (Option B)

Legend

- Lane
- Publicly accessible squares (G and P) within block
- Through-site link
- New squares
- Connected laneway network
- Optional extension of square
- x Indicative location of through site link



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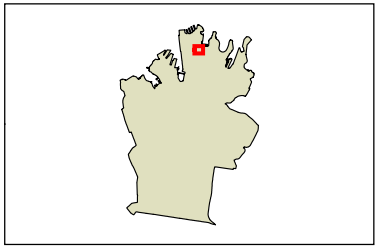
Figure 6.10

APDG Site
- Alternative heights

Legend

Height (in metres above ground)

- 15
- 25
- 45
- 55
- 75
- 126
- Tower - height noted on plan
  * Max height determined by Clause 6.20 of Sydney Local Environmental Plan 2012
- Align with property corners



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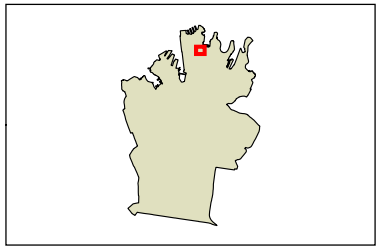
Sydney Development Control Plan 2012

Figure 6.10A

APDG Site
- Alternate heights (Option B)

Legend

- 9.5 to 17m above George Street *
- 15m
- 20m / RL 24.0 *
- 25m
- 45m
- 55m
- 75m
- 126m
- Tower - height noted on plan
  Maximum height determined by clause 6.25 of Sydney Local Environmental Plan 2012
- Align with property corners
- * Refer to clause 6.1.6.3 of this DCP



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Sydney Development Control Plan 2012

Figure 6.11

APDG Site
- Development blocks

Legend

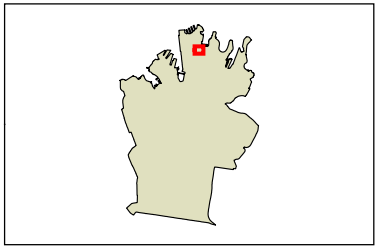
- 1 Development Block 1
- 2 Development Block 2
- 3 Development Block 3

Optional Additions to Development Block 1

- A Development Block A
- B Development Block B
- C Development Block C

Optional Additons to Development Block 3

- A Development Block A
- B Development Block B



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Sydney Development Control Plan 2012

Figure 6.11A

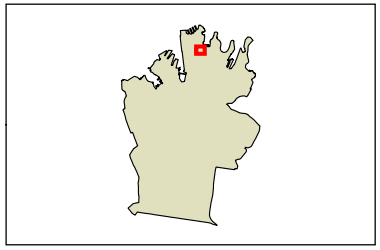
APDG Site
- Development blocks (Option B)

Legend

- 2 Development Block 2
- 3 Development Block 3
- 4 Development Block 4
- 5 Development Block 5

Optional Additons to Development Block 3 or Block 4

- A Development Block A
- B Development Block B



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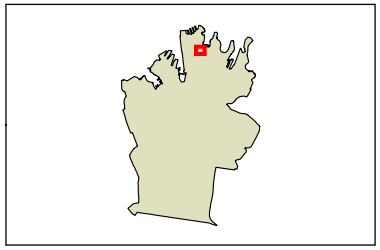
Sydney Development Control Plan 2012

Figure 6.12A

APDG Site
- Active frontages (Option B)

Legend

Active frontages

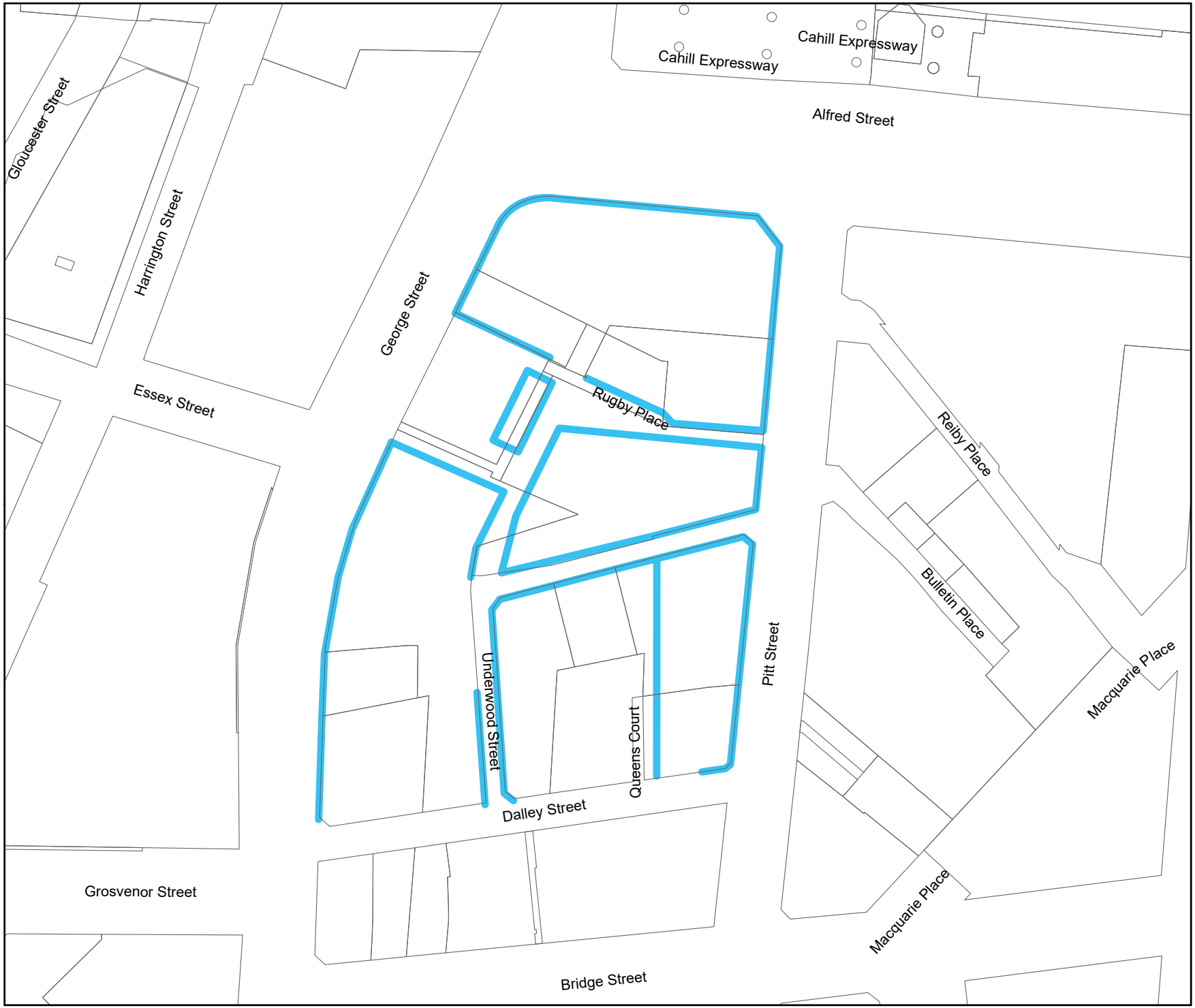


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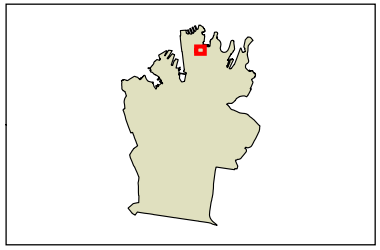
Figure 6.13

APDG Site
- Street frontage height in metres

Legend

Minimum / maximum height

- 20m / 25m
- 40m / 45m
- 15m / 55m
- 70m / 185m
- Public Space
- x Refer to clause 6.1.6.3 of this DCP



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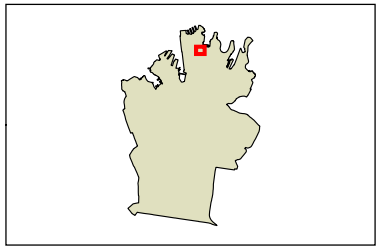
Sydney Development Control Plan 2012

Figure 6.13A

APDG Site
- Street frontage height in metres (Option B)

Legend

- 9m / 17m
- 20m / 25m
- 40m / 45m
- 15m / 55m
- 70m / 185m
- Publicly accessible spaces/streets/lanes

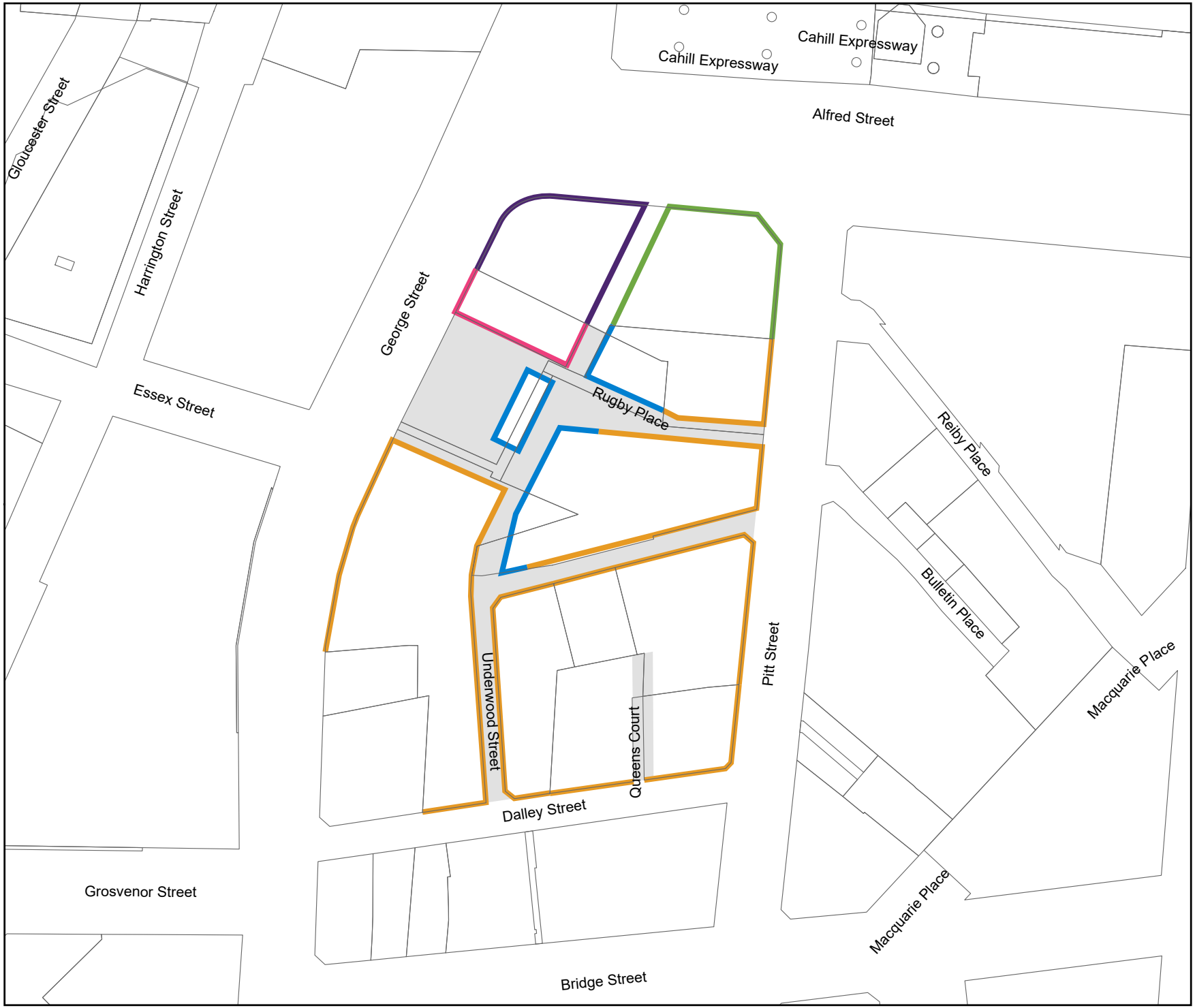


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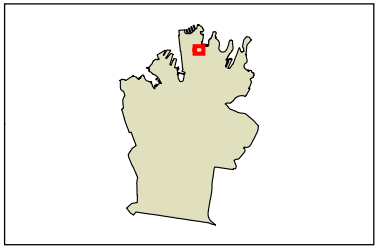
Figure 6.14

APDG Site
- Setback above the street frontage height

Legend

Minimum / maximum setbacks

- 0m
- 4m / 6m
- Transition from 4m to 8m
- 8m / 10m
- Publicly accessible spaces/streets/lanes

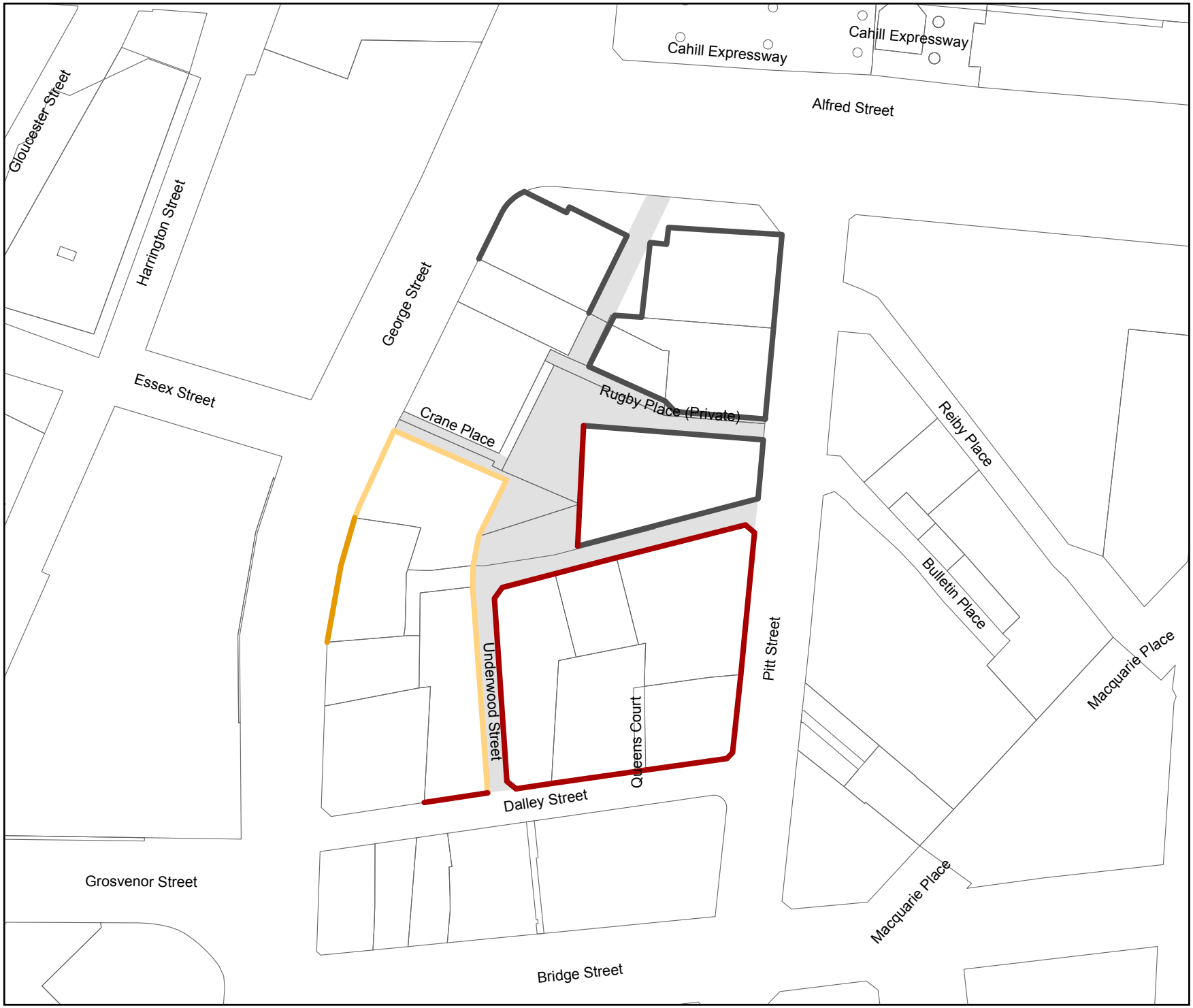


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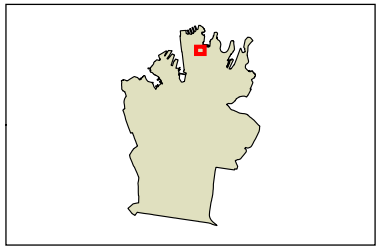
Sydney Development Control Plan 2012

Figure 6.14A

APDG Site
- Setback above the street frontage height (Option B)

Legend

- 0m
- 3m
- 3m to a height of RL 47.7m, and 1m above RL 47.7m
- 4m
- Transition from 6m to 4m
- 4m - 8m
- 6m
- Transition from 4m to 8m
- 8m - 10m
- Transition from 0m to 8m
- Publicly accessible spaces/streets/lanes



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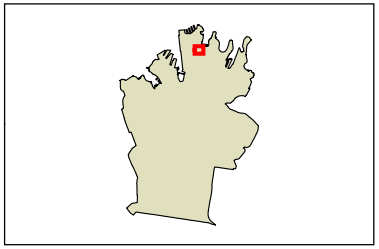
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Figure 6.15

APDG Site
- Vehicular access plan

Legend

- Preferred vehicular access location
- No vehicle access 8am-6pm mon-fri
- Short term access location
- Preferred long term access location
- One way traffic circulation direction
- No vehicular access
- Publicly accessible space/ streets/lanes
- Shared basement/servicing

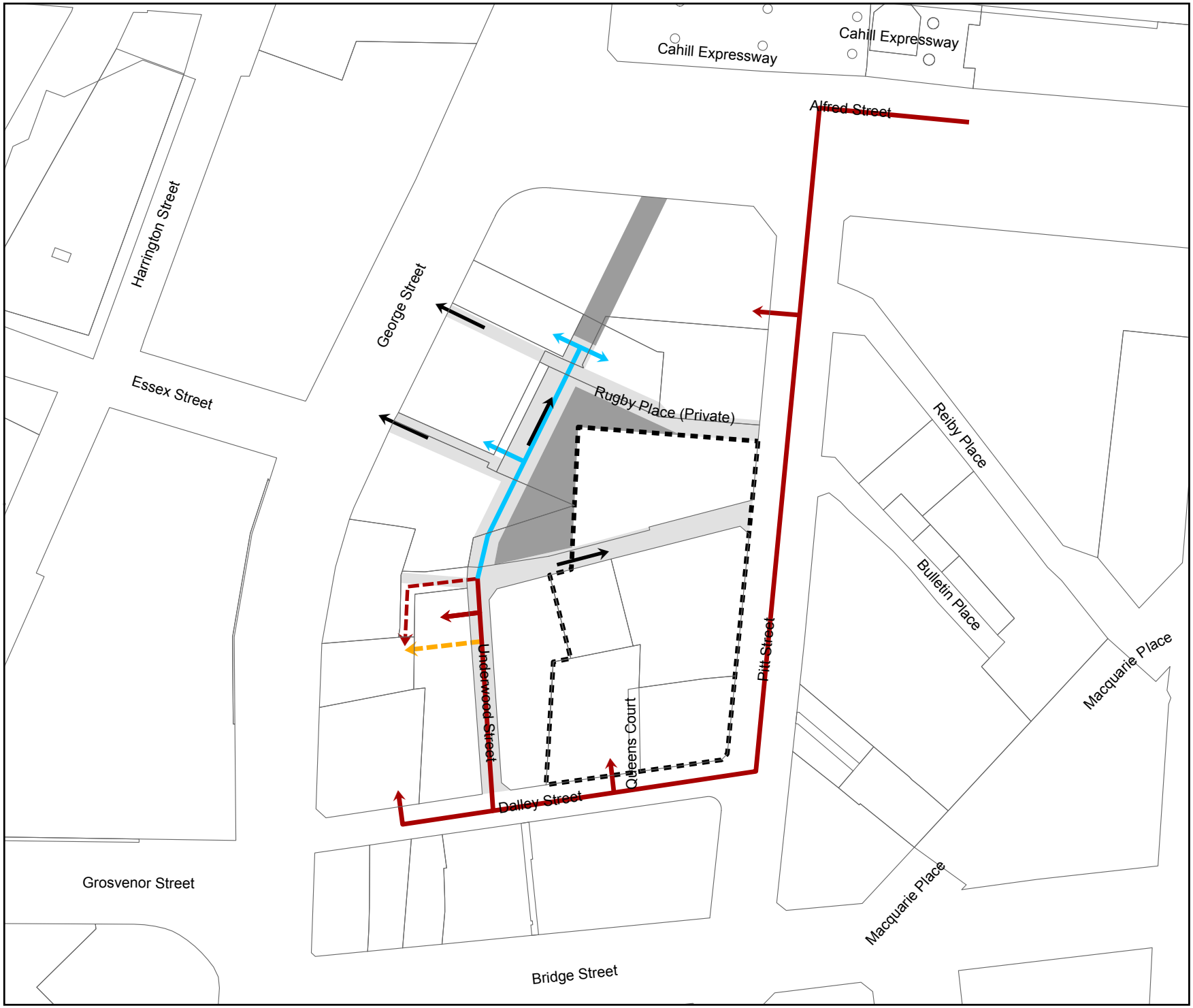


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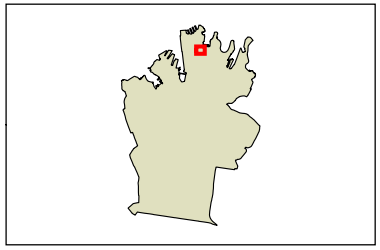
Sydney Development Control Plan 2012

Figure 6.15A

APDG Site
- Vehicular access plan (Option B)

Legend

- Preferred vehicular access location
- No vehicle access 8am-6pm Monday to Friday
- Short term access location
- Preferred long term access location
- Access to end trip facility (bike hub)
- Traffic circulation direction
- No vehicular access
- Publicly accessible space/street/lanes
- Shared basement/servicing
- Land subject to a separate planning proposal



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Gloucester Street
Harrington Street
Essex Street
George Street
Cahill Expressway
Alfred Street
Rugby Place
in/out from Pitt St
Underwood Street
Queens Court
Dalley Street
Pitt Street
Reiby Place
Bulletin Place
Macquarie Place
Grosvenor Street
Bridge Street

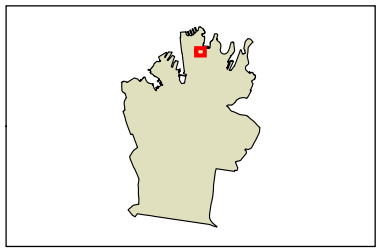
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Figure 6.16A

APDG Site
- Design Excellence (Option B)

Legend

- A Area A
- B Area B
- C Area C



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Figure 6.17
Alfred Street site development control envelope (Kerry Hill Architects Scheme)

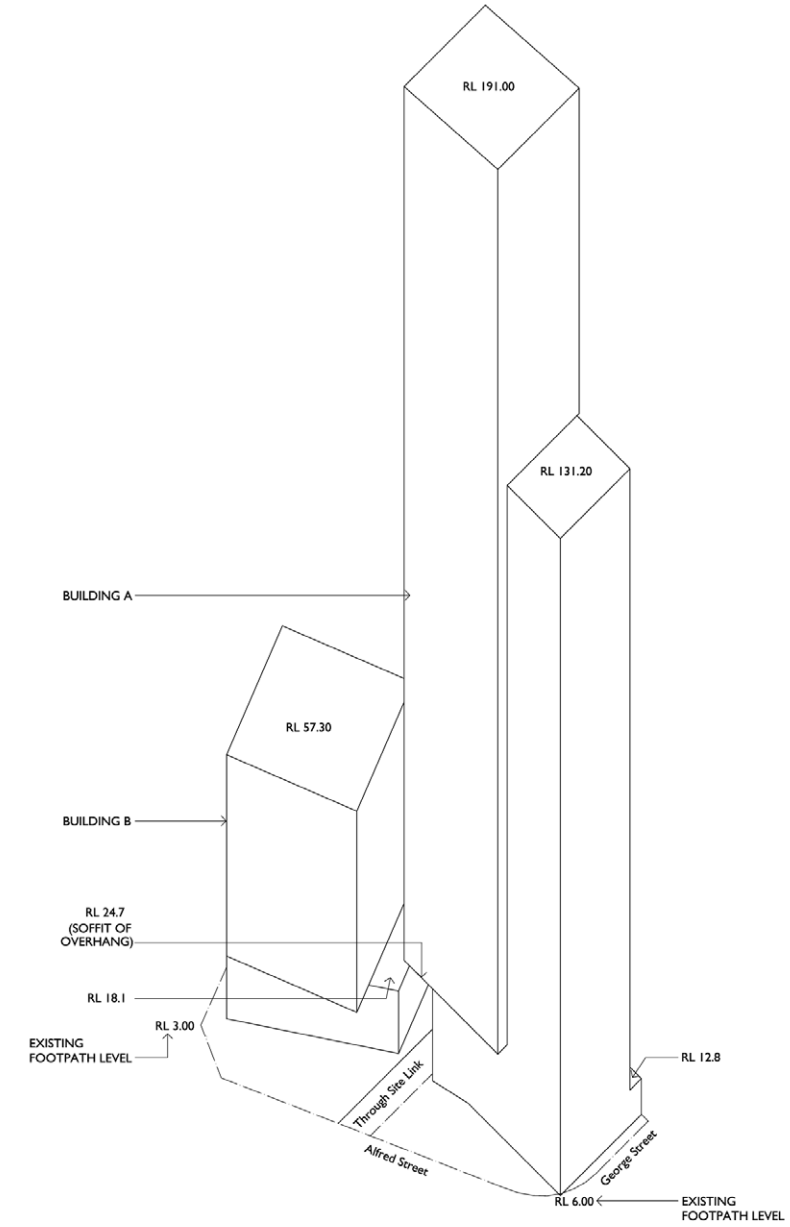


Figure 6.17a
North-west View Development Control Envelope – 55 Pitt Street

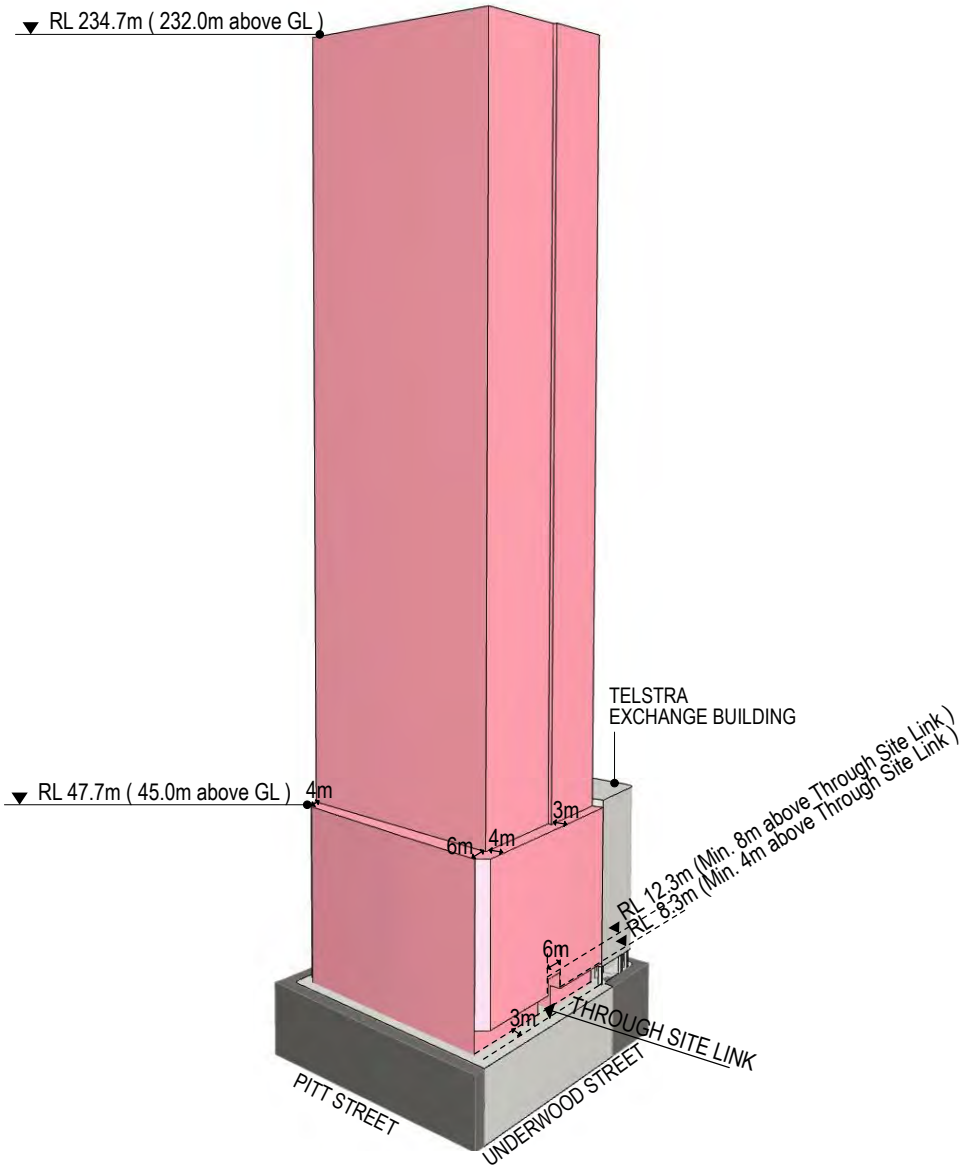


Figure 6.17b
South-west View Development Control Envelope – 55 Pitt Street

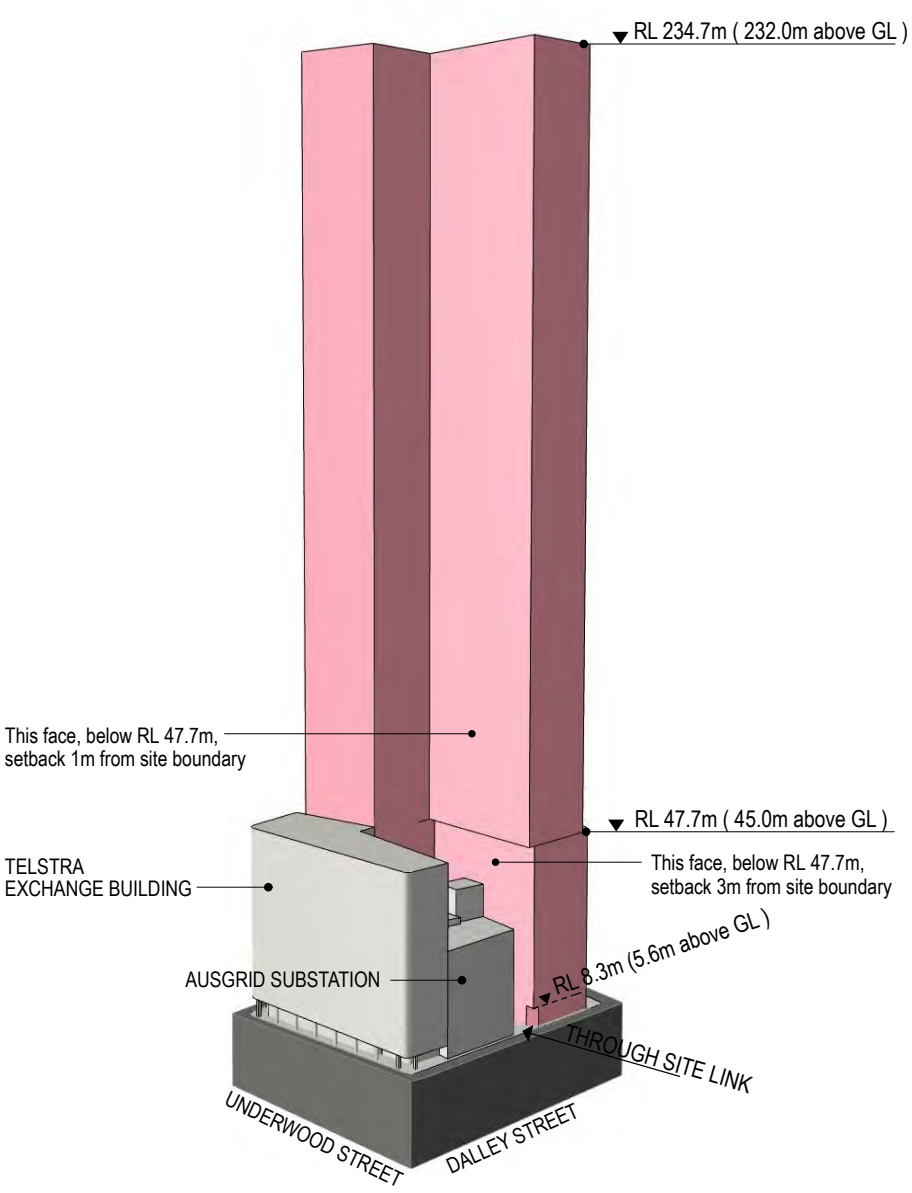
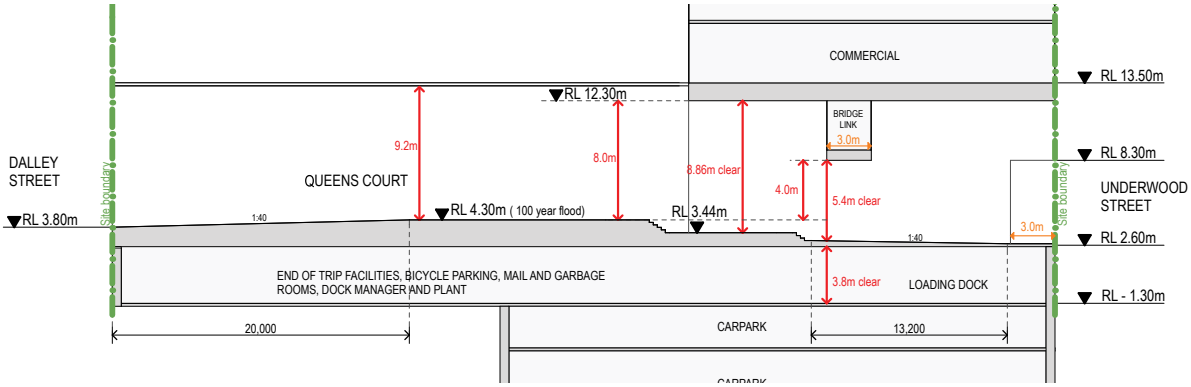


Figure 6.17c
Development Control Envelope – 55 Pitt Street



6.1.5 261-263 Oxford Street, St. John's Church, Hall & Manse, Paddington

The following objectives and provisions apply to St John's Church, Hall, Manse & New Manse, at 261-263 Oxford Street, Paddington, being Lot 1 in DP 792757, as shown in Figure 6.1 *Specific sites map*.

These provisions aim to ensure development is consistent with the Conservation Analysis of the site prepared by Clive Lucas Stapleton & Partners Pty Ltd in 1992 for the Uniting Church. Applicants should make reference to this document to ensure any proposed development is consistent with the heritage significance of the property. A copy of the Conservation Analysis is available from Council.

Objectives

(a) Conserve the heritage significance of heritage-listed buildings on the site.

(b) Carry out refurbishment and alterations of existing buildings with regard to the relative cultural significance and with proper supervised regard for the archaeological significance of the site.

(c) Ensure development is compatible in scale and height with the heritage-listed buildings, with surrounding residential development and streetscapes and the Paddington South Conservation Area.

(d) Protect the amenity of existing residential development with regard to solar access and privacy.

(e) Encourage pedestrian access around the heritage-listed buildings to increase public appreciation and aid interpretation.

(f) Allow for public views around the heritage-listed buildings, particularly to maintain the association between the Church and the old Manse with Oxford Street and between the new Manse and Regent Street.

(g) Maintain existing significant trees.

(h) Extend and enhance the existing public open space.

Provisions

6.1.5.1 Site planning

(1) The location of new buildings is to be restricted to the area shown as 'potential development site' on Figure 6.18 Heritage items & potential development sites.

(2) Part of the Church shown within the potential development sites boundary in Figure 6.18 is subject to the submission and approval of documentary and physical evidence that allows for the reconstruction of the pre-1885 church configuration.

(3) Views between the old manse, the church and Oxford Street are to be retained.

(4) All vehicular access is to be via Renny Lane.

Figure 6.18
Heritage Items & potential development sites

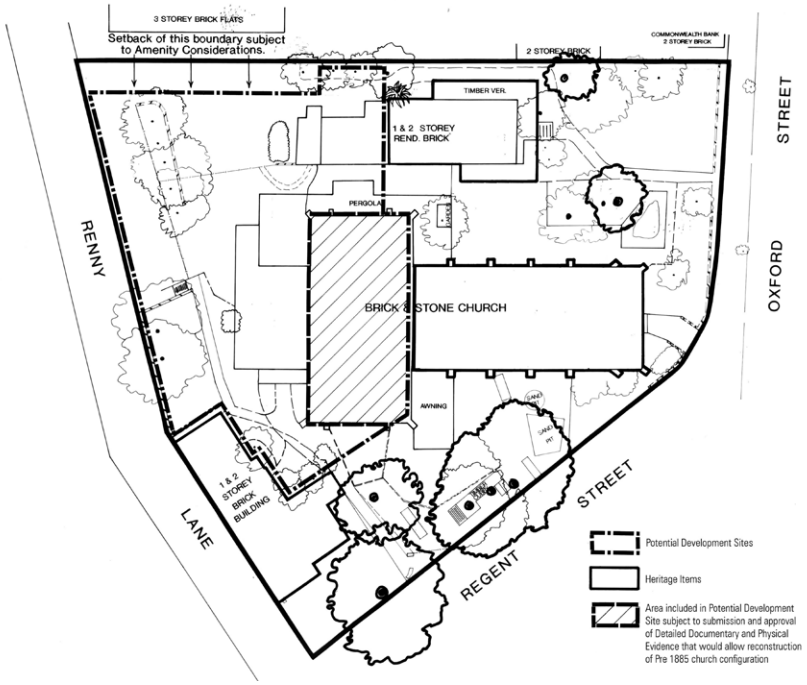
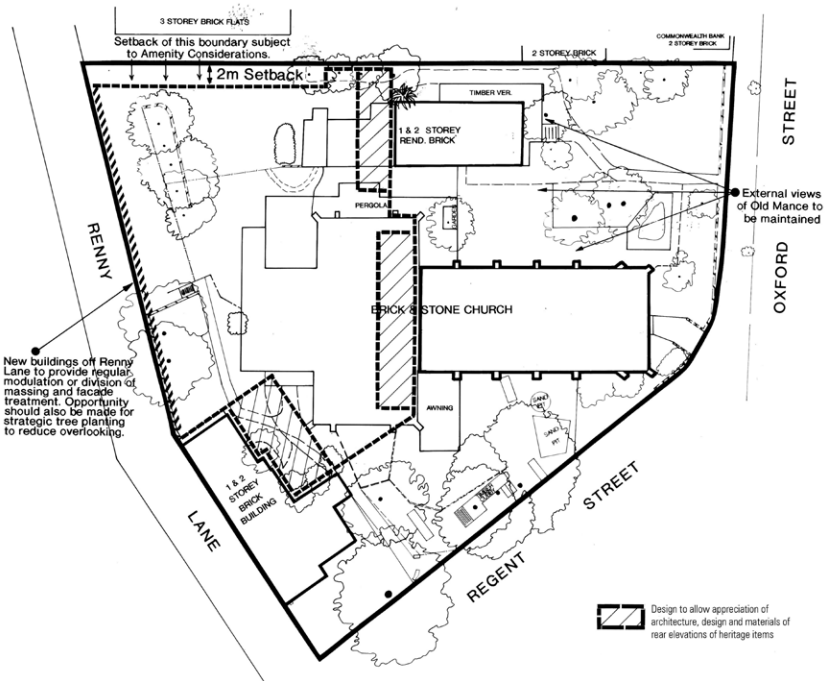


Figure 6.19
Design controls



6.1.5.2 Building height

(1) Buildings on the Renny Lane frontage are to be stepped to:

(a) follow the contour of the laneway;

(b) reduce overall building bulk and protect the scale and character of the heritage-listed buildings;

(c) maintain, and where possible improve on existing levels of solar access into adjacent residential property; and

(d) relate to the predominant height of adjoining development.

6.1.5.3 Setbacks

(1) Set back new buildings by 3m from any heritage-listed buildings, except for the area adjacent to the new manse along Renny Lane as shown on Figure 6.19 Design controls.

(2) Minor intrusions into the 3m setback area to the rear of the Church building will be considered where:

(a) pedestrian access and internal views of and around the heritage listed items are retained;

(b) a link between the heritage items and new buildings is provided;

(c) it serves to protect the heritage item against natural elements and provides on-site security; and

(d) the intrusions are not for useable floor space.

(3) New buildings are to be set back from the northwest property boundary adjacent to 2 Renny Lane by at least 2m, subject to amenity considerations.

(4) Awnings may be permitted within the setback areas.

(5) Structures below ground level may be permitted within the setback areas.

6.1.5.4 Building design

(1) The architectural form and detailing of all new development is to be consistent with the recommendations of the Conservation Analysis prepared for the site by Clive Lucas Stapleton & Partners in 1992 or another conservation management plan prepared in accordance with Burra Charter practice.

(2) Alterations to the external surface or appearance of the heritage-listed buildings must be in character with the historical style of the building and are to be justified by the Conservation Analysis (1992) or other appropriate conservation management plan.

(3) New buildings are to be designed to:

(a) be in harmony with the massing, facade detailing, roofline, roof form, fenestration pattern and materials, finishes and colours of the heritage-listed buildings; and

(b) mitigate the effects of building bulk through use the modulation of façade details including choice of materials, landscaping, and the like.

(4) The size and proportion of window and door openings in all walls must be vertically proportioned and designed to reduce overlooking of adjoining properties.

(5) Windows facing the north-western boundary are to be treated to minimise overlooking of the adjoining residential buildings, for example with the inclusion of frosted glass or glass bricks.

(6) The design of new development adjacent to Renny Lane is to:

(a) be of a high standard of visual quality;

(b) protect the privacy of adjoining properties;

(c) incorporate strategic tree plantings to reduce overlooking; and

(d) be divided into bays, or otherwise provide division or modulation of massing and façade treatment. The dimensions are to be appropriate to the scale of the proposed development and to that of adjoining development in order to create a ‘terrace rhythm’.

6.1.5.5 Pedestrian amenity, landscaping and open space

(1) New development is to be sited to allow pedestrian access around the heritage-listed buildings, generally as shown on Figure 6.20 Open space and landscaping.

(2) Landscaping between Oxford Street, the church and the old manse is to enhance the heritage setting.

(3) Landscaping between the church and Regent Street is to be integrated with the existing public open space in the adjacent closed area of Regent Street.

(4) Trees listed as being of heritage significance must be retained. All other mature trees are to be protected and retained, where practicable.

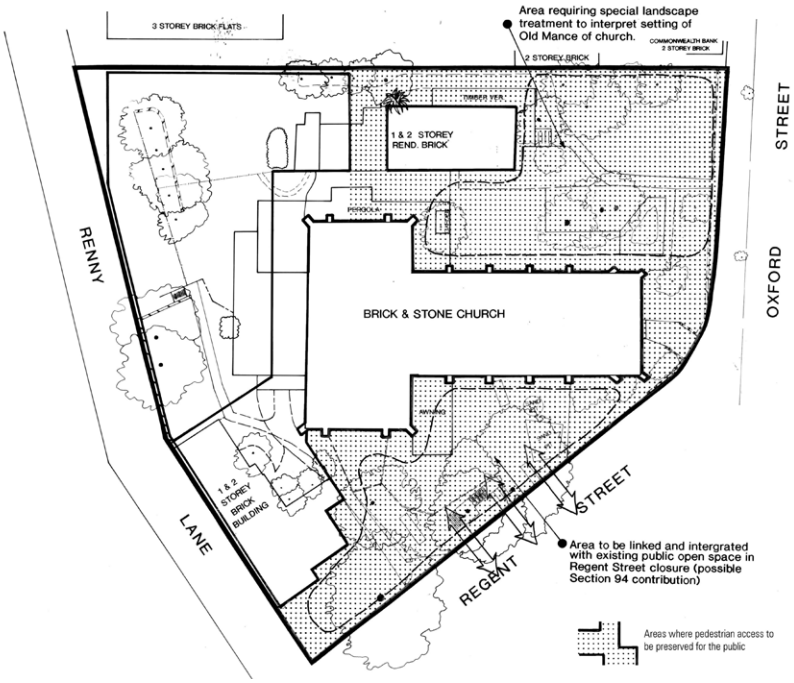
(5) Ensure that trees to be retained survive both the construction process and the new built form configuration on the site, details are to be submitted with the development application demonstrating:

(a) the extent and effect of excavation on the local water table will not be detrimental to the long-term survival of the trees for the area in Figure 6.20 Open space and landscaping described as "areas where pedestrian access to be preserved for the public";

(b) the configuration of the new development will allow sufficient aeration and groundwater intake for the long-term survival of the trees; and

(c) measures to be taken to protect the trees from damage during building works.

Figure 6.20
Open space and landscaping



6.1.6 50-58 & 60-72 Sir John Young Crescent, Former Sydney Eye Hospital, Woolloomooloo

The following objective and provisions apply to the former Sydney Eye Hospital site, 50-58 & 60-72 Sir John Young Crescent, Woolloomooloo, being Lots 1-2 DP 882499, as shown in Figure 6.1 *Specific sites map*.

Objective

(a) Ensure new development provides appropriate setbacks for development above the street frontage and integrates with the scale of nearby development.

Provisions

(1) The street frontage height of any new development on Sir John Young Crescent and Crown Street is to match the existing parapet height of the Sydney Eye Hospital building to the extent shown in Figure 6.21 Sydney Eye Hospital site controls.

(2) The new building on the site is to include articulation comprising vertical bays to promote a sense of rhythm and with strong horizontal elements that respond positively to the Former Sydney Eye Hospital building.

(3) The street frontage height adjacent to the southern property boundary is to be no higher than the Sydney Eye Hospital building.

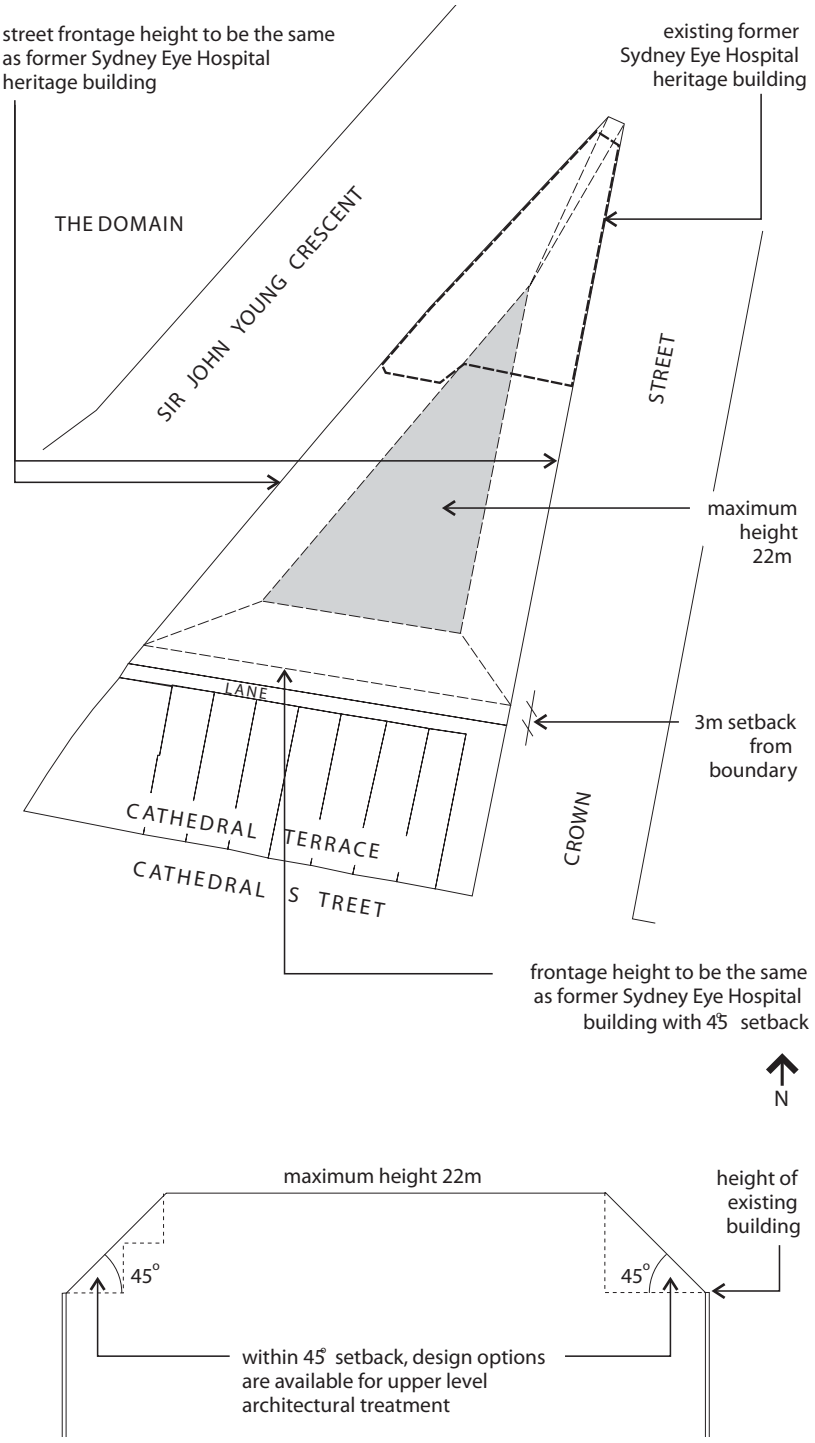
(4) New development along the southern boundary is to be set back by 3m.

(5) Any built form above the street frontage height is to fit below a plane drawn from the top point of development at the street frontage at 45o to horizontal as shown in Figure 6.21 Sydney Eye Hospital site controls.

(6) Sir John Young Crescent is to be the primary 'address' of the development. The building frontage along this street must incorporate the main entrance for both pedestrian and vehicular access to the building.

(7) Active frontages are to be included along both streets, with particular emphasis on Sir John Young Crescent.

Figure 6.21
Sydney Eye Hospital Site controls



6.1.7 Victoria Park – South Dowling Corridor

The following objectives and provisions apply to the land identified as 'Victoria Park - South Dowling Corridor' at Victoria Park, Zetland as shown in Figure 6.1 *Specific sites map* and Figure 6.22 Victoria Park- South Dowling Corridor.

Figure 6.22
Victoria Park - South Dowling Corridor



Objectives

(a) Create a gateway to Green Square that reinforces the high level of amenity, innovation and urban character that has been achieved at Victoria Park.

(b) Ensure that development has a fine-grain street network, high architectural quality and diversity, excellence in landscaping and strongly defined streets.

(c) Address the amenity, privacy and solar access for the South Dowling Precinct and impacts on the surrounding neighbourhood.

(d) Integrate the precinct with Epsom Park by ensuring that development to the south relates well to the planned East-West Boulevarde.

Provisions

6.1.7.1 Streets and pedestrian network

(1) Where required to be provided, new streets are to be provided in accordance with the street network identified in Figure 6.23 South Dowling Corridor height in storeys, streets and setbacks.

(2) New streets are to have a minimum reservation width of 17m and are to be dedicated to Council. This includes the existing extension of Defries Avenue.

(3) Where land is required at the southern end of the precinct as shown in Figure 6.23, it is to be dedicated to Council for the purposes of the East-West Boulevard and associated public open space. The area required for dedication is to have a depth of 22m from the southern property boundary.

(4) All streets are to be landscaped to the standard already achieved in Victoria Park.

(5) A secondary lane network is encouraged to achieve a finer urban grain.

(6) Where required to be provided, a publicly accessible 12m wide through-site link is to be provided in accordance with Figure 6.23 South Dowling Corridor height in storeys, streets and setbacks. The link is to be capable of carrying service and emergency vehicles.

6.1.7.2 Open Space

(1) A minimum of 15% of the total precinct area is to be dedicated to Council for public open space and is to include:

(a) a park with a minimum area of 2,000 sqm; and

(b) a pocket park with a minimum area of 300 sqm.

(2) The parks are to be landscaped to the satisfaction of the Council, and no car parking structures are to be located beneath either park.

(3) Where the two parks are provided, the following land dedications may be included for the purposes of calculating the total open space requirement of 15%:

(a) 50% of the land dedicated for the development of the East-West Boulevard; and

(b) 50% of the landscaped setback to South Dowling Street.

(4) A 10m deep soil landscaped setback is to be provided for the length of South Dowling Street. The landscape design is to comprise a high quality, linear design for the whole South Dowling Street frontage.

(5) Landscape plans are to identify any potential locations for a future bike and pedestrian bridge between the precinct and Kensington.

(6) Landscaping and design of the public domain is to be high quality and incorporate features such as indigenous tree species and landmark sculptural elements.

6.1.7.3 Building Envelopes

(1) Development is to be within the building envelopes shown on Figure 6.23 South Dowling Corridor height in storeys, streets and setbacks.

(2) The predominant building height is to be 6 storeys. Buildings C, G, H, I, J, L, M and N may be developed to include a 7th storey setback from the street. The 7th storey is to be a maximum 75% of the floor area of the 6th storey and must be set back a minimum of 4m from the primary street frontage. Where a seventh attic level is proposed, the seventh level is to be differentiated by design to the level below.

(3) Two towers with a maximum 22 storeys are permitted, in the locations shown at Figure 6.23 South Dowling Corridor height in storeys, streets and setbacks. The floorplate (including balconies) of each of the two 22 storey towers are not to exceed 700 sqm.

(4) Buildings are to be set back a minimum 3m from the edge of new east-west streets to allow for private front gardens at the ground level with deep soil planting.

Figure 6.23
South Dowling Corridor height in storeys, streets and setbacks



6.1.7.4 Building Design

(1) Buildings A, F, G, L and M facing Defries Avenue and Buildings A, C and E facing the future East-West Boulevarde are to have commercial, retail or community uses at ground level to activate the public domain.

(2) Where non-residential uses are not considered viable for the full extent of the two streets and some residential development is proposed at ground level, the ground floor level is to be adaptable to enable future mixed uses.

(3) The intersection of Defries Avenue and the East-West Boulevard has been identified as a future public transport node. Development for use as food and drink premises and shops is required at this intersection, as is high quality building design that contributes to the safety and activation of this space.

(4) The southern facades of Buildings A, C and E are to be designed as the front of the buildings and not the rear.

(5) Ground floor levels are to be aligned with the existing natural ground level. Where required due to floor risks, the ground floor may be raised to a maximum of 1.2m above the natural ground level. This does not apply to buildings fronting the east-west boulevard or Defries Avenue, where all building and tenancy entries are to be at footpath level and any changes in floor level are to be taken up within the buildings.

(6) The internal planning and façade design of buildings facing South Dowling Street are address and ameliorate the significant road noise.

(7) Balconies at the ninth storey and above are not to be designed to project from the building.

(8) Limit car parking to basements directly below buildings to maximise the extent of deep soil zones. Car parking is not to be provided under central courtyards under street setbacks or above ground.

(9) Notwithstanding (7) above, two levels of above-ground car parking may be introduced for buildings facing South Dowling Street but only if the design of the car parking is integrated with the overall building design and the South Dowling Street facade achieves design excellence. Any above ground car parking must not be visible from the western side of the same building including the internal courtyard.

(10) Any above ground parking (greater than 1.2m above natural ground level) is to:

(a) have a minimum floor to ceiling height of 2.9m;

(b) be adaptable for other uses.

(11) Car park entries and ramps are to be contained within the building.

6.1.8 Email Site – 13 Joynton Avenue, Zetland

The following objectives and provisions apply to the Email Site, 13 Joynton Avenue Zetland as shown on Figure 6.1 *Specific sites map* and Figure 6.24 The 'Email' site.

Figure 6.24
The 'Email' site



Objectives

(a) Ensure that the development of this site results in a high quality and safe urban environment that positively responds to the character of the area, introduces new landmarks and enhances permeability.

(b) Create a new public domain including a large neighbourhood park that will benefit the wider community and balance the impacts of increased densities on the site.

(c) Ensure that the development on the site integrates with the building height and bulk, variation in building design and finishes and landscaping of surrounding neighbourhoods.

Provisions

6.1.8.1 Streets and through-site links

(1) A new street with a minimum reservation width of 12m is required to be constructed and dedicated to Council in the location shown at Figure 6.25 Required open space, streets and setbacks.

(2) The provision and dedication of a publicly accessible through-site link with a minimum width of 6m is required in the location shown at Figure 6.25 Required open space, streets and setbacks.

(3) The through-site link is to be designed to allow for one-way vehicular traffic and access for emergency vehicles.

6.1.8.2 Open space

(1) Introduce a new public open space with a minimum area of 4,400sqm in the location shown in Figure 6.25 Required open space, streets and setbacks. The public open space is to be designed in accordance with Section 5.2.4 Local Infrastructure Green Square and dedicated to Council.

(2) The new public open space is to be integrated with the existing Mary O'Brien Park to form a single park.

(3) Macpherson Lane which currently divides the existing and proposed park is to be closed and constructed as a pedestrian and bicycle path.

(4) The design of the open space is to:

(a) accommodate appropriate native, endemic and exotic planting palettes to suit the environmental constraints and south-west orientation of the park;

(b) retain mature trees wherever possible;

(c) include a children's playground, barbeque facilities, seating, decking, planting and public toilets; and

(d) incorporate significant permeable areas and a retention basin.

Figure 6.25
Required Open Spaces, Setbacks and Streets



6.1.8.3 Setbacks

(1) A 12.5m wide land dedication for public domain improvements along the Joynton Avenue frontage is to be provided in accordance with Figure 6.25 Required open spaces, setbacks and streets and is to accommodate:

(a) footpath widening for pedestrians and cyclists;

(b) additional landscaping; and

(c) a bio-swale for best practice stormwater management.

(2) Introduce a setback of 2.4m to O'Dea Avenue which will result in a 4m council-owned setback along O'Dea Avenue. The setback area is to be landscaped and accommodate a pedestrian and bicycle path.

6.1.8.4 Building Envelopes

(1) The height of buildings on the site is not to exceed the heights in storeys shown in Figure 6.26 Email site height in storeys.

6.1.8.5 Staging and dedication

(1) The development and delivery of the public domain, development is to be staged in accordance with the building stages shown at Figure 6.27.

(2) The construction and dedication of any public domain is to be staged in accordance with Figure 6.27.

Figure 6.26
Email Site Height in Storeys

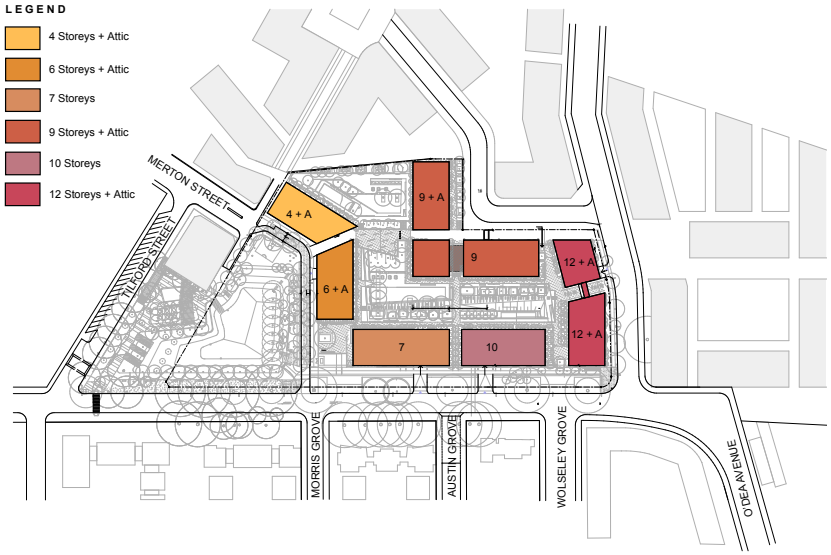


Figure 6.27
Staging Plan for development and delivery of the public domain



6.1.9 AMP Circular Quay Precinct

The provisions in this section of the DCP guide future development of the AMP Circular Quay Precinct, when development is subject to *Clause 6.26 - AMP Circular Quay Precinct* of SLEP2012.

If a development proposed within the AMP Circular Quay Precinct is subject to *Clause 6.26 - AMP Circular Quay Precinct* in SLEP2012, then the provisions contained in this section of the DCP also apply to the assessment of the proposed development, and override similar provisions in this DCP where there is an inconsistency.

Clause 6.26 - AMP Circular Quay Precinct of SLEP2012 enables floor space area from the Young and Loftus Street block to be used for development on the Bridge and Alfred Street block in order to enable:

- a reduction in scale of the Young and Loftus Street block;
- an extension to the existing commercial tower on 50 Bridge Street;
- improved sunlight access to Macquarie Place;
- an integrated network of activated lanes and through site links; and
- the conservation of heritage items, and improvement of their setting and urtilage.

Objectives

(a) To revitalise and activate the two city blocks which comprise the AMP Circular Quay Precinct.

(b) To redefine the Young and Loftus Street block as a diverse, fine grain, smaller scale mixed use development project within an active laneway precinct, comprising of low to mid-rise buildings.

(c) To transform the Bridge and Alfred Street block to an exemplar global commercial address that will reinforce Sydney's profile as a global city.

(d) To ensure the significance of heritage items within the Precinct is conserved and that new development responds sympathetically to heritage items.

(e) To ensure that development exhibits design excellence and a high level of environmental performance.

(f) To create a pedestrian friendly precinct and improve the permeability of both blocks.

(g) To prioritise pedestrian movements and reduce points of conflict between pedestrians and vehicles.

(h) To ensure land use conflicts between residential development and late night economic activity will be effectively managed through an appropriate land use mix, location of uses, building design and materials.

Principles

(1) The redistribution of unrealised permissible floor space from the Young and Loftus Street block to the Bridge and Alfred Street block will result in an enhanced urban outcome and significant public benefits both within and near the AMP Circular Quay Precinct.

(2) A reduction in the overall built form within the Young and Loftus Street block will increase sunlight access to Macquarie Place in winter and improve the relationship with heritage items within the block and with Customs House to the north.

(3) The Young and Loftus Street block will be characterised by a diversity of uses, scale, form and materiality.

(4) Loftus Lane is to be retained, pedestrianised and activated.

(5) The Young and Loftus Street block will be a vibrant mixed use neighbourhood and laneway precinct with low scale boutique developments that can accommodate late-night uses. This block will support a range of uses including retail, commercial, hotel, serviced apartments, residential, educational, bars and restaurants.

(6) The redevelopment of the Bridge and Alfred Street block, by way of an extension of the existing 50 Bridge Street tower, will result in a contemporary Global commercial tower built to best practice sustainability standards.

(7) Retention, conservation and ongoing management of existing heritage items located within the Precinct.

Provisions

6.1.9.1 Streets, lanes, arcades and through-site links

Young and Loftus Street block

(1) Where existing lanes are modified they should be re-established at existing levels.

(2) Provide laneway expansion zones along Loftus Lane in locations identified at (A) on Figure 6.28: Lanes map. The expansion zones are to be at the level of Loftus Lane, open to the sky and available for outdoor dining.

(3) Provide arcades linking streets and lanes with minimum widths noted in the indicative locations identified at (C) on Figure 6.28: Lanes map.

(4) A stair connection should be provided within the arcade linking Young Street to Loftus Lane.

Bridge and Alfred Street block

(5) A 6m wide through site link, open to the sky is to be provided in the Bridge and Alfred Street block at the location identified at (B) on Figure 6.28: Lanes map.

(6) The through site link at (B) should be predominantly at the level of Young Street with 4-6m wide stairs and a public lift linking to Phillip Street level at the eastern end.

(7) A single level fully frameless glazed pedestrian bridge may cross the through site link at (B) in the Bridge and Alfred Street block, as indicatively shown on Figure 6.28: Lanes map. This pedestrian bridge should have a width of no more than one structural bay of the 33 Alfred Street building, and a maximum height of six metres or two storeys.

(8) Provide elevated internal arcades in the in the Bridge and Alfred Street block at the indicative locations identified at (D) on Figure 6.28: Lanes map.

(9) A stair connection should be provided linking Young Street to Phillip Street via an elevated internal arcade.

Both Blocks

(10) Create opportunities for retailing and outdoor dining at grade, along Loftus, Young and Phillip Streets.

(11) Arcade connections must be accessible with no stairs except as noted above.

(12) Arcades should have a clear height of 6m and provide clear sight lines end to end.

(13) All arcades, other than arcade (D) should be publicly accessible at least between 7am and 12am daily.

(14) Arcade (D) should be publicly accessible at least between 7am and 7pm on weekdays only.

Figure 6.28 Lanes Map



6.1.9.2 Active Frontages

(1) Active street and lane frontages are to be provided in the locations nominated on Figure 6.29: Active frontages map.

(2) Active arcade frontages are to be provided to all arcade frontages in the indicative locations nominated on Figure 6.29: Active frontages map.

Figure 6.29 Active Frontages map

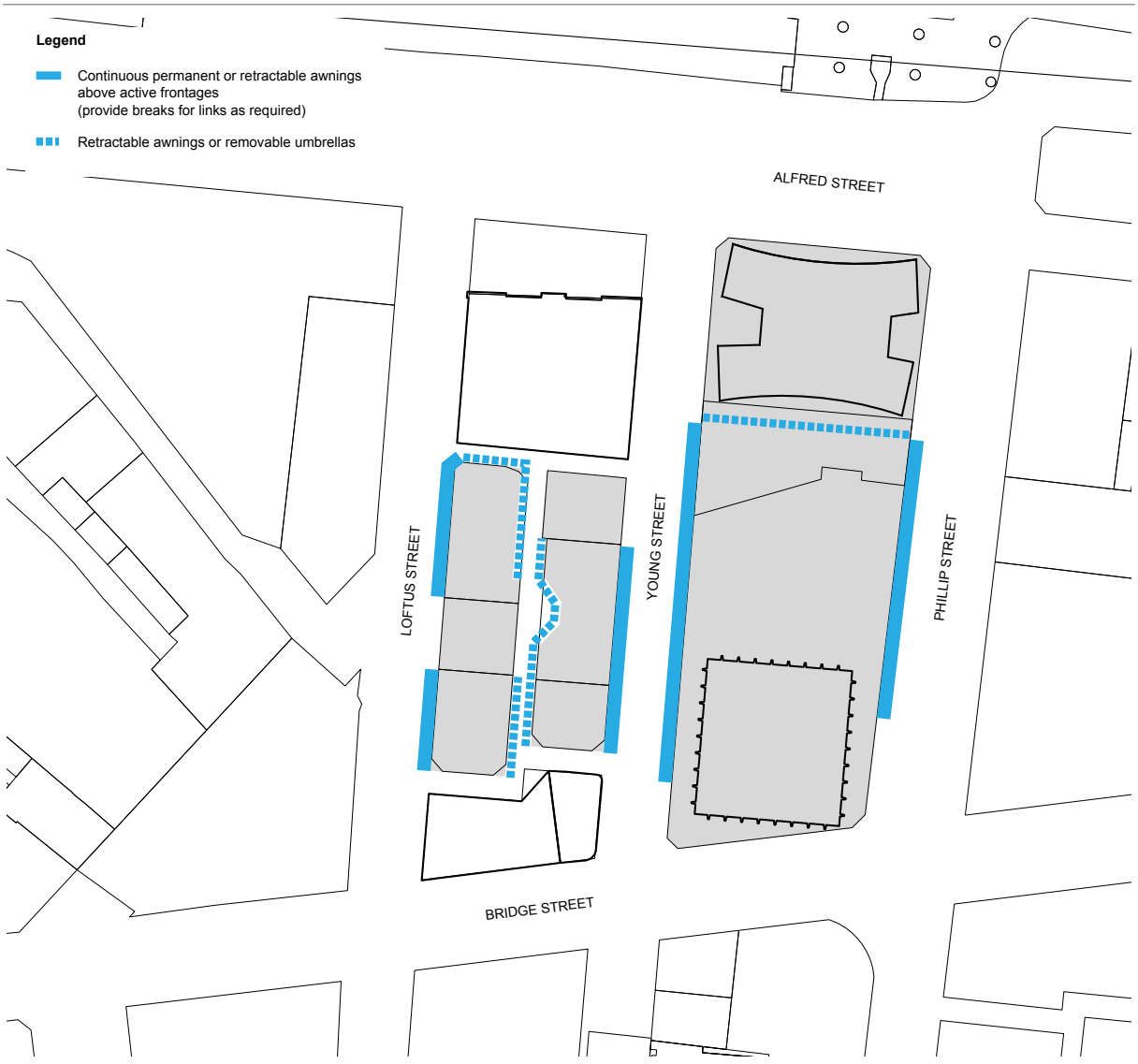


6.1.9.3 Awnings

(1) Continuous permanent or retractable awnings are to be provided above all active street frontages in the indicative locations nominated on Figure 6.30: Footpath awnings and colonnades map.

(2) Retractable awnings or removable umbrellas are to be provided above all active laneway and through site link frontages in the indicative locations nominated on Figure 6.30: Footpath awnings and colonnades map.

Figure 6.30 Footpath awnings and colonnades map



6.1.9.4 Building Envelope (Built form)

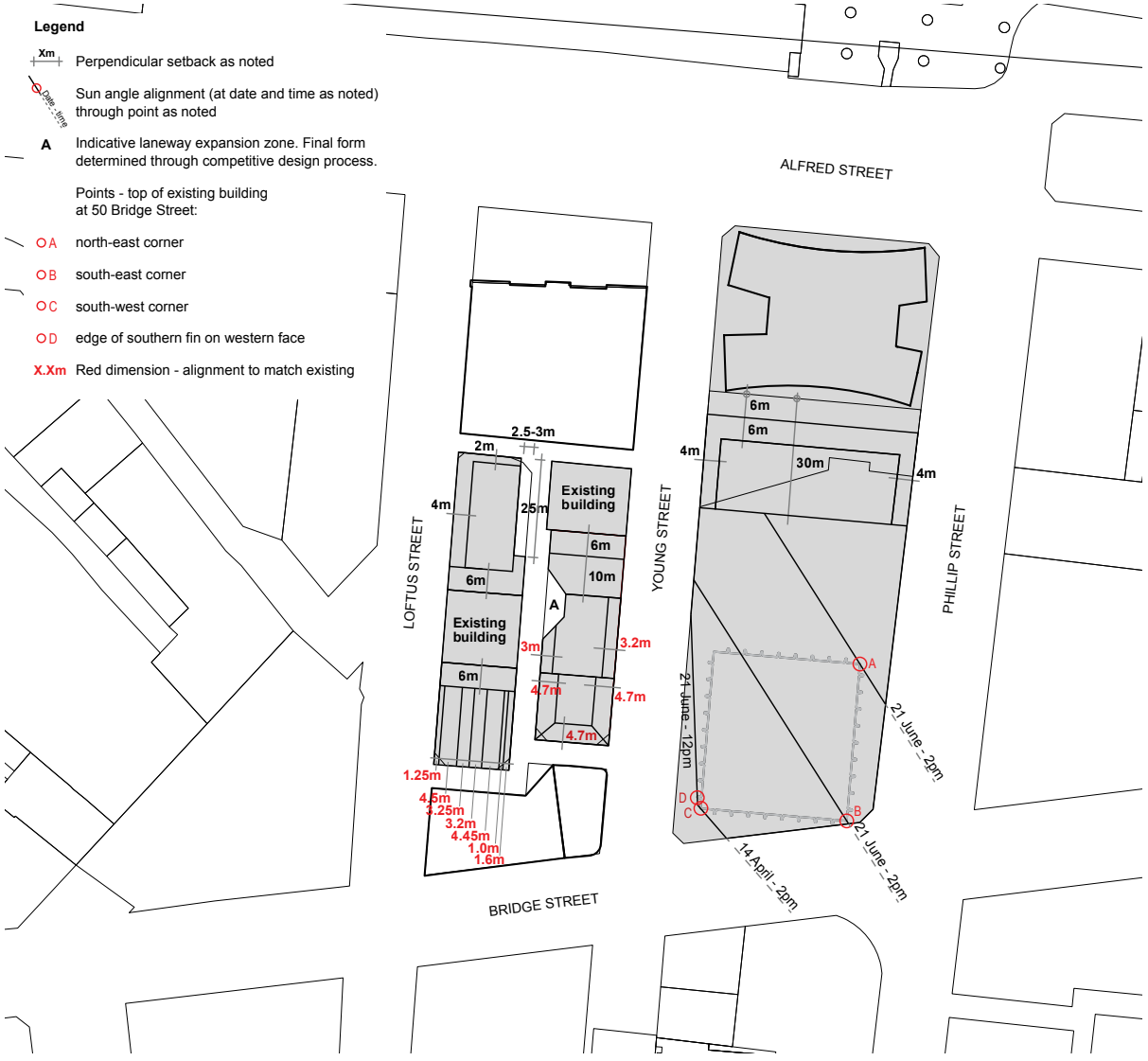
(1) Development must not exceed the building envelopes described by the combination of Figure 6.31: Envelope setbacks and alignment map and Figure 6.32: Envelope heights map.

(2) The envelopes described by the maps are the maximum permissible extent of the built form, and the final building designs must be appropriately massed within the envelope.

(3) The addition to the tower at 50 Bridge Street is to provide a minimum 30m curtilage (setback) from the rear façade of the existing tower at 33 Alfred Street. The massing of the addition is to maximise views to the southern façade of the 33 Alfred Street tower from Young and Phillip Streets.

(4) Building envelopes within the Young and Loftus Street block may be subject to minor variation, but only if design excellence is demonstrated through a competitive design process in accordance with the provisions of Division 4 of SLEP2012 and the *City of Sydney Competitive Design Policy*.

Figure 6.31 Envelope setbacks and alignments map



6.1.9.5 Street Frontage Height and setbacks

(1) Buildings are generally to be built to the street or lane alignment in the Young and Loftus Street block.

(2) Upper level setbacks are to be provided in the locations nominated on Figure 6.31: Envelope setbacks and alignments map.

Figure 6.32 Envelope heights map



6.1.9.6 Uses

(1) The Young and Loftus Street block is to contain a mix of uses including food, beverage and entertainment uses, and should be able to accommodate extended late night trading hours including outdoor dining.

(2) Noise mitigation measures must be incorporated into the design and physical fabric of all buildings to ensure that hotel, bar, night-club, restaurant, entertainment uses and the like could operate 24 hours per day with no noise impacts to residential dwellings within the Young and Loftus Street block.

(3) To ensure that a lively mixed-use precinct is provided in the Young and Loftus Street block, a minimum of 50% of the total Gross Floor Area of all Buildings (new and existing) within the Young and Loftus Street block will be non-residential uses.

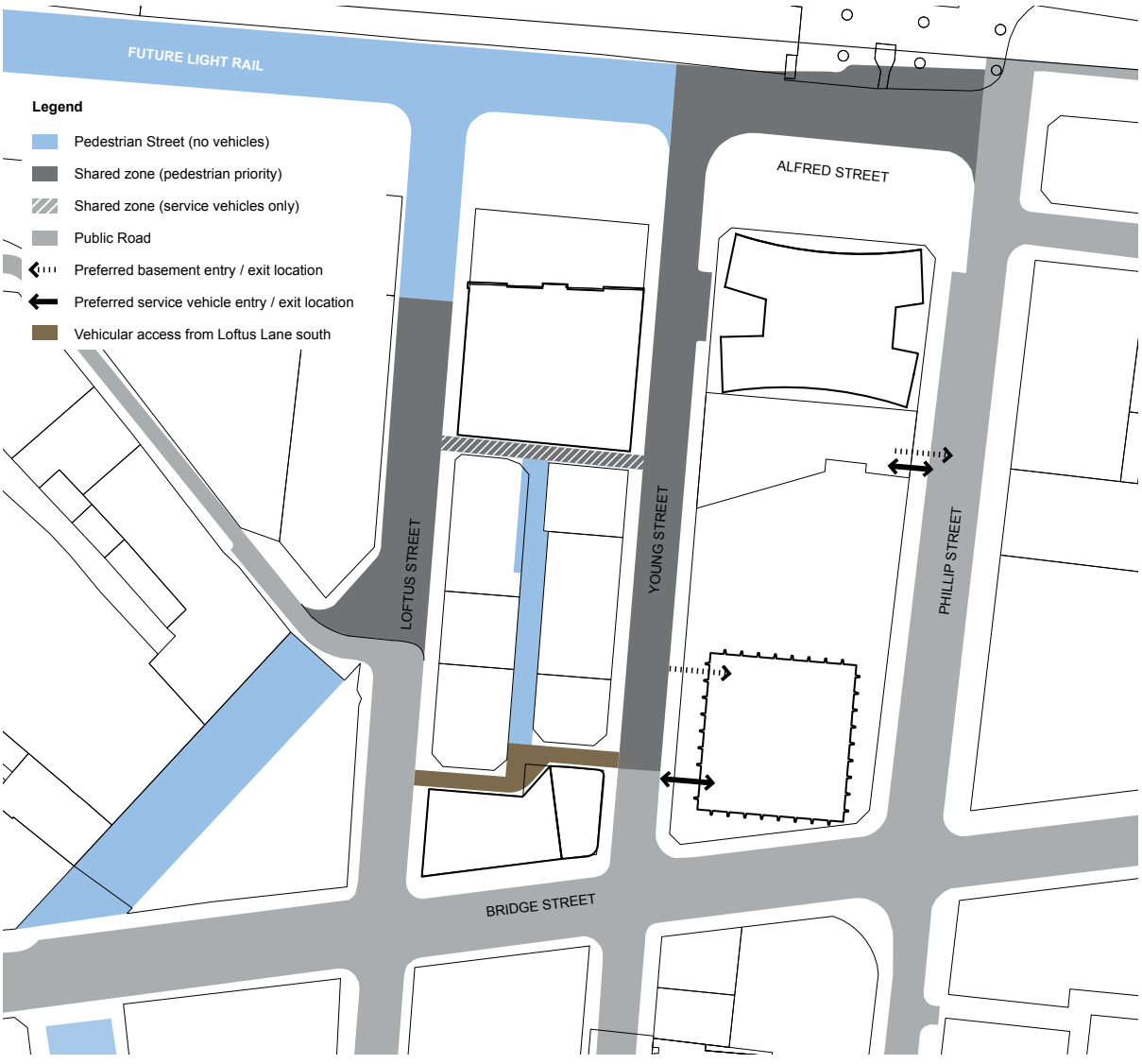
(4) Residential uses are not to be located at street and first floor levels.

6.1.9.7 Parking and Vehicular Access

(1) Basement parking and service vehicle entry and exit points are to be provided in the locations nominated on Figure 6.33: Vehicular access map.

(2) Vehicular footpath crossovers are to be minimised in number and width by providing shared basement access between buildings.

Figure 6.33 Vehicular access



6.1.9.8 Sustainability

(1) Buildings should be designed to achieve 6 Star Green Star rating and 5 Star NABERS rating.

(2) The buildings in the Young and Loftus Street block are to reduce the environmental impact of new building materials by maximising the use of reused or recycled materials through:

(i) substituting industrial waste products or oversized aggregate for Portland cement,

(ii) reusing steel or substituting post-consumer recycled content in steel,

(iii) reusing timber or substituting post-consumer recycled timber, and

(iv) replacing any other materials with reused or recycled materials.

6.1.9.9 Heritage

(1) New buildings, whilst being contemporary, should respect the adjacent heritage items through an appropriate response to height, scale, fine grain quality, materials, craftsmanship and articulation.

(2) Development within the Precinct should improve the setting to the heritage items, within the Precinct and in its vicinity.

(3) Conservation is to be undertaken in accordance with approved conservation management plans prepared to the satisfaction of Council.

(4) An exemplary level of sympathetic adaptive reuse is required of Hinchcliff House, the Gallipoli Club and lower levels of 33 Alfred Street.

(5) The integrity of the sculptural form of the 1962 AMP Tower at 33 Alfred Street must be preserved.

(6) The east-west through site link to the south of 33 Alfred St should provide a clear curtilage to the 1962 AMP Tower and interpretation of the former lane.

(7) The location of new insertions to service heritage items, such as building service plant and risers, fire egress, and lifts, should be external to the heritage items, aiding their sympathetic adaptation.

(8) Accessible on grade access to heritage interiors should be provided via adjacent buildings or through site links.

(9) Where through site links are located adjacent to a heritage item, they should provide exposure of previously hidden heritage fabric.

(10) An interpretation strategy should be developed at an early stage and an outline submitted at Stage 1 DA. This should interpret both non-indigenous and Aboriginal cultural heritage and archaeological potential, within the public domain and within dedicated interior spaces.

6.2

Sites identified through Urban Design Studies

A number of urban design studies were undertaken for each of the neighbourhoods within the LGA which made recommendations about their desired future character for translation into the LEP and DCP.

As part of these studies, the following sites were identified because of their potential role, location and contribution to the desired future character of the neighbourhood. The objectives and development provisions set out below are intended to set the guiding framework to ensure that change on these sites is appropriate to their context. The accompanying diagrams are indicative only and serve to illustrate a possible design solution for each site.

The provisions within this section are to be read in conjunction with the development provisions contained within Section 3 General Provisions and Section 4 Development Types.

6.2.4 18 Huntley Street, Alexandria (Huntley St and Sydney Park Rd)

The following objectives and provisions apply to 18 Huntley Street, Alexandria as shown in Figure 6.1 *Specific sites map*.

This site is a remnant industrial site in a highly visible location on the Sydney Park Road/ Euston Road intersection. The rest of Sydney Park Road has been redeveloped as mixed use or residential. A building on this site would in preference, provide mixed uses at ground level along the Sydney Park Road frontage to activate and define the street and to provide separation between the busy street and residential above. Building heights will respond to the existing context.

Objectives

(a) Improve the pedestrian amenity, solar access and potential views, by aligning buildings to the street edge and incorporating street tree plantings along the footpaths.

(b) Ensure building depths and separations are consistent with best practice, to provide visual and acoustic privacy and allow for landscaped courtyards and garden areas.

(c) Ensure future development is not adversely impacted by flooding issues caused by the flat site being located on the lowest point on Sydney Park Road.

(d) Set building heights and frontage alignments to respect the local context.

Figure 6.34 Principles



6.2.4.1 Built Form

(1) Design buildings on Huntley Street to a maximum 3 storeys (12m) to provide a transition to the lower scale Belmont Street precinct as shown in Figure 6.35 Height of buildings.

(2) The typology, form and design of the 3 storey building fronting Huntley Street is to reflect the fine grain of the Cooper Estate Conservation Area including the incorporation of multiple entries and the predominant vertical and horizontal proportions of existing buildings.

(3) Respond to the prominent location by ensuring that the design is of high quality so that the buildings present attractively when viewed from a distance particularly from Sydney Park.

(4) Building envelopes are to respond to the proposed stormwater channel alignment as shown in Figure 6.34 Principles. If the proposed stormwater channel alignment is different from Figure 6.34 Principles, building envelopes are to be modified to respond to the alignment.

Figure 6.35 Height of Buildings



Figure 6.36 Street wall heights



6.2.4.2 Building Materials

(1) Materials used are to be of a high quality and complement the character of the Cooper Estate Conservation Area.

(2) External finishes and colour palettes are to complement and include materials predominantly used in surrounding areas, including blue, red and brown bricks (which were formerly made in the Sydney Park Brick Kilns). Glazed bricks may be suitable.

(3) External structures and paving are to be of timber and stone finishes that relate to the landscape setting of courtyards and street trees.

6.2.4.3 Land Uses and Setbacks

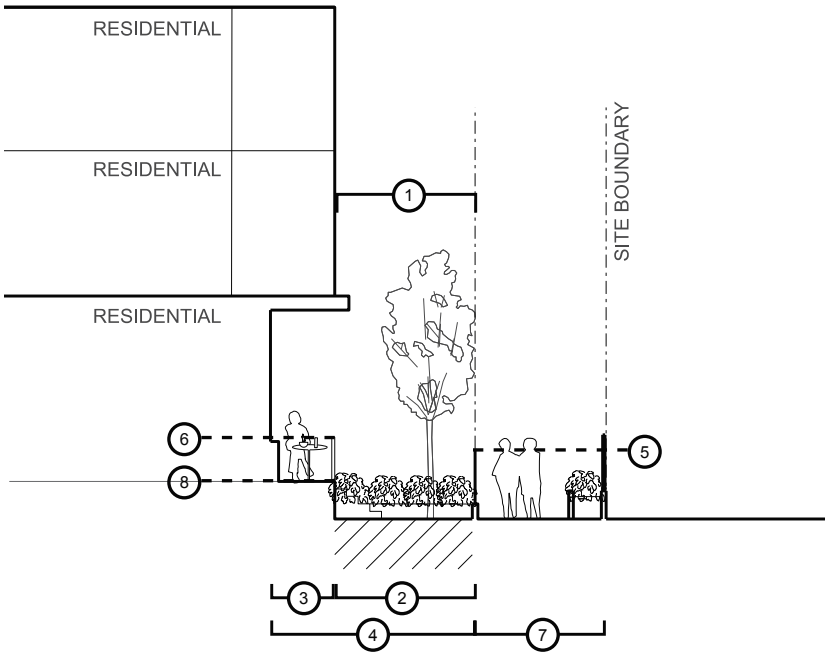
(1) Non-residential uses are preferred at ground level along the Sydney Park Road frontage as shown in Figure 6.40 Uses to act as a buffer for residential uses above against traffic noise and air pollution.

(2) Development setbacks are to be in accordance with Figure 6.37 Setbacks and the sections in Figure 6.38 to Figure 6.40.

Figure 6.37 Setbacks

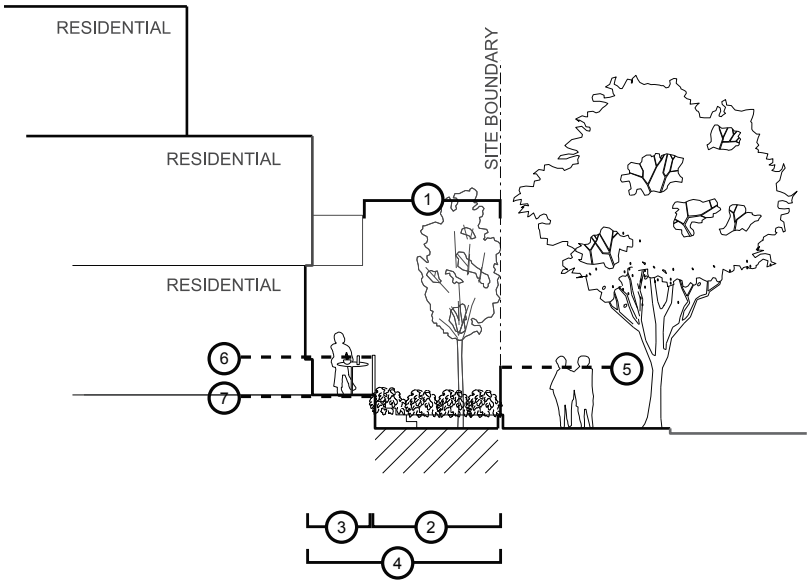


Figure 6.38
Hurley Street interface with adjoining site to west



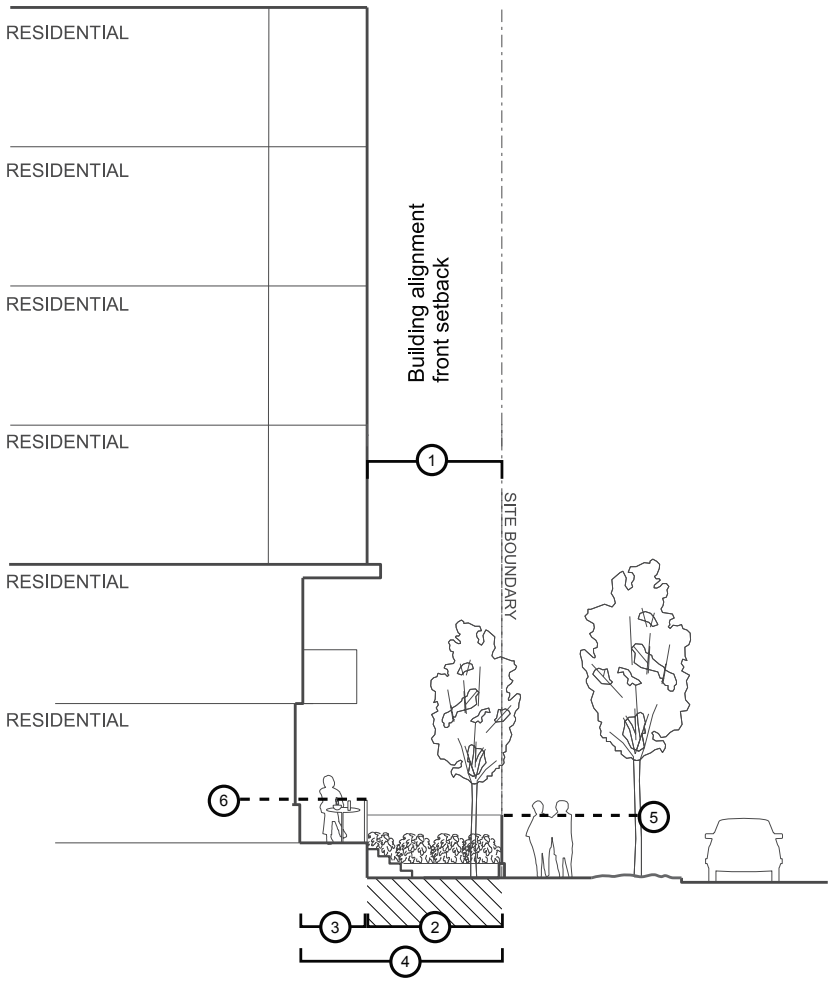
1. Primary building setback, clear full height - min. 3m
2. Landscape planting area - min. 3m
3. Ground floor private open space deck - min. 1.2m
4. Setback from the site boundary to the glass line - min. 4.2m
5. Ground floor unit fence - max. 1.5m high measured from path level
6. Private open space fence - max. 1.1m see through to provide passive survillance
7. Pedestrian walkway - min. 2.8m
8. Ground floor finished level - max. 1m above finished path level

Figure 6.39
Huntley Street frontage



1. Primary building setback, clear full height - 3m
2. Deep soil landscape planting area - min. 3m no basement carpark encroachment
3. Ground floor private open space deck - min. 1.2m
4. Setback from the site boundary to the glass line - min. 4.2m
5. Site boundary fence - max. 1.4m high measured from footpath level
6. Private open space fence - max. 1.1m see through to provide passive surveillance
7. Ground floor finished level - max. 1m above footpath level

Figure 6.40
Sydney Park Road frontage



1. Primary building setback, clear full height - 3m (min. 1.5m up to 50% of the length of the facade not affected by Sydney Water easement)
2. Landscape planting area - min. 3m
3. Ground floor private open space deck - min. 1.5m
4. Setback from the site boundary to the glass line - min. 4.5m
5. Site boundary fence - max. 1.4m high measured from footpath level
6. Private open space fence - max. 1.1m see through to provide passive surveillance

(3) If residential uses are provided at ground level along the Sydney Park Road frontage, the development is to:

(a) include appropriate screening devices, plantings and acoustic treatment such as double glazing to mitigate traffic noise and air pollution; and

(b) be set back in accordance with Figure 6.41 Setbacks (Residential) providing a minimum setback of 3 metres for at least 50% of the frontage and a minimum setback of 1.5 metres for not more than 50% of the frontage, excluding the frontage to the stormwater easement setback.

Figure 6.41 Setbacks (Residential)



(4) The Basement setback along the Sydney Park Road Frontage may depart from the general DCP provision only where the development exceeds the required minimum area of deep soil landscaping across the site.

6.2.4.4 Through-site link

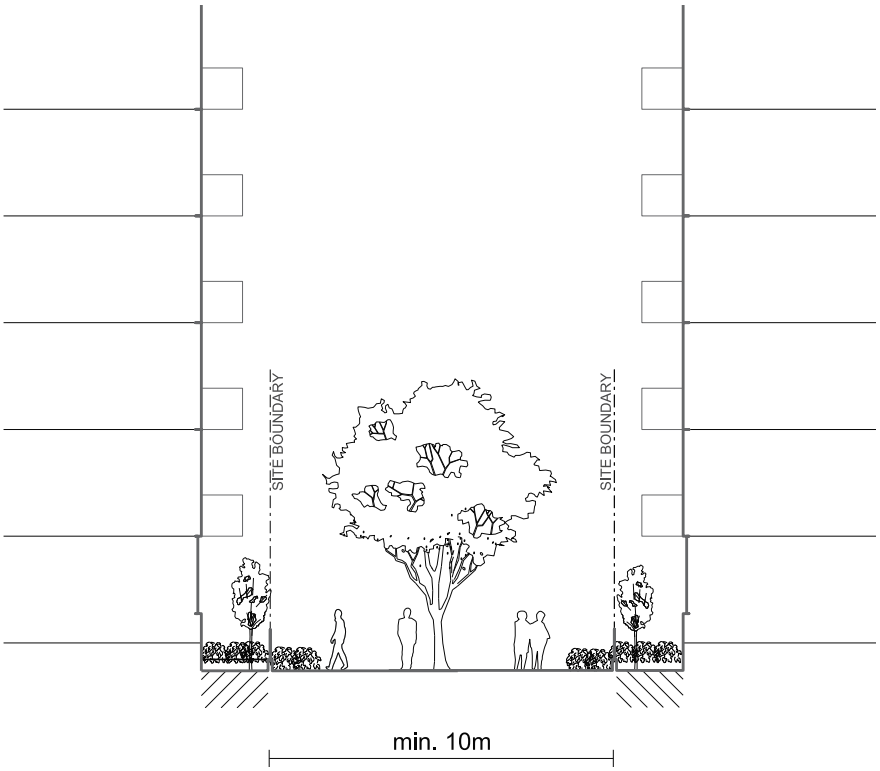
(1) Provide a through-site pedestrian link from Sydney Park Road to Huntley Street within the central portion of the site, incorporating a view corridor (minimum 10m wide) to Sydney Park from Lawrence Street as shown in Figure 6.34 Principles. The through-site link is to be designed in accordance with Provision 3.1.2.2 – Through-site links.

(2) The design of the through-site link is to ensure that a clear and safe path that is unobstructed by parking and services is available for pedestrians at all times.

(3) The design of the through-site link is to incorporate high quality landscaping with features such as indigenous tree species, public art and sculptural elements.

(4) The through-site link is to include a selection of paving materials that blend with the landscape environment and is in keeping with the building architecture, including natural stone colours and angular stone patterns.

Figure 6.42
Through site link



6.2.4.5 Access

(1) Provide parking underground and parking/service access from Huntley Street, as shown in Figure 6.34 Principles.

6.2.4.6 Green Roof

(1) Provide a green roof and/or community garden on the roof of the three storey building fronting Huntley Street as shown in Figure 6.43 Landscape.

(2) The design of the green roof is to:

(a) allow for access and ease of movement from within the development to and from the green roof and facilities;

(b) minimise overlooking of neighbourhood properties through use of passive screening or plantings;

(c) provide a variety of ornamental grasses and hardy low shrubs suitable for the rooftop context soil provisions, planter boxes and lower water usage; and

(d) incorporate productive garden herbs, vegetables, citrus plants.

Figure 6.43 Landscape



6.2.4.7 Common room and music practice room

(1) Development is to provide at least one common room and one music practice room (or combined if of sufficient size) that are:

(a) easily accessible to all residents within the development, preferably at the ground floor level or other common area; and

(b) of a size that can support their intended function.

(2) Music practice rooms are to be appropriately sound proofed so as not to disturb adjoining building occupants when in use.

6.2.4.8 Design Excellence

(1) Any additional floor space that results from a competitive design process is to be accommodated within the building envelopes as shown in Figure 6.35 Height of buildings.

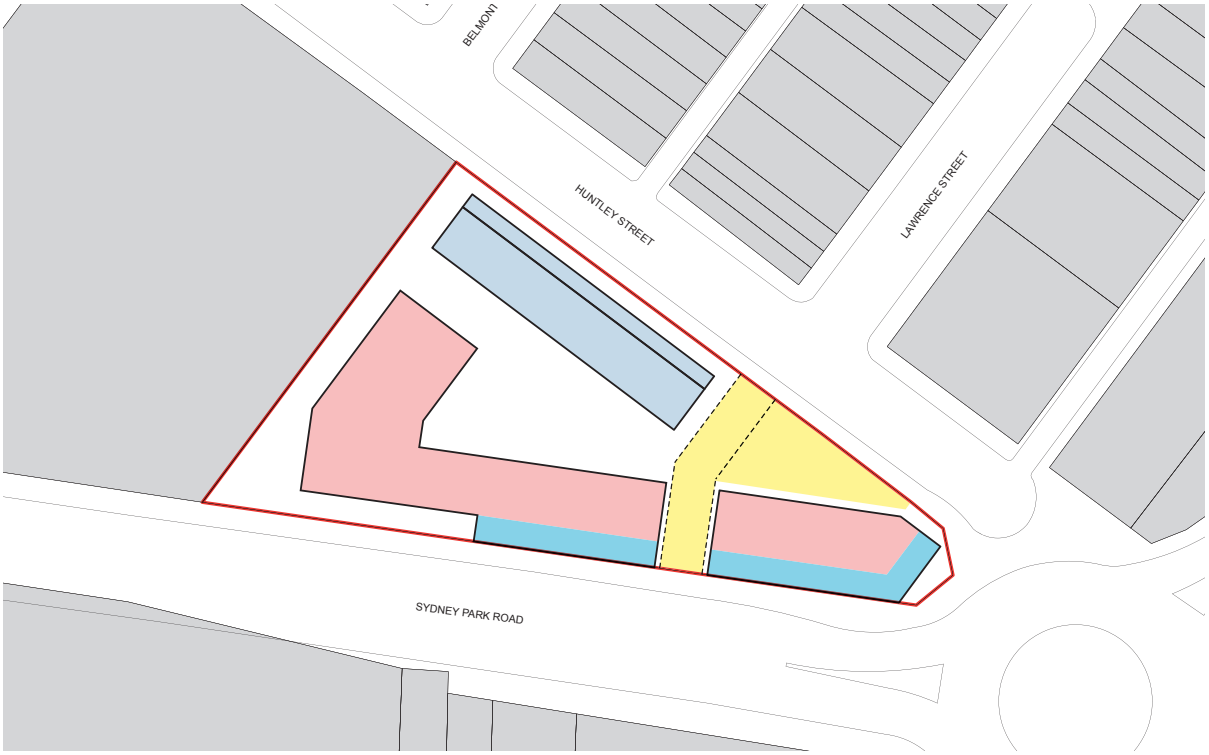
(2) Design Excellence floor space will not add any additional overshadowing to neighbouring properties

6.2.4.9 Public Art

(1) Public art placement and selection is to consider the opportunities of the site, its history and context when developing a theme and concept.

(2) The preferred location for the public art is the through-site link and the landscaped area on the Huntley Street frontage as shown in Figure 6.44 Uses.

Figure 6.44 Uses



6.2.6 25-33 Erskineville Road, Erskineville

The following objectives and provisions apply to 25-33 Erskineville Road, Erskineville (the petrol station site) as shown in Figure 6.1 *Specific sites map*.

Objectives

(a) Ensure development exhibits high design quality.

(b) Establish an appropriate building and street wall height.

(c) Introduce uses that activate the street frontage.

Provisions

(1) Align the front building line to Erskineville Road to:

  (a) edge the footpath and openings;

  (b) provide awnings and lighting to the public domain;

  (c) establish opportunities for passive surveillance; and

  (d) provide a direct relationship between building entries and the street.

(2) Focus street views along Erskineville Road defined and framed by aligning buildings with the street edge and enhancing street tree planting.

(3) Design buildings to achieve a maximum height of 3 storeys with a 2 storey street wall height.

(4) Set the street wall height datum to match the existing Imperial Hotel located along Union Street.

(5) Encourage commercial, retail, café/dining on the ground floor with residential uses above that is contextually appropriate to the existing strip retail to the east.

(6) Provide parking underground and parking/ service access from Erskineville Lane, not Erskineville Road, to minimise driveway entries across the pedestrian footpath and blank garage entries.

(7) Where required, provide a minimum 900mm wide footpath (for dedication) on the north side of the site to Erskineville Lane for pedestrian amenity and to minimise the potential for pedestrian-vehicle conflicts.

(8) Undertake a traffic study with any proposal and for new development to investigate the potential impacts on the laneway network.

(9) Provide a continuous awning to new development along Erskineville Road that wraps around the corner to Gowrie and Union Streets, and extending as far as the active ground floor uses.

Figure 6.45
Erskineville Road petrol station site



6.2.7 349-351 and 361-379 Oxford Street, Paddington (Telecommunications Building)

The following objectives and provisions apply to the Telecommunications Building site, Oxford Street Paddington as shown in Figure 6.1 Specific sites map. It incorporates William Street, south of Oxford Street and 349-351 and 361-379 Oxford Street, Paddington.

Objectives

(a) Contribute to the public domain by enhancing vistas along Oxford Street and south from William Street.

(b) Ensure new development is complementary in design to contributory buildings.

(c) Support the 'green' character of the area, by providing generous setbacks to Gordon Street for landscaping, and tree plantings within a new plaza.

(d) Improve the presentation to Gordon Street, and incorporate residential uses that complement established built form on Gordon Street.

(e) Set building heights and frontage alignments to respect the local context.

Provisions

(1) Provide a shared way from Gordon Street (for entry to underground car parks), becoming a pedestrian plaza at Oxford Street.

(2) Reconfigure the built form to create perimeter development that includes general communal open space.

(3) Provide a new public open space/plaza within William Street.

(4) Provide openings and awnings at Oxford Street level that wrap around to the new public plaza.

(5) Provide a shared accessway along the western boundary of the site, to provide rear access to the heritage terraces on Regent Street and to new development.

(6) Design and position residential apartment buildings to edge, overlook and open onto public streets and spaces, providing opportunities for passive surveillance of the public domain, and include residential uses above ground level on Oxford Street.

(7) Locate car parking underground and within the building envelope to retain deep soil landscaping within the street setback to Gordon Street.

(8) Provide multiple entries to apartments and separate entries for units that are level on Gordon Street to foster a sense of 'place' and identity.

(9) Create apartments with northern and eastern aspect where possible, with building depths and building separation that provides visual and acoustic privacy and allows for landscaped courtyards and garden areas.

(10) Focus street views along Oxford Street that are defined and framed by aligning buildings with the street edge and enhancing street tree planting.

(11) Reduce the height of the telecommunications building to 3 storeys and design shallow floor plates to optimise sun access and cross ventilation.

(12) Step the building envelope in plan along the south east of the shared way/ through-site link to break down the length (60m) of the facade.

Figure 6.46
Indicative design of Telecommunication Building



Figure 6.47
Telecommunication Building Sections A-A

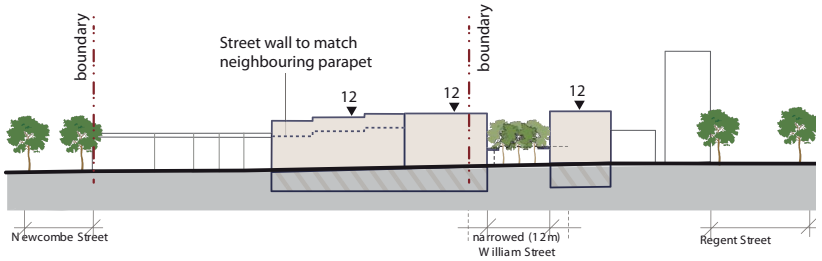
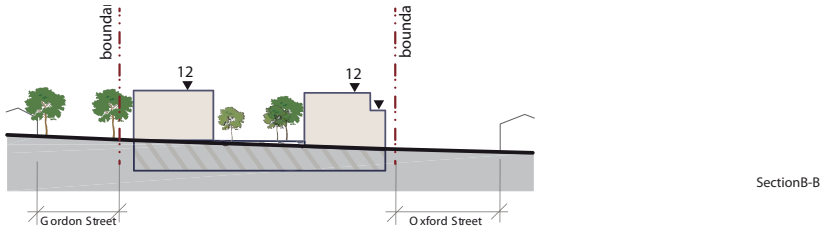


Figure 6.48
Telecommunication Building Sections B-B



6.2.8 397-399 Cleveland Street and 2-38 Baptist Street, Surry Hills Shopping Village, Redfern

The following objectives and provisions apply to the Surry Hills Shopping Village site, 397-399 Cleveland Street and 2-38 Baptist Street, Redfern, being Lot 1 in DP 1107252, Lot 2 in DP 112938, Lot 1 in DP 72567 and Lot 31 in DP 1223099, as shown in Figure 6.1 *Specific sites map*.

All other relevant provisions of this DCP apply. The provisions of this section prevail in the event of any inconsistency.

Objectives

(a) Ensure the bulk, massing and modulation of buildings respond to the low-scale residential and heritage characteristics of the surrounding area.

(b) Conserve the heritage significance of the former Bank of NSW building on the site, its contribution to the streetscape and provide an appropriate setting.

(c) Locate retail and commercial uses on the site to support and improve the relationship between the Crown Street and Cleveland Street retail precincts and activate Cleveland and Baptist Streets.

(d) Locate residential uses to provide passive surveillance and avoid blank walls to the public domain and any new open space.

(e) Ensure residential dwellings provide a high level of amenity through the design and layout of the built form.

(f) Ensure publicly accessible connections through the site to surrounding streets.

(g) Ensure the through site link optimises physical and visual connections to surrounding streets, provides equitable access and is open to the sky.

(h) Ensure the location, size and design of vehicle access minimises pedestrian and vehicle conflicts and disruption of traffic on public roads.

(i) Limit the amount of non-residential car parking to prioritise travel by walking, cycling and public transport and to manage congestion and traffic impacts.

(j) Manage potential noise conflicts so that appropriate levels of residential amenity and non-residential activity are achieved.

(k) Establish a design excellence strategy and guide the outcomes of a competitive design process including for building height, ecologically sustainable development and public art.

Provisions

Uses and layout:

(1) Design and locate a mix of residential, retail and commercial uses below ground, at ground level and upper levels in accordance with the land use plans at Figures 6.50 - 6.52.

(2) Design and locate the supermarket to have a floor level RL of 31.45 with equitable pedestrian access via the through site link.

(3) Locate fine grain retail uses at street level fronting Cleveland and Baptist Streets, the northern part of Marriott Street and along the through-site link.

(4) The building fronting Cleveland Street is to have the lower ground, ground and first floors consist of non-residential uses.

(5) Locate residential uses at ground level fronting Marriott Street and the proposed laneway in accordance with Figure 6.51 Land use plan – street level.

(6) Design and locate the following in accordance with Figure 6.49 – Structure Plan.

  (a) active frontages with awnings to mixed use buildings;

  (b) publically accessible through-site link;

  (c) vehicular access points;

  (d) public laneway with a minimum 9 metre width that is made up of a shared zoned connecting Baptist Street to Baptist Lane and a pedestrian and cycle path connecting the shared zone to Cooper Street; and

  (e) open space.

(7) Dedicate to Council land for the shared zone, pedestrian and cycle path, open space and footpath along Marriott Street in accordance with Figure 6.53 – Dedications, easements and landscape setbacks.

(8) Locate easements and landscape setbacks in accordance with Figure 6.53 – Dedications, easements and landscape setbacks.

Figure 6.49
Structure Plan



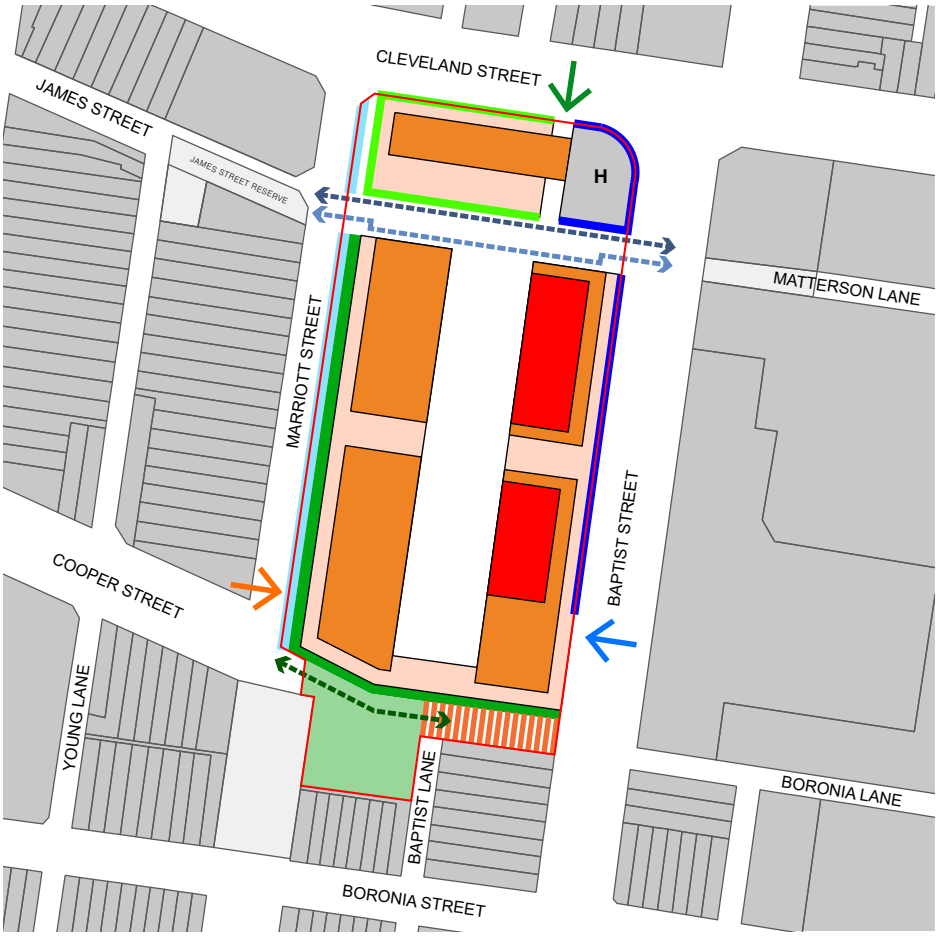
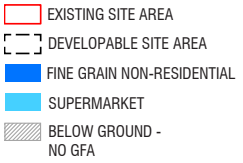


Figure 6.50
Land use plan - one level below street level



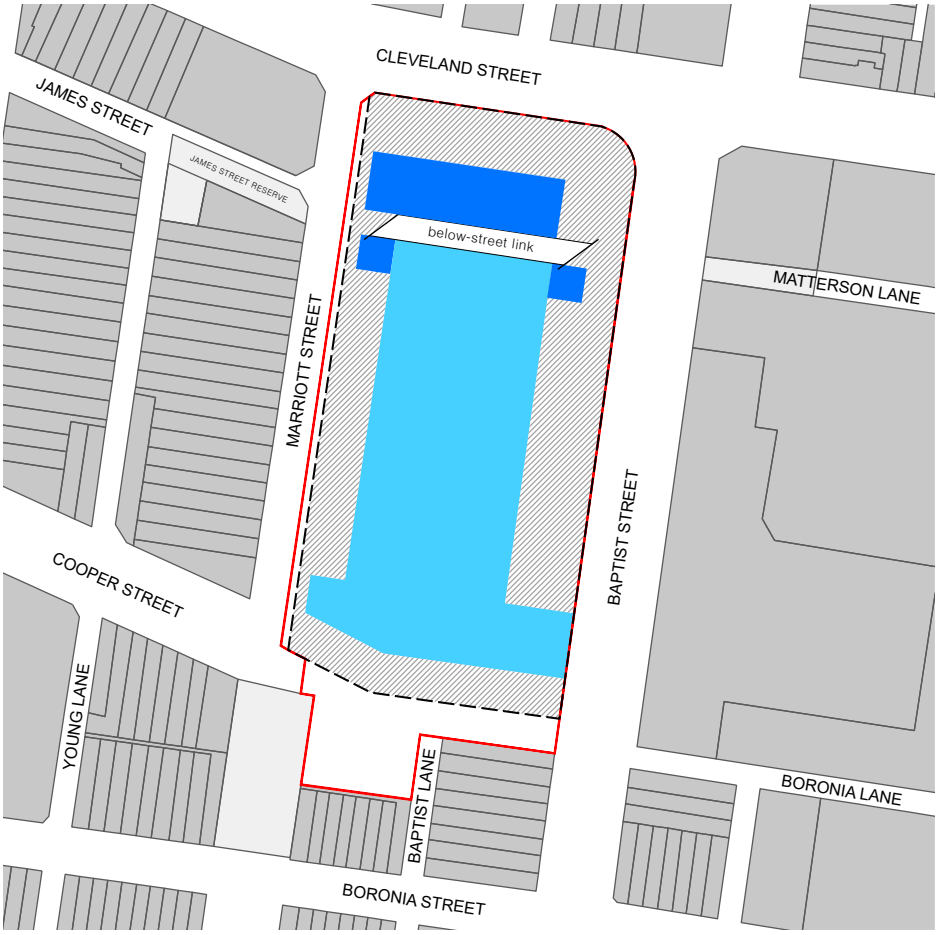


Figure 6.51
Land use plan - street level

EXISTING SITE AREA
DEVELOPABLE SITE AREA
RESIDENTIAL
FINE GRAIN NON-RESIDENTIAL
SUPERMARKET
BELOW GROUND - NO GFA

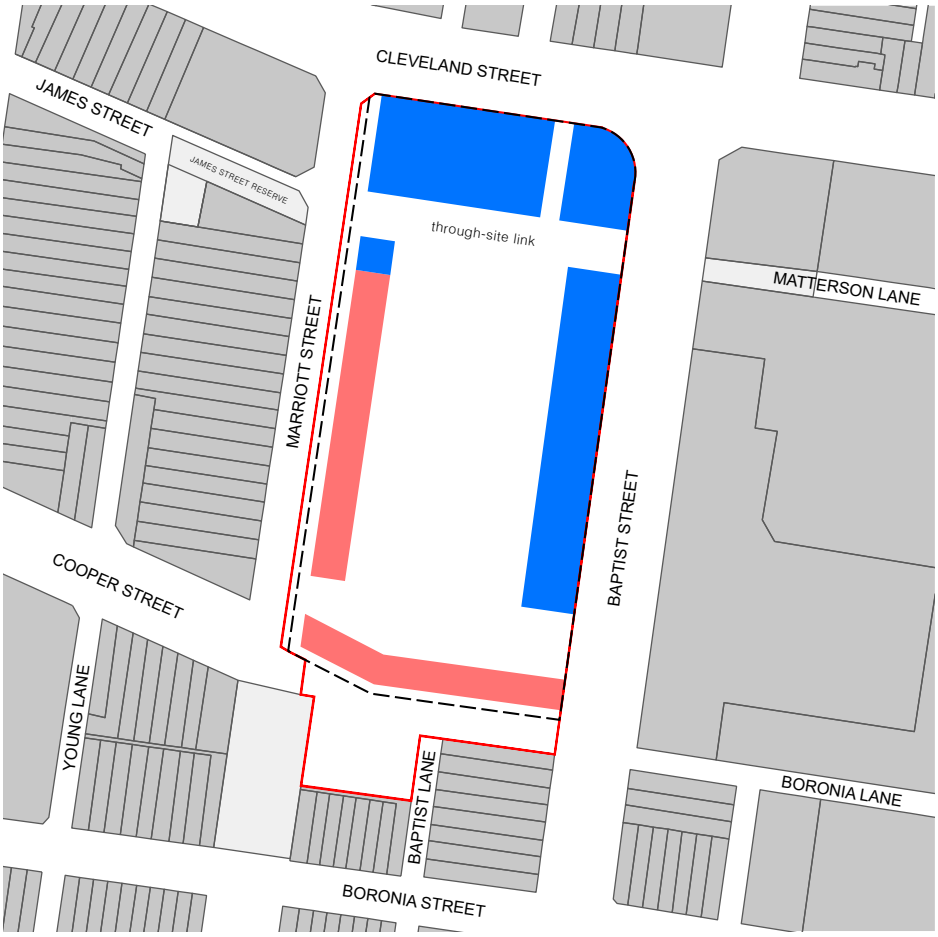


Figure 6.52
Land use plan - second storey

EXISTING SITE AREA
DEVELOPABLE SITE AREA
RESIDENTIAL
FINE GRAIN NON-RESIDENTIAL

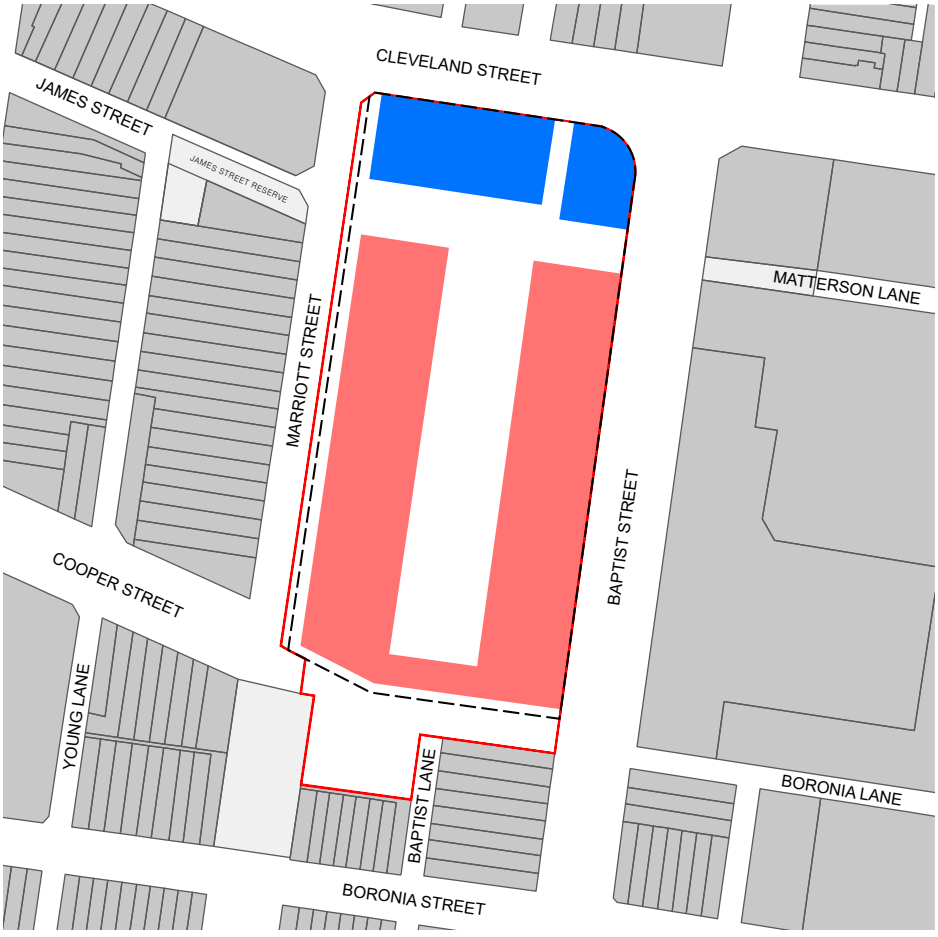
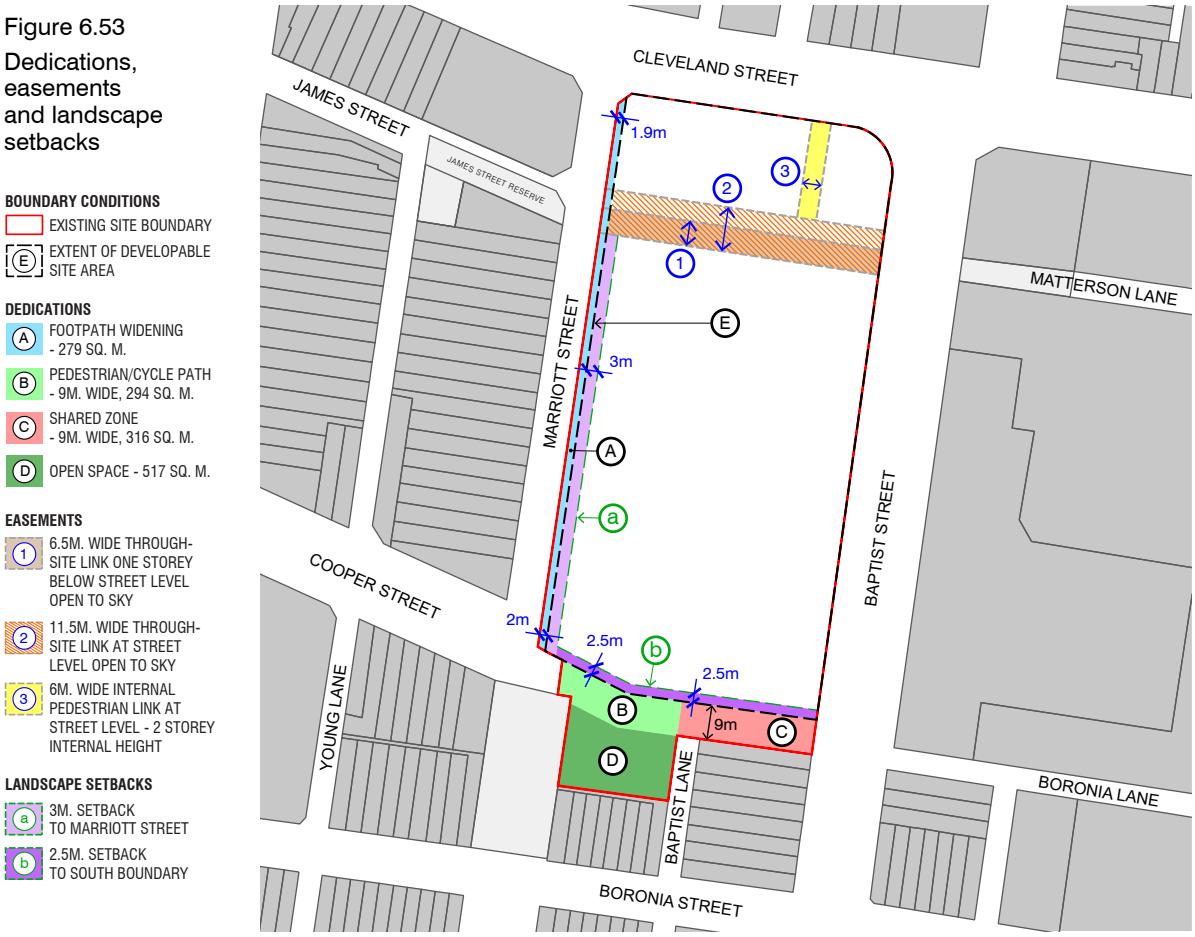


Figure 6.53
Dedications, easements and landscape setbacks



Built form:

(9) Provide building heights (storeys) in accordance with Figure 6.54 – Building heights (storeys), setbacks and sections.

(10) Design the building fronting Cleveland Street so no development occurs above the heritage building and the pedestrian connection has a two storey height from Cleveland Street to the through site link in accordance with Figure 6.57 – Cleveland Street elevation showing setbacks and street wall heights in storeys to Marriott Street.

(11) Works affecting the heritage item shall maximise the retention, reinstatement and exposure of significant building fabric and spaces.

(12) Provide building setbacks and street wall heights in accordance with:

(a) Figure 6.54 – Building heights (storeys), setbacks and sections;

(b) Figure 6.55 – Baptist Street setbacks and street wall height in storeys;

(c) Figure 6.56 – Cleveland Street setbacks and street wall height in storeys;

(d) Figure 6.57 – Cleveland Street elevation showing setbacks and street wall heights in storeys to Marriott Street;

(e) Figure 6.58 – Marriott Street setbacks and street wall height in storeys;

(f) Figure 6.59 – Southern laneway setbacks and street wall heights in storeys (looking east); and

(g) Figure 6.60 – Southern laneway setbacks and street wall heights in storeys (looking west).

(13) The residential part of the building fronting Cleveland Street should have a depth no greater than 12 metres to provide noise mitigation and natural ventilation.

(14) The depth of the building fronting Cleveland Street can be increased if:

(a) the whole building will be for non-residential uses; and

(b) no additional overshadowing to the through site link is experienced between 31 August and 14 April when compared to the single loaded residential envelope indicated in Figure 6.54 – Building heights (storeys), setbacks and sections; and

(c) a two storey street wall height to Cleveland Street is provided.

(15) Design lift overruns or any other services or plant equipment on the roof with a setback so they are not visible from the street.

(16) The uppermost two metres maximum permissible height under the LEP is to be to be for non-habitable purposes.

(17) Provide a three metre wide public footpath from the kerb to the development boundary along Marriott Street as shown on Figure 6.49 – Structure Plan and Figure 6.58 – Marriott Street setbacks and street wall heights in storeys.

(18) Basement car parking is not to encroach under any areas from the street kerb to the building facade.

(19) Conceal utilities and building services from public view, including all substations, plant rooms and equipment.

(20) Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.

(21) Provide green roofs on the roof tops with drought tolerant Australian native plants.

Figure 6.54
Building heights (storeys), setbacks and sections

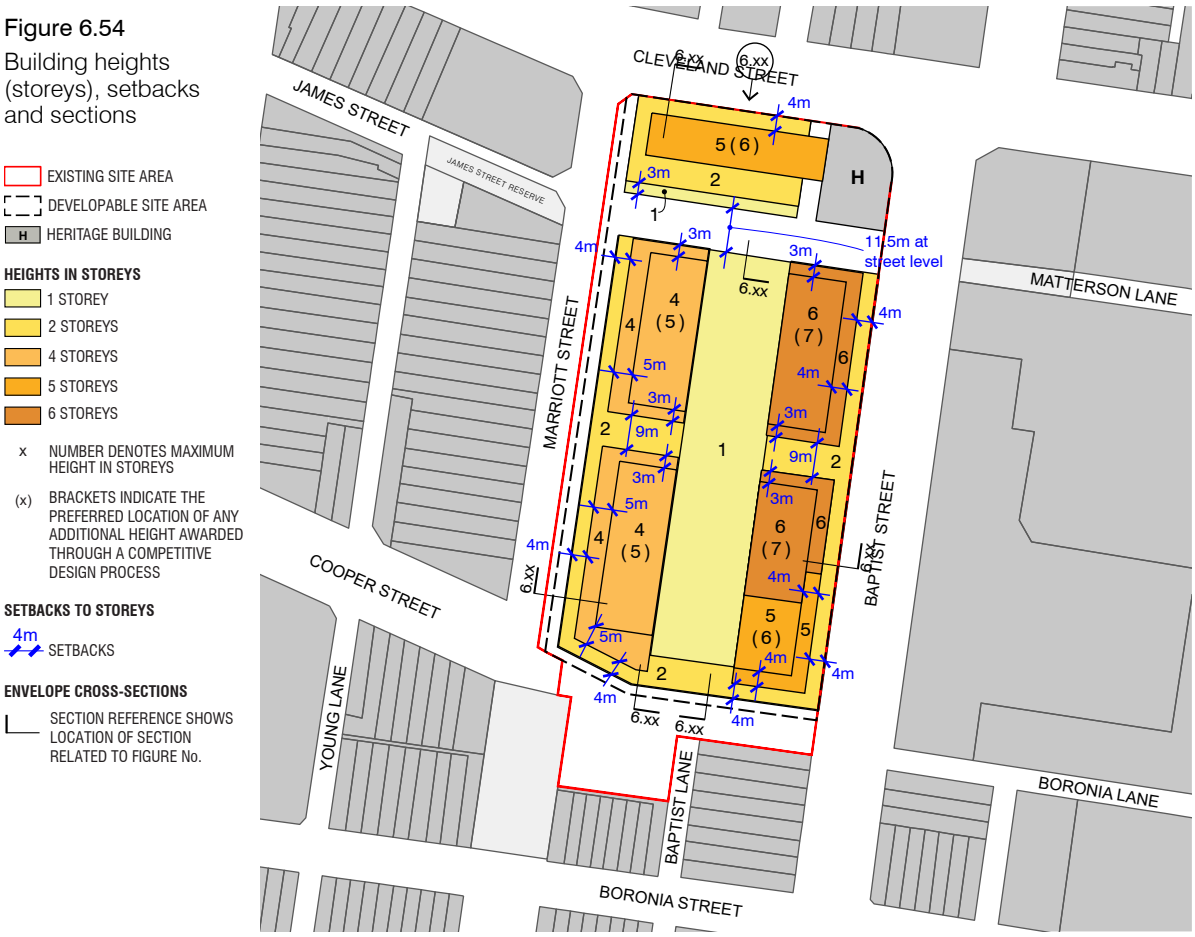


Figure 6.55
Baptist Street setbacks and street wall height in storeys

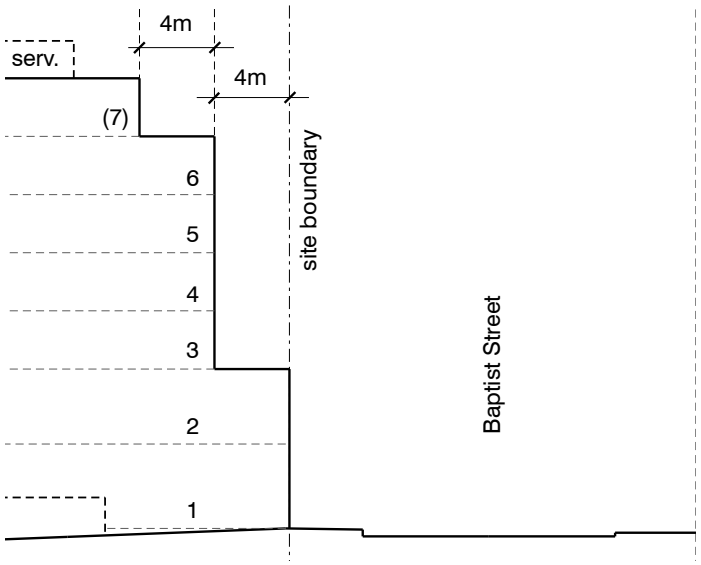


Figure 6.56
Cleveland Street setbacks and street wall heights in storeys

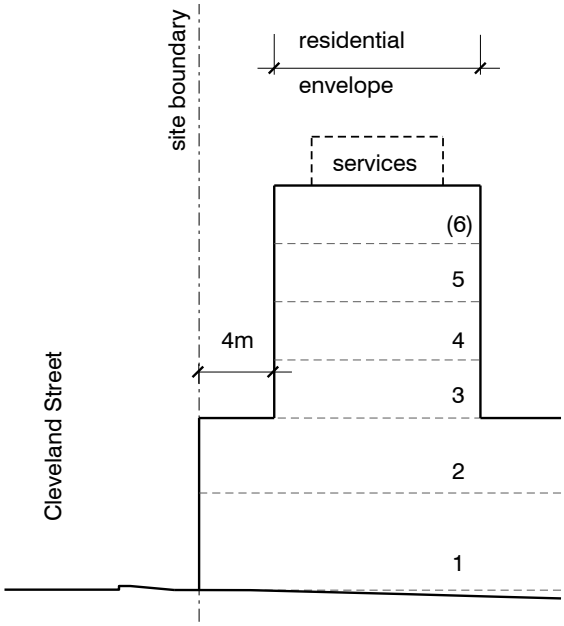


Figure 6.57
Cleveland Street elevation showing setbacks and street wall heights in storeys to Marriott Street

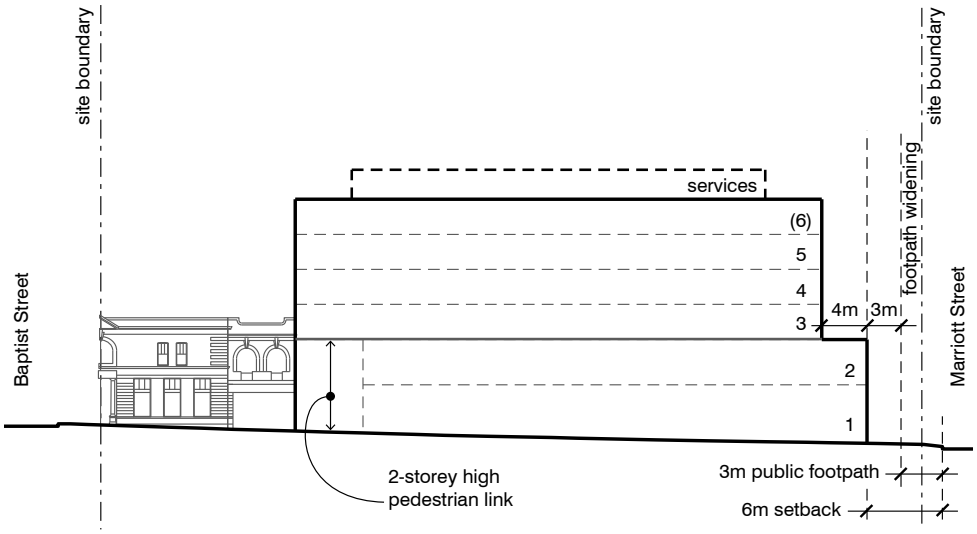


Figure 6.58
Marriott Street setbacks and street wall height in storeys

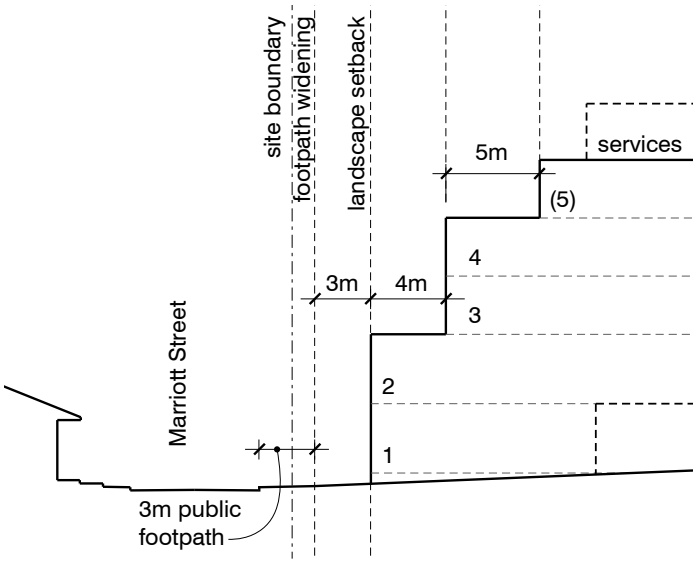


Figure 6.59
Southern laneway setbacks and street wall heights in storeys (looking east)

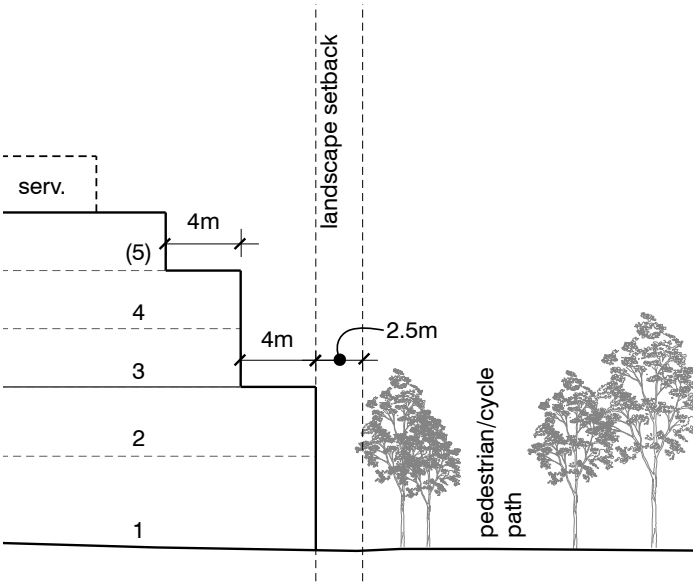
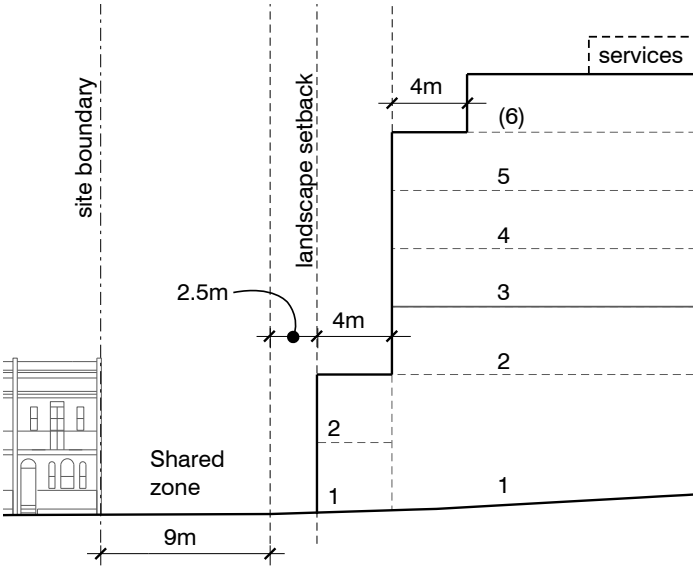


Figure 6.60
Southern laneway setbacks and street wall heights in storeys (looking west)



Through-site link:

Design the through-site link to ensure that:

(22) Design the through-site link to ensure:

(a) a minimum width of 11.5 metres at ground level that is open to the sky as shown in Figure 6.61 – Through site link cross-section;

(b) the level change between Marriott Street and Baptist Street along the through site link minimises the use of stairs;

(c) any stairway must be located at the western end, with a maximum height of 1.25 metres above the finished level of the footpath at the boundary;

(d) any stairway located at Marriott Street has a maximum riser of 160 millimetres and a going of 350-400 millimetres as shown in Figure 6.62 – Through site link long-section; and

(e) a maximum gradient of 1 in 20 for the length of the heritage item as shown in Figure 6.62 – Through site link long-section.

(23) Provide equitable access to the through-site link from Marriott Street, Baptist Street and Cleveland Street.

(24) Provide access to the through-site link from Cleveland Street which is located in accordance with Figure 6.53 – Dedications, easements and landscape setbacks.

(25) Align the through-site link with James Street and Matterson Lane and provide a visual connection between Baptist and Marriott Streets.

(26) Maximise solar access to the through-site link during key daytime periods, such as lunchtime.

Figure 6.61
Through site link - cross-section

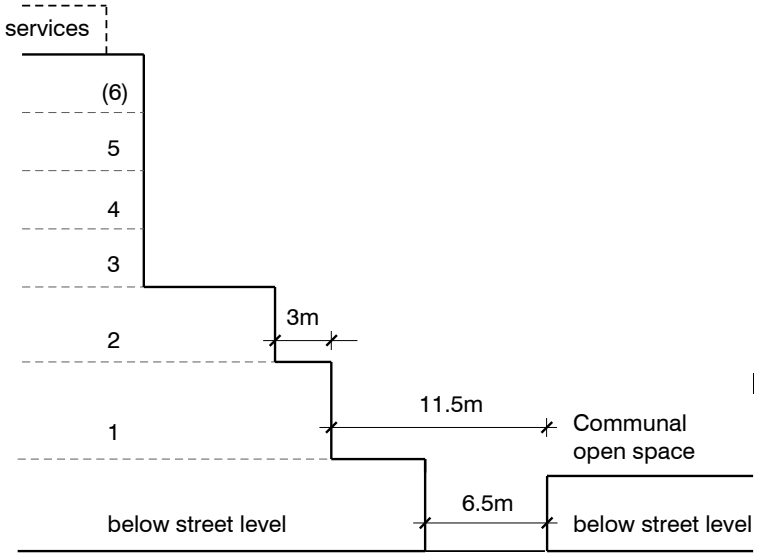
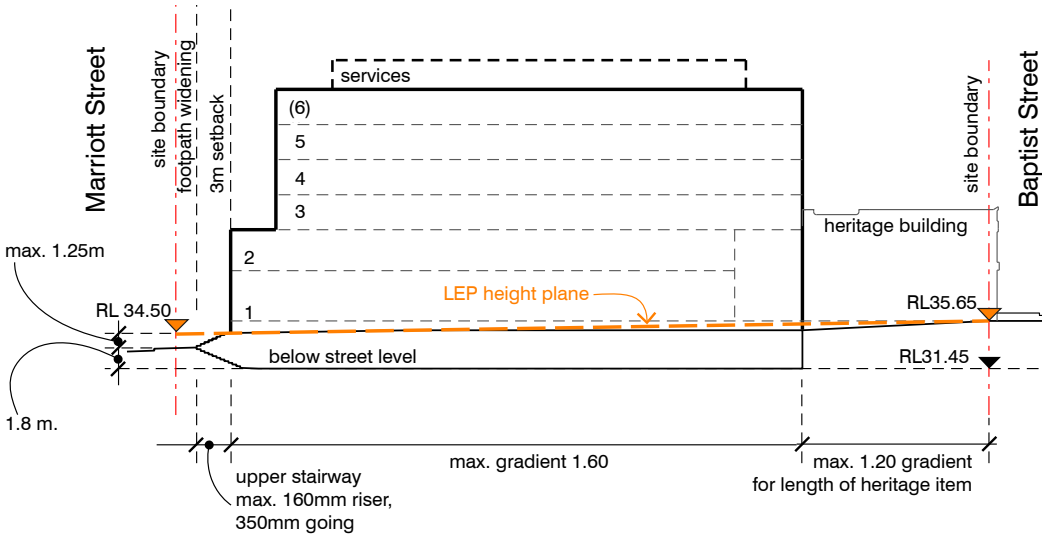


Figure 6.62
Through site link - long-section



Parking, vehicular access and servicing:

(27) The maximum number of car parking spaces for a building used for the purposes of retail premises is 1 space for each 44 square metres of gross floor area used for that purpose.

(28) Minimise the width of vehicle footpath crossovers along Baptist Street.

(29) Servicing vehicles for retail and commercial uses must not access the site from Cleveland Street, Marriott Street, Cooper Street, Baptist Lane or the shared zone.

(30) The location of vehicle access for non-residential car parking is to minimise impact on the local street network and residential amenity of areas to the west of the site.

Flooding and Stormwater:

(31) Flood planning levels are to be consistent with the City's Interim Floodplain Management Policy.

Noise:

(32) Prepare an Environmental Noise Impact Assessment by a suitably qualified acoustic consultant to the satisfaction of Council.

(33) Cumulative commercial noise associated with the development must not cause a noise level external to a relevant premise that exceeds:

(a) the relevant amenity levels in Table 2.1 of the *NSW Industrial Noise Policy (2000)* for proposed residential and other noise sensitive uses on the site; and

(b) the background noise level plus 3dB for residential and other noise sensitive uses surrounding the site.

(34) Cumulative entertainment noise must:

(a) comply with Table 6.1 Cumulative entertainment noise criteria for proposed residential and other noise sensitive uses on the site; and

(b) not exceed the background + 5dB noise level for residential and other noise sensitive uses surrounding the site.

(35) A variation to the entertainment noise limits in Table 1 may be considered to balance retail noise impacts and residential amenity where a master plan noise assessment satisfies Council and that:

(a) establishes evidence based day, evening and night cumulative internal (and private outdoor space, eg, balconies) noise level criteria for residences and noise sensitive commercial premises with windows and doors open and closed and are suitable for the urban characteristics of the precinct; and

(b) predicts day, evening and night equivalent average levels (and repeatable 1-hour noise levels) in addition to rating background noise levels at noise sensitive locations within and outside of the precinct. Future entertainment noise must not be dominant above ambient environmental noise levels with regard to the above; and

(c) translates the above internal criteria to day, evening and night external criteria which apply to individual retail tenancies; and

(d) ensures cumulative retail tenancy noise limits are not exceeded by establishing lower individual retail tenancy noise limits; and

(e) predicts noise levels for residences and retail tenancies based on assumed patron numbers, location of retail uses and typical noise generation for retail tenancies; and

(f) recommends fit for architectural and urban design features that mitigate noise; and

(g) demonstrates predicted noise levels from retail operations during busy and noise sensitive trading hours will comply with proposed criteria; and

(h) sets amplified noise limits for each retail tenancy and demonstrates how these noise levels will be maintained and not cause patrons to speak above music and exceed criteria; and

(i) considers any other relevant methodology consideration which becomes apparent to the City as part of generating this masterplan.

Table 6.1: Cumulative entertainment noise criteria

Type of entertainment noise	Morning Shoulder Period (6am to 7am)	Day and Evening Period (7am to 10pm)	Night Shoulder Period (10pm to Midnight)	Overnight Period (Midnight to 6am)
Cumulative conversational discourse noise[1] measured adjacent to residential facade	$L_{Aeq\ 15\ minute}$ 35 dB(A)	$L_{Aeq\ 15\ minute}$ 45 dB(A)	$L_{Aeq\ 15\ minute}$ 35 dB(A)	Inaudible
Cumulative conservational discourse noise[1] measured indoors (residential) with doors and windows closed	$L_{Aeq\ 15\ minute}$ 20 dB(A)	$L_{Aeq\ 15\ minute}$ 30 dB(A)	$L_{Aeq\ 15\ minute}$ 20 dB(A)	Inaudible
Cumulative music noise[2] measured adjacent to residential facade	Inaudible	$L_{Aeq\ 15\ minute}$ 35 dB(A)	$L_{Aeq\ 15\ minute}$ 25 dB(A) $L_{Aeq\ 15\ minute}$ 35 dB(A)	Inaudible
Cumulative music noise[2] measured indoors (residential) with doors and windows closed	Inaudible	Refer to Table 6.2	Inaudible	Inaudible

[1] Conservational discourse noise means noise generated by people associated with any activity in a commercial, business or retail premise on the site.

[2] Music noise means music that is amplified or otherwise being played within or associated with any commercial, business or retail premise on the site.

Table 6.2: Cumulative music noise measured indoors (residential) between 7am to 10pm

1/1 Octave Band Centre Frequencies									BB
31.5	63	125	250	500	1k	2k	4k	8k	
L_{Zeq} 15 minute music noise levels									
65	43	27	16	9	5	6	6	4	65
L_{Aeq} 15 minute music noise levels									
24	16	11	8	6	5	7	7	3	25

Design excellence:

(36) The competitive design process is to be undertaken in accordance with Division 4 of Sydney LEP 2012 and is to apply to the entire site. The competitive design process is to comprise an invited competitive design alternatives process involving no less than four invited competitors ranging from emerging, emerged and established architectural practices.

(37) The selection process is to comprise a total of four members. The proponent is to nominate two panel members and the City of Sydney is to nominate two panel members.

(38) Any additional building height that results from a competitive design process is to be accommodated in accordance with Figure 6.54 – Building heights (storeys), setbacks and sections and Figures 6.63 to 6.65.

(39) No additional floor space under Clause 6.21D(3)(b)(i) of Sydney LEP 2012 is to be awarded as a result of a competitive design process.

(40) For a development to achieve design excellence under Division 4 of the LEP and be awarded additional height as a result of a competitive process it is to achieve the following ecologically sustainable development outcomes:

(a) BASIX energy score that exceeds the state mandated minimum target by 5 points;

(b) BASIX water score that exceeds the state mandated minimum target by 5 points;

(c) Provide 4 star Green Star for the supermarket fit out by maximising greenhouse gas emission credits;

(d) Exceed design for National Construction Code Section J for all other retail and commercial uses.

(41) A report prepared by a suitably qualified sustainability professional is to be submitted with the development application identifying the design and operational measures to be implemented in order to achieve the sustainability outcomes in clause 40.

Figure 6.63
Maximum building height under existing controls, proposed controls and with design excellence – Cleveland Street frontage

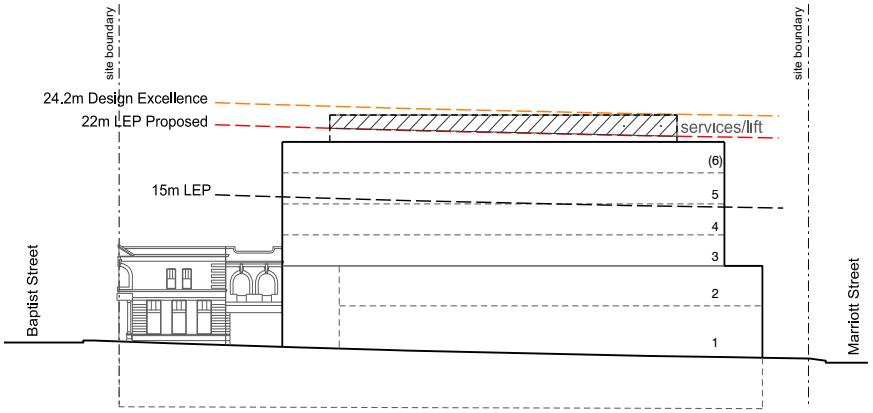


Figure 6.64
Maximum building height under existing controls, proposed controls and with design excellence – Baptist Street frontage

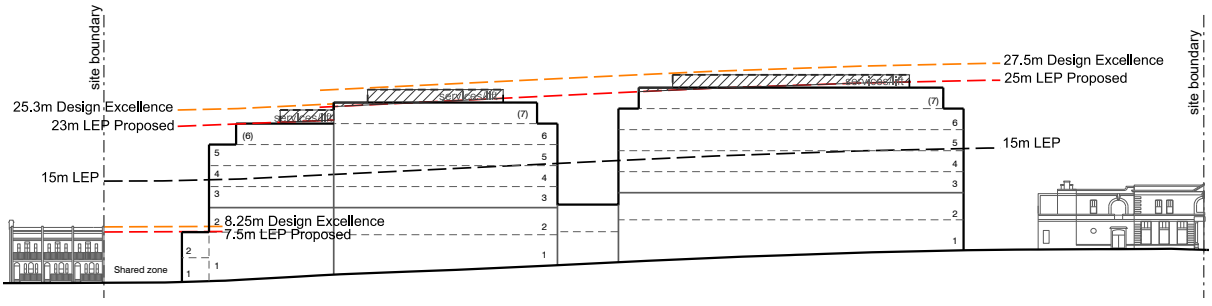
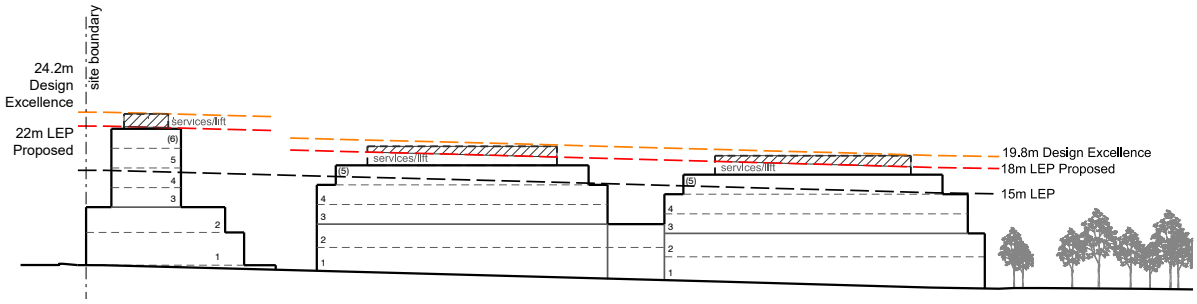


Figure 6.65
Maximum building height under existing controls, proposed controls and with design excellence – Marriott Street frontage



6.2.9 164-172 and 174-194 William Street, Bayswater Car Rental, Woolloomooloo

The following objectives and provisions apply to the Bayswater Car Rental site, 164-172 and 174-194 William Street, Woolloomooloo (being Lot 52 DP 1049805 and Lot 1 DP 816050) as shown in Figure 6.1 *Specific sites map*.

William Street is a significant street within the City of Sydney. The streetscape improvements with the construction of the Cross City Tunnel have made a vision for the street as a grand boulevard possible. Several potential redevelopment sites along William Street should reinforce the boulevard vision and define its street edge and built form, including the Bayswater Car Rental site. Existing buildings on this site are 12 to 15m high in the form of large shed-like structures with little architectural merit. Any redevelopment of the site should improve the northern side of William Street by continuing the proposed street wall and providing opportunities for more active uses.

Objective

(a) Activate the William Street streetscape.

(b) Improve the existing vehicular access into and surrounding the site.

(c) Set building heights and frontage alignments to respect the local context.

Provisions

(1) Build to the street alignment and continue the strong street edge to the northern side of William Street.

(2) Provide footpath awnings for active retail/commercial ground floor with frontage to William Street.

(3) Incorporate an active frontage without a footpath awning to Forbes Street to integrate with the Woolloomooloo neighbourhood centre located to the north.

(4) Step down heights for buildings away from William Street to provide a height transition between the 8 storey commercial buildings along William Street and 3 storey scale of residential buildings in Woolloomooloo to the north.

(5) Locate main pedestrian entries on William Street, Forbes Street and Dowling Street.

(6) Introduce a new lane with a minimum width of 7m to connect Dowling and Forbes Streets and to enhance east-west permeability of the area.

(7) Maintain pedestrian priority to the William Street active frontage by locating vehicle site entry points on secondary streets and lanes.

(8) Respect adjacent low-scale residential buildings on Dowling and Forbes Streets with a 3 storey street frontage height control for both streets.

(9) Introduce a 2m minimum landscaped setback from the new lane to facilitate transition to ground floor residential uses. Ensure significant areas of landscaped open space at ground level are incorporated into the development with a minimum of 20% of site area as consolidated open space and overall landscaped area comprising 30% of site area.

Figure 6.66
Indicative design of Bayswater Car Rental Site

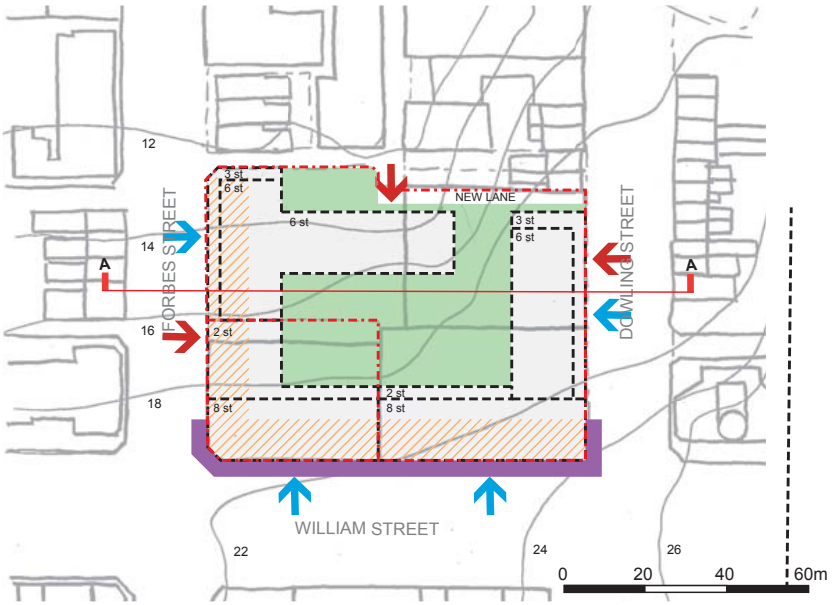
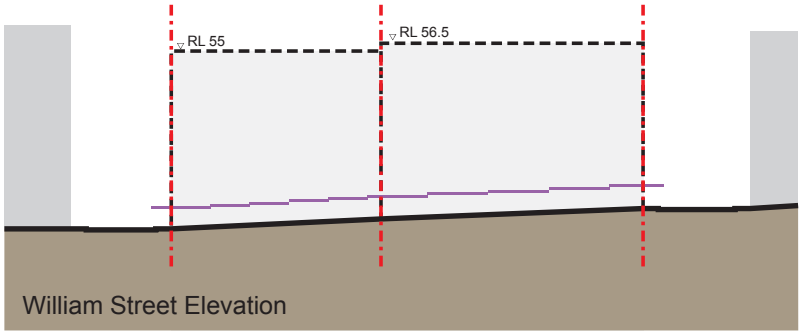
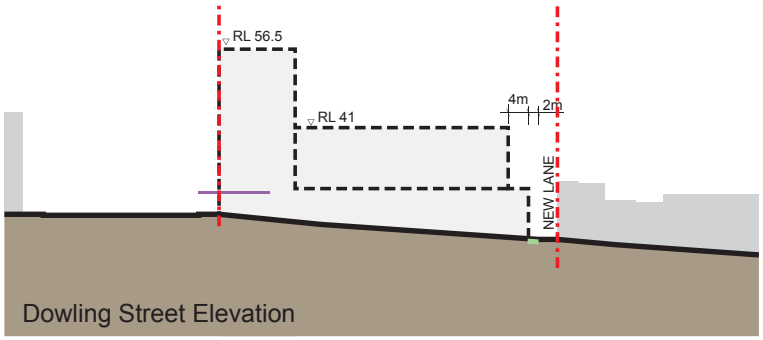
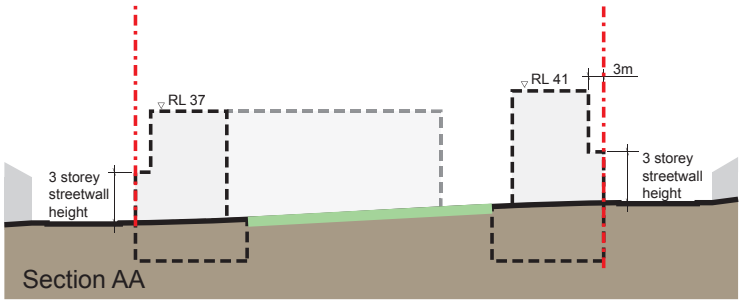


Figure 6.67
Bayswater Car Rental Site Sections







6.2.10 219-241 Cleveland Street (Australia Post site)

219-241 Cleveland Street, Redfern is located to the south of Prince Alfred Park.

The following objectives and provisions apply to 219-241 Cleveland Street, Redfern as shown in Figure 6.1 Specific sites map. The Australia Post Building is curently located on the site. The site is located to the south of Prince Alfred Park.

Objectives

(a) Development is to respond to development in the immedaite context.

(b) Introduce a public gathering space at the intersection of proposed streets.

(c) Introduce new streets that align with the existing street pattern.

(d) Ensure the location of new streets align with the existing street pattern.

Provisions

6.2.10.1 New streets

(1) Introduce a north-south street with feature planting that is aligned with the street to the south.

(2) Introduce an east-west 5m lane that responds to, and aligns with the existing street pattern.

(3) Introduce a shared zone along the southern boundary with a landscaped verge.

6.2.10.2 Public open space

(1) Introduce a public open space located at the intersection of proposed streets.

(2) Retain the view corridor along the southern boundary.

6.2.10.3 Building height

(1) Building heights must not exceed the maximum height in storeys as shown in Figure 6.68.

(2) Introduce higher built form (6 storeys) at the centre of the site and along Cleveland Street.

(3) A building height of 4 storeys is encouraged along Cleveland Street, Chalmers Street and the proposed shared zone to the south.

6.2.10.4 Street wall height in storeys

(1) Introduce a street wall height of 3 storeys along Chalmers and Pitt Streets to provide an appropriate transition to adjacent low scale development.

(2) Built form on Cleveland and Chalmers streets is to step down to 3 storeys to transition to adjacent low scale development.

6.2.10.5 Building setbacks

(1) Introduce zero lot setbacks for development on the corner of Cleveland and Chalmers Street.

(2) Introduce a 3m landscaped setback along Chalmers and Pitt Streets.

6.2.10.6 Views

(1) Retain the view corridor along the southern boundary of the development.

Figure 6.68
Site Specific controls
219-241 Cleveland Street, Surry Hills



6.2.11 97-101 Pyrmont Bridge Road, Pyrmont

The following objectives and provisions apply to 97-101 Pyrmont Bridge Road as shown in Figure 6.1 Specific Sites map.

Objectives

(a) Encourage mixed use development on the site that responds to the residential uses of Wattle Crescent and predominant commercial uses and along Pyrmont Bridge Road.

(b) Encourage commercial uses on the ground floor.

(c) Encourage separation between any future residential uses on the site and busy traffic along Pyrmont Bridge Road.

Provisions

6.2.11.1 Building height in storeys

(1) Development on the site is not to exceed a maximum building height of 6 storeys.

6.2.11.2 Setbacks

(1) Introduce a 0m setback for residential development along Wattle Street.

(2) Ground floor uses along Wattle Crescent and Pyrmont Bridge Road should be setback 0m.

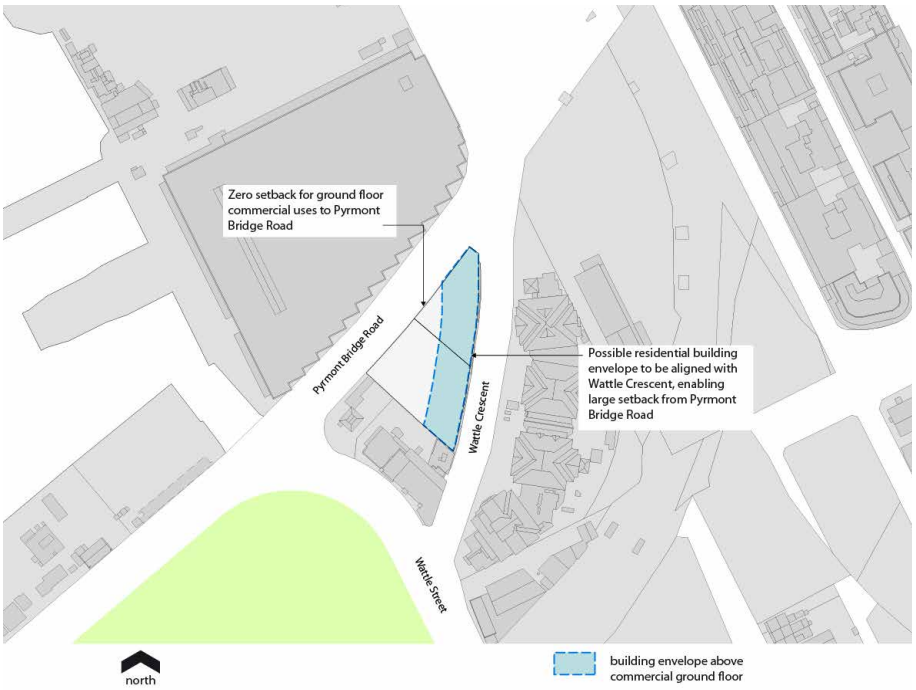
(3) Ensure residential uses are set back from Pyrmont Bridge Road as far as possible to reduce the impact of traffic noise.

6.2.11.3 Building design and uses

(1) Building envelopes are to refer to the site principles shown in Figure 6.69.

(2) Encourage commercial or light industrial uses with high floor to ceiling heights on the ground floor with 5 storeys of residential uses above.

Figure 6.69
Site principles for 97-101 Pyrmont Bridge Road, Pyrmont



6.2.12 Darlinghurst Road, Potts Point

The following objectives and provisions apply to the extent of Darlinghurst Road, Potts Point, as shown in Figure 6.1.

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

Objectives

(a) Ensure development achieves the objectives of the B2 Local Centre zone and contributes to the role of Darlinghurst Road and environs as a local centre by.

(i) providing a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area; and

(ii) including appropriate residential uses so as to support the economic and business vitality of the high street and local centre and ensure development takes place within the height and floor space ratio development standards set by Sydney LEP 2012.

(b) Ensure that new development maintains the diverse and active street frontages that contribute to the vibrancy, diversity and function of the high street and local centre.

(c) Ensure that new development fits in with the existing fine-grain pattern of Darlinghurst Road, surrounding streets and laneways and reflects the historical subdivision pattern.

(d) Ensure new development responds to and contributes to heritage and contributory items and conserves their significance and the significance of the conservation area.

(e) Ensure new development reinforces the architectural character of and is compatible with the existing built form of Darlinghurst Road, and respects heritage items and contributory buildings at 18-32A Darlinghurst Road and in the immediate context of the site through:

(i) Appropriate scale, massing, and modulation that respects the existing built fabric of the high street;

(ii) Defining maximum building envelopes for future development at 18-32A Darlinghurst Road to deliver a high quality built form that ensures an appropriate level of amenity within the site and to surrounding properties;

(iii) Facade articulation, materials, and architectural detailing that contribute and respond to the highest quality heritage and contributory buildings in the surrounding context.

(f) Provide publicly accessible open space to complement the public domain and enhance amenity.

(g) Ensure the architectural character of development at 18-32A Darlinghurst Road is compatible with original fabric retained on the site and responds to the existing development at Kingsley Hall at 1A Elizabeth Bay Road, the Lowestoft at 18-20 Darlinghurst Road, the facade of The Bourbon at 22-24 Darlinghurst Road, and the Commodore at 30-30B Darlinghurst Road.

(h) Establish a design excellence strategy for a competitive design process in accordance with Sydney LEP 2012 and the City of Sydney Competitive Design Policy.

Provisions – Darlinghurst Road

The following provisions apply to the land identified in red in Figure 6.70 below.



Figure 6.70
Precinct boundary of Darlinghurst Road high street shown as red dotted line, boundary of site specific controls to 18-32A Darlinghurst Road shown blue dotted line

6.2.12.1 Land use

The area surrounding Kings Cross has a very high residential amenity and density. The local centre at Darlinghurst Road and its retail, commercial and business uses play an important role in supporting the existing significant population, including regional visitors. New development must provide floor space appropriate for business and services that support this population.

(1) Residential accommodation and serviced apartments are not to be located at ground and first floor levels, except for entrances, lobbies and service facilities.

(2) A minimum of 50% of the total gross floor area for each development in the B2 zone must be for uses other than residential accommodation or serviced apartments for all development where a significant addition of floor space, a substantial change in the building envelope or a substantial change in land use is proposed.

(3) The proportion of residential accommodation may exceed 50% if development achieves full compliance with the Apartment Design Guide design criteria relating to solar access, cross-ventilation and visual and acoustic privacy requirements, and all other provisions in this section of the DCP.

Note: Where the combined proportion of residential accommodation and tourist and visitor accommodation uses exceed 50% of the total gross floor area of a site (either existing or proposed), compliance with setbacks, modulation and overshadowing may not be possible.

Where a site with over 50% existing residential floor space is redeveloped, the site may retain its existing quantum of residential floor space provided the development complies with the provisions above.

Clause (3) should not be read to imply that all design criteria and objectives of the ADG are not required to be achieved and addressed.

6.2.12.2 Urban grain and active street frontages

(1) New development including the building frontage above the street wall is to reflect the existing pattern of building arrangement and subdivision of Darlinghurst Road.

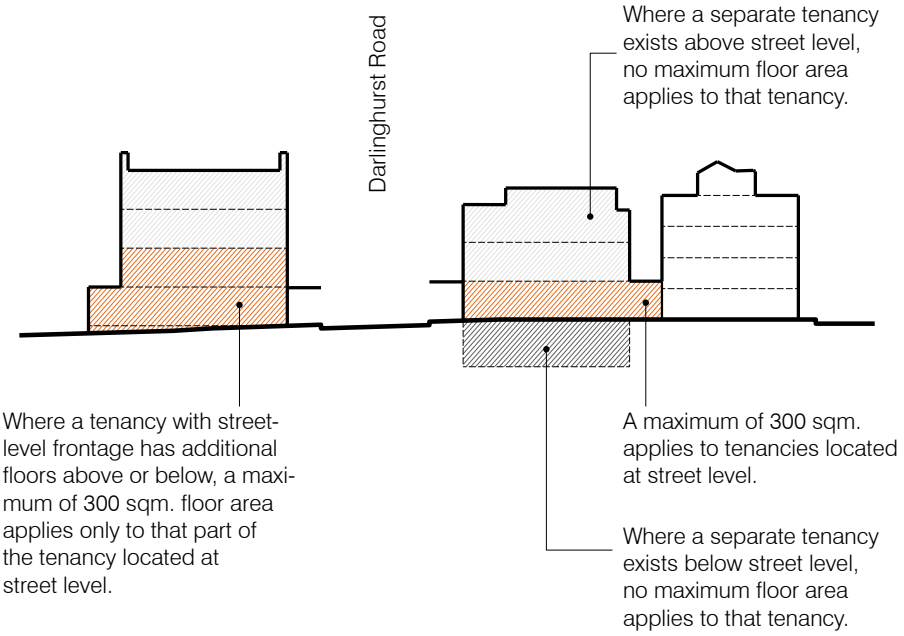
(2) An entry to upper levels and vertical circulation core is to be provided for each existing building regardless of any amalgamation of lots.

(3) Each building on Darlinghurst Road is to have an individually distinctive architectural language, expression of floor levels and fine grain tenancies.

(4) The maximum average width of street level tenancies is to be 5m. The maximum width of any one tenancy at the street frontage is 8m. Longer tenancy widths at the street frontage may be considered where they reflect existing tenancies in heritage items and contributory buildings.

(5) A tenancy or part of a tenancy at street level is to have a maximum floor area of 300sqm at that level. The restriction does not apply to tenancies on other levels. Larger tenancies may be considered where they reflect existing tenancies in heritage items and contributory buildings.

Figure 6.71
Maximum tenancy size



(6) Each ground floor tenancy is to have its own entry from Darlinghurst Road or side street.

(7) Self-contained lower ground or basement tenancies are to have separate and direct street access.

(8) Ground level tenancies and foyers are to support an active street edge with a maximum of 25% solid wall to the facade area and 75% glazing or opening with visibility into the spaces within.

(9) Ground level tenancies are to have at least 35% of their area at the level of the footpath.

6.2.12.3 Architectural character, articulation and materials

(1) Building facades should be characterised by vertical proportions over the full height of the building.

(2) Facade elements and window openings above ground floor level are to be vertically proportioned.

(3) Window openings above any existing or required awning are be limited to between 20 and 40% of the facade wall area.

(4) Materials and architectural detail is to be at least equal in quality to the highest quality found in neighbouring contributory buildings and should include materials and design detailing used in surrounding buildings, such as face brickwork, decorative stringer lines, bonds, rendered/painted banding and other compatible masonry work. This is to be demonstrated through a comparative analysis of an existing building elevation and the proposed development, documented with 1:50 elevations and 1:10 details.

(5) Parapets are to be articulated.

(6) All plant and other mechanical equipment is to be fully architecturally integrated in the building roof form.

6.2.12.4 Awnings

(1) All residential entry foyers may have an awning.

(2) Contributory buildings must maintain or reinstate contributory awnings.

(3) Where an awning is not compatible with the heritage significance of a contributory building, the existing awning should be removed, and new awnings should not be constructed, with the exception of (1) above.

(4) Generally, footpath awnings are to be provided for new development on Darlinghurst Road.

6.2.12.5 Public domain

(1) Sites adjoining public spaces such as Fitzroy Gardens, Llankelly Place, Springfield Avenue, Roslyn Street and the corner of Bayswater Road and Darlinghurst Road should provide active land uses at ground floor (such as food and drink premises) that contribute to the activity of the public domain.

6.2.12.6 Amenity of residential development

(1) Where the construction of balconies is limited by heritage and adaptive reuse constraints or significant noise impacts, juliet balconies or bay windows may be appropriate, subject to the provision of other amenity benefits.

(2) Balconies should not project from the facade. Balconies or loggias must be recessed and have solid balustrades of the same materiality as the facade construction.

6.2.12.7 Access

(1) Vehicular access, building services and the like are to be consolidated to minimise impact on public places.

(2) Vehicular access is not permitted in any location subject to an active frontage control as shown on the Active Frontages Map.

Note: Section 3.2.3 Active Frontages applies to development on Darlinghurst Road.

Provisions – 18-32A Darlinghurst Road

The following provisions apply to the land identified in blue in Figure 6.70 and detailed in Figure 6.72.

Figure 6.72
Site plan showing street addresses and building names of the component lots



6.2.12.8 Heritage conservation

(1) New development is to respect the Inter War art deco character of Kingsley Hall at 1A Elizabeth Bay Road through height, scale, materials and detail.

(2) The facade of 18-20 Darlinghurst Road (The Lowestoft) is to be conserved. The level immediately above the existing parapet is to be setback by 3m. The remaining new development above may be built to street alignment, as shown in Figure 6.73.

Figure 6.73
First level setback requirement for 18-20 Darlinghurst Road

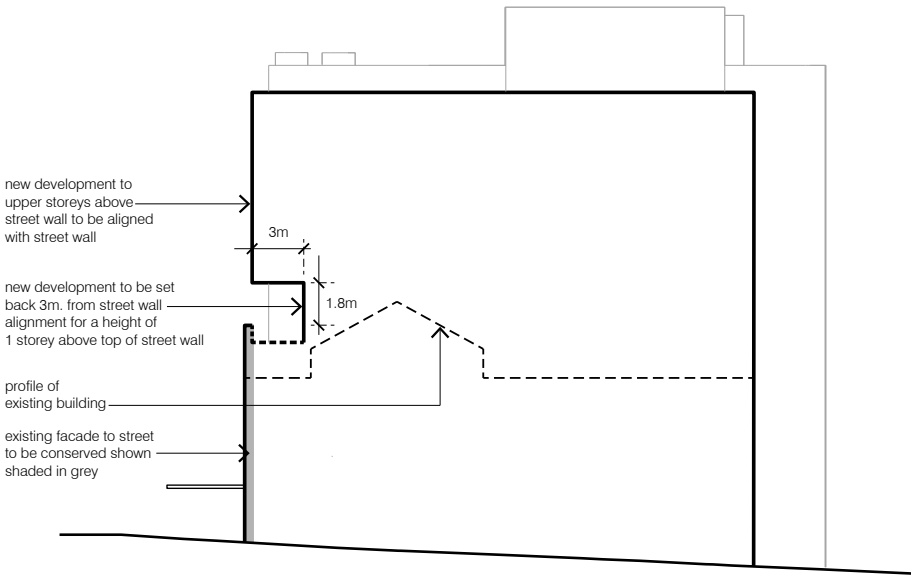


Figure 6.74
Ground level plan of the Bourbon showing the extent of existing facade and internal fabric to floors and walls to be retained in dotted black outline, shaded in red



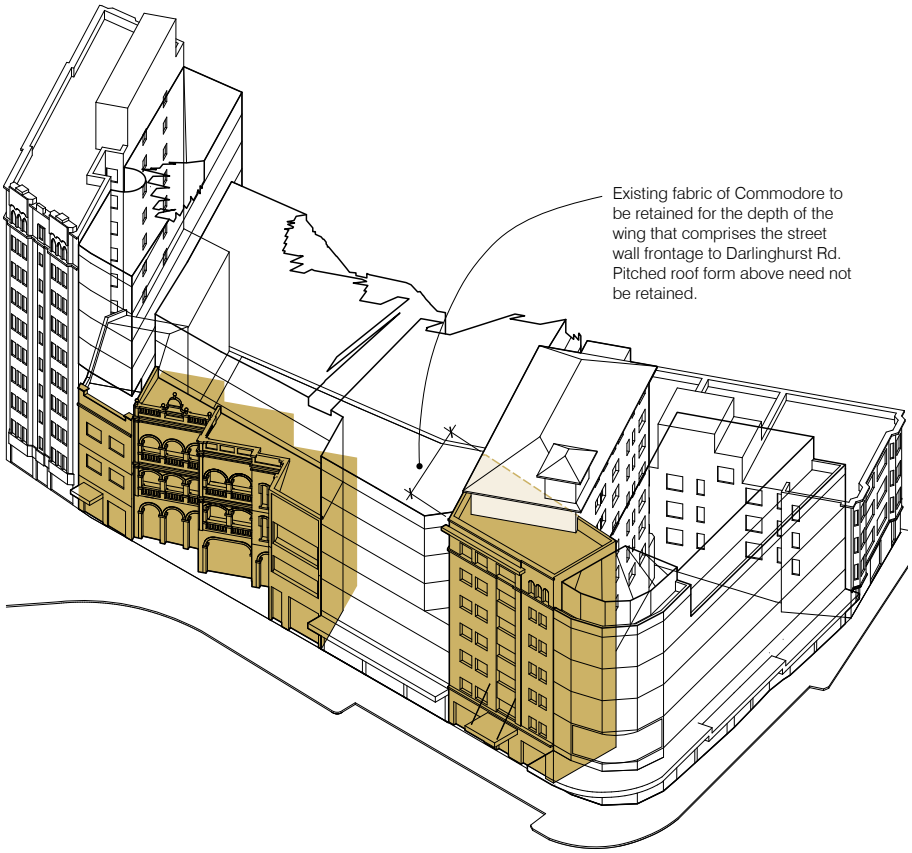
(3) New development at 22-28 Darlinghurst Road (The Bourbon) is to conserve the existing facade to the depth shown in Figure 6.74. The ground floor additions at Darlinghurst Road are to be removed. The space is to be designed as an extension of the footpath.

(4) The form, external fabric and floor levels of 30-30B Darlinghurst Road (The Commodore) are to be conserved for the depth of the wing that comprises the street wall frontage to Darlinghurst Road (approximately 8.7m), as shown in Figure 6.75. Any demolition and rebuilding of the hipped roof form of The Commodore must interpret the existing built form.

(5) The Empire Hotel at 32-32A Darlinghurst Road may be demolished and the site redeveloped. Any new building is to interpret the social and historical significance of the site as the original Les Girls venue through an architectural interpretation of the building between 1962-1980s, including the curved corner form, floor and parapet levels, ground level awning, the first and second floor balconies and the corner sign reading "Les Girls".

(6) To reflect the historical and social significance of The Empire Hotel at 32-32A Darlinghurst Road the ground level and first floor should have commercial food and drink or entertainment uses.

Figure 6.75
Axonometric illustration of heritage and contributory fabric to be retained



6.2.12.9 Built form and setbacks

(1) Development must not exceed the maximum building envelopes described by 'Figure 6.76: Building heights and setbacks plan'.

(2) The envelopes described by Figure 6.76 is the maximum permissible extent of the built form and the final building designs must be appropriately massed within the envelope.

Note: The maximum number of storeys noted in Figure 6.76 includes all mezzanine and attic levels.

(3) Setbacks above the street wall height should be provided in accordance with 'Figure 6.76: Building heights and setbacks plan.'

(4) The objectives of the setbacks described in Figure 6.76: Building heights and setbacks plan are to ensure development:

(a) has a strongly varied massing;

(b) reflects the historic subdivision pattern;

(c) does not increase overshadowing to surrounding residential properties;

(d) minimises overshadowing to Roslyn Street;

(e) creates a positive but subserviant relationship between new additional form and heritage and contributory buildings; and

(f) provides an open and publicly accessible area in front of the Bourbon and a new public space on Barncleuth Lane.

In spite of Clause (1), where development achieves these objectives better than the arrangement shown in Figure 6.76, variations to the prescribed setbacks may be considered.

Figure 6.76
Building heights and setbacks plan (maximum heights noted in storeys)

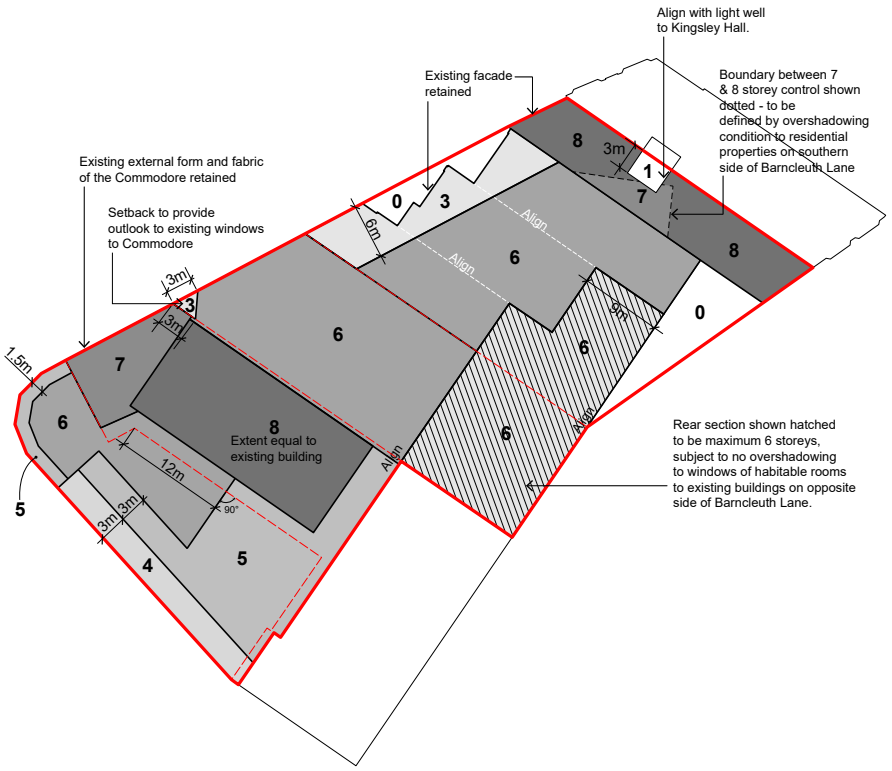
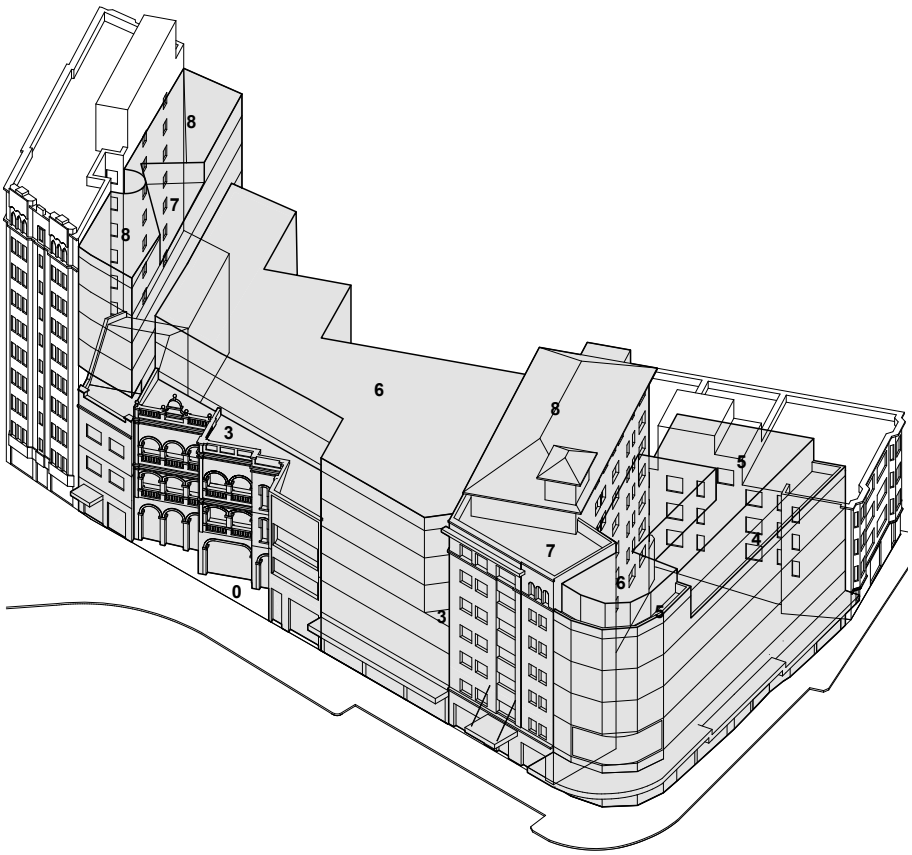


Figure 6.77
Indicative axonometric of the building heights and setbacks plan (viewed from the west)

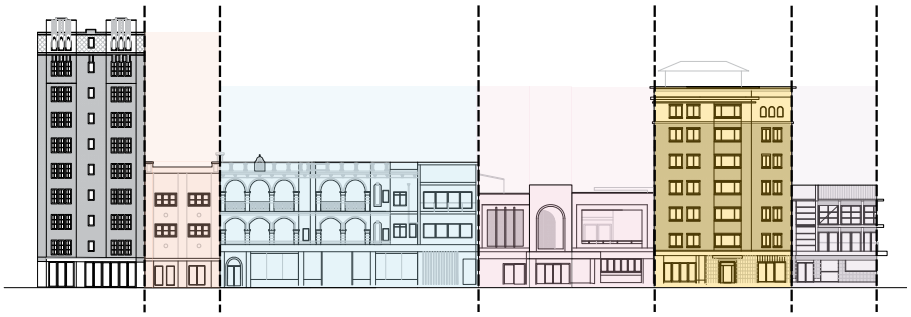


6.2.12.10 Urban grain

(1) Development at 18-32A Darlinghurst Road is to be designed as five distinct buildings as shown in Figures 6.78 & 6.79, each of which must be able to be distinguished by its distinct architectural language, expression of floor levels and fine grain tenancies. Figure 6.79 shows an alternative arrangement for architectural expression that alludes to the historical development patterns of nos. 18 and 20 Darlinghurst Road.

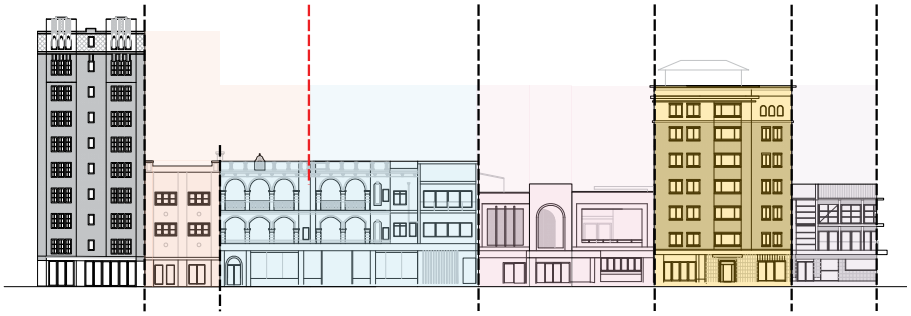
(2) Each of the five buildings is to have multiple ground level tenancies and an entry foyer for upper level tenancies as shown in Figure 6.80. There must be at least 9 ground level tenancy entries and 4 entry foyers to upper levels fronting onto Darlinghurst Road. Street activation along Roslyn Street and Barncleuth Lane is to be consistent with that shown in Figure 6.80.

Figure 6.78
Streetscape massing showing scheme for distinct articulation to building facades.



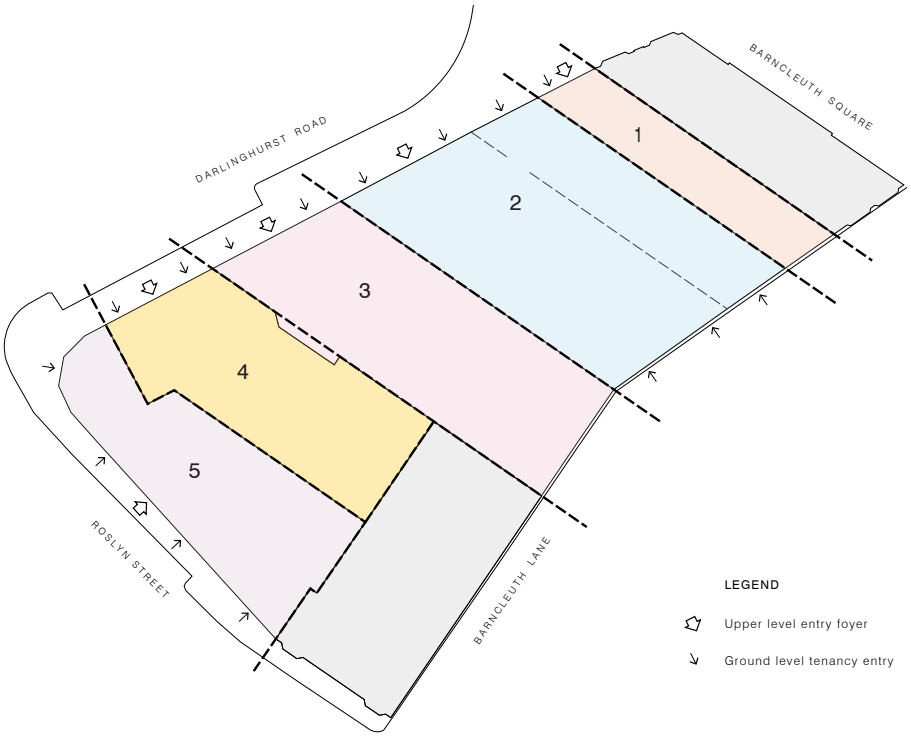
Note: with regard to architectural expression, this scheme shows new development above existing street wall responds to existing fabric immediately below

Figure 6.79
Streetscape massing showing alternative scheme for articulation to building facades.



Note: with regard to architectural expression and core arrangement, this scheme shows new development above existing fabric to 20 Darlinghurst Road may relate to 18 Darlinghurst Road

Figure 6.80
The block is to be composed of 5 distinct buildings, each with their own street-level entry, core, architectural language and expression



6.2.12.11 Architectural character and articulation

(1) The width of the structural bays for new upper level development at the Lowestoft at 18-20 Darlinghurst Road and the Bourbon at 22-24 Darlinghurst Road are to follow the width of the structural bays of the original facade fabric on lower levels.

(2) New development at the Radnor (shown as 3 in Figure 6.80) at 26-28 Darlinghurst Road is to respond to the vertical proportions, floor levels, and architectural elements of the facade of the Commodore.

6.2.12.12 Public domain

(1) The design and use of ground floor tenancies at 22-24 Darlinghurst Road are to contribute to the public domain directly in front of those tenancies. The publicly accessible open space at Darlinghurst Road should be used for outdoor dining or trading as shown in Figure 6.81. Materials, finishes and levels must be consistent with the adjacent footpath.

(2) Development at 18-32A Darlinghurst Road is to provide publicly accessible open space and deliver improvements to the public domain along Barncleuth Lane (where applicable), including landscaping, public artwork, and the widening and pedestrianisation of the lane as shown in Figure 6.81. The configuration of the public space is to be useable, consolidated and visible along the length of the lane.

Figure 6.81
Plan of the development block showing areas within the site to be redesigned as extensions and enhancements to the adjacent public domain (shaded in red/black dotted line)



6.2.12.13 Access

(1) Building services and vehicular access are to be consolidated, are not to be located on Darlinghurst Road and Roslyn Street and are to be designed to support the provisions for public domain in the above clauses. Refer to Figure 6.81 for preferred options for consolidated access location.

6.2.12.14 Awnings

(1) Awnings are to be consistent with Figure 6.82.

(2) A continuous footpath awning is to be provided to Roslyn Street.

(3) Lightweight and retractable awnings for food and drink premises at The Bourbon may be considered.

Figure 6.82
Elevation of the development block showing sections of street facade where entry awnings or interpretations thereof are appropriate (red dotted line).



6.2.12.15 Design excellence strategy

(1) A competitive design process is to be undertaken in accordance with Division 4 of Sydney LEP 2012 for 18-20 Darlinghurst Road and may at the proponent's discretion cover the whole site (22-32A Darlinghurst Road).

Note: It is desirable that a competitive process is undertaken at the whole site of 18-32A Darlinghurst Road in order to reduce the risk that the design excellence requirements of Sydney LEP 2012 Division 4 are not met.

(2) The competitive design process is to comprise an invited competitive design alternatives process involving no less than four architectural firms ranging from emerging, emerged and established architectural firms, with demonstrated experience designing high quality fine grain mixed use infill buildings in conservation areas.

(3) Any additional floor space that may be awarded in relation to any competitive process(es) as per clause 6.21D(3) of Sydney LEP 2012 is to be located at lower ground level (basement). No additional building height is to be awarded under Clause 6.21D(3).

(4) The setbacks from Darlinghurst Road and Roslyn Street detailed in section 6.2.12.9 may be varied provided a competitive design process has been carried out and the consent authority is satisfied that improved heritage and amenity outcomes are achieved, and the development is consistent with the objectives of this section of the DCP.

Note: Setbacks to Barncleuth Lane are determined by overshadowing requirements and may not be able to be varied.

6.2.12.16 Satisfaction of Clause 7.20(4) under Sydney LEP 2012

(5) This section of the DCP and the following sections of Sydney DCP 2012 address the requirements of SLEP 2012 Clause 7.20(4) for 18-32A Darlinghurst Road:

(i) 3.2 Defining the Public Domain

(ii) 3.6 Ecologically Sustainable Development

(iii) 4.2 Residential Flat, Commercial and Mixed Use Developments.

6.3

Specific site controls prepared as part of a Planning Proposal

The following provisions have been identified through the Planning Proposal process to amend the primary built form controls for specific sites under *Sydney Local Environmental Plan 2012*. The provisions provide guidance on the built form and/or public domain requirements for specific sites.

Development on these sites is to be designed with regard to Section 3 General Provisions and Section 4 Development Types of this DCP, with an emphasis on the specific requirements within this Section. Where there is an inconsistency between Section 6.3 and other parts of this DCP, the provisions in Section 6.3 prevail.

6.3.1 87 Bay Street, Glebe

The following objectives and provisions apply to 87 Bay Street, Glebe (also known as 2-8 Wentworth Street) as shown in Figure 6.1 Specific Sites Map, where the relevant site specific provisions of the *Sydney Local Environmental Plan 2012* are implemented.

Objectives

(a) Deliver a high quality built form that:

(i) provides a transition between Ultimo and Glebe;

(ii) defines Wentworth Park Road and improves the interface with the public domain;

(iii) increases site connectivity; and

(iv) allows for visual connections and sunlight access through and over the site to and from the public domain and adjacent development.

(b) Provide for residential development consisting of both market and affordable housing of a sufficient density to make use of proximity to public transport, infrastructure, services, community facilities and employment;

(c) Maintain a range of commercial and retail employment activities on site which are compatible with surrounding residential uses; and

(d) Deliver a publically accessible, high quality through-site link that provides for a variety of both passive and active uses, and responds to community needs.

Provisions

6.3.1.1 Land Uses

(1) Establish a range of retail and commercial unit sizes suitable for a diversity of large scale to fine grain uses.

(2) Provide a development mix that ensures the envelope described in this Development Control Plan is not exceeded.

Note: A development mix that respects the building envelope is 2.6:1 residential uses and 1.25:1 commercial and retail uses. Any mix of uses that proposes a higher proportion of residential uses must comply with the building envelope.

6.3.1.2 Built form

(1) Building heights are to be consistent with Figure 6.83 Height in Storeys; Figure 6.84 Street Frontage Heights Map and Figure 6.88 Indicative height cross-section.

(2) Building heights to the Wentworth Park Road frontage should allow for sunlight access and visual connections through and over the site by adopting a form that has a 5 to 6 storey dominant street wall punctuated by up to 3 slender taller elements.

(3) At least two hours of sunlight access is to be provided in mid-winter for 70% of adjoining dwellings to the south.

6.3.1.3 Setbacks

(1) Provided that a 1.5 metre strip of land along Wentworth Park Road is dedicated to Council for footpath widening, any future development shall be made exempt from the requirements of Clause 4.2.3.6 Deep Soil.

(2) Provide a 3m setback for the first 2 levels fronting Wentworth Park Road, reducing to 1.5 metres for levels 3 to 9, in accordance with provision 1 above.

(3) Any floors above the street frontage height map nominated in Figure 6.84 should be set back 3 metres from the building line of the floor below.

6.3.1.4 Through-site link

(1) Introduce a publically accessible through site link bisecting the site that has a minimum width of 7 metres and aligns with the eastern edge of the new roadway to the south of the site, consistent with Figure 6.87 Through site link map.

(2) Maintain public access to the though-site link 24 hours a day, 7 days per week.

(3) Design the through-site link to be open to the sky with features that will serve and attract people from a wide catchment.

(4) Incorporate high quality landscaping and design of the through–site link with features such as indigenous tree species, public art and sculptural elements.

(5) Provide a safe, universally accessible and legible means for pedestrians and cyclists to comfortably traverse the level change between Wentworth Street and Wentworth Park Road.

6.3.1.5 Parking and vehicular access

(1) No vehicle access is permitted from Wentworth Park Road or Bay Street.

Figure 6.83
Height in storeys



Figure 6.84
Street frontage heights

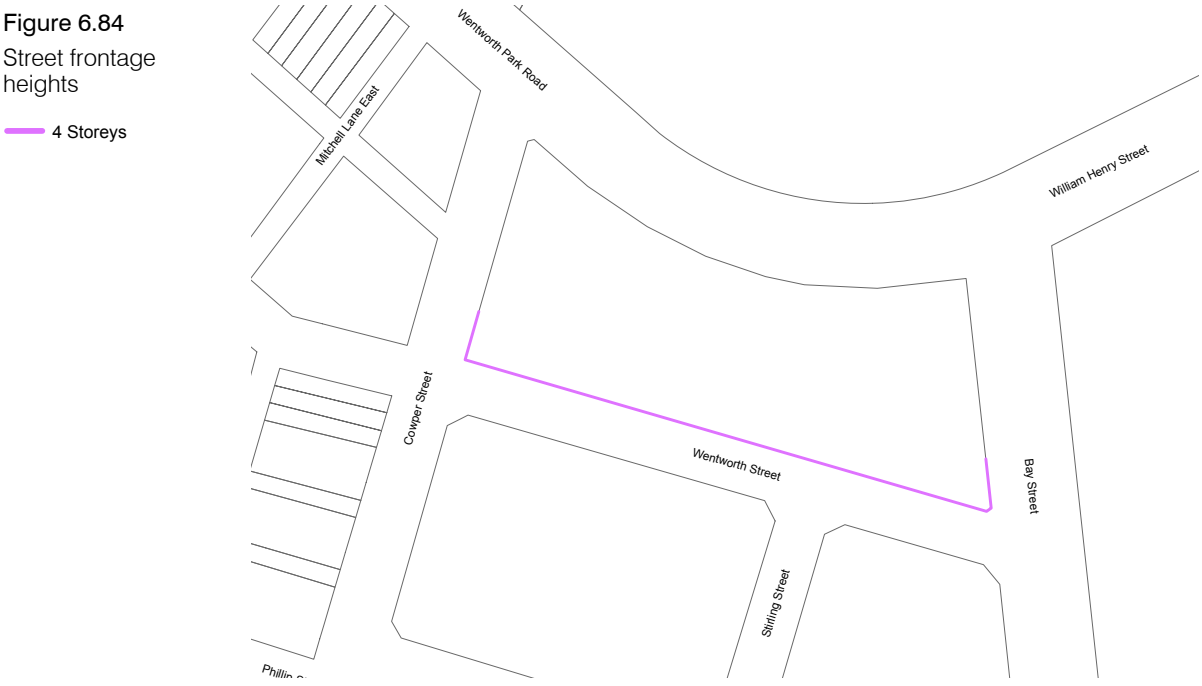


Figure 6.85
Building setbacks and alignments

1.5m building setback

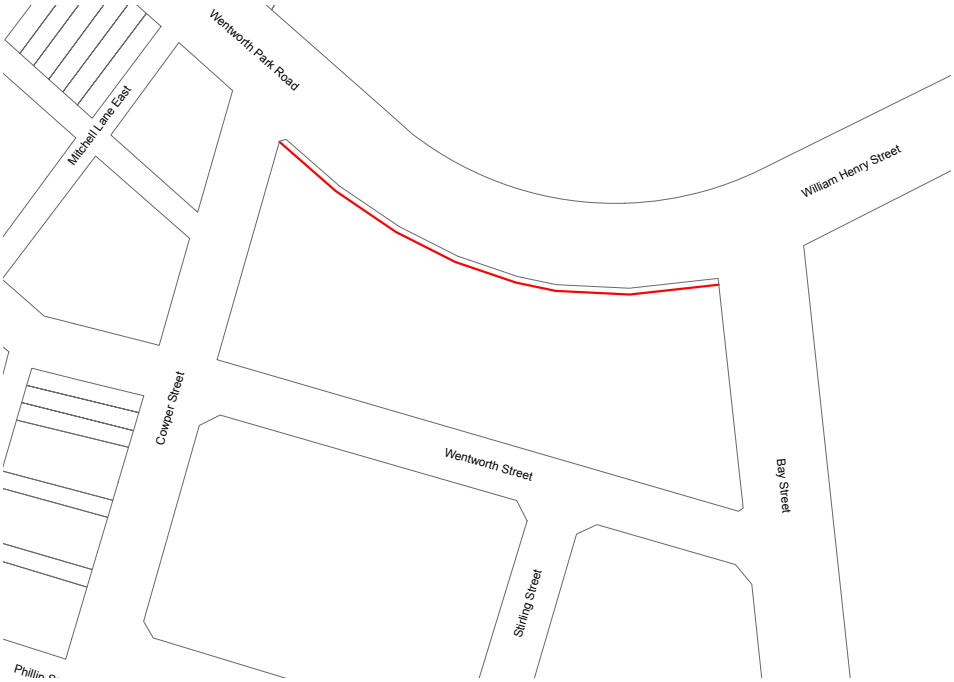


Figure 6.86
Active frontages

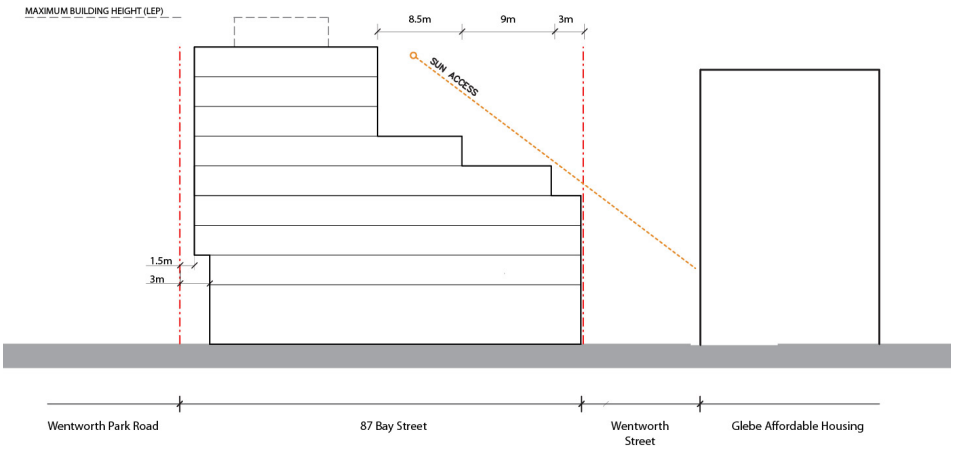
Active frontages



Figure 6.87
Through site link



Figure 6.88
Indicative height cross-section



6.3.2 287-289 Crown Street, Surry Hills

The following objectives and provision apply to 287-289 Crown Street, Surry Hills as shown in Figure 6.1 Specific Sites map.

The site is part of a mixed use area at the northern part of Crown Street and adjoins residential areas to the south on Crown Street and west on Reservoir Street.

Objectives

(a) Encourage development that is appropriate to its context.

(d) Deliver a high quality built form that provides a transition between Crown Street and the lower scale buildings in Reservoir Street, Surry Hills.

Provisions

6.3.2.1 Built form

(1) Building heights are to be consistent with **Figure 6.89 Height in Storeys** and **Figure 6.90 Indicative height cross-section**.

6.3.2.2 Setbacks

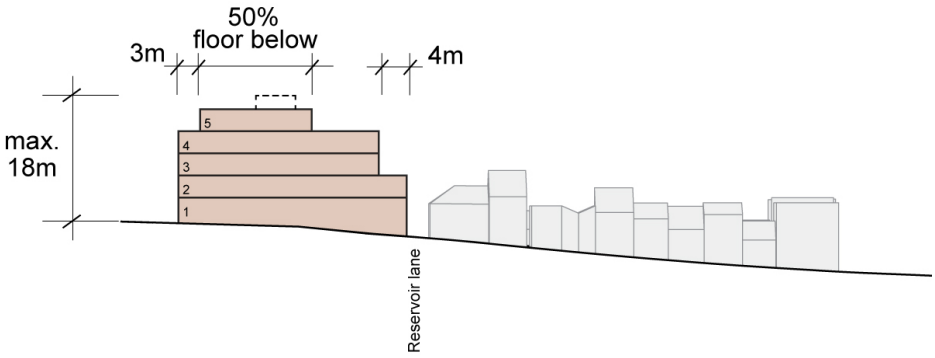
(1) Provide a 3m setback above level 4 to the Crown Street frontage.

(2) Provide a 4m setback for levels 3 and 4 to Reservoir Lane, with level 5 to be no more than 50% of the area of level 4.

Figure 6.89
Height in storeys for 287-289 Crown Street, Surry Hills



Figure 6.90
Indicative height cross-section for 287-289 Crown Street, Surry Hills



6.3.3 904 Bourke Street, Zetland

The following principles, objectives, provisions and figures apply to 904 Bourke Street, Zetland as shown in 'Figure 6.1 Specific Sites Map'.

Principles

(a) New development should demonstrate design excellence, respond to the context of the area and define and enhance the public domain.

(b) The amenity and character of the neighbouring Zetland Estate Conservation Area should be respected through appropriate building setbacks, use of materials and transitions in building height.

(c) A new street and pedestrian and cycle only connections should be provided to allow greater connectivity with adjacent areas, encourage use of active and public transport and respond to local traffic and urban design considerations.

(d) New public open spaces should be provided and designed to have a strong landscape character, serve the recreational needs of the community and encourage social interaction.

(e) Individual buildings are to be of high design quality and varied design and should allow for high residential amenity and solar access to public and private open spaces, both within the development and on adjacent properties.

Figure 6.91
904 Bourke Street, Zetland – Urban strategy



6.3.3.1 Pedestrian, Cycle and Street network

Objectives

(a) Provide a legible network of pedestrian and cycle links and a new street to allow for greater permeability through the site and provide greater connectivity to local attractors including the Green Square Town Centre and train station and Mary O'Brien Reserve.

(b) Provide a high level of public domain amenity through street design that maximises pedestrian space and calms traffic.

Provisions

(1) Where required to be provided by Council, a new pedestrian and cycle link, a new pedestrian green link and a new local street are to be provided in the locations shown in 'Figure 6.92: 904 Bourke Street, Zetland – Public Domain and Local Infrastructure'.

(2) The green link is to provide a pedestrian and cycle connection through the site and serve a secondary function as a public open space. See also provision 6.3.3.2 (3) and (4).

(3) The pedestrian and cycle links should be designed to be integrated with the park and should ensure the privacy and amenity of adjacent dwellings is protected.

(4) The local street is to allow vehicular access from Bourke Street to the Sydney Water site at 900 Bourke Street at all times.

(5) Streets and links are to designed in accordance with Figure 6.93 to Figure 6.95 (Sections A to C). Locations of sections are shown on 'Figure 6.92: 904 Bourke Street, Zetland – Public Domain and Local Infrastructure'.

Figure 6.92
904 Bourke Street, Zetland – Public Domain and Local Infrastructure



Figure 6.93
Section A – Local Street

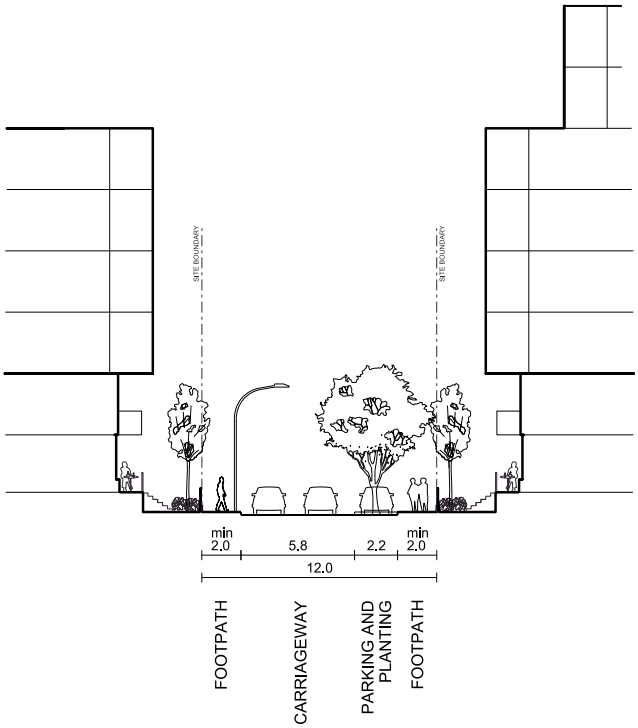


Figure 6.94
Section B – Green Link

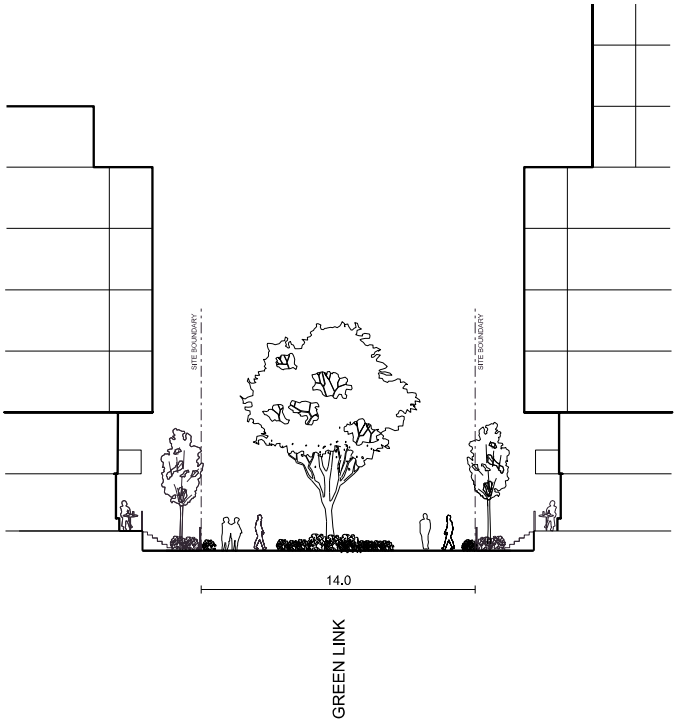
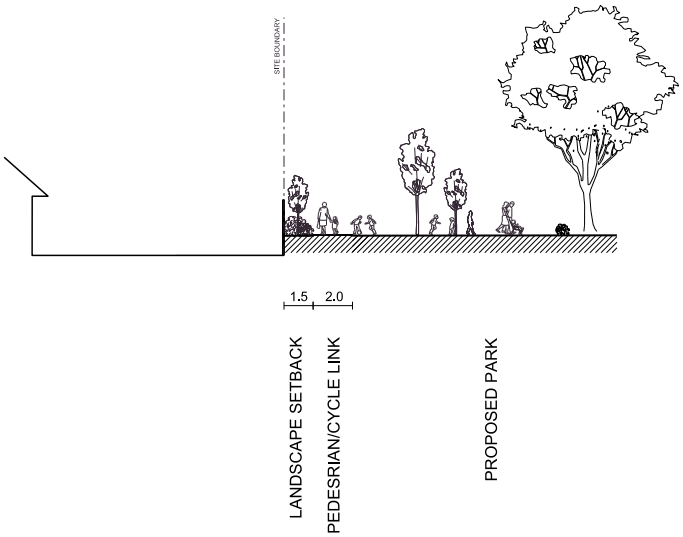


Figure 6.95
Section C – Indicative interface between proposed park, pedestrian and cycle link and rear yards



6.3.3.2 Public Open Space

Objectives

(a) Create new public open spaces which have a strong landscape character, allow for a variety of recreational uses, promote social interaction and enhance the lifestyle of existing and future residents.

(b) Ensure public open spaces are legible as 'public', are highly visible from surrounding streets and sites and integrate with the wider network of public open spaces in the area.

(c) Capitalise on the amenity offered by the existing significant Moreton Bay fig tree fronting McPherson Lane and provide for its protection by creating a new public open space in this vicinity.

Provisions

(1) Where required to be provided by Council, a new local park and green link are to be provided in the locations shown in 'Figure 6.92: 904 Bourke Street – Public Domain and Local Infrastructure'.

(2) The public park is to be designed and delivered in accordance with the guidelines set out in Table 6.3.

(3) The green link is to be designed as a space for passive recreation and so as to be clearly legible as a public place. It should incorporate high quality landscaping and be activated by individual entries to ground floor units along its edges.

(4) If an opening for pedestrian access to below ground commercial or storage uses is proposed within the green link, it should only be permitted where, in the opinion of the consent authority:

  (a) it does not adversely impact the function of the green link as a public open space for passive recreation;

  (b) generous pedestrian circulation space is provided on both sides of the opening;

  (c) the green link retains a strong landscaped character with significant planting; and

  (d) the function of the green link as a connection through the site remains legible.

(5) Where appropriate, public art which references the history of the site and the locality should be incorporated into public open spaces on the site.

Table 6.3: Public open space design guidelines

Type	Requirements	Guidelines
Local Park	One park with a minimum area of 2,650 square metres for passive recreation.	A neighbourhood park with a focus on passive recreation. The park should capitalise on the amenity offered by the existing mature Moreton Bay Fig tree which is to be retained and protected. Provide well designed paths and garden beds with spaces for seating and overlooking. Provide 'nature play' features which encourage imaginative and explorative play.

6.3.3.3 Public Dedication

Objectives

(a) Ensure public spaces within the site are appropriately maintained and managed on an ongoing basis by Council and remain legible as public places.

(b) Ensure land dedicated to Council in stratum is of a sufficient depth and appropriate design to accommodate landscape elements and necessary services.

Provisions

(1) Where required to be provided by Council, land identified for a local park, green link, widened footpath or new street in 'Figure 6.96: 904 Bourke Street, Zetland – Public Dedication' is to be dedicated to Council

(2) A consolidated underground car park is permitted under the green link. The land required for the green link is to be dedicated in stratum to a depth to be determined by the consent authority and so as to allow landscape elements and necessary services to be accommodated.

Figure 6.96
904 Bourke Street, Zetland – Public dedication



6.3.3.4 Built Form

Objectives

(a) Provide a range of building heights, types and architectural styles to create diversity and visual interest.

(b) Minimise overshadowing and overlooking of existing and proposed buildings and open spaces.

(c) Ensure terrace buildings complement the built form of terraces in the adjoining Zetland Estate Heritage Conservation Area.

(d) Locate taller buildings centrally within the site to allow for an appropriate height transition to surrounding sites.

Provisions

(1) Building heights are to be generally consistent with 'Figure 6.97: 904 Bourke Street, Zetland – Building heights in storeys' and 'Figure 6.98: 904 Bourke Street, Zetland – Street frontage height in storeys'.

(2) Building types are to be consistent with 'Figure 6.99: 904 Bourke Street – Building Types'.

(3) Any component of a residential building that is above 35 metres high must have a maximum floor plate size of 750 square metres including balconies.

(4) Where a development on the site seeks to utilise additional FSR permitted by the clause specific to 904 Bourke Street under Division 5 of Sydney Local Environmental Plan 2012, the additional floor space must be located solely within the basement. The resulting built form must still comply with the figures and provisions of this section of the DCP.

(5) Where the topography of the land or other constraints result in basement car parking projecting above ground, it should be sleeved by residential or other active uses.

(6) Individual entries are to be provided to ground floor dwellings to provide passive surveillance and opportunities for social interaction.

(7) Buildings fronting McPherson Lane should respond to the character of the neighbouring Zetland Estate Conservation Area through use of complementary materials and design.

(8) Fences on front property boundaries are to be predominantly open to enable some overlooking of the street for safety and surveillance.

Figure 6.97
904 Bourke Street, Zetland – Building heights in storeys



Figure 6.98
904 Bourke Street, Zetland – Street frontage height in storeys



Figure 6.99
904 Bourke Street, Zetland – Building types



6.3.3.5 Setbacks

Objectives

(a) Ensure that buildings contribute to the physical definition of the public domain.

(b) Provide appropriate separation between the public domain and private development.

(c) Provide appropriate separation between new development fronting McPherson Lane and existing properties which back onto the lane.

(d) Maximise a sense of openness and create important view corridors within the site and to adjacent areas.

(e) Reduce the scale of buildings as perceived from the public domain.

Provisions

(1) Setbacks at street level and upper levels are to be provided in accordance with Figure 6.100: 904 Bourke Street, Zetland – Setbacks.

(2) Typical designs for setbacks to ground floor residential development fronting the northern and southern parts of McPherson Lane are illustrated in Figure 6.101 (Section D) and 6.102 (Section E) respectively.

(3) A typical design for setbacks to ground floor residential development across the rest of the site is illustrated in 'Figure 6.103: Typical ground floor condition for the remainder of the site'.

(4) Buildings and solid structures are to be set back by 15 metres from the trunk of the existing mature Moreton Bay fig tree to allow for the future health and protection of the tree.

Figure 6.100
904 Bourke Street, Zetland – Setbacks



Figure 6.101
Section D – Typical ground floor condition for McPherson Lane North

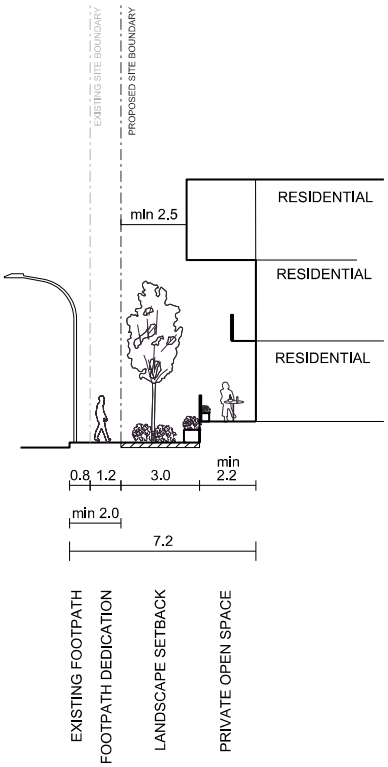


Figure 6.102
Section E – Typical ground floor condition for McPherson Lane South

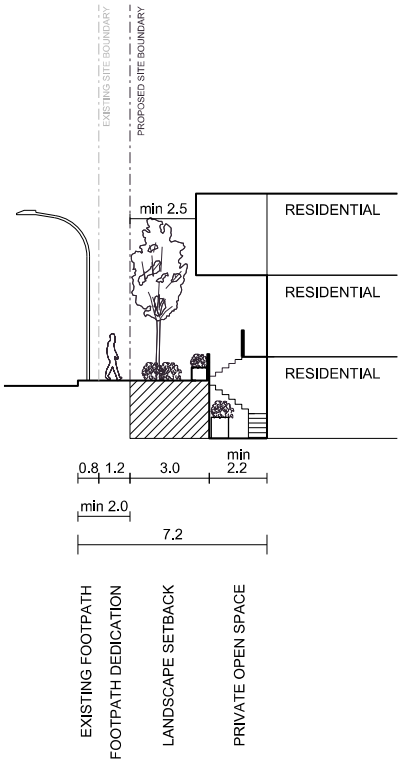
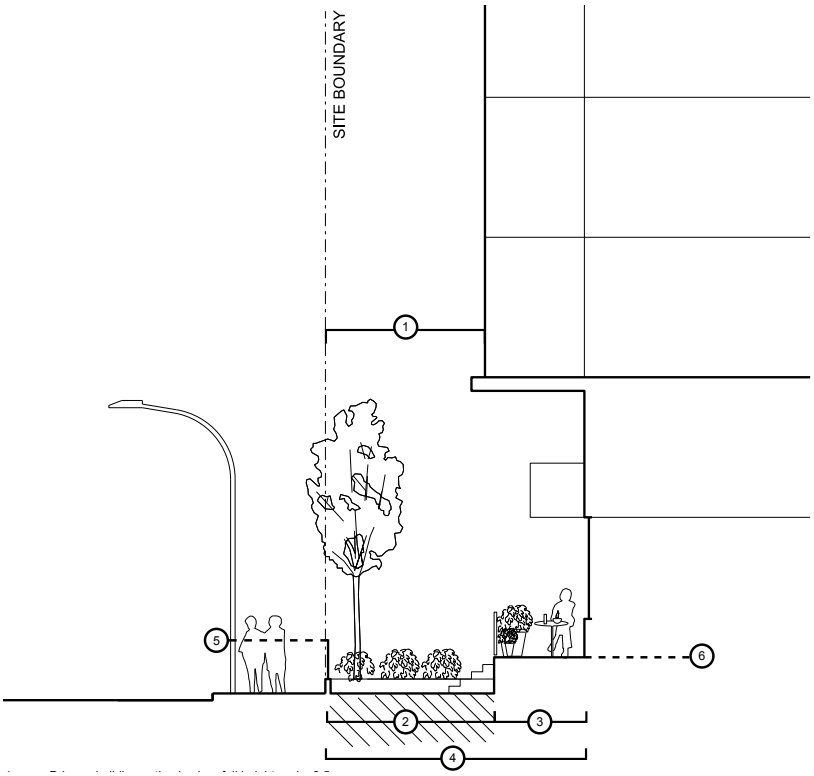


Figure 6.103
Typical ground floor condition for remainder of site



1. Primary building setback, clear full height - min. 2.5m
2. Deep soil landscape planting area – min. 3m
3. Ground floor private open space deck – min. 1.2m
4. Setback from the site boundary to the glass line – min. 4.2m
5. Site boundary fence – max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

6.3.3.6 Parking, Access and Circulation

Objectives

(a) Ensure that the safety and amenity of pedestrians and cyclists is not compromised by off-street parking access points and vehicle movements through and within the site.

(b) Maintain the primary function of McPherson Lane as access to the rear of properties on Elizabeth Street and Merton Street and discourage the use of this lane by additional vehicular through traffic.

Provisions

(1) A single vehicular driveway to off-street car parking is to be provided with regard to prohibitions indicated in 'Figure 6.104: 904 Bourke Street - Access and circulation'.

(2) Vehicle circulation through the site is to be consistent with 'Figure 6.104 – 904 Bourke Street – Access and circulation'.

(3) No vehicular access is to be permitted to or from the site from McPherson Lane.

Figure 6.104
904 Bourke Street, Zetland – Access and circulation



6.3.4 60 Martin Place

The following objectives and provision apply to 60 Martin Place and part 197 Macquarie Street as shown in Figure 6.1 Specific Sites map, where the provisions of the Sydney Local Environmental Plan 2012 – 60 Martin Place are implemented.

Objectives

(a) Deliver a high quality built form that:

(i) respects the civic scale of the site, in particular the development grain provided by significant buildings on Martin Place and Macquarie Street;

(ii) provides a podium that responds to the setting established by the adjacent St Stephen's Church and Reserve Bank of Australia building; and

(iii) achieves unity in design though connecting the tower and podium as a single readable piece of architecture.

(b) Protects public domain amenity by:

(i) Maintaining, and preferably increasing, solar access to the public domain in Martin Place;

(ii) Minimising any additional overshadowing on open space within Hyde Park Barracks, from the building or any associated plant, lift overruns, or roof feature; and

(iii) Enhancing pedestrian comfort in Martin Place through managing the potential for wind impacts.

(c) Maintain the heritage values of St Stephens Church through ensuring that all elements of the building at 60 Martin Place are designed and placed to be in sympathy with identified heritage values.

(d) Provide for predominantly commercial employment activities on site, supported by a range of complementary uses which activate the public domain.

Provisions

6.3.4.1 Overshadowing

(1) There will be no additional shadow cast on either the ground plane of Martin Place or the facade of the buildings on its southern alignment when measured between 12 noon and 2 pm on 14 April.

(2) There shall be minimal additional overshadowing on the forecourt of Hyde Park Barracks between 12 noon and 2pm on 21 June.

6.3.4.2 Wind

(1) There will be no increase in wind impacts felt by pedestrians on the ground plane of Martin Place.

6.3.4.3 Built form

(1) Building heights are to be consistent with Figure 6.105: Maximum Building Envelope for 60 Martin Place; and

(2) Building setbacks are to be consistent with Figure 6.106: Minimum Building Setbacks for 60 Martin Place, and Figure 6.107: 60 Martin Place Cantilever Profile.

(3) Building setbacks should maintain views from the public domain to elements of heritage items, including elements of St Stephens Church, that have been identified as being of heritage significance.

(4) Building setbacks should promote a continuation of the fine-grain development pattern of Macquarie Street through consideration of massing and scale to the Macquarie Street elevation.

(5) The cantilever element to the tower should form a respectful relationship with St Stephens Church through consideration of separation, massing, and materiality.

(6) The podium element should form a respectful relationship to St Stephens Church through consideration of building separation, materiality, connectivity, and improved views of the church's significant southern facade.

6.3.4.4 Parking and vehicular access

(1) No vehicle access is permitted from Macquarie Street.

Figure 6.105
Maximum building envelope for 60 Martin Place

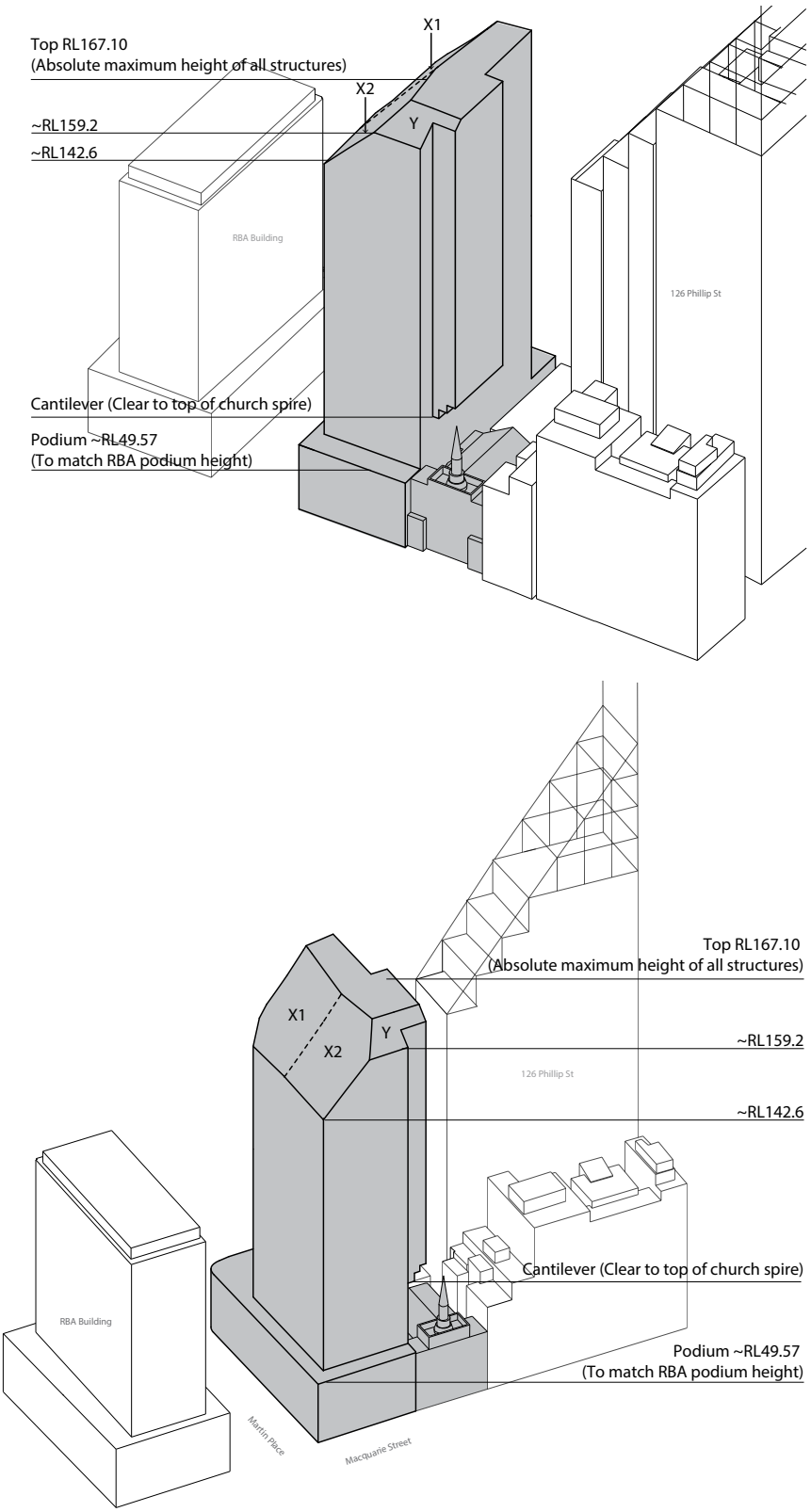
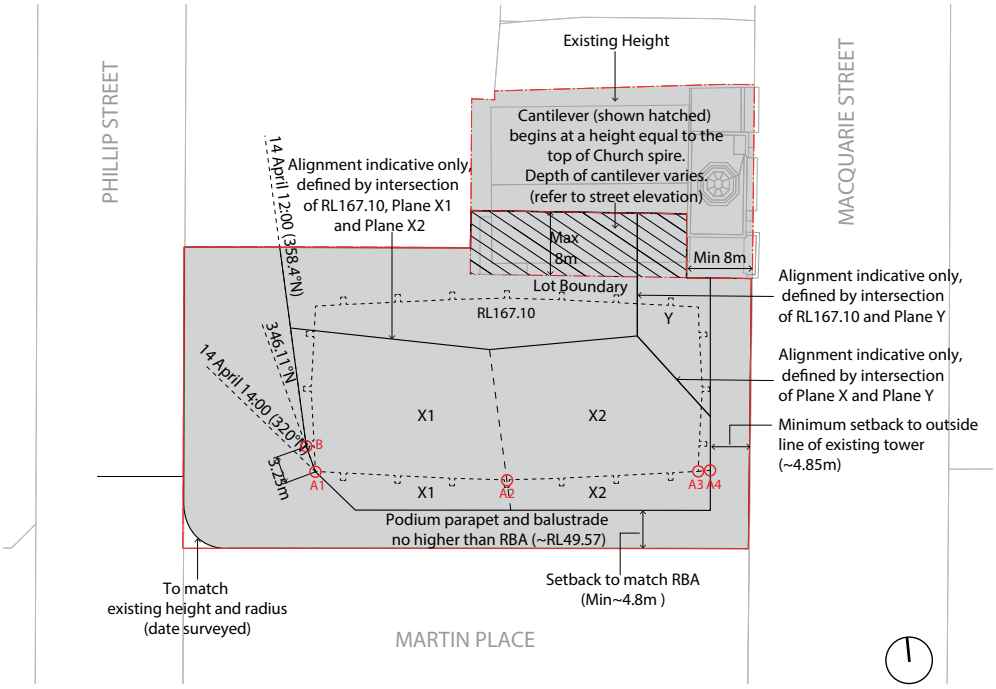


Figure 6.106
Minimum building setbacks for 60 Martin Place



Description of Points A1-A4 and B

- O A1 South West topmost corner of existing building (date surveyed)
- O A2 South (Central) topmost inflection in facade of existing building
- O A3 South East topmost corner of existing building
- O A4 Projection of the line from point A2 to A3 intersecting with the minimum setback from Macquarie Street
- O B Edge of southern fin on western face of existing building

Description of Planes

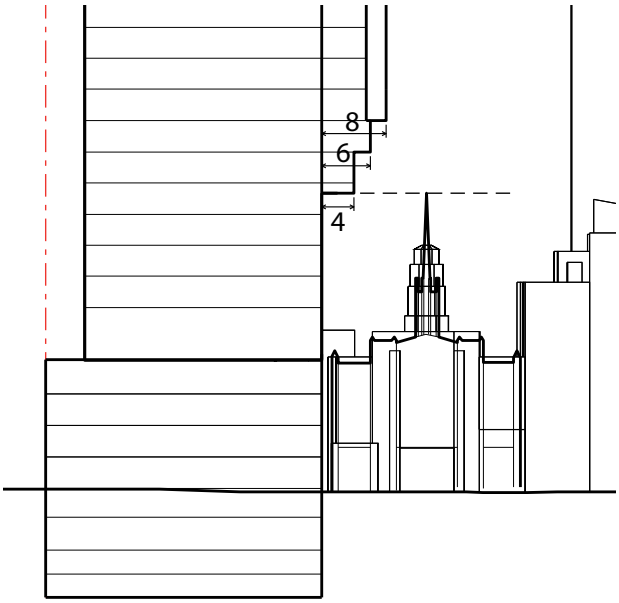
Planes X1 and X2 have sides that extend along a horizontal bearing from True North of 358.4° and a vertical angle measured from horizontal of 47.0°

Plane X1 is coplanar with a line passing through points A1 and A2 and extends west to the defined tower setbacks

Plane X2 is coplanar with a line passing through points A2, A3 and A4 and extends east to the defined tower setbacks

Plane Y is 'The Domain' Sun Access Plane defined in Sydney Local Environmental Plan 2012

Figure 6.107
60 Martin Place cantilever profile



6.3.5 65-79 Sussex Street, Sydney

The objectives and provisions in this section apply to 65-79 Sussex Street, Sydney, as shown in Figure 6.1 Specific Sites Map, only where development seeks to access additional building height permitted by Clause 6.31 of Sydney Local Environmental Plan 2012.

Clause 6.31 of Sydney Local Environmental Plan 2012 enables development to exceed the height shown in the height in metres map up to a prescribed amount provided development is for the purpose of 'hotel or motel accommodation' and ancillary commercial premises at ground floor and lower ground floor only.

If a development proposed at 65-79 Sussex Street, Sydney seeks to utilise additional height permitted by Clause 6.31, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Provide a development on the site that relates to the surrounding context including other built form on Sussex Street and the proximity of the Western Distributor.

(b) Deliver a high quality built form outcome that provides a sensitive transition between the heritage listed Bristol Arms Hotel and the City Zone North Substation.

(c) Activate Sussex Street through the provision of retail opportunities at ground floor.

Provisions

(a) Building heights are to be consistent with 'Figure 6.108: 65-79 Sussex Street - Building height in storeys' and 'Figure 6.109: 65-79 Sussex Street – Building height RLs'

(b) Development fronting Sussex Street is to have a street wall height no greater than 6 storeys in accordance with 'Figure 6.110: 65-79 Sussex Street – Street frontage heights'.

(c) Development fronting the Western Distributor is to have a street wall height of no greater than RL 39.65 including roof plant.

(d) A setback of 4m is to be provided between the existing northern elevation of the Bristol Arms Hotel, at 81 Sussex Street, and the southern elevation of the eastern wing of proposed development as illustrated in 'Figure 6.111: 65-79 Sussex Street - Setbacks'.

(e) Commercial units are to be provided on the ground floor fronting Sussex Street to allow for future retail uses.

(f) Maintaining the amenity of the Bristol Arms Hotel upper level terrace should be a key consideration in the design of the southern elevation of development on the site.

Figure 6.108
65-79 Sussex Street – Building height in storeys

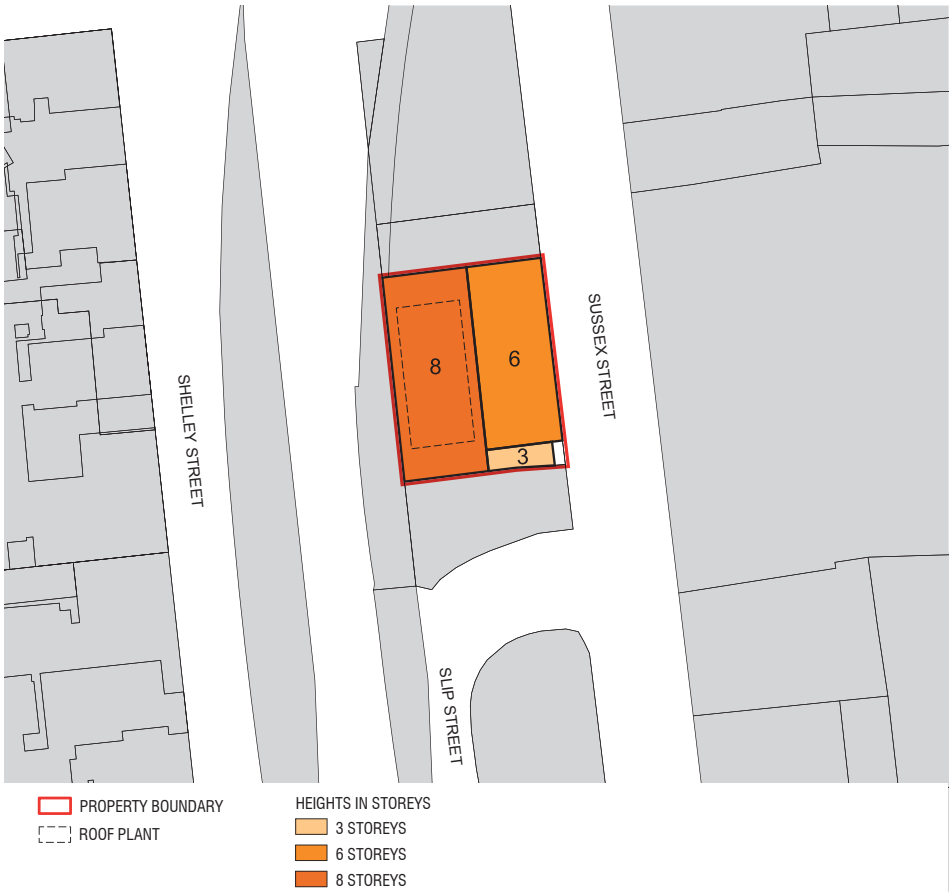


Figure 6.109
65-79 Sussex Street – Building height RLs

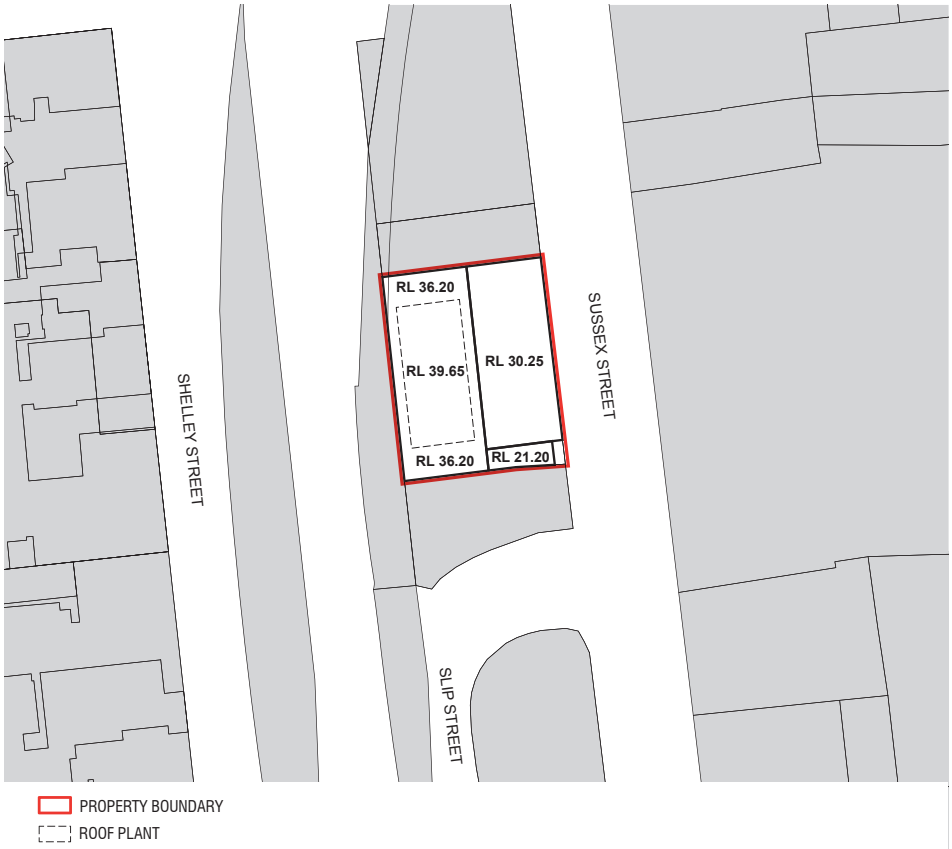


Figure 6.110
65-79 Sussex Street – Street frontage heights



Figure 6.111
65-79 Sussex Street – Setbacks



6.3.6 230-238 Sussex Street, Sydney

The following objectives and provisions apply to 230-238 Sussex Street, Sydney – as shown in Figure 6.1 Specific Sites map, where the provisions of the *Sydney Local Environmental Plan 2012 – 230-238 Sussex Street* are implemented.

Objectives

(1) To ensure that the building is of appropriate bulk and scale for its central Sydney location;

(2) To define a building massing envelope which will provide sufficient flexibility within its volume for a building to achieve design excellence;

(3) To create a high quality urban outcome by:

- (a) improving the appearance of the site;
- (b) improving street level activation on Sussex Street and Druitt Place;
- (c) ensuring that the building podium responds appropriately to existing streetscapes on Sussex Street and Druitt Place, including nearby heritage buildings; and
- (d) limiting additional overshadowing on future Town Hall Square.

(4) To ensure a high level of amenity for occupants of a building on the site, and occupants of nearby residential buildings by including:

- (a) a high level of privacy;
- (b) minimal view impacts; and
- (c) compliance with solar access requirements of the SEPP 65 Apartment Design Guide.

(5) Facilitate the redevelopment of the site in an integrated manner that relates to the surrounding context, with particular regard to the heritage qualities on part of the site.

(6) Ensure redevelopment of the site delivers high quality built form providing a mix of land uses.

(7) Ensure development on the 230-238 Sussex Street site improves the public realm by facilitating street level activation.

(8) Conserve the heritage significance of Foley Bros warehouse, heritage item on the site.

(9) Ensure the podium levels are compatible in scale and proportion with the facade of the Foley Bros Warehouse heritage item at 230-232 Sussex Street.

(10) Encourage the adaptive reuse and integration of the heritage-listed building in accordance with the principles of an approved Conservation Management Plan (CMP).

Provisions

6.3.6.1 Height

(1) The purpose of this clause is to establish a height transition for the site to limit additional overshadowing on future Town Hall Square.

(2) The maximum height transition is not to exceed a plane formed by points at the following Map Grid of Australia 1994 coordinates and reduced levels:

- (a) E333894.128, N6250583.348, RL120.146
- (b) E333929.845, N6250587.106, RL 110.608

(c) E333943.792, N6250560.489, RL 103.529

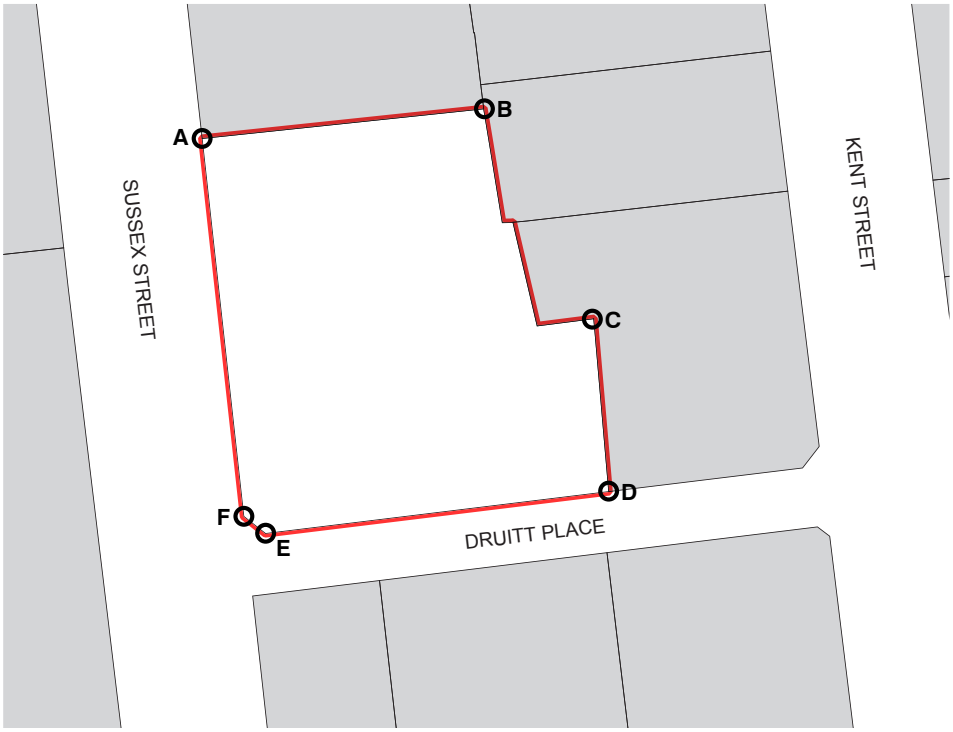
(d) E333945.699, N6250538.581, RL 100.379

(e) E333902.169, N6250533.252, RL 111.915

(f) E333899.413, N6250535.433, RL 112.947

Note: The maximum height transition complements the maximum building height contained in Sydney Local Environmental Plan 2012.

Figure 6.112
230-238 Sussex Street – Indicative height transition



A E333894.128, N6250583.348, RL120.146
B E333929.845, N6250587.106, RL 110.608
C E333943.792, N6250560.489, RL 103.529
D E333945.699, N6250538.581, RL 100.379
E E333902.169, N6250533.252, RL 111.915
F E333899.413, N6250535.433, RL 112.947

6.3.6.2 Building Design and Bulk

(a) Design the podium levels of the building fronting Sussex Street to address the pedestrian scale environment.

(b) Design the podium levels of the building fronting Sussex Street to reference and reinforce the scale and articulation of 230-232 Sussex Street at the lower floors.

6.3.6.3 Street Frontage Height and Setbacks

(a) The street frontage heights should reference and reinforce the scale and articulation of the Foley Bros Warehouse heritage item of 230-232 Sussex Street at the lower floors. The horizontal and vertical articulation should reference the scale and rhythm of the warehouse.

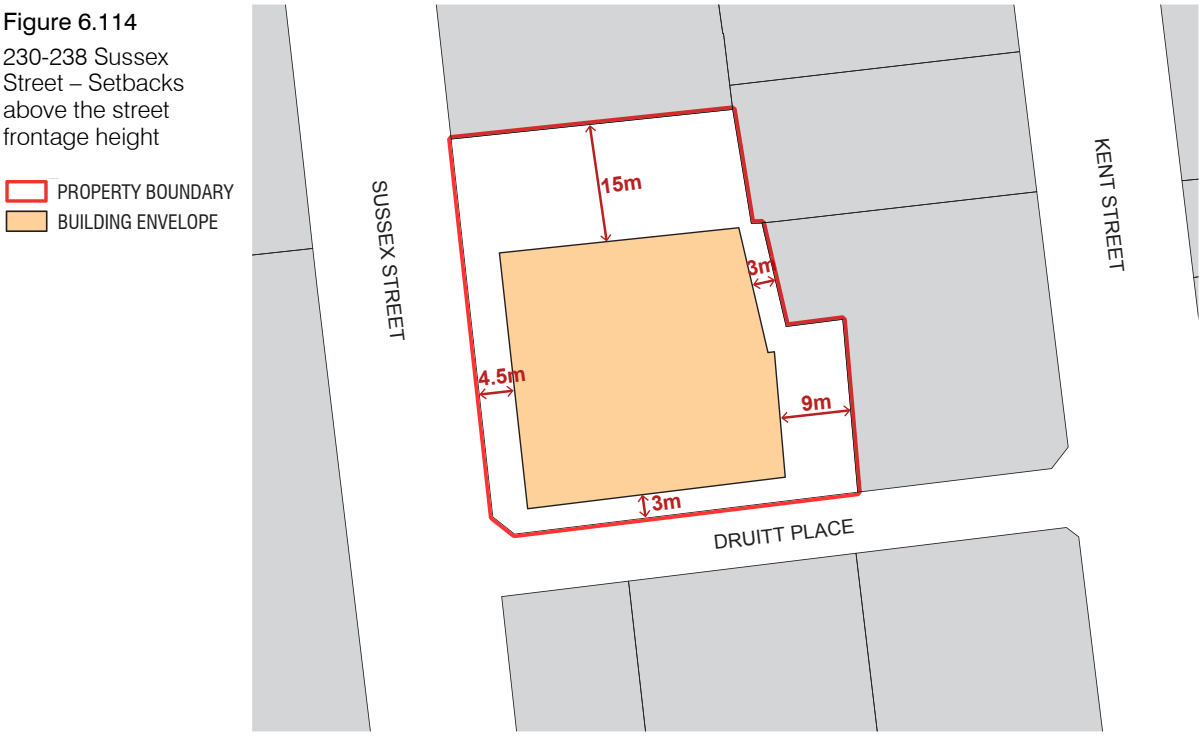
(b) Development fronting Sussex Street is to have a street wall height no greater than four (4) storeys in accordance with 'Figure 6.113 230-238 Sussex Street - Street frontage height'.

(c) Provide setbacks above the street-wall in accordance with 'Figure 6.114 230-238 Sussex Street - Setbacks above the street frontage height'.

Figure 6.113
230-238 Sussex Street – Street frontage height



Figure 6.114
230-238 Sussex Street – Setbacks above the street frontage height



6.3.6.4 Public Domain

(a) Active frontages are to be provided to Sussex Street and Druitt Place through uses such as shopfronts, café seating, building entries and/or lobbies, and visitor drop-off/ pick-up zones.

6.3.6.5 Heritage

(a) New development, should respect the Foley Bros warehouse heritage item, including cartway, courtyard and interiors, through an appropriate response to height, scale, fine grain quality, materials, craftsmanship and articulation.

(b) Conservation is to be undertaken in accordance with approved conservation management plan prepared to the satisfaction of Council.

(c) An exemplary level of sympathetic adaptive reuse is required of the Foley Bros warehouse heritage item.

(d) The location of new insertions to service the heritage item, such as building services plant and risers, fire egress, and lifts, should be provided by the new development.

(e) Maintaining the amenity of the courtyard at ground level should be a key consideration in the design of the northern elevation of the new development.

6.3.6.6 Parking and vehicular access

(a) Vehicular access from Sussex Street should be removed.

(b) Vehicular access to basement parking is to occur from Druitt Place.

6.3.6.7 Wind

(a) There will be no increase in wind impacts felt by pedestrians on the ground plane of Sussex Street and Druitt Place.

(b) Wind impacts to balconies must be appropriately mitigated.

6.3.6.8 Design Excellence

A competitive design process undertaken in accordance with Division 4 of Sydney Local Environmental Plan 2012 is to relate to the entire site, and comprise of an invited architectural design competition involving no less than five designers.

6.3.6.9 Solar Access

Through the design excellence process:

(a) demonstrate that surrounding residential properties are able to meet solar access requirements of the SEPP65 Apartment Design Guide.

(b) demonstrate limited additional overshadowing on future Town Hall Square by articulating the upper limit of a building envelop to conform to the plane prescribed in clause 6.3.6.1.

6.3.7 505-523 George Street, Sydney

The following objectives and provisions apply to 505-523 George Street, Sydney - as shown in Figure 6.1 Specific Sites map, where the provisions of the Sydney Local Environmental Plan 2012 – 505-523 George Street are implemented.

Objectives

(1) To deliver a building comprising of:

(a) a high-quality, slender tower; and

(b) a podium containing only non-residential uses.

(2) To ensure that the building is of appropriate bulk and scale for its central Sydney location;

(3) To define a building massing envelope which will provide sufficient flexibility within its volume for a building to achieve design excellence;

(4) To create a high quality urban outcome by:

(a) improving the appearance of the site;

(b) setting the tower component of the building back away from George Street, towards Kent Street;

(c) minimising tower crowding by appropriate tower separation from nearby residential buildings;

(d) improving street level activation on George Street and Kent Street; and

(e) ensuring that the building podium responds appropriately to existing streetscapes on George Street and Kent Street, including nearby heritage buildings.

(5) To ensure a high level of amenity for occupants of a building on the site, and occupants of nearby residential buildings by requiring:

(a) good solar access;

(b) a high level of privacy;

(c) minimal view impacts; and

(d) compliance with building separation requirements of the SEPP 65 Apartment Design Guide.

(6) To enable a mix of non-residential uses within the building podium, for example: retail, commercial, entertainment, food and beverage, child care centres and toilets available for public use;

(7) To create opportunities for a range of complementary active uses at grade which will enhance the public domain – such as food and beverage, outdoor dining and retail;

(8) To minimise overshadowing impacts to the public domain by way of a slender, fast moving shadow; and

(9) To ensure that wind impacts are addressed.

Provisions

6.3.7.1 Building Envelope (Built Form)

(1) Building massing is to be consistent with Figure 6.115 Building Massing Envelope for 505-523 George Street.

(2) Heights and building setbacks are to be consistent with Figure 6.116 Minimum Building Heights & Setbacks for 505-523 George Street.

(3) The envelopes described by Figure 6.115 and Figure 6.116 are the maximum permissible extent of the built form, and the final building designs must be appropriately massed within the envelope.

(4) To ensure design flexibility and appropriate articulation of the tower form, the maximum floor plate area (which includes balcony and terrace areas and the like) of any floor above the top level of the podium may not exceed 1,000 square metres.

6.3.7.2 Podium Design

(1) The maximum street wall height facing George Street may not exceed RL37.5.

(2) The maximum street wall height facing Kent Street may not exceed RL35.

(3) The preferred arrangement of street wall heights, balustrades, and uses within the podium is to be consistent with Figure 6.117 Cinema Use Podium Design, if a floor comprising predominantly of a cinema use is proposed within the podium. Otherwise Figure 6.118 Podium Design is the preferred arrangement

6.3.7.3 Ground Floor Design

The preferred configuration of ground floor vehicle access, and street level activation is to be consistent with Figure 6.119 Ground Floor Design.

6.3.7.4 Wind

There will be no increase in wind impacts felt by pedestrians on the ground plane of George and Kent Street.

6.3.7.5 Sydney Square/Town Hall/St Andrews Special Character Area

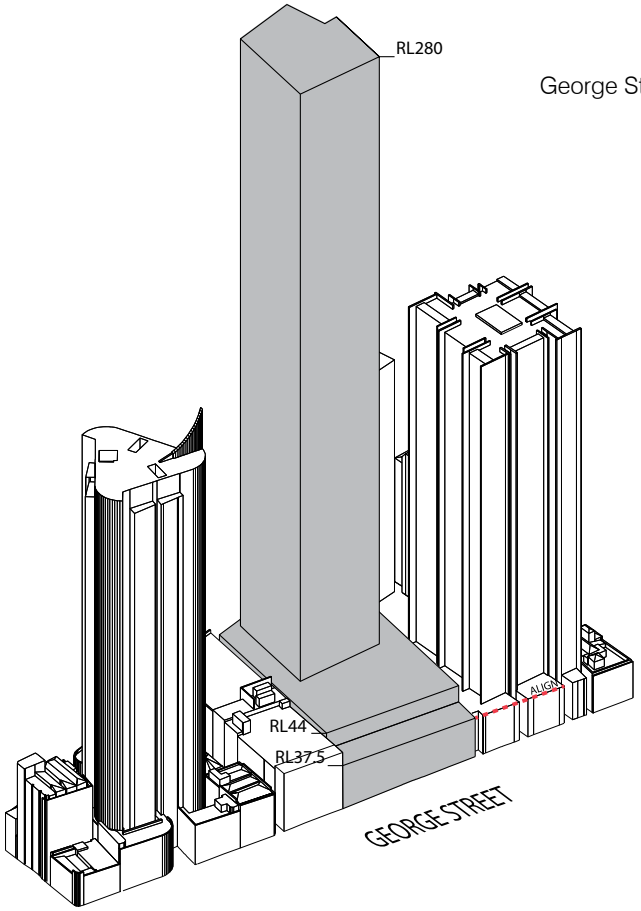
(1) The tower component is to provide an appropriate backdrop to the civic character of the Sydney Square/Town Hall/St Andrews Special Character Area by way of suitable facade composition, building materials, colours and textures, and by appropriate building articulation.

(2) The tower component is to be appropriately articulated to terminate vistas.

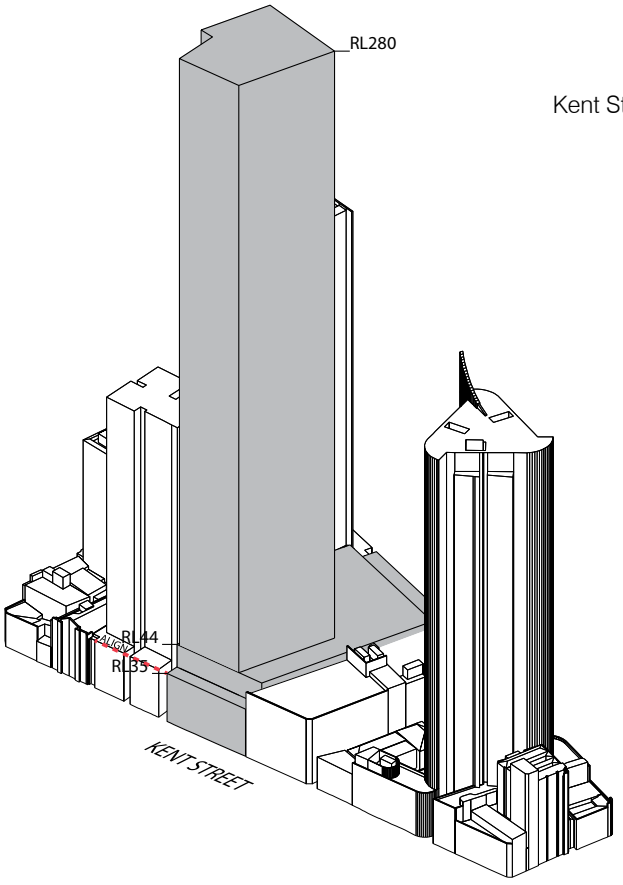
6.3.7.6 Design Excellence

A competitive design process undertaken in accordance with Division 4 of Sydney Local Environmental Plan 2012 is to relate to the entire site, and comprise of an invited architectural design competition involving no less than five designers.

Figure 6.115
Building Massing Envelope for 505-523 George Street



George Street Elevation



Kent Street Elevation

Figure 6.116
Minimum Building Heights & Setbacks for 505-523 George Street



Figure 6.117
Cinema Use Podium Design

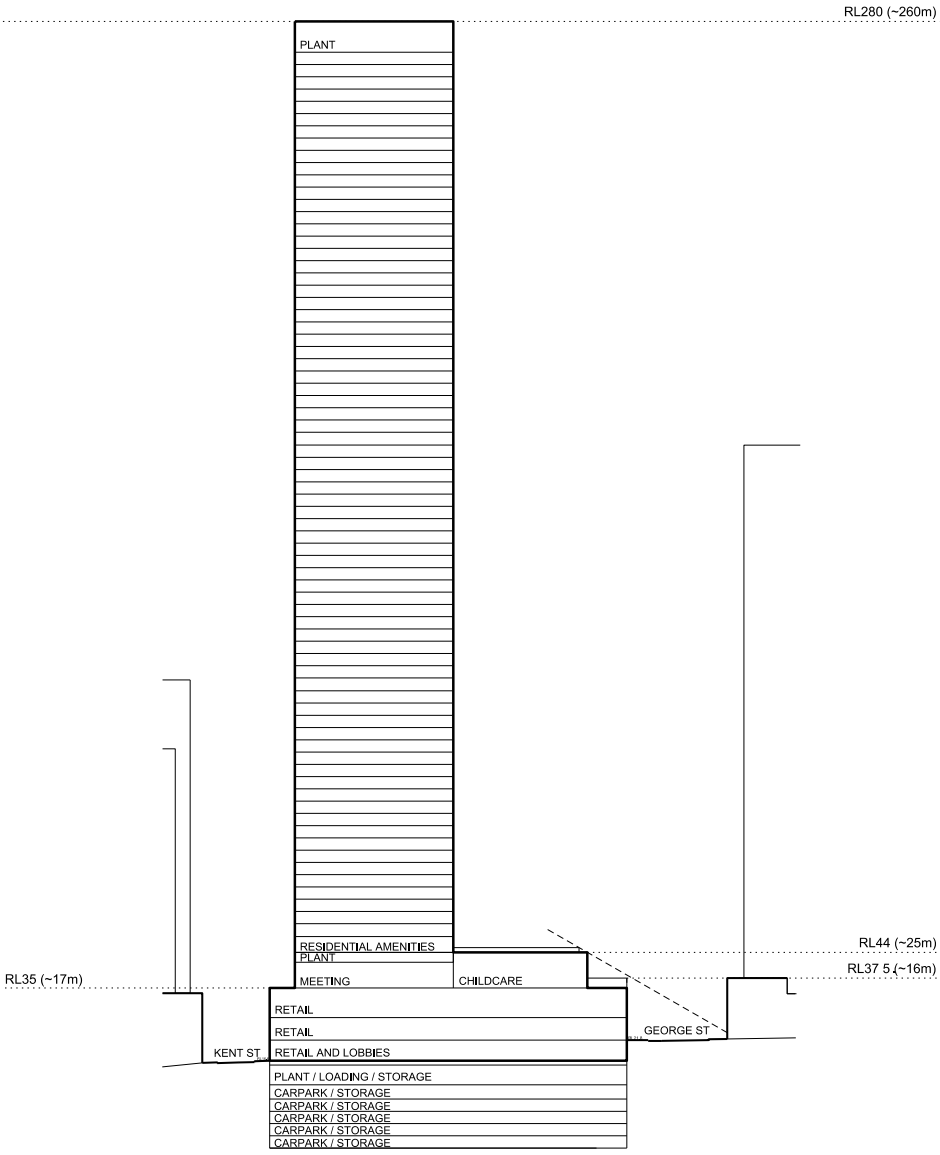


Figure 6.118
Podium Design

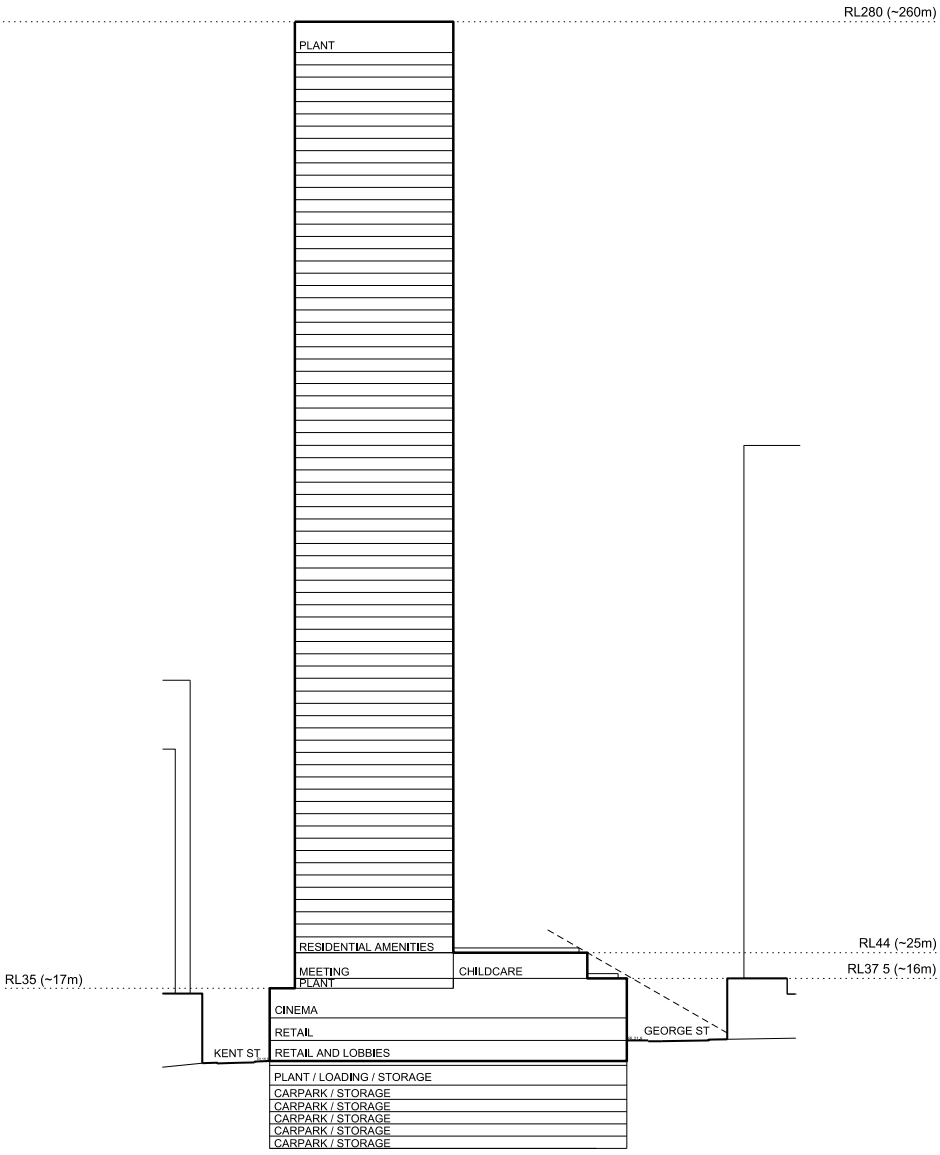
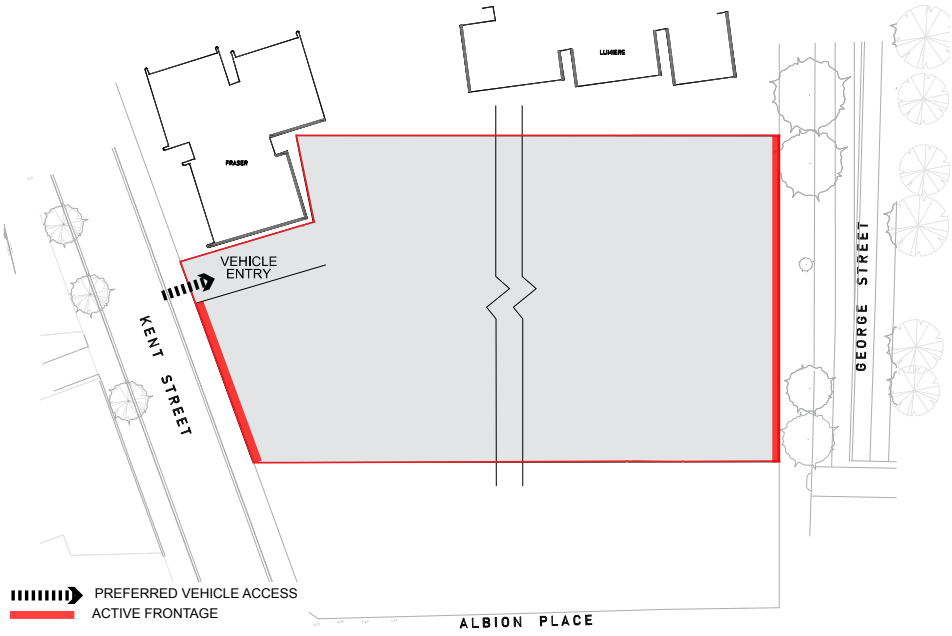


Figure 6.119
Ground Floor Design



6.3.8 45 Murray Street, Pyrmont

The objectives and provisions in this section apply to 45 Murray Street, Pyrmont, as shown in Figure 6.1 Specific Sites Map, only where development seeks to access additional building height permitted by Clause 6.35 of *Sydney Local Environmental Plan 2012*.

Clause 6.35 of *Sydney Local Environmental Plan 2012* enables development to exceed the height shown in the height in metres map up to a prescribed amount provided development is for the purpose of 'hotel or motel accommodation' and ancillary uses.

If a development proposed at 45 Murray Street, Pyrmont seeks to utilise additional height permitted by Clause 6.35, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Facilitate the provision of new tourist and visitor accommodation in appropriate locations.

(b) Provide a development on the site that relates to the surrounding context including other built form on Murray Street.

(c) Define maximum building envelope, including setbacks and street wall heights, to deliver a high quality built form that respects the local context and minimises amenity impacts including solar access, view, privacy and acoustic amenity impacts.

(d) Activate Murray Street and Union Lane through appropriate uses and design.

Provisions

(1) Development must not exceed the maximum building envelopes described by 'Figure 6.120: Maximum building envelope setbacks and alignment', 'Figure 6.121: Maximum building envelope heights', 'Figure 6.122: Maximum building envelope eastern elevation – Murray Street', 'Figure 6.123: Maximum building envelope southern elevation – Union Lane', 'Figure 6.124: Maximum building envelope south east perspective' and 'Figure 6.125: Maximum building envelope south west perspective'.

(2) The envelopes described by the maps are the maximum permissible extent of the built form and the final building designs must be appropriately massed within the envelope.

(3) Active uses and fronatges should be provided on the ground floor fronting Murray Street and Union Lane.

Figure 6.120
Maximum building envelope setbacks and alignment

PROPERTY BOUNDARY



Figure 6.121
Maximum building envelope heights

PROPERTY BOUNDARY

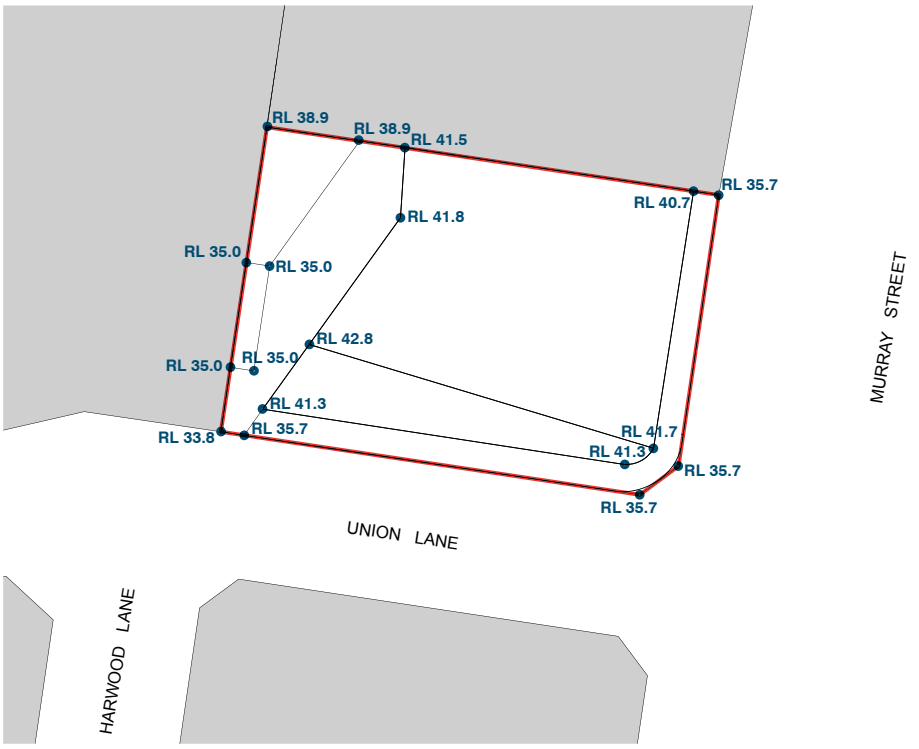


Figure 6.122
Maximum building envelope eastern elevation – Murray Street

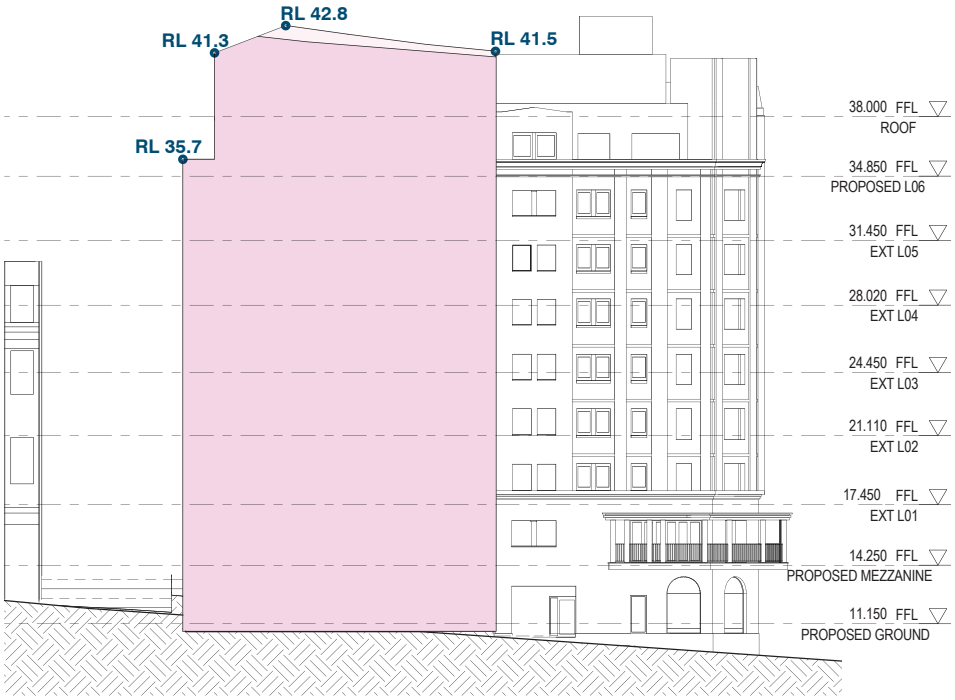


Figure 6.123
Maximum building envelope southern elevation – Union Lane

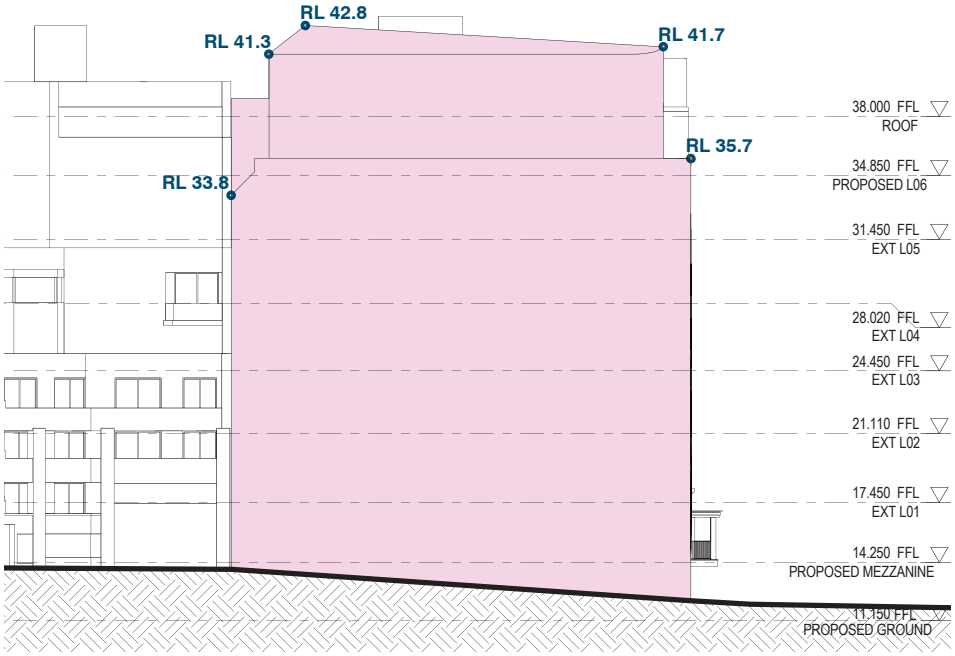


Figure 6.124
Maximum building envelope South east perspective

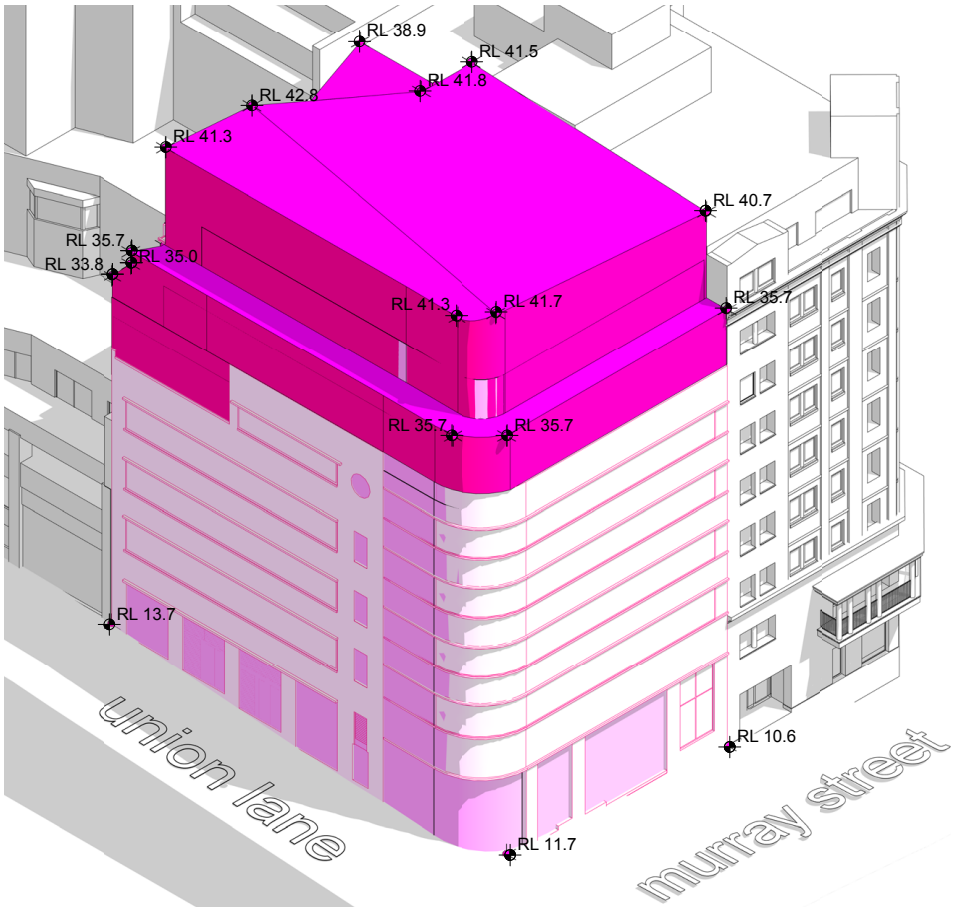
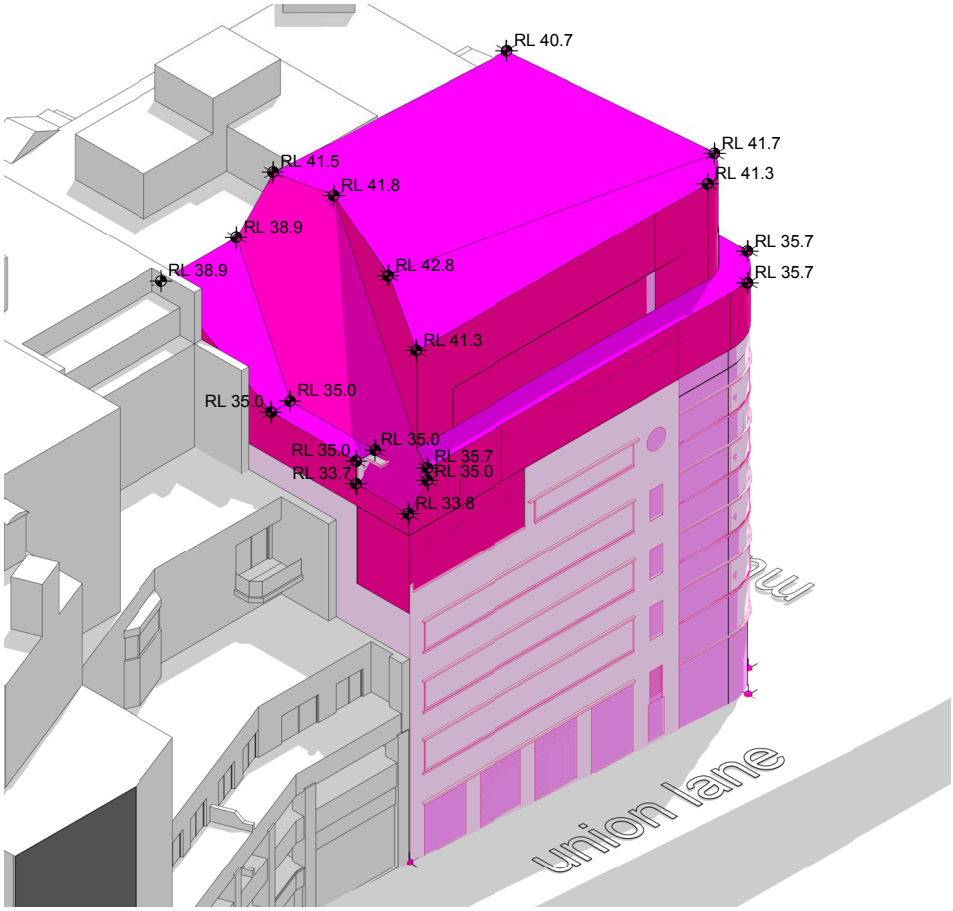


Figure 6.125
Maximum building envelope South west perspective



6.3.9 51-55 Missenden Road, Camperdown

The following objectives and provisions apply to 51-55 Missenden Road, Camperdown as shown in Figure 6.1 Specific Sites Map, where the relevant site specific provisions of the *Sydney Local Environmental Plan 2012* are implemented.

Figure 6.126
Site Plan – 51-55 Missenden Road, Camperdown



Objectives

(a) Ensure development of the site is compatible with the heritage listed two-storey Alfred Hotel and surrounding built form.

(b) Retain and enhance the original character of the heritage listed Alfred Hotel.

(c) Identify the location of new development within the building footprint of the existing single storey element at the rear of the site fronting Dunblane Street.

(d) Apply principles and process that contribute to ecologically sustainable development.

Provisions

6.3.9.1 Built form and Design Controls – Serviced Apartment building

(1) The maximum building height of the proposed development is 7 storeys.

(2) The proposed 7 storey tower must be located to the rear of the site. The building footprint of the new development is limited to the footprint of the existing single storey element at the rear of the Alfred Hotel as shown in Figure 6.127 Proposed Development Envelope and Figure 6.128 Dunblane Street proposed elevation.

(3) Introduce materials and architectural embellishments that articulate, modulate and emphasise different components along the facade of the tower building.

(4) Respect and complement the heritage item in terms of proportions, materials and finishes to enhance the heritage features and significance of the Alfred Hotel.

(5) Retain at least two horizontal bands of original brickwork in the single-storey facade fronting Dunblane Street.

(6) Introduce a green roof (non-trafficable) and green wall to the top roof plant. The green roof and wall is to be planted with drought tolerant Australian native plants (preferable endemic to the Sydney region).

(7) Minimise the visibility of roof forms and associated plant structures. The roof plant is to be designed as a simple and compact form to ensure that it is visually unobtrusive.

(8) Balconies may be introduced to levels 2-6 on the eastern elevation of the proposed tower. Balconies must not project more than 2 metres from the eastern elevation of the new structure above the Alfred Hotel roof as identified in the 'zone for articulation above hotel roof' in Figure 6.127 Proposed Development Envelope.

(9) Integrate the development with surrounding uses and context, and contribute positively to the public domain and active streetscapes.

(10) Views and outlooks from existing residential development should be considered in the site planning and massing of new development.

(11) Minimise impacts of the proposed development on view corridors.

(12) Provide a legible entry and street address for the serviced apartments.

(13) Consider high quality landscape and public art such as through heritage interpretation into the fabric of buildings.

(14) Ensure amenity is enhanced with landscaping, solar access, ventilation and visual and acoustic privacy.

6.3.9.2 Heritage Conservation works – Alfred Hotel

(1) Undertake heritage conservations works to the Alfred Hotel, including, but not limited to the restoration of timber work and joinery; restoration or replacement of the awning; retention, restoration and protection of windows and window joinery and the conservation and repair of ceilings.

(2) The external form and significant spaces and fabric of the two storey section of the Alfred Hotel is to be retained.

Figure 6.127
Proposed Development Envelope

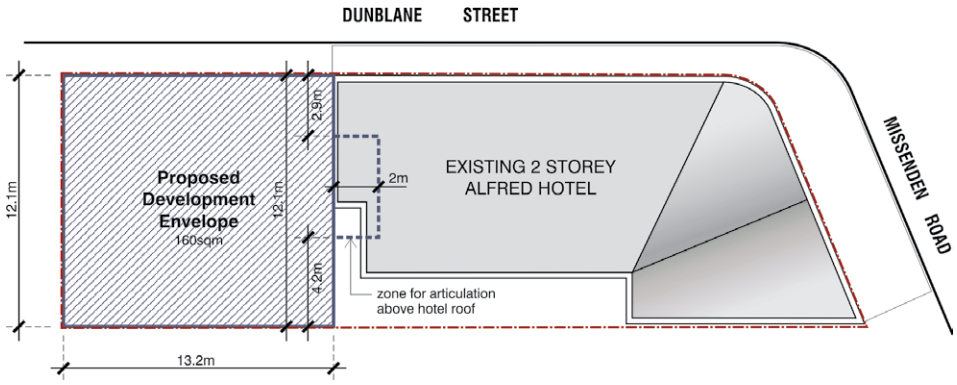
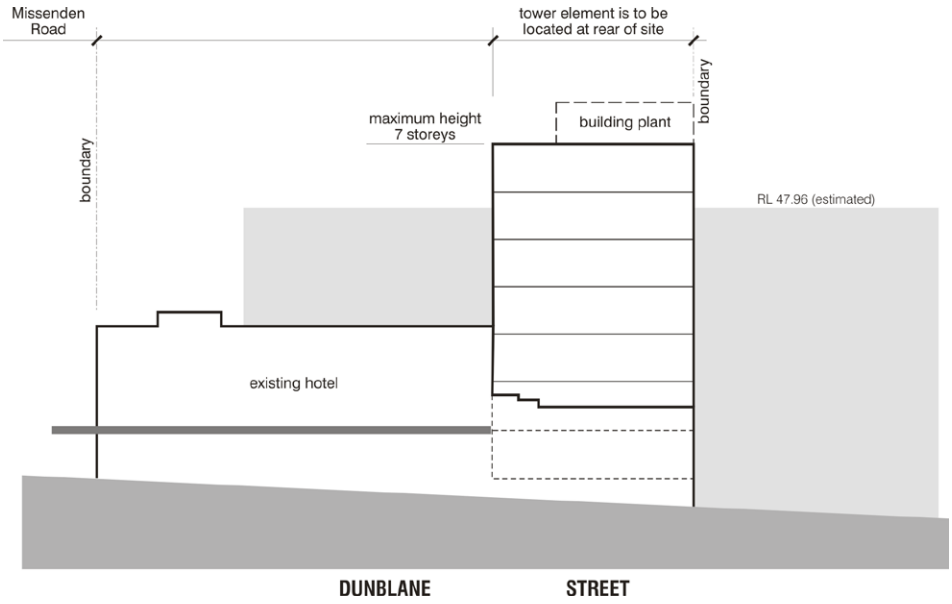


Figure 6.128
Dunblane Street proposed elevation



6.3.9.3 Design Excellence Strategy

(1) A competitive design process in accordance with Division 4 of Sydney LEP 2012 is to be undertaken for the proposed development envelope (refer to Figures 6.127 and 6.128) only, and comprise of an invited competitive design alternatives process involving no less than three architectural firms.

(2) Any additional floor space that results from a competitive design process is to be accommodated within the proposed development envelope as shown in Figures 6.127 and 6.128.

(3) Additional floor space of up to 10% available in accordance with Clause 6.21D(3) under Sydney LEP 2012 is to be allocated on the basis of the total site area.

Note: the total site area also includes part of the site occupied by the existing two storey Alfred Hotel (as shown in Figure 6.127) that does not form part of the competitive design alternatives process.

(4) The competitive design alternatives process is to provide for the following ecologically sustainable development measures:

- Installation of solar panels to supply energy to the common areas of the tower building (approximately 5-6 solar panels);
- The provision of an extensive (non-trafficable) green roof and green walls to the roof top plant;
- BASIX requirements for energy and water efficiency that apply to residential apartments.

6.3.10 296-298 Botany Road and 284 Wyndham Street, Alexandria

The following section applies to 296-298 Botany Road and 284 Wyndham Street, Alexandria as shown in Figure 6.1 Specific Sites Map and 'Figure 6.129: Location Plan'.

Figure 6.129
Location Plan



Objectives

(1) Promote redevelopment of the site comprising high quality residential buildings on top of a podium comprising non-residential uses including retail, commercial and childcare.

(2) Ensure development is of an appropriate bulk and scale for its location at the interface of the Green Square Town Centre and the Waterloo Park locality.

(3) Ensure development is of the highest quality and appropriate to its prominent and highly visible location directly adjacent to the Green Square Town Centre.

(4) Define building envelopes which will provide sufficient flexibility for different designs to be explored and for development to achieve design excellence.

(5) Provide a high level of amenity for future residents by maximising compliance with the Apartment Design Guide and any other relevant plans, guidelines or policies.

(6) Protect and improve public domain amenity by:

  (a) increasing street level activation on Wyndham Street, Bourke Road and Botany Road;

  (b) providing widened areas of footpath for pedestrian circulation;

  (c) retaining street trees for shade and shelter; and

  (d) enhancing pedestrian comfort through managing the potential for wind impacts, particularly on Wyndham Street.

(7) Protect and enhance the amenity of the Green Square Plaza by minimising any overshadowing caused by any part of the development including plant, lift overruns or roof features.

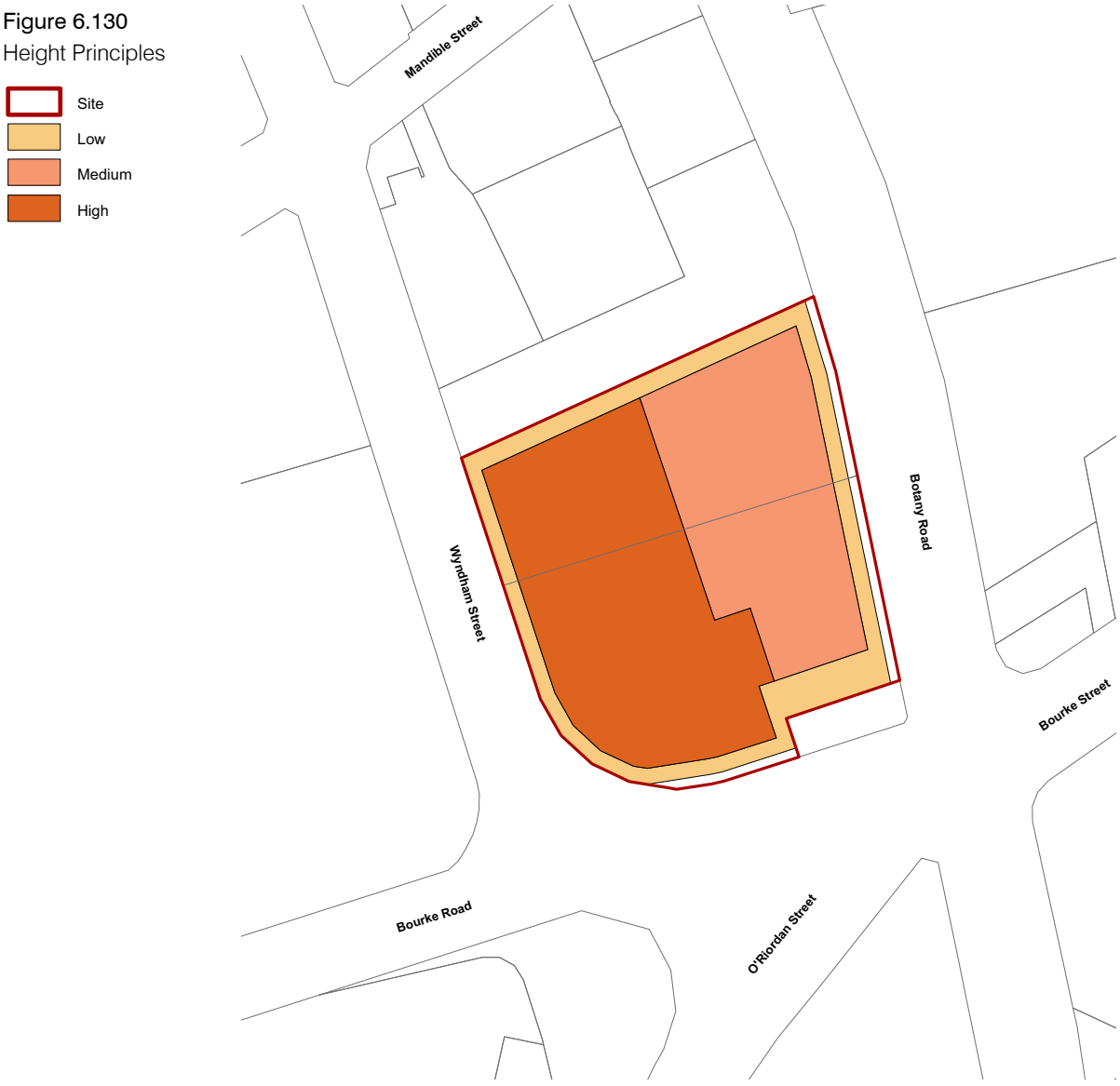
(8) Ensure a high level of amenity and safety in both the through-site pedestrian connection and the outdoor area of the childcare centre by mitigating wind, noise and air quality impacts.

Provisions

6.3.10.1 Built form and design

(1) Building heights are to comply with 'Figure 6.130 – Height Principles.' In order to provide an appropriate transition in scale, taller residential towers are to be situated on the western and south-western part of the site. Development on the eastern part of the site, fronting Botany Road, is to be limited in height and provide a transition to the lower scale built form controls of the Waterloo Park locality.

Figure 6.130
Height Principles



(2) The final building design must be appropriately massed within the envelope shown in 'Figure 6.131: Building Envelope South West' and 'Figure 6.132: Building Envelope South East'. This represents the maximum permissible extent of built form.

Figure 6.131
Building Envelope South West

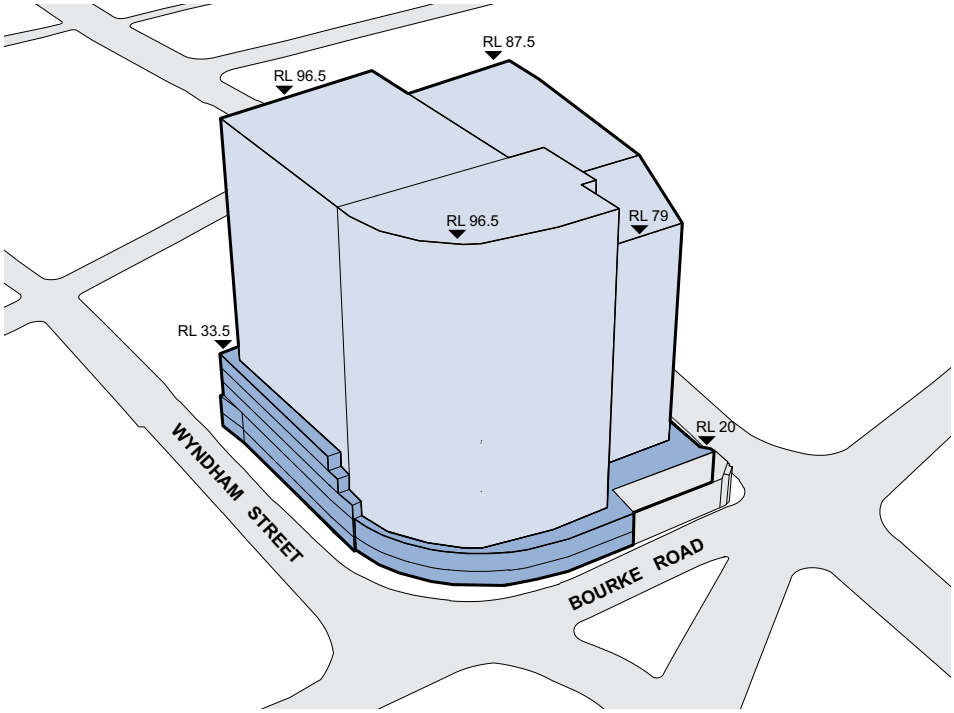
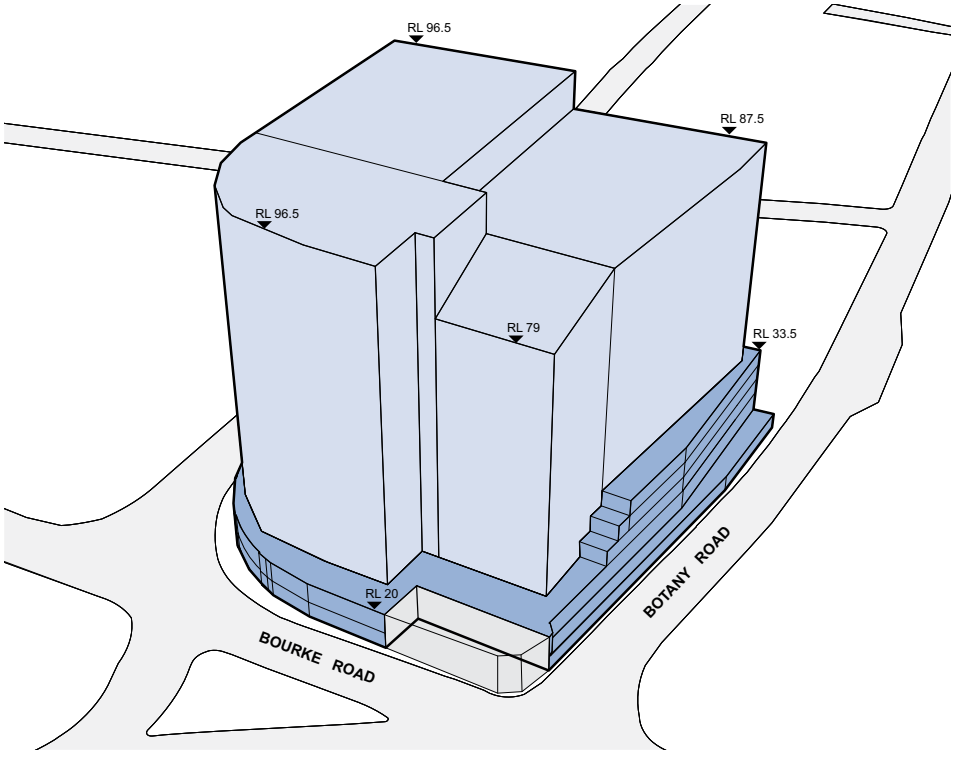


Figure 6.132
Building Envelope South East



(3) Sections through the maximum envelope are shown at 'Figure 6.134: Section 1', 'Figure 6.135: Section 2', 'Figure 6.136: Section 3' and 'Figure 6.137: Section 4'. The location of sections is shown at 'Figure 6.133: Section Key'. Development must not exceed the maximum heights expressed in RLs in these sections.

Figure 6.133
Section Key



Figure 6.134
Section 1

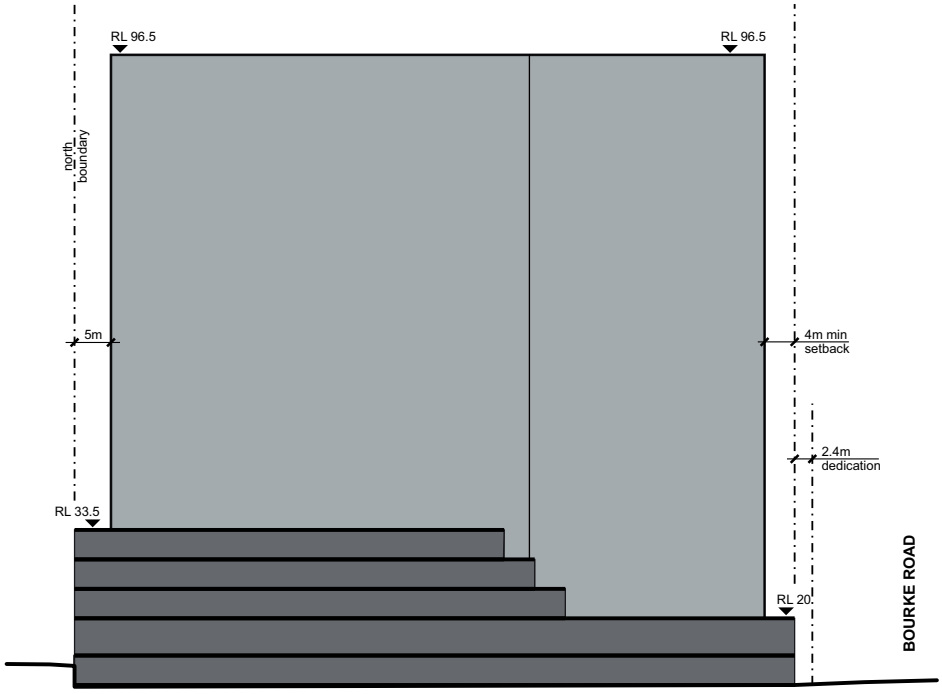


Figure 6.135
Section 2

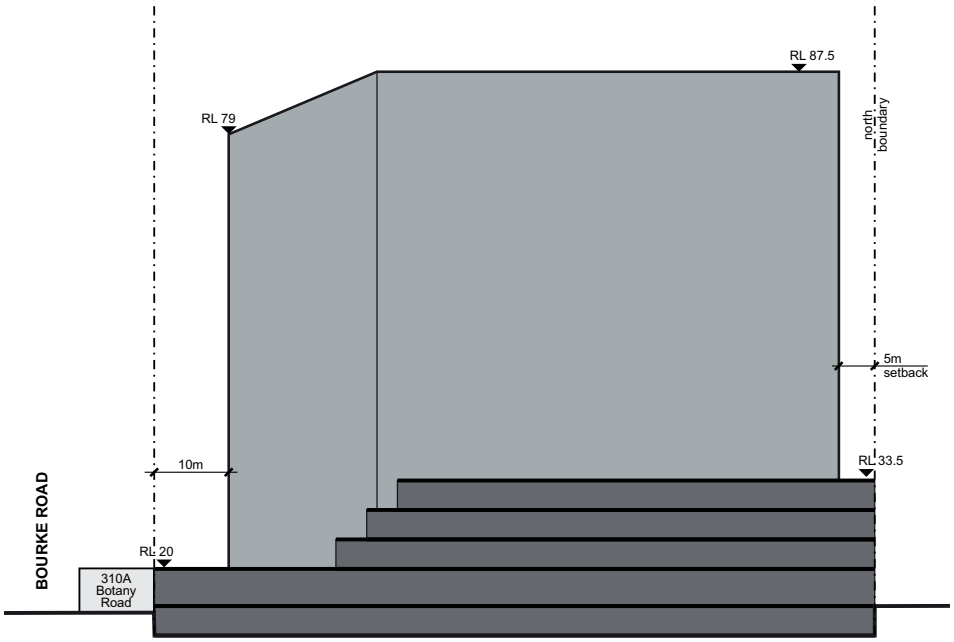


Figure 6.136
Section 3

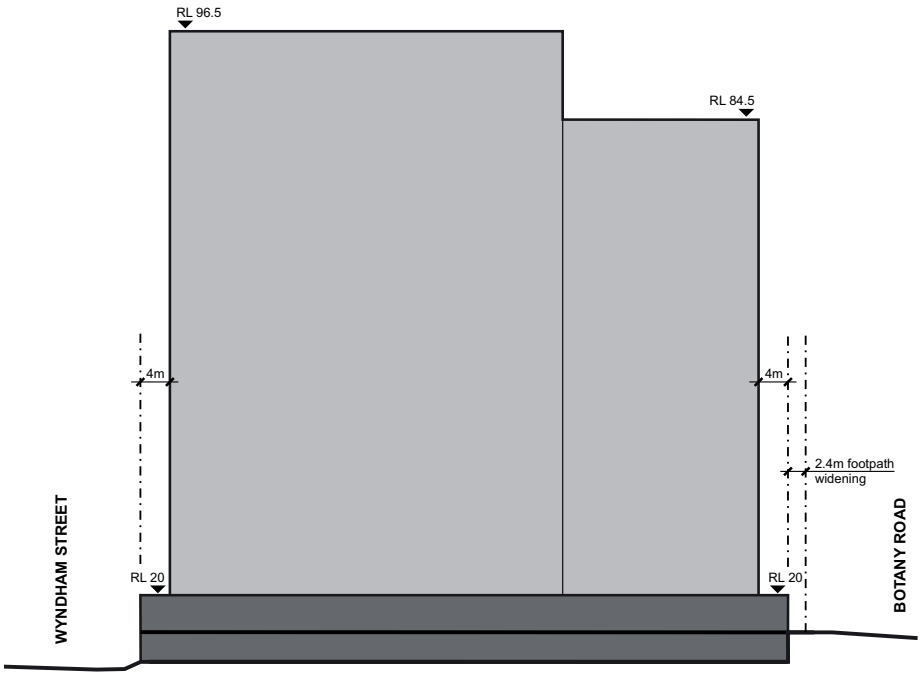
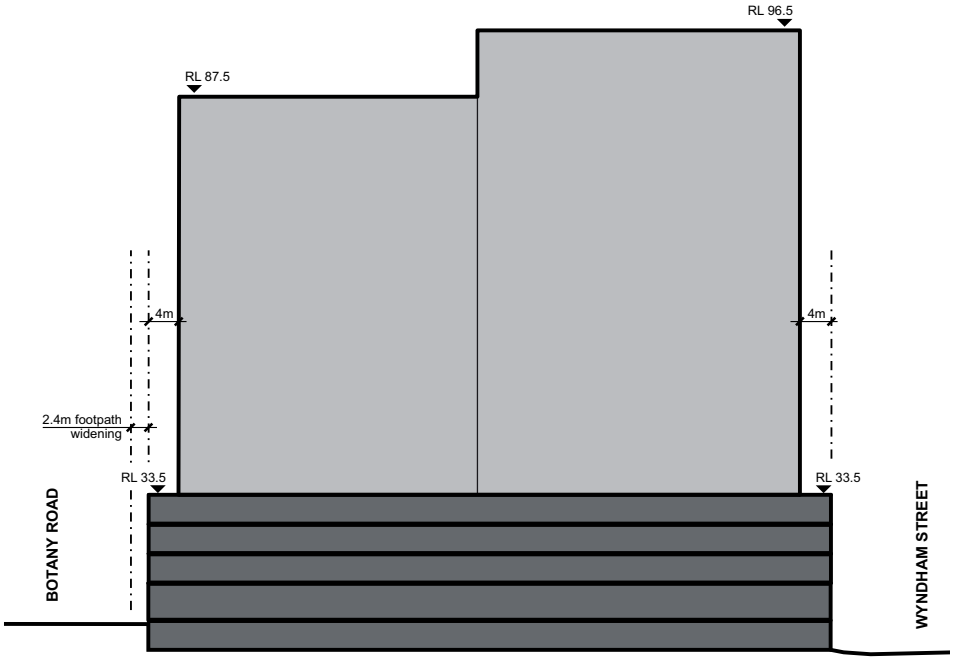


Figure 6.137
Section 4



(4) Development must not exceed the maximum heights expressed in RLs in 'Figure 6.138: Height and Setbacks'

(5) Setbacks above the street wall height, as defined by the top of the podium, should be provided in accordance with 'Figure 6.138: Height and Setbacks'.

Figure 6.138
Height and Setbacks



(6) The length and height of residential buildings is to be articulated to limit the overall mass and reduce the sense of scale from the public domain.

6.3.10.2 Lower level podium design

(1) A widened footpath along Botany Road and Bourke Road is to be provided in accordance with Public Domain Setbacks Map Sheet 18 and 'Figure 6.139: Public Domain Dedication' to provide additional space for pedestrian circulation. No underground carpark is to be located under these areas.

Figure 6.139
Public Domain Dedication



(2) The lower levels of the podium are to be designed to maximise pedestrian activation by avoiding blank walls and providing entrances to retail tenancies along all three street frontages.

(3) Where at-grade entrances are not able to be provided due to flooding constraints, suitable alternatives are to be explored which still seek to maximise activation and pedestrian activity.

(4) All residential lobbies are to be accessed from the street. Sky lobbies are not permitted.

(5) A through-site connection is to be provided from Botany Road to Wyndham Street in accordance with 'Figure 6.140: Circulation' and is to be legible and direct. The visual connection through the link is to be maximised. The final alignment should be determined in consultation with the relevant NSW Government transport authority to connect as best as possible with future pedestrian crossings.

(6) The through-site connection is to be designed so that the impacts of wind, wind-driven rain, noise and air pollution are minimised through use of awnings, landscaping and materials as appropriate.

6.3.10.3 Upper level podium design

(1) Any proposed childcare centre regardless of location in the podium is to be designed to comply with Section 4.4.4 of Sydney DCP 2012 and any other relevant guideline, policy or plan subsequently approved by Council.

(2) Where above ground car parking is provided, it is to be screened with other uses and should not result in blanks walls to the public domain. Above ground car parking is to be designed to be adaptable to other uses in the future.

6.3.10.4 Tower design

(1) The siting, massing, orientation and detailed design of residential towers is to ensure maximum compliance with the objectives of the Apartment Design Guide and this site specific DCP.

6.3.10.5 Overshadowing

(1) This provision should be read in conjunction with provision 3.1.3 (m) and 3.1.3 (n) and Figure 3.2 of Green Square Town Centre DCP 2012.

(2) Development is not to result in any overshadowing of the consolidated areas of direct sunlight identified in Figure 3.2 of Green Square Town Centre DCP 2012.

6.3.10.6 Wind impact

(1) Residential towers are to be setback from the podium edge in accordance with 'Figure 6.138: Height and Setbacks'.

(2) The siting, massing and orientation of residential towers are to be determined with regard to the resultant pedestrian level wind environment.

(3) An awning is to be provided along the Wyndham Street frontage to disperse downwash flow and protect pedestrian comfort and safety.

(4) A wind effect report based on wind tunnel testing and prepared by a suitably qualified engineer is to be submitted with a development application. It should analyse existing and new likely wind conditions created by proposed buildings, provide design solutions and show how the development minimises the impact of wind on the public and private domain.

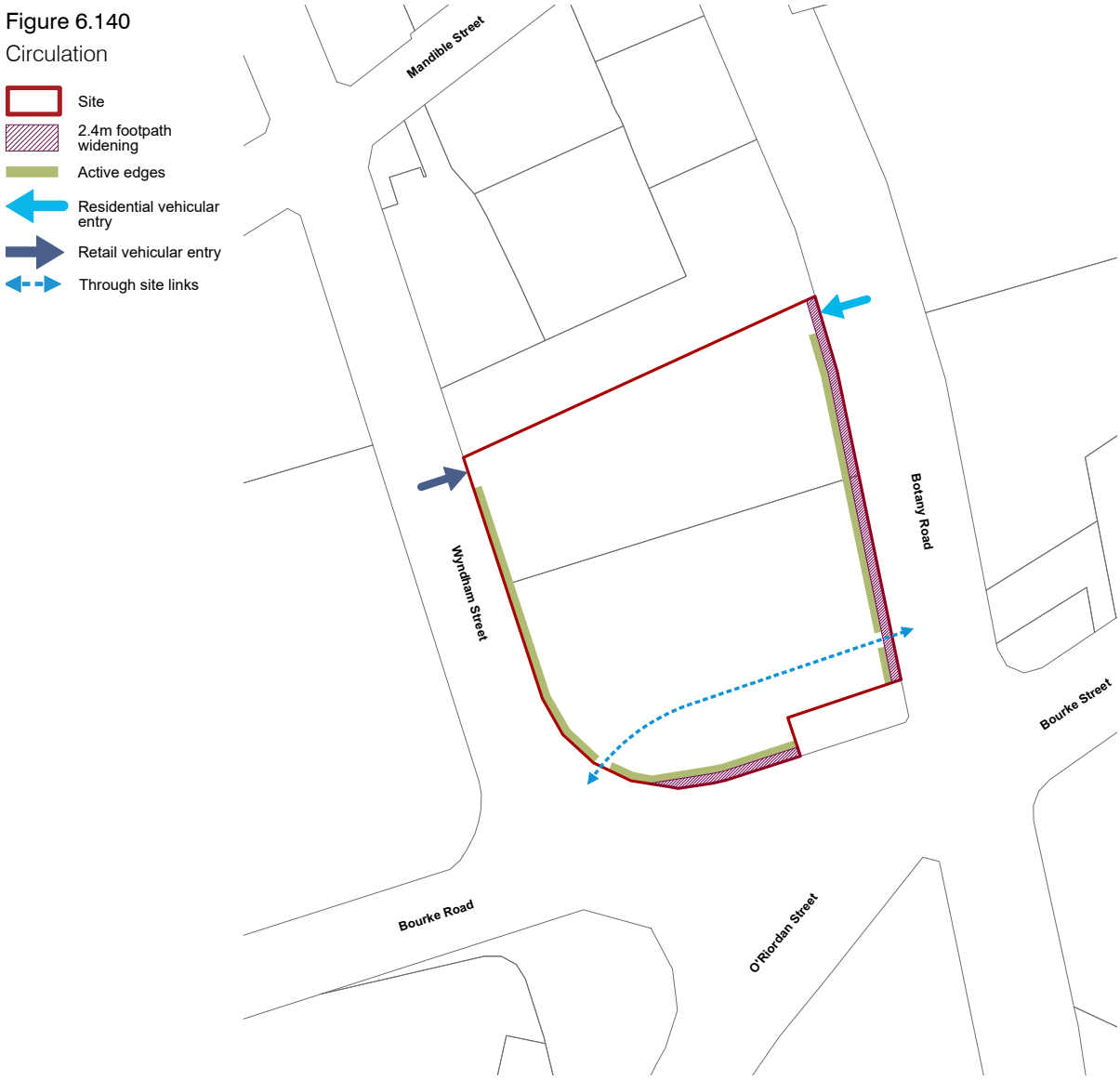
6.3.10.7 Access and circulation

(1) Indicative vehicle access points are shown in 'Figure 6.140: Circulation'.

(2) Vehicle parking for retail and residential uses are to be separated and accessed via separate driveways.

(3) Driveways are to be minimised. Pedestrian amenity and safety is to be considered in determining the final location, size and number of vehicle crossovers.

Figure 6.140
Circulation



6.3.10.8 Design Excellence Strategy

(1) The competitive design process is to be undertaken in accordance with Division 4 of *Sydney Local Environmental Plan 2012*.

(2) The competitive design process is to comprise an invited Competitive Design Alternatives Process involving a minimum of four architectural firms ranging from emerging, emerged and established architectural firms.

(3) Any additional floor space that results from a competitive design process must be accommodated within the proposed building envelope shown at Figures 6.131 and 6.132. No additional building height is to be awarded as a result of the competitive design process.

(4) Any additional floor space available in accordance with Clause 6.21D(3) of *Sydney Local Environmental Plan 2012* is to be calculated on the portion of the development that is subject to the competitive design process. To avoid doubt:

(i) in calculating the available quantum of additional floor space, any floor space for which there is a current active development consent is to be excluded regardless of whether that floor space is converted or modified to facilitate the redevelopment of the site; and

(ii) the full amount of additional floor space (up to 10%) is only available if the competitive design process applies to the entire developable area on the site.

(5) Any additional floor space available in accordance with (3) and (4) is subject to all BASIX affected development on the site achieving the above-minimum BASIX score for energy set out in clause 6.37 (6) of *Sydney Local Environmental Plan 2012*.

(6) For the purposes of Clause 6.37(5) of *Sydney Local Environmental Plan 2012*, any additional floor space awarded under clause 6.21D(3)(b) of *Sydney Local Environmental Plan 2012* is to be identified in any development application to which this clause applies and is to be:

(i) allocated to residential development above a height of 60m; and

(ii) proportionately distributed among an appropriate mix of dwelling types.

6.3.11 7-15 Randle Street, Surry Hills

The following objectives and provisions apply to 7-15 Randle Street, Surry Hills, as shown in Figure 6.1 Specific Sites Map, where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.41 (new clause) of Sydney LEP 2012 enables development to exceed the height and floor space shown in the height in metres and floor space ratio maps up to a prescribed amount, provided the entire site is developed for hotel or motel accommodation with ancillary commercial premises at the lowest two levels, also known as the basement and ground levels.

If a development proposed at 7-15 Randle Street, Surry Hills, seeks to utilise additional height or floor space permitted by Clause 6.41 (new clause), then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Conserve the heritage item, the former RC Henderson factory at 11-13 Randle Street, Surry Hills, including its exterior, interior and setting.

(b) Ensure new development on the site provides appropriate setbacks and street frontage heights to maintain the integrity and prominence of the heritage item in its setting.

(c) Ensure new infill development and additions are compatible with the heritage item and make a positive contribution to surrounding streetscapes.

(d) Ensure new uses and public domain upgrades at the lane and street levels provide for safe and accessible pedestrian movements, site servicing, and laneway activation.

(e) Establish benchmarks to achieve ecologically sustainable development.

Provisions

6.3.11.1 Built form

(1) Building height in metres must not exceed the maximum shown in 'Figure 6.141: Building heights and setbacks' of RL 58.47 metres, with the exception of roof services or architectural roof features within the marked roof services zone to a maximum height of RL 59.47 metres.

(2) Development shall retain and continue floor levels established by the existing building at 11-13 Randle Street and shall not exceed 9 storeys fronting Randle Lane and 8 storeys fronting Randle Street.

(3) Top two levels of the building shall be set back by 3 metres from Randle Street and 2 metres from Randle Lane, free of any obstructions including roof eaves or sunshading and the like, measured from the inside of existing parapet walls at 11-13 Randle Street.

(4) Street frontage heights shall:

(a) match existing parapet wall heights of RL 55.46 metres on Randle Lane and RL 55.48 metres on Randle Street for the heritage item at 11-13 Randle Street; and

(b) not exceed RL 53.58 metres, including balustrades or parapet walls, for 7-9 and 15 Randle Street.

6.3.11.2 Design excellence strategy

(1) The competitive design process is to be undertaken in accordance with Division 4 of Sydney LEP 2012 and is to apply to the entire site. The competitive design process is to comprise an invited competitive design alternatives process involving four architectural firms.

(2) The selection panel is to comprise a total of four (4) members. The proponent is to nominate two (2) panel members and the City of Sydney is to nominate two (2) panel members.

(3) A building demonstrating design excellence is eligible for an amount of additional floor space in accordance with the design excellence provisions of Sydney LEP 2012. No additional height is to be awarded as a result of a competitive design process.

(4) Any additional floor space awarded is to be accommodated within the proposed building envelope as shown in 'Figure 6.141: Building heights and setbacks'.

6.3.11.3 Sustainability

(1) The development is to be designed to achieve a 4-star or higher Green Star Design & As Built certification, exceeding the minimum mandatory energy credits, or equivalent certification.

(2) The development is to specify design measures and targets for each type of use addressing:

(a) energy efficiency, to exceed the requirements of Section J of the Building Code of Australia;

(b) water efficiency, to aim to achieve 0.43 kL/m2/year with cooling tower and laundry or 0.17 kL/m2/year without cooling tower and laundry; and

(c) waste management and resource recovery for building construction and operation.

(3) An accredited NABERS energy and water rating of at least 4-stars is to be obtained after the hotel is constructed, to be disclosed on the NABERS website and to the City of Sydney.

6.3.11.4 Heritage and urban design

(1) Development of the site must maintain the structural and architectural integrity of the heritage item at 11-13 Randle Street.

(2) New uses and works to the heritage item shall maximise retention and exposure of historic building fabric and spaces, internally and externally.

(3) Development of the site shall include conservation works to the heritage item, such as reinstatement of original features including the Randle Street timber windows, laneway basement windows, face brickwork finishes, and removal of detracting alterations.

(4) For the heritage item, investigate and adopt alternative solutions to the Building Code of Australia performance requirements, with the aim of retaining and exposing the existing timber beams and columns and other historic features.

(5) Locate building services for new uses, such as loading, plant rooms, fire egress and lifts, in the infill buildings at 5-7 Randle Street and 15 Randle Street, where possible, to minimise impacts on the heritage item.

(6) Vertical additions to the heritage item and adjacent infill development shall be compatible with the heritage item, maintain the prominence of the heritage item in the streetscapes, and maintain the heritage item parapet walls on street frontages without alteration.

(7) New development adjacent to the heritage item shall include a deep vertical recess on street frontages at the junction with the existing heritage item walls for the full height of the wall.

(8) The setback top two levels shall be designed to present as a discrete, light-weight rooftop addition with articulated northern side wall, to minimise the visual bulk of additions and rooftop services, enclosure of the heritage item, and presentation of a blank side wall to the public domain.

(9) The heritage provisions in sections 3.9 and 3.10 shall apply for proposed works to the heritage item.

6.3.11.5 Public domain, lane and street activation and site servicing

(1) Public domain upgrades to the laneway, such as a shared zone conversion or footpath widening, and uses at both street levels will provide for:

(a) safe and accessible pedestrian movements to pedestrian entrances on Randle Lane;

(b) the continued function of the lane and street as public roads;

(c) servicing the site without reversing vehicles, and

(d) activation of the lane and street.

(2) A transport management plan incorporating hotel operations and servicing shall be submitted with the development application, setting out management strategies to provide for:

(a) no vehicle parking on Randle Street;

(b) sufficient clearance for vehicles to pass parked vehicles on Randle Lane; and

(c) pedestrian safety.

Figure 6.141
Building heights and setbacks

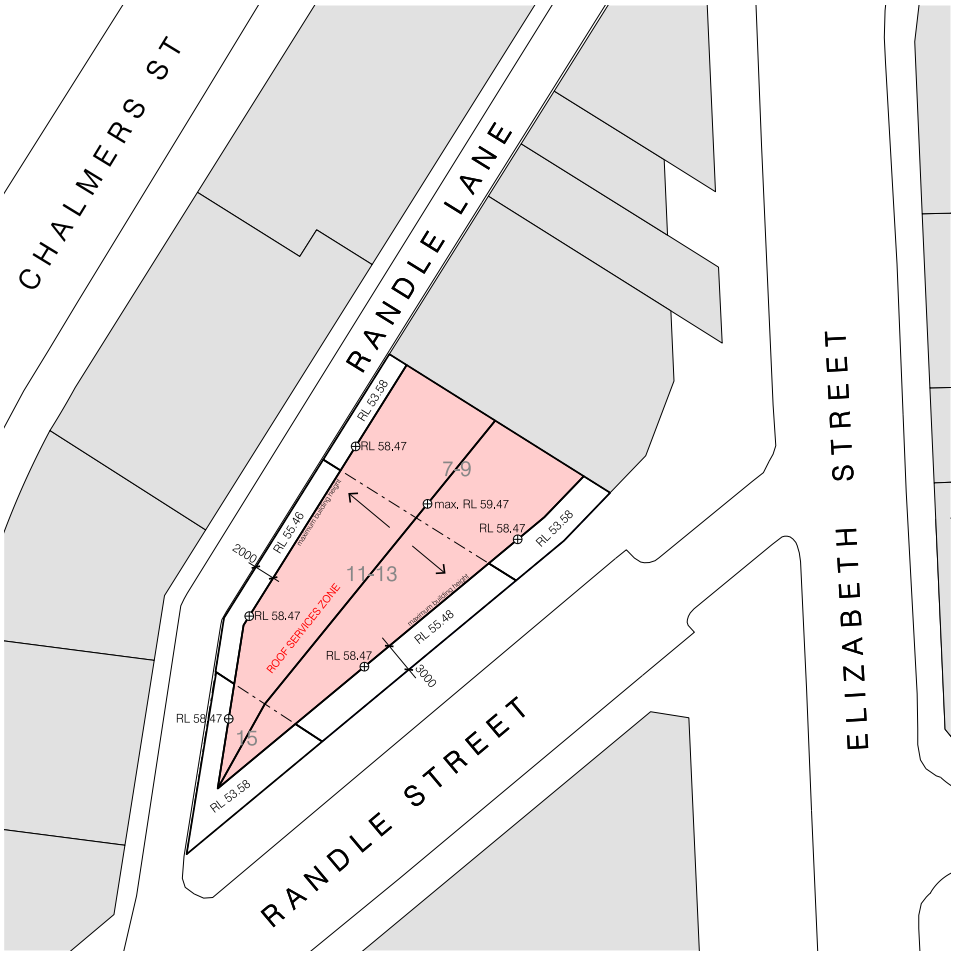
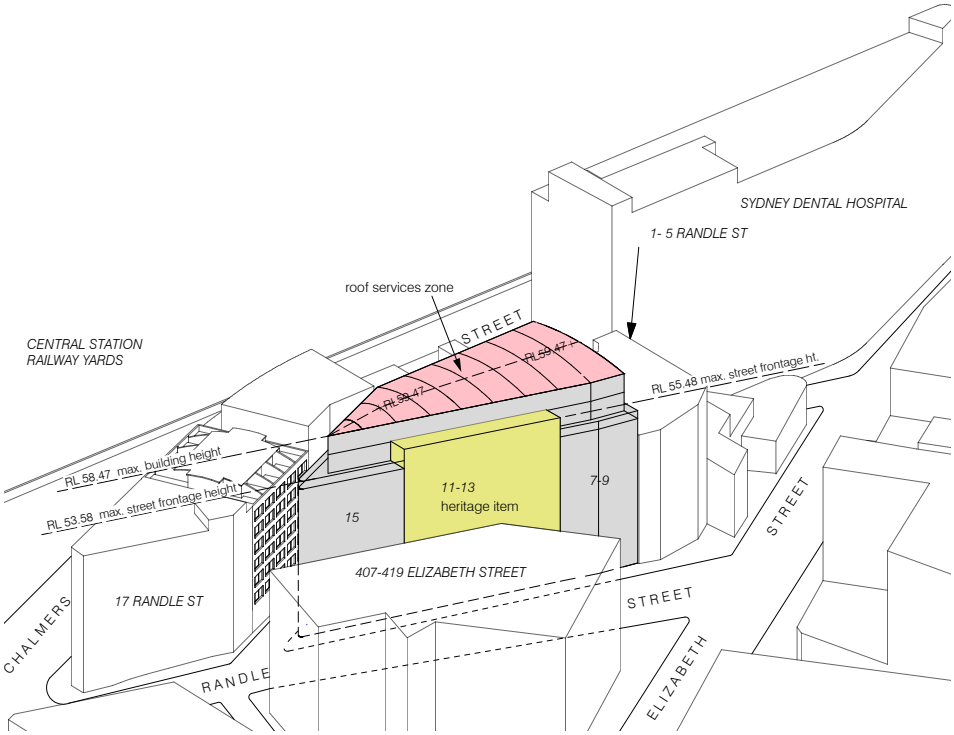


Figure 6.142
Building envelope



6.3.12 2-32 Junction Street, Forest Lodge

The objectives and provisions in this section apply to 2-32 Junction Street, Forest Lodge, as shown in Figure 6.1 Specific Sites Map, only where development seeks to access additional floor space permitted by Clause 6.40 of *Sydney LEP 2012*.

Clause 6.40 of *Sydney LEP 2012* enables development to exceed the maximum floor space ratio shown in the Floor Space Ratio Map up to a prescribed amount provided development provides publicly accessible open space and a link through the site.

If a development proposed at 2-32 Junction Street, Forest Lodge seeks to utilise additional floor space permitted by Clause 6.40, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Define the maximum building envelope to deliver a high quality built form that respects the local context and ensures an appropriate level of amenity within the site and to surrounding properties.

(b) Encourage the provision of identified local open space infrastructure by establishing the circumstances under which the maximum gross floor area can be achieved.

(c) Introduce new high quality publicly accessible open space integrated with Larkin Street Reserve that supports a diversity of uses and responds to residents' needs.

(d) Increase passive surveillance and opportunities for social interaction from ground floor dwellings fronting Junction Street.

(e) Introduce new and improve existing publicly accessible links through and adjacent to the site that respond to key connections, increases opportunities for walking and cycling and improves accessibility.

(f) Ensure risks to life and property from flooding are managed appropriately and avoid significant adverse impacts on flood behaviour and the environment.

(g) Conserve and enhance the heritage significance of the heritage conservation area including the contribution of the existing Federation warehouse building at 12 Junction Street, Forest Lodge.

Provisions

6.3.12.1 Local open space and access infrastructure

(1) Where local open space and access infrastructure works are proposed to the satisfaction of the consent authority, consent may be granted for development up to the maximum gross floor area achievable under Clause 6.40 of *Sydney LEP 2012* but only if the development contributes to the desired character of the locality and has little or no impacts on the amenity of that locality.

(2) The maximum gross floor area under Clause 6.40 of *Sydney LEP 2012* can only be achieved where the development provides local public open space and access infrastructure, including embellishment, which is over and above that required under the provisions of the relevant City of Sydney development contributions plan.

(3) Where proposed community infrastructure is not to the satisfaction of the consent authority, development to the maximum gross floor area, as determined by the maximum floor space ratio under clause 6.40 of *Sydney LEP 2012* will not be possible and development is to be consistent with the maximum gross floor area as determined by the maximum floor space ratio under Clause 4.4 of *Sydney LEP 2012*.

(4) Local public open space and access infrastructure is to include:

(a) Dedication and embellishment of land identified as 'A' in 'Figure 6.144: Required public open space and setbacks' for new public open space, to the satisfaction of the Council, and be integrated with the existing Larkin Street Reserve to form a single park,

(b) Dedication and embellishment for land identified as 'B' in 'Figure 6.144: Required public open space and setbacks' for a new publicly accessible link through the site. The through site link must be universally accessible and have a minimum width of 6 metres, and

(c) Embellishment and public access to land identified as 'C' in 'Figure 6.144: Required public open space and setbacks' as a pedestrian extension to the existing public access on the boundary of 1-3 Larkin Street to improve the public domain and pedestrian access.

(5) Local public open space and access infrastructure dedicated under subclause (3) is to be fit for purpose and not constrained by contaminated land restrictions.

6.3.12.2 Maximum building envelopes

(1) Development must not exceed the maximum building envelopes described by 'Figure 6.143: Maximum building envelope setbacks and alignment', 'Figure 6.144: Required public open space, through site link, landscape screening and setbacks', 'Figure 6.145: Northern section including maximum building heights' and 'Figure 6.146: Southern section including maximum building heights'.

(2) Despite subclause 1, the maximum building envelope in the area identified as '(i)' in 'Figure 6.143: Maximum building envelope setbacks and alignment' may be increased from four storeys to six storeys' subject to the development demonstrating design excellence under Division 4 of Sydney Local Environmental Plan 2012.

(3) Despite subclause 1, the area identified as '(ii)' in 'Figure 6.143: Maximum building envelope setbacks and alignment' may be increased from three storeys to four storeys' subject to the development demonstrating design excellence under Division 4 of Sydney Local Environmental Plan 2012.

(4) Variations to the Height of Buildings Map of Sydney Local Environmental Plan 2012 for clauses 2 and 3 above may be considered under clause 4.6 of Sydney Local Environmental Plan 2012.

Figure 6.143

Maximum building envelope setbacks and alignment

- SITE BOUNDARY
- # HEIGHT IN STOREYS ABOVE JUNCTION STREET
- A BUILDING IDENTIFICATION CODE (LETTER)
- (X & II) HEIGHT VARIATION CLAUSES APPLY
- DIMENSIONS - MINIMUM SETBACKS & SEPARATIONS AND MAXIMUM BUILDING DEPTHS

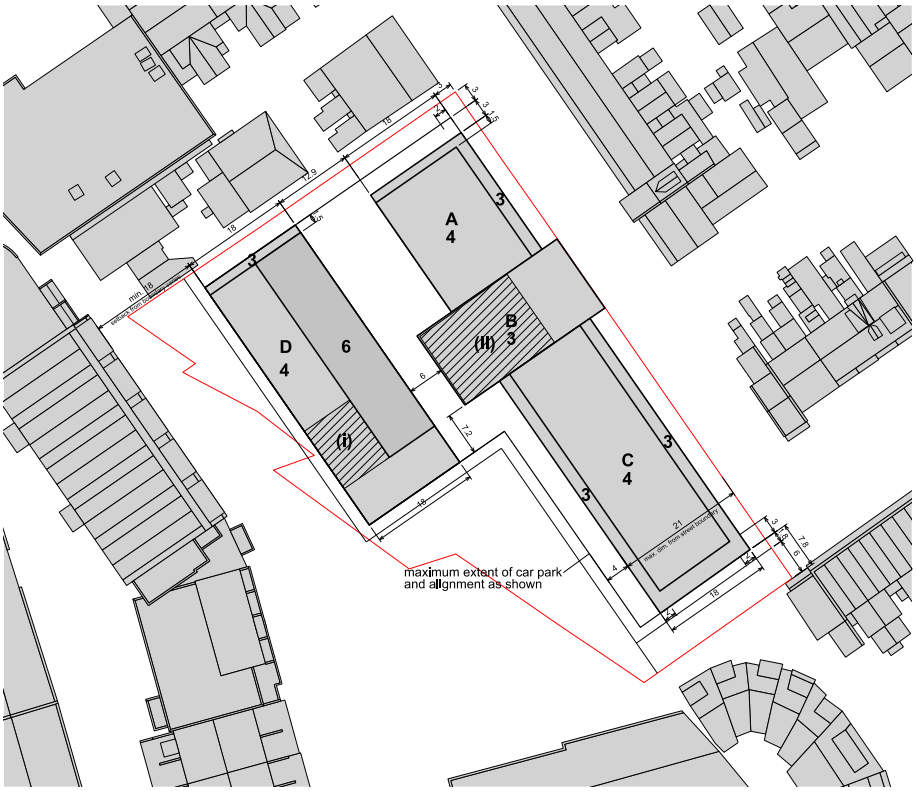


Figure 6.144

Required public open space, through site link, landscape screening and setbacks

- SITE AREA
- A DEDICATION - PARK (AT GRADE WITH LARKIN STREET RESERVE)
- B DEDICATION - LANE (EVEN GRADE FROM ST JOHNS ROAD TO LARKIN STREET RESERVE)
- C EASEMENT FOR PUBLIC ACCESS - LARKIN STREET EXTENSION
- D PRIMARY SETBACK 3M - CLEAR TO SKY
- E ABOVE GROUND PARKING SCREEN PLANTING 2M - CLEAR TO SKY
- F PAVED DRIVEWAY & PEDESTRIAN ACCESS - CLEART TO SKY, INCLUDES LANDSCAPED SCREENING
- G COMMUNAL AND/OR PRIVATE OPEN SPACE
- MAXIMUM EXTENT OF CAR PARK (MAX. HEIGHT RL 16.0)

UPPER LEVEL SETBACK

- H1 1.5M ABOVE LEVEL 3
- H2 2M ABOVE LEVEL 3
- H3 3M ABOVE LEVEL 3
- H4 ABOVE LEVEL 4-9M ON SOUTH WEST SIDE & 7.2M ON SOUTH EAST SIDE



Figure 6.145
Northern section including maximum building heights

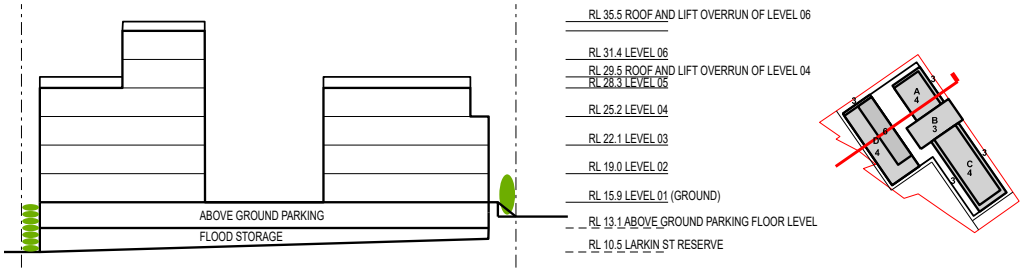
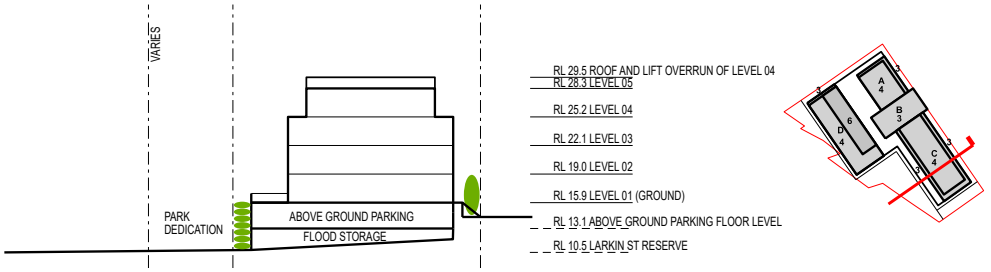


Figure 6.146
Southern section including maximum building heights



6.3.12.3 Entries to ground floor dwellings fronting Junction Street

(1) Individual entries are to be provided to ground floor dwellings fronting Junction Street to increase passive surveillance and opportunities for social interaction.

6.3.12.4 Solar Access to open space

(1) Solar access to the existing Larking Street Reserve is to comply with the Provisions in Section 3.1.4 of this DCP. Solar access to the land identified as A in Figure 6.144 is to be maximised.

6.3.12.5 Flood risk management

(1) A site specific flood study consistent with section 3.7 of this DCP and City of Sydney's *Interim Floodplain Management Policy* is to be prepared and submitted with the Development Application.

(2) The floor of a new under croft car park must be elevated to the 5% annual exceedance probability.

(3) The floor of the under croft car park must be suspended to allow flood inundation beneath so that flood storage is equivalent to or greater than existing conditions, consistent with 'Figure 6.145: Northern section including maximum building heights' and 'Figure 6.146: Southern section including maximum building heights'.

(4) The under croft car park's and flood storage area's walls are to be constructed from permeable architectural screening on all sides except Junction Street to ensure flood waters can flow into and out of the car park. The permeable screening must be of high quality materials and finishes and must be designed to manage acoustic and headlight glare impacts.

(5) The car park and flood storage areas must be screened by mature landscaping at least 2 metres wide in plan, consistent with 'Figure 6.144: Required public open space and setbacks'. Such landscaping is not to be dedicated for public open space.

(6) A single lane vehicle access point must be located in the north east corner of the site, at Junction Street. Vehicle access from Larkin Street is not permitted.

(7) The area identified as 'F' in 'Figure 6.144: Required public open space and setbacks' must include mature screen planting along the entire north west boundary.

(8) Three pedestrian flood evacuation points must be provided in the under croft car park, at the northern, central and southern part of the car park to Junction Street. The southern evacuation point must evacuate to the ground floor of the development away from the St Johns Road overland flow path.

(9) Permanent signs must be placed in all visible key locations of the under croft car park advising residents the car park is subject to flooding.

(10) The overland flow path from St Johns Road to Larkin Street must be maintained.

6.3.12.6 Heritage conservation

(1) The whole of the original part of the existing warehouse building at 12 Junction Street must be retained and conserved, including the brick walls, internal timber structure and any surviving original ceilings. The existing contemporary rear addition does not need to be retained.

(2) New buildings fronting Junction Street must respond positively to the character of the existing warehouse building and be setback from Junction Street so that they are behind the front building line of the warehouse building.

(3) New buildings fronting Junction Street must be sympathetic to and complement the fine grained character of the conservation area, existing terraces on Junction Street and the warehouse building through:

(a) A fine grain design and massing that responds to the vertical rhythm and horizontal elements of buildings in the area and reduces the perceived length of the Junction Street elevation,

(b) The use of materials and finishes compatible with materials and finishes of nearby contributory buildings in the conservation area and the warehouse building, and

(c) Being compatible with the proportions of contributory buildings within the conservation area including bulk, scale and detailing.

(4) The stone retaining wall along the eastern boundary of the site should be substantially retained and conserved in situ. Due to its condition, this may require the rebuilding of the wall. Where possible, existing stone from the wall is to be reused.

(5) A Conservation Management Strategy, which is to include conservation policies, a schedule of conservation works and a heritage impact statement must be prepared by a suitably qualified heritage consultant and submitted for the purposes of approval by the consent authority with any development application.

(6) A detailed archaeological impact assessment must be prepared and submitted with any future development application.

6.3.13 102-106 Dunning Avenue, Rosebery

The following section applies to 102–106 Dunning Avenue, Rosebery as shown in Figure 6.1 Specific Sites Map and 'Figure 6.147: 102–106 Dunning Avenue, Rosebery – Location plan'.

Figure 6.147
102–106 Dunning Avenue, Rosebery – Location plan



Objectives

(a) Promote the redevelopment of the site comprising high quality buildings that incorporate a mix of residential, commercial and retail uses.

(b) Provide employment opportunities on the site.

(c) Facilitate development which is sympathetic to the existing local character and history of Rosebery and its former and current industrial uses.

(d) Maintain and support existing industrial, retail and commercial uses in the area.

(e) Ensure development is of an appropriate bulk and scale for its location, the public domain and surrounding development.

(f) Ensure delivery of a high quality built form that contributes to the public domain by:

  (i) defining the street edge and activating Dunning Avenue with commercial uses;

  (ii) providing a widened footpath along Jones Lane;

  (iii) providing appropriate setbacks to Morley Avenue to complement the streetscape; and

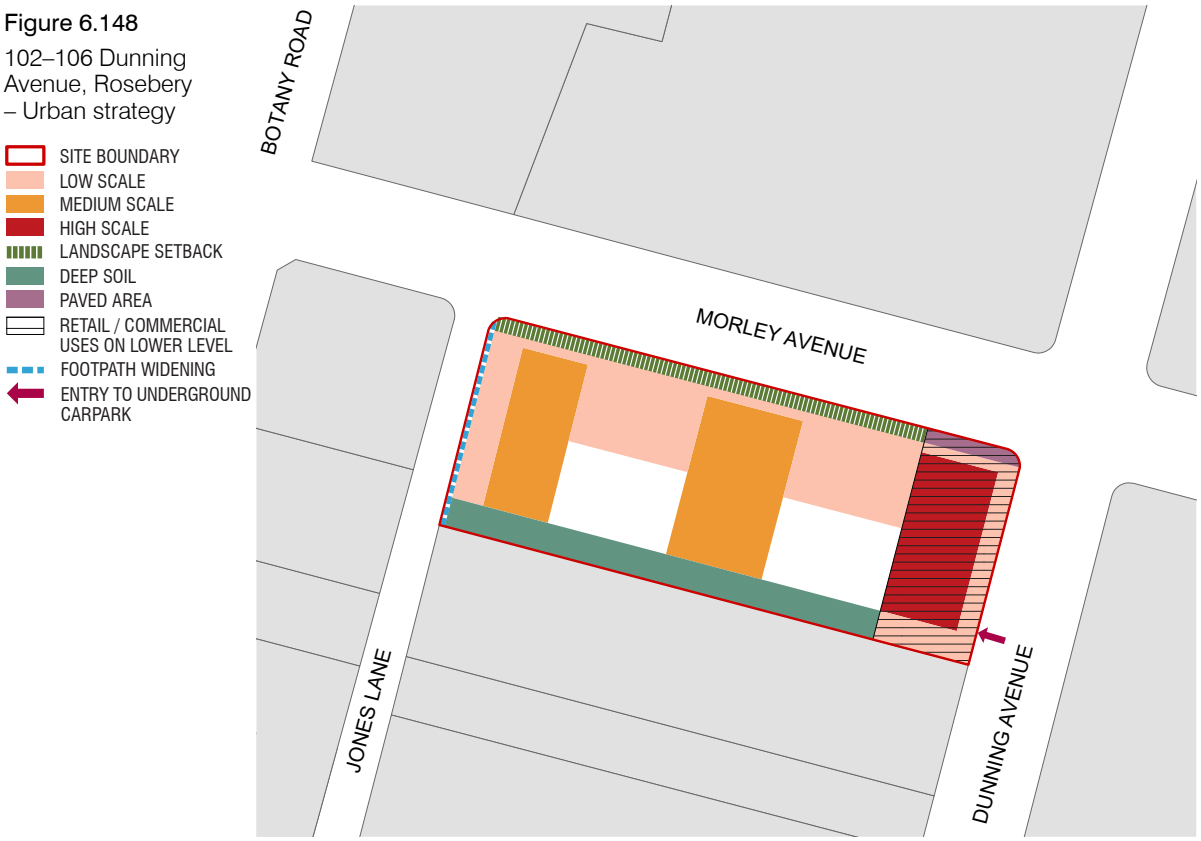
  (iv) setting appropriate building heights and scale.

(g) Ensure a high level of amenity for future residents is provided by:

  (i) maintaining sunlight to communal open spaces; and

  (ii) providing built form controls that enable development to comply with the Apartment Design Guide and any other relevant plans, guidelines or policies.

Figure 6.148
102–106 Dunning Avenue, Rosebery – Urban strategy



Provisions

6.3.13.1 Land uses

(1) Retail and commercial uses are to locate at the ground level and first floor along Dunning Avenue and at the ground level at the corner of Dunning and Morley Avenues to the extent shown in 'Figure 6.148: 102–106 Dunning Avenue, Rosebery – Urban strategy'.

(2) Retail or commercial ground floor uses are to activate the street.

6.3.13.2 Built form

(1) Building heights are to be consistent with 'Figure 6.149: 102–106 Dunning Avenue, Rosebery – Building height in storeys' and 'Figure 6.150: 102–106 Dunning Avenue, Rosebery – Street frontage height in storeys'.

(2) The final building design is to be appropriately massed within the envelope shown at Figure '6.151: 102–106 Dunning Avenue, Rosebery – Building envelope'. This represents the maximum permissible extent of the built form, including any design excellence floor space resulting from a competitive design process that may be achieved.

(3) Setbacks above the street wall height, as defined by the top of the podium, are to be provided in accordance with 'Figure 6.152: 102–106 Dunning Avenue, Rosebery – Setbacks'.

Figure 6.149
102–106 Dunning Avenue, Rosebery – Building height in storeys

SITE BOUNDARY
3 STOREYS
4 STOREYS
5 STOREYS
7 STOREYS

(x) Brackets indicate the location of additional floor space awarded through a competitive design process



Figure 6.150
102–106 Dunning Avenue, Rosebery – Street frontage height in storeys

SITE BOUNDARY
3 STOREYS
4 STOREYS



Figure 6.151
102–106 Dunning Avenue, Rosebery – Building envelope

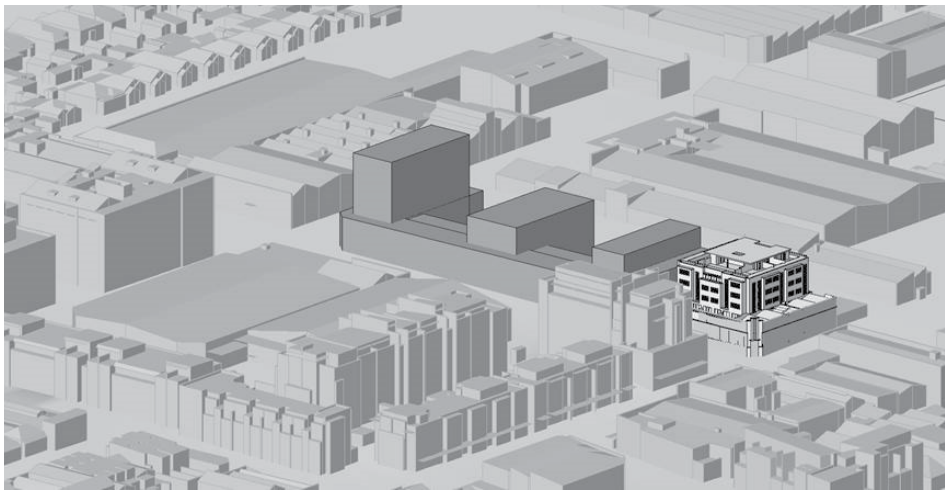


Figure 6.152
102–106 Dunning Avenue, Rosebery – Setbacks



(4) Development is to be designed so that the length and height of buildings are articulated to:

(i) limit the overall mass;

(ii) reduce the sense of scale from the public domain; and

(iii) be sensitive to the industrial character of the area.

(5) The siting, massing, orientation and detailed design of buildings is to ensure compliance with the objectives of the Apartment Design Guide.

6.3.13.3 Public domain

(1) A widened footpath along Jones Lane is to be provided as shown in 'Figure 6.153: Public domain dedication' to provide a safe footpath for entry to ground floor apartments.

Figure 6.153
102–106 Dunning Avenue, Rosebery – Public domain dedication



(2) The ground level of the podiums along Morley Avenue and Jones Lane are to provide individual entries to ground floor dwellings to provide passive surveillance and opportunities for social interaction.

(3) The ground level of the podium at the corner of Morley and Dunning Avenues and along Dunning Avenue are to provide entrances to retail to maximise street activation.

(4) Where at-grade entrances are not able to be provided due to flooding constraints, suitable alternatives are to be explored to maximise activation and pedestrian activity.

6.3.13.4 Setbacks and building alignment

(1) Front setbacks are to be consistent with 'Figure 6.152: Setbacks', specifically:

(i) where residential development fronts Morley Avenue, a 3 metre landscape setback from the property boundary;

(ii) where retail or commercial development fronts Morley Avenue, a 3 metre hardstand setback from the property boundary, to accommodate outdoor dining opportunities;

(iii) development that fronts Jones Lane is to be built to the new property boundary set by widening of the footpath; and

(iv) retail and commercial development that fronts Dunning Avenue is to be built to the property boundary.

(2) Access ramps are to be integrated into the overall design and are not to encroach on setbacks.

6.3.13.5 Heritage

(1) The design of building is to relate sympathetically to existing inter-war industrial buildings in the surrounding area.

(2) External finishes and colour palettes are to complement and include existing materials used in surrounding areas to respond to the inter-war industrial character of the area.

(3) Brick finishes are required at the podium level to complement surrounding development.

(4) Fences are to be a maximum of 0.9 metres high from ground level to complement the local character.

6.3.13.6 Vehicular access and parking

(1) A single vehicular driveway to underground car parking is to be provided in accordance with 'Figure 6.148: 102–106 Dunning Avenue, Rosebery – Urban strategy'.

6.3.13.7 Design Excellence Strategy

(1) The maximum number of storeys shown in brackets in 'Figure 6.149: 102-106 Dunning Avenue, Rosebery – Building height in storeys' may only be achieved where a competitive design process has been undertaken for the entire site.

(2) The competitive design process is to be undertaken in accordance with Division 4 of *Sydney Local Environmental Plan 2012*.

(3) The competitive design process is to comprise an invited competitive design alternatives process involving a minimum of three architectural firms.

(4) Any additional floor space that results from a competitive design process must be accommodated within the building heights as shown in 'Figure 6.149: 102–106 Dunning Avenue, Rosebery – Building height in storeys'.

(5) Additional floor space only may be awarded under Clause 6.21D(3) of the Sydney LEP 2012 for a building demonstrating design excellence. Additional floor space is to be achieved in accordance with 'Figure 6.149 Building height in storeys'.

(6) The competitive design alternatives process is to provide for the following ecologically sustainable development outcomes:

(i) all townhouses and terraces are to achieve a BASIX energy score of at least 5 points above the State-mandated minimum score for energy and water; and

(ii) all apartments are to achieve a BASIX energy score of at least 5 points above the State-mandated minimum score for energy and water.

6.3.14 4-6 Bligh Street, Sydney

The following objectives and provisions apply to 4-6 Bligh Street, Sydney – as shown in Figure 6.1 Specific Sites map, where the provisions of the *Sydney Local Environmental Plan 2012* – 4-6 Bligh Street, Sydney are implemented.

All other relevant provisions of this DCP apply. The provisions of this section prevail in the event of any inconsistency.

Objectives

(a) To ensure that the building is of appropriate bulk and scale for its central Sydney location.

(b) To create a high quality urban outcome by:

(i) Maintaining daylight and sunlight in streets, lanes and public spaces

(ii) Managing the wind impacts of development on streets, lanes and other public spaces so that they are safe and comfortable for people;

(iii) Ensuring the building podium responds appropriately to existing streetscape including nearby heritage buildings;

(iv) Allowing comfortable air movements to disperse pollution and cool streets, lanes and public spaces;

(v) Ensure new development provides appropriate setbacks above the street frontage;

(vi) Ensuring that occupants of the tall building have access to daylight and outlook by providing appropriate separation from surrounding buildings; and

(vii) Ensuring the tall building is designed to be seen as a unified composition from all sides – that it is designed to be seen "in the round".

(c) To define a building massing envelope which will provide sufficient flexibility within its volume for a building to achieve design excellence.

(d) To ensure that development exhibits design excellence and a high level of environmental performance.

(e) To ensure the location, size and design of vehicle access minimises pedestrian and vehicle conflicts and disruption of traffic on public roads.

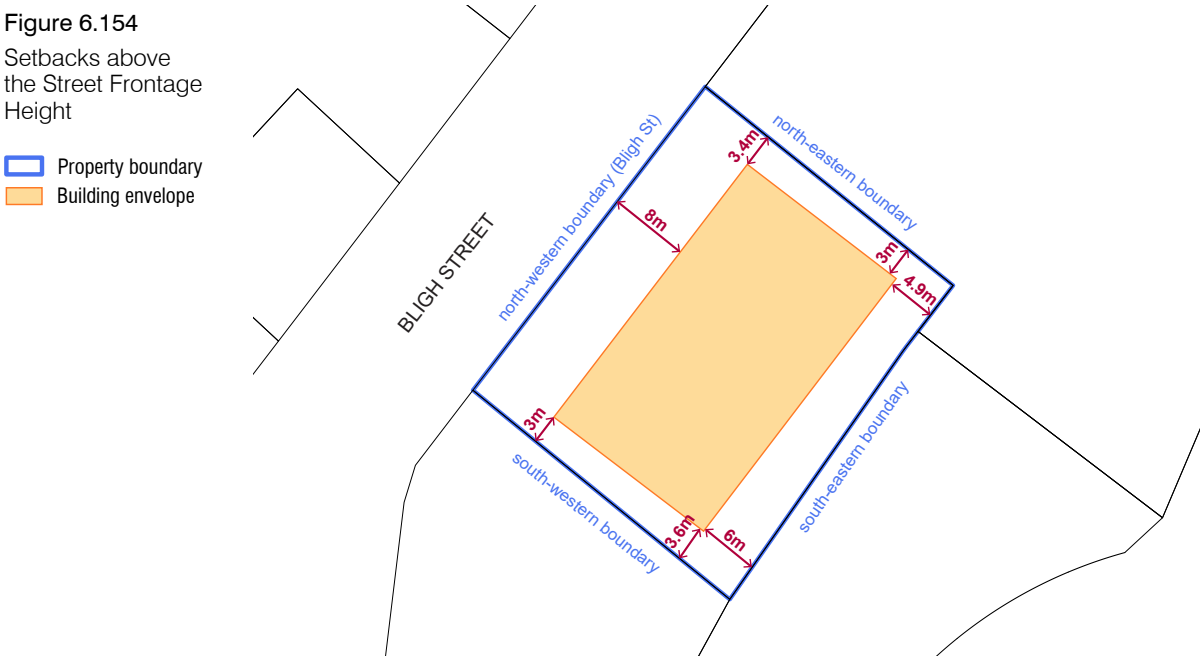
Provisions

6.3.14.1 Setbacks

(1) Provide setbacks above the street-wall in accordance with Figure 6.154 Setbacks above the Street Frontage Height.

(2) The rear podium setback to adjacent heritage items is to respect the significant features of the item including maintaining daylight to light wells, particularly to QANTAS House 1 Chifley Square, where a setback of 4 metres may be appropriate.

Figure 6.154
Setbacks above the Street Frontage Height



6.3.14.2 Heritage

(1) New development adjacent to a heritage item should respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the adjacent heritage items.

(2) Consideration must be given to the impact of adjacent development on the significance, setting, landmark values and ability to view and appreciate the heritage items from public places.

(3) Aboriginal Cultural Heritage is to be assessed if there is evidence of the original land surface/natural soil profiles occurring at the site.

(4) Archaeological assessment is to be undertaken to ensure archaeological relics are appropriately identified.

6.3.14.3 Managing Wind Impacts

(1) A quantitative wind effects report is to be submitted with a development application.

(2) Development must not cause a wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking

(3) Development must not worsen, by increasing spatial extent and/or frequency and/or speed, an existing wind speed that exceeds the Wind Safety Standard and the Wind Comfort Standard for Walking.

(4) Development must take all reasonable steps to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing.

(5) For the purposes of complying with Section 6.3.14.3(2) and (3):

Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second for sitting; and 6 metres per second for standing.

6.3.14.4 Parking and vehicular access

(1) Ensure on site loading is usable and delivery and servicing needs do not impact use of footpath.

6.3.14.5 Design Excellence Strategy

(1) An invited architectural design competition is to be undertaken in accordance with Division 4 of Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy, for the entire site.

(2) The competition is to involve no less than five competitors from a range of emerging, emerged and established architectural practices with no more than 50% of competitors from international practices.

(3) In the event that the detailed application is not delegated to the City of Sydney for assessment and determination, the composition of the five member jury shall be in accordance with Part 3.4 of the Draft Government's Architect's Design Excellence Competition Guidelines (dated May 2018).

(4) Any additional floor space pursued for a building demonstrating design excellence under Clause 6.21D(3)(b), is to be accommodated within the building envelope shown in Figure 6.155 Indicative Building Envelope Massing.

6.3.14.6 Sustainability

(1) Buildings should be designed to meet 5.5 star NABERS Energy rating for the commercial component and 4.5 stars for the hotel component.

(2) Buildings should be designed to meet a 4 star NABERS Water scores for both commercial and hotel components.

(3) A green roof, in accordance with the Office of Environment and Heritage (2015) Urban Green Cover in NSW Technical Guidelines, should be incorporated into the development.

(4) Cool roofs and Green walls are also encouraged into the building design.

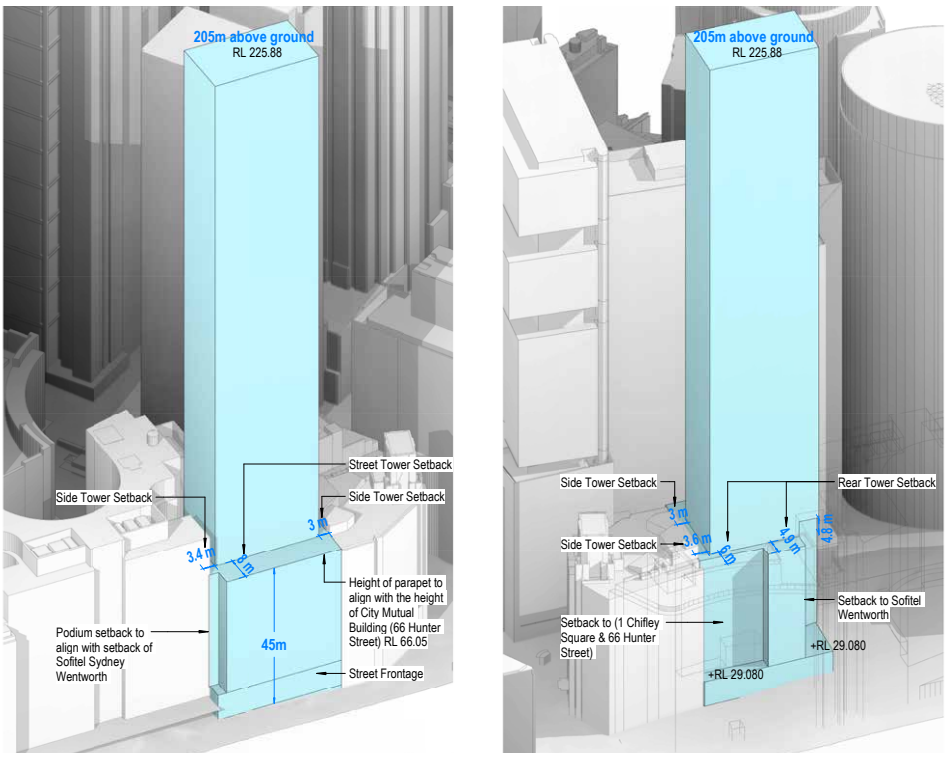


Figure 6.155
Indicative Building Envelope Massing (Bligh Street frontage and rear)

6.3.15 225-279 Broadway, Glebe

The following objectives and provisions apply to 225-279 Broadway, Glebe as shown in Figure 6.1 Specific Sites map.

Broadway is a prominent and busy street and entry to Central Sydney. The following provisions define a built form that recognises and protects the significant heritage elements along Broadway.

The provisions encourage suitable strategic land use for the surrounding area and aim to renew the active street frontage to Broadway and establish a new active street frontage to Grose Street.

Objectives

(a) To deliver a high quality built form that responds to heritage items along Broadway and the Glebe Point Road Conservation Area.

(b) To set building heights and frontage alignments compatible with the local context.

(c) To promote uses compatible with the busy road environment.

(d) To deliver retail and commercial uses at ground level to provide active frontage to both Broadway and Grose Street.

Provisions

6.3.15.1 Built Form

To ensure the built form responds to significant heritage items along Broadway, respects the local context and mitigates noise impacts:

(1) Development must be designed with a street wall to a height datum of RL38.0 AHD. This will align with the predominant parapet datum of neighbouring heritage items as shown in Figure 6.156 – Street wall height; University Hall, 255 Broadway and the Former Grace Brothers Building (Broadway Shopping Centre).

(2) Development is to be built to the street property boundary with no setback (0m) fronting both Broadway and Grose Street from ground level to a height of RL38.0 AHD.

(3) All built elements above RL38.0 AHD are to be setback from the Broadway street frontage so as not to be at all visible from points A, B and C as shown in Figure 6.157 where:

  (i) A is RL 20.54 AHD (includes pedestrian eye level height of 1.5 metres);

  (ii) B is RL 18.62 AHD (includes pedestrian eye level height of 1.5 metres); and

  (iii) C is RL 15.52 AHD (includes pedestrian eye level height of 1.5 metres).

(4) Development is not to obstruct views from Victoria Park to Central Sydney above RL 42.0 AHD.

(5) Development must minimise the impact of noise from Broadway and Glebe Point Road and adjacent plant and equipment through the careful internal layout of sensitive uses within the development and the design and physical fabric of the facades.

Figure 6.156
Street wall height

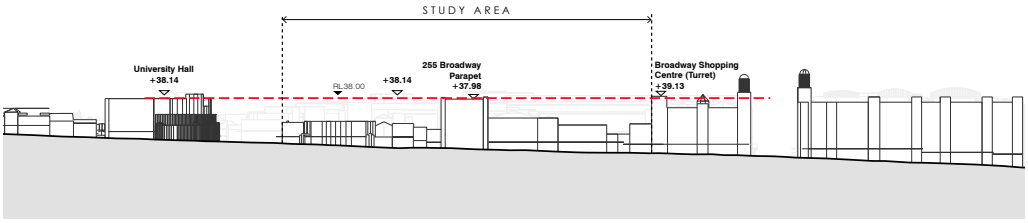
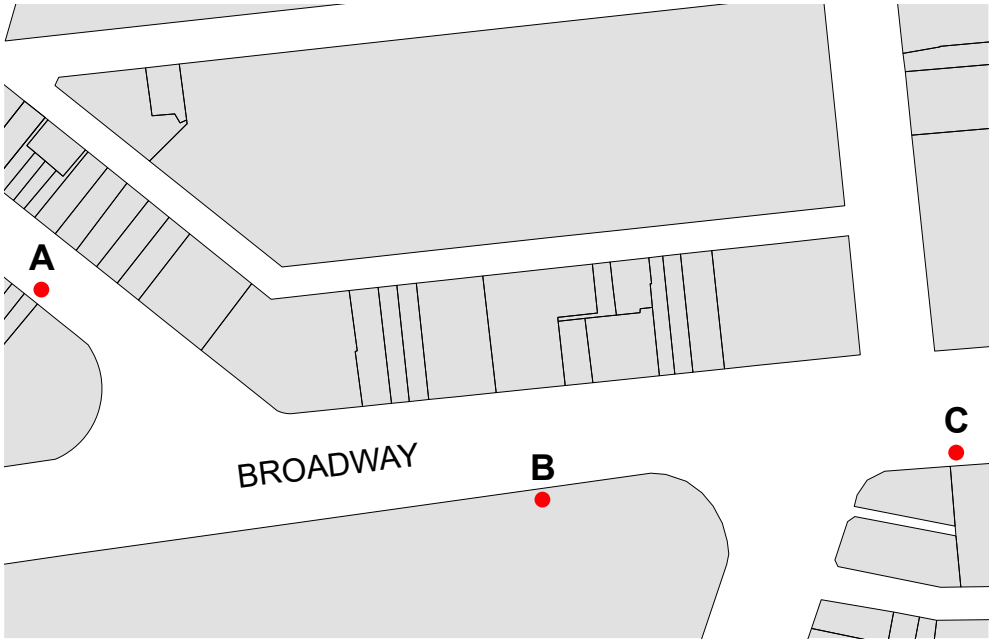


Figure 6.157
Points to establish visibility from the public domain



6.3.15.2 Heritage and Character

(1) New buildings, whilst being contemporary, should respond sympathetically to the local character and context of Glebe Point Rd Heritage Conservation Area, neighbouring heritage items; University Hall, 255 Broadway and the Former Grace Brothers Building (Broadway Shopping Centre) and the existing lot subdivision pattern.

(2) Sympathetic design is to be expressed through:

(i) wall and window arrangement and architectural language that has vertical proportion that relates to the existing subdivision pattern, and

(ii) predominantly solid masonry facades (rendered and painted or face brick).

(3) Development visible from Glebe Point Road is to be of high quality in relation to its massing, materials and architectural details and is not to reduce the heritage values of the conservation area.

6.3.15.3 Overshadowing

(1) All built elements above RL38.0 AHD are not to create any additional overshadowing of Victoria Park on the 21st of June.

6.3.15.4 Active Frontages

Development is to maximise active frontages at both Broadway and Grose Street by providing only retail or commercial uses at ground level. Through-site links are encouraged to improve pedestrian permeability for the public and support the activation of Grose Street:

(1) Separate entries are to be provided from Broadway for each use within the development to maximise activity to Broadway.

(2) Vehicular access is not to be provided from Broadway.

(3) Lots with a frontage to Broadway of 40m or longer are encouraged to provide a public through-site link to Grose Street. Any through-site link is to be designed in accordance with Provision 3.1.2.2 – Through-site links.

6.3.15.5 Archaeological Assessments

(1) Prior to demolition or excavation, an archaeological assessment is to be prepared by a suitably qualified archaeologist in accordance with the guidelines prepared by the NSW Office of Environment and Heritage.

(2) An archaeological assessment is to be submitted as part of the Statement of Environmental Effects

(3) An archaeological assessment is to include:

(i) an assessment of the archaeological potential of the archaeological site or place of Aboriginal heritage significance;

(ii) the heritage significance of the archaeological site or place of Aboriginal heritage significance;

(iii) the probable impact of the proposed development on the heritage significance of the archaeological site or place of Aboriginal heritage significance;

(iv) the compatibility of the development with conservation policies contained within an applicable conservation management plan or conservation management strategy; and

(v) a management strategy to conserve the heritage significance of the archaeological site or place of Aboriginal heritage significance.

(4) If there is any likelihood that the development will have an impact on significant archaeological relics, development is to ensure that the impact is managed according to the assessed level of significance of those relics.

6.3.16 12-22 and 24 Rothschild Avenue, Rosebery

The following objectives and provisions apply to 12-22 and 24 Rothschild Avenue, Rosebery as shown in 'Figure 6.1 Specific sites map'.

Objectives

(a) Ensure the bulk, massing and modulation of buildings respond to the adjacent heritage building on the land and characteristics of the surrounding area.

(b) Protect and conserve the heritage building on land and its contribution to the streetscape by providing an appropriate visual and physical setting.

(c) Promote the redevelopment of the site comprising high quality buildings that incorporate a mix of residential, commercial and retail uses.

(d) Provide employment opportunities on the site.

(e) Locate residential uses to provide passive surveillance and avoid blank walls to the public domain and to any new open space.

(f) Ensure a high level of amenity for future residents is provided by:

  (i) ensuring residential dwellings provide a high level of amenity through the design and layout of the built form;

  (ii) maintaining sunlight to communal areas;

  (iii) providing built form controls that enable development to comply with the Apartment Design Guide and any other relevant plans, guidelines or policies;

  (iv) including setbacks to complement the streetscape; and

  (v) setting an appropriate building height and scale.

(g) Provide a publicly accessible heritage curtilage and through-site link to improve the permeability of the street network and connect to streets.

(h) Ensure the location, size and design of vehicle access minimises pedestrian and vehicle conflicts and disruption of traffic on public roads.

(i) Establish a design excellence strategy and guide the outcomes of a competitive design process.

Figure 6.158
Structure and land use plan



Provisions

6.3.16.1 Land use

(1) Design and locate a mix of residential, retail and commercial uses in accordance with 'Figure 6.158 Structure and land Use Plan'.

(2) Locate retail or commercial uses at ground level;

(i) fronting the north-east section of the through-site link at the north of the site; and

(ii) on all frontages of the heritage listed building.

(3) Retail or commercial uses are to activate the street.

6.3.16.2 Built Form

(1) Building heights are to be in accordance with 'Figure 6.159 Building heights (storeys).

(2) Setbacks above the street wall height are to be provided in accordance with:

(i) 'Figure 6.160 Rothschild and Mentmore Avenue street wall heights and setbacks';

(ii) 'Figure 6.161 Rothschild Avenue elevation and upper level setbacks to the through-site link and heritage curtilage'; and

(iii) 'Figure 6.162 Mentmore Avenue frontage and upper level setbacks to the through-site link and heritage curtilage'.

(3) The final building design is to be appropriately massed within the envelope shown at 'Figure 6.163 12-22 and 24 Rothschild Avenue, Rosebery – Maximum building envelopes'. This represents the maximum permissible extent of the built form including any design excellence floor space resulting from a competitive design process that may be achieved.

(4) Development is to be designed so that the length and height of buildings are articulated to:

(i) limit the overall mass;

(ii) reduce the sense of scale from the public domain; and

(iii) be sensitive to the adjacent heritage building on site.

(5) The siting, massing, orientation and detailed design of the buildings is to ensure compliance with the Apartment Design Guide.

(6) Provide green roofs on the roof tops with drought tolerant Australian native plants.

Figure 6.159
Building heights (storeys)

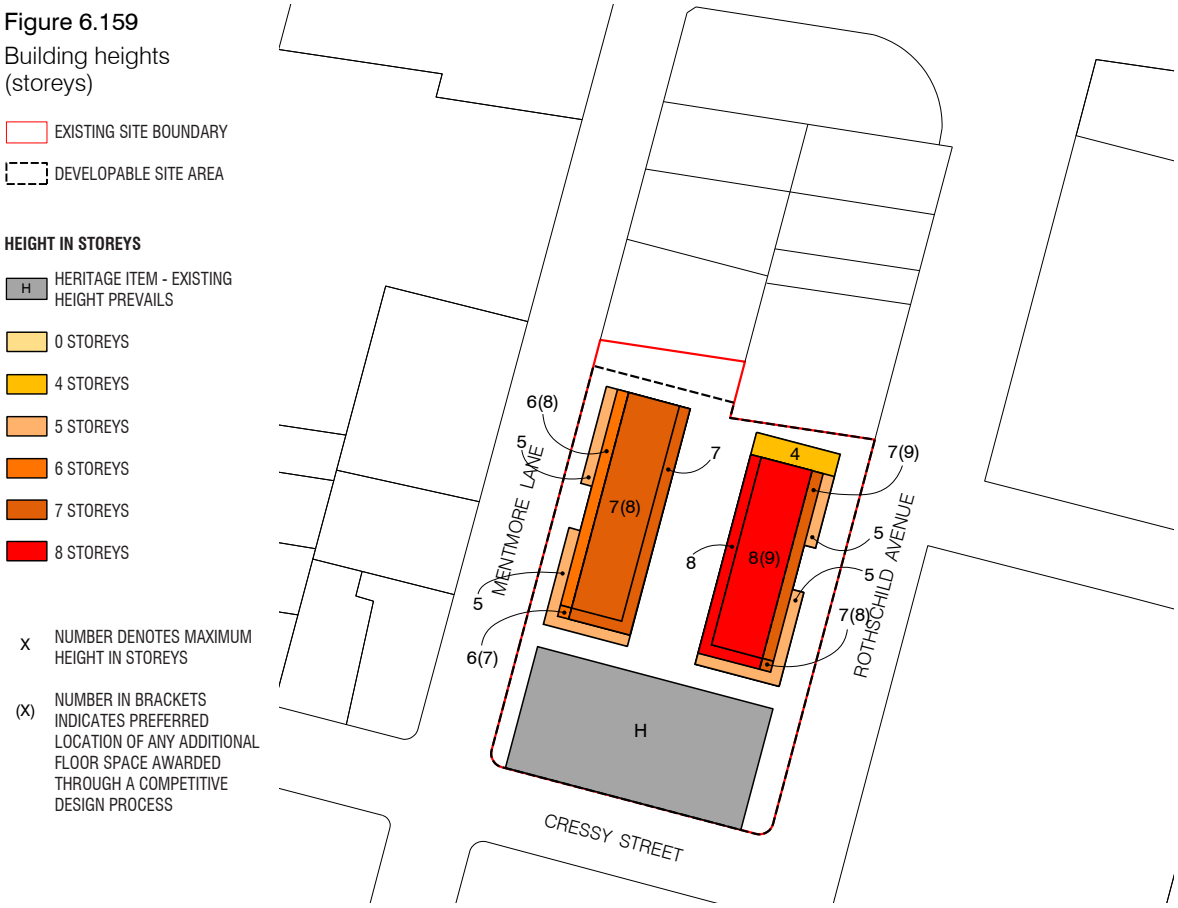


Figure 6.160
Rothschild and Mentmore Avenue street wall height and setbacks

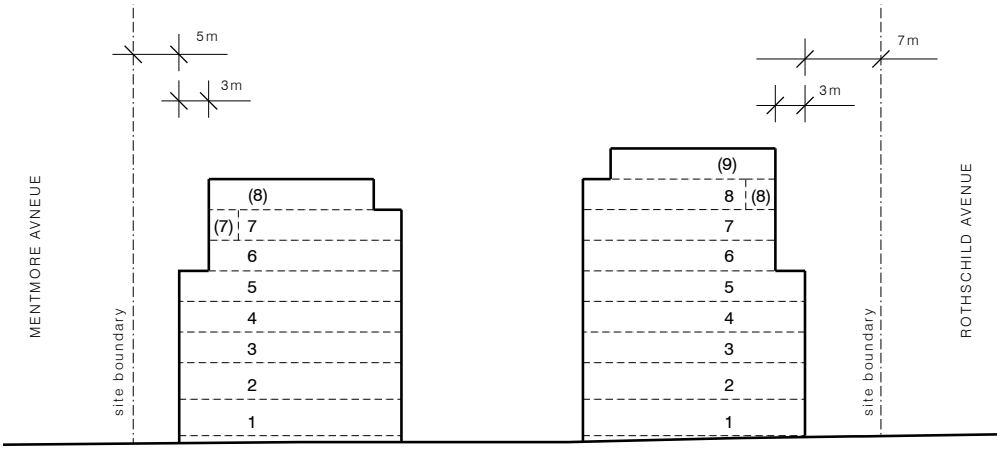


Figure 6.161
Rothschild Avenue elevation and upper level setbacks to the through-site link and heritage curtilage

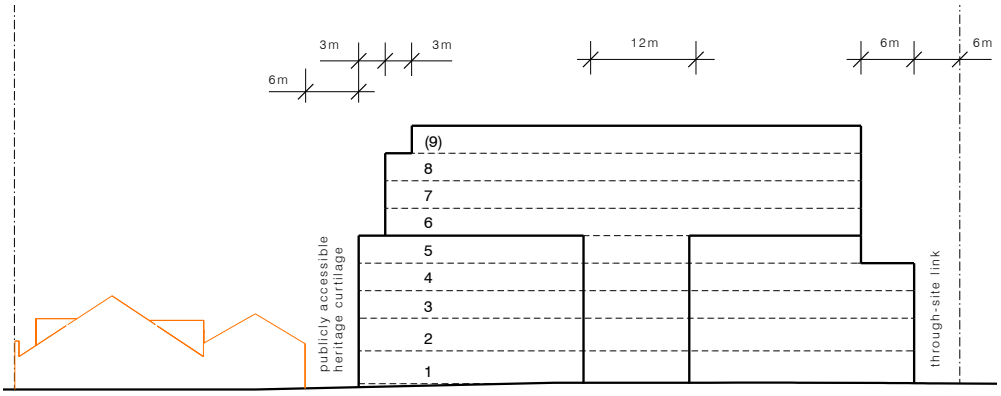


Figure 6.162
Mentmore Avenue frontage and upper level setbacks to the through-site link and heritage curtilage

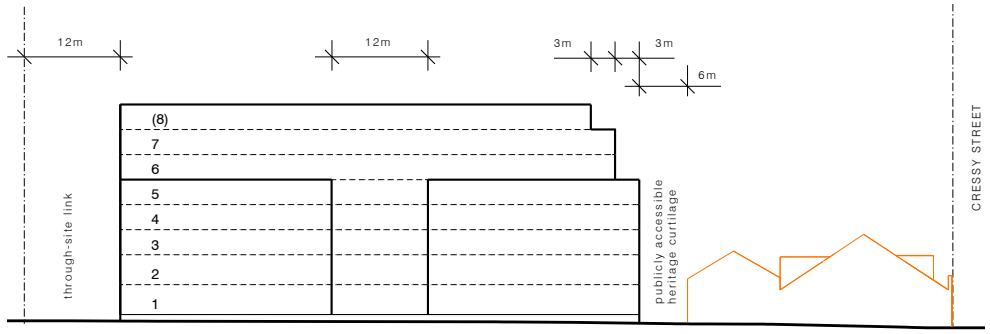
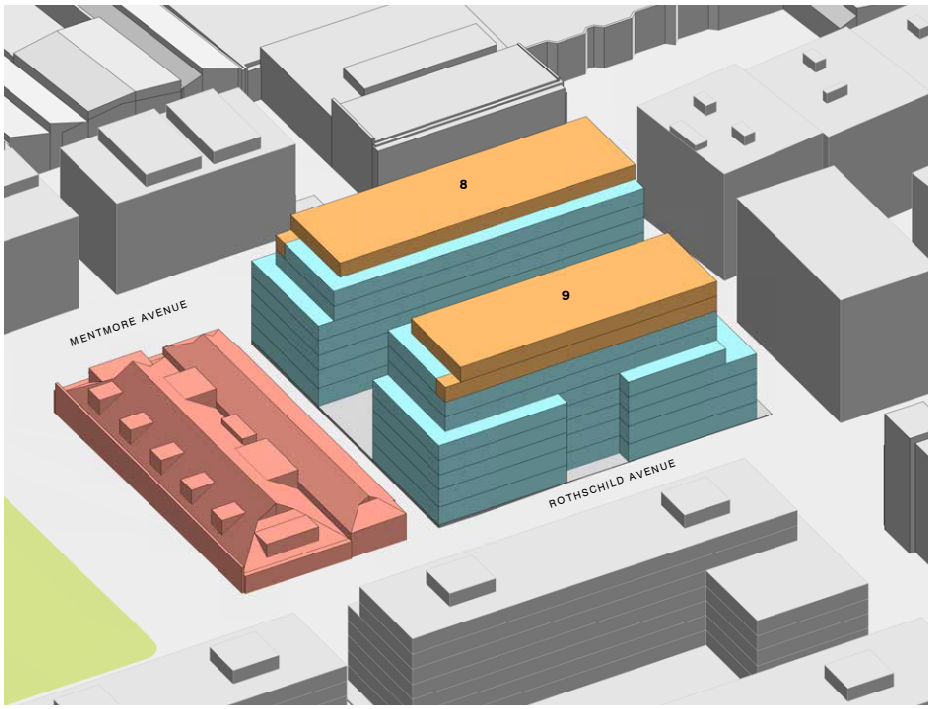


Figure 6.163
Maximum building envelopes



6.3.16.3 Building setbacks

(1) Building setbacks are to be consistent with 'Figure 6.164 Site plan setbacks and public domain', specifically:

(a) along the Rothschild Avenue frontage, a seven metre landscape setback from the property boundary is required;

(b) along the Mentmore Avenue frontage, a five metre landscaped setback from the property boundary is required;

(c) a six metre heritage curtilage from the northern wall of the publicly accessible heritage building is required; and

(d) a three metre landscape setback from the new boundary that would be established following the dedication of the through-site link to Council.

(2) Any ramps are to be integrated into the overall design and are not to encroach on setbacks.

Figure 6.164
Site plan setbacks and public domain



6.3.16.4 Public Domain

(1) A through-site link is to be provided as shown in 'Figure 6.164 Site plan setbacks and public domain'.

(2) The through-site link is to be completed and integrated with the existing portion of the through-site link that has already been provided to the north of the site.

(3) The through-site link is to have a minimum width of 6 metres at ground level and be open to the sky as shown in 'Figure 6.164 Site plan setbacks and public domain'.

(4) The through-site link is to be publicly accessible at all times.

(5) The ground level of the building along Rothschild Avenue, Mentmore Avenue and the through-site link are to provide individual entries to ground floor dwellings to provide passive surveillance and opportunities for social interaction.

(6) The ground level of the building at the corner of Rothschild Avenue and the through-site link are to provide entrances to retail to maximise street activation.

(7) Where at-grade entrances are not able to be provided due to flooding constraints, suitable alternatives are to be explored to maximise activation and pedestrian activity.

(8) The heritage curtilage to the north of the heritage item as shown in 'Figure 6.164 Site plan setbacks and public domain' is to be publicly accessible, secured by way of a public access easement.

6.3.16.5 Heritage

(1) The design of the buildings are to relate sympathetically to the existing heritage building.

(2) Works affecting the heritage item shall maximise the retention, reinstatement and exposure of significant building fabric and spaces.

(3) No part of any future development is to encroach upon or above the heritage building or curtilage.

6.3.16.6 Parking, vehicular access and servicing

(1) A single vehicular driveway to underground car parking is to be provided in accordance with 'Figure 6.164 Structure and land use plan'.

(2) Basement car parking is not to encroach under any areas designated for a through-site link and deep soil planting.

(3) Car parking and servicing for the heritage building is to be provided in the car park of the adjoining site.

6.3.16.7 Flooding and Stormwater

(1) Flood planning levels are to be consistent with the City's Interim Floodplain Management Policy.

6.3.16.8 Design excellence

(1) A competitive design process is to be undertaken in accordance with Division 4 of the Sydney Local Environmental Plan 2012 and is to apply to the site as outlined in 'Figure 6.164 Structure and land use plan', which illustrates the location and extent of the competitive design process.

(2) The competitive design process is to comprise an invited competitive design alternative process involving a minimum of three architectural firms ranging from emerging, emerged and established architectural firms.

(3) Any additional floor space that results from a competitive design process must be accommodated within the proposed building envelope as shown in 'Figure 6.159 Building heights (storeys)'.

(4) The maximum number of storeys shown in brackets in 'Figure 6.159 Building heights (storeys)' may only be achieved where a competitive design process has been undertaken.

(5) No additional building height that under Clause 6.21D(3)(a) of the Sydney LEP 2012 is to be awarded as a result of a competitive design process.

(6) The selection panel is to comprise a total of four members. The proponent is to nominate two panel members and the City of Sydney is to nominate two panel members.

6.3.17 72-84 Foveaux Street, Surry Hills

The following objectives and provisions apply to 72-84 Foveaux Street, Surry Hills as shown in 'Figure 6.1 Specific sites map', where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.51 of the Sydney LEP 2012 enables development to exceed the height and floor space ratio shown in the height in metres and floor space ratio maps up to a prescribed amount, providing the entire site is developed for commercial use.

If a development at 72-84 Foveaux Street, Surry Hills, seeks to utilise additional height and/or floor space permitted by Clause 6.51, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Deliver a high quality built form that:

  (i) provides an appropriate height transition between adjacent taller and lower scale buildings along Foveaux Street, Surry Hills;

  (ii) ensure the bulk, massing and modulation of buildings responds to the characteristics of the surrounding streetscapes and heritage conservation area;

  (iii) identifies the location of pedestrian and service vehicle entries;

  (iv) includes active uses to provide passive surveillance of the public domain; and

  (v) includes the provision of visible and well integrated public art.

(b) Define the maximum building envelope that respects the local context and minimises amenity impacts including solar access and acoustic amenity impacts.

(c) Establish benchmarks to achieve ecologically sustainable development.

Provisions

6.3.17.1 Built Form

(1) Building layout, including height (expressed in RLs and storeys) and pedestrian entries to ensure at grade access it provided, is to be set out in accordance with 'Figure 6.165: 72-84 Foveaux Street – Structure plan'.

(2) Building heights are to be in accordance with:

  (a) 'Figure 6.165: 72-84 Foveaux Street – Structure plan';

  (b) 'Figure 6.166: 72-84 Foveaux Street – Foveaux Street elevation'; and

  (c) 'Figure 6.167: 72-84 Foveaux Street – Maximum building envelope'.

(3) Development is not to exceed the maximum number of storeys shown in Figure 6.166: Foveaux Street – Foveaux Street elevation, established by the current floor levels of the existing building and shall not exceed 6 storeys fronting Foveaux Street.

(4) The final building extent is to be entirely within the envelope shown at 'Figure 6.167: 72-84 Foveaux Street – Maximum building envelope'.

(5) Street frontage heights shall be a maximum of:

(a) RL 55.00 metres fronting Foveaux Street;

(b) RL 53.50 metres fronting Corben Street; and

(c) RL 44.15 metres fronting Waterloo Street

(6) Future development along the Waterloo Street boundary is to include the following:

(a) A maximum height of RL 44.15; and

(b) A zone for skylights up to a maximum height of RL 46.60.

Figure 6.165
72-84 Foveaux Street – Structure plan



Figure 6.166
72-84 Foveaux Street – Foveaux Street elevation

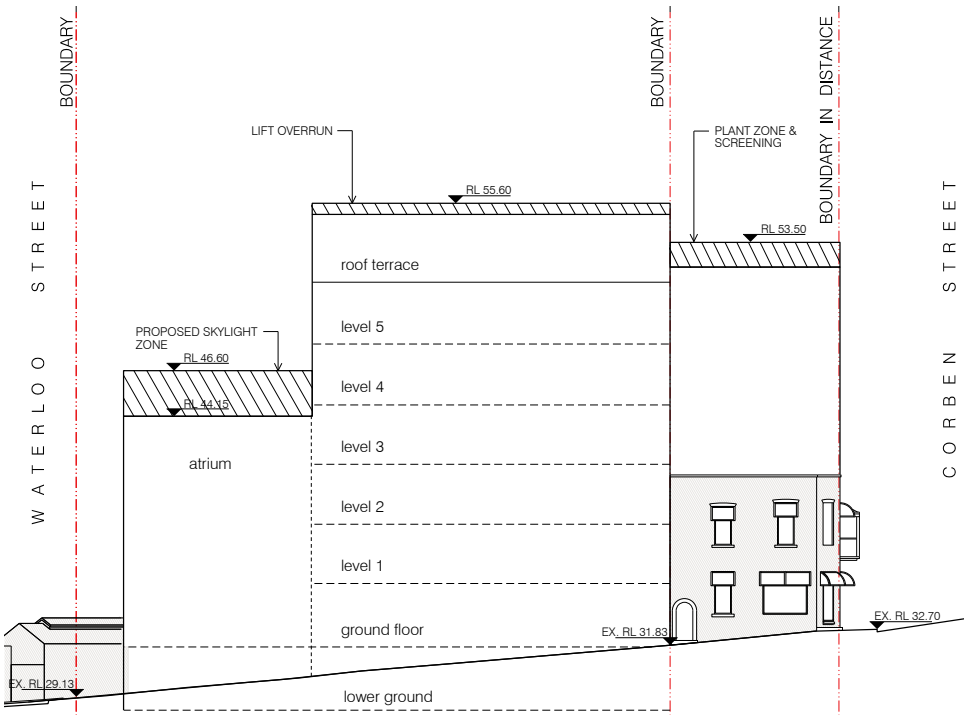
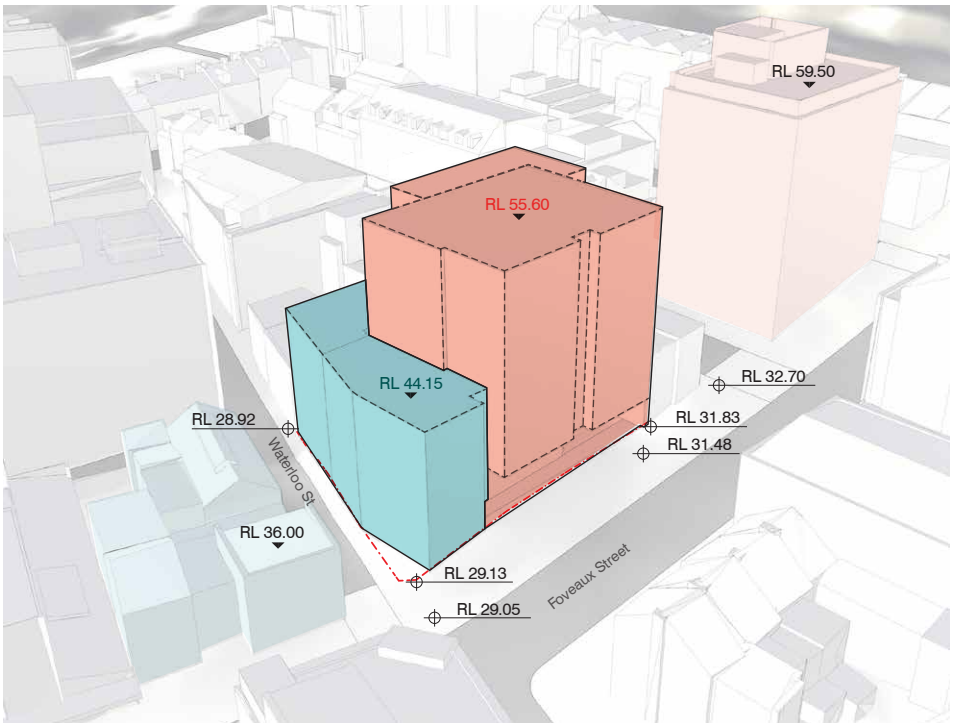


Figure 6.167
72-84 Foveaux Street – Maximum building envelope



6.3.17.2 Public Domain

(1) Active uses are to be located at ground level to provide passive surveillance of the public domain.

(2) Development must ensure it does not damage or affect the health or structural stability of adjacent street trees.

(3) A setback must be provided at the corner adjacent to the intersection of Foveaux Street and Waterloo Street in accordance with 'Figure 6.165: 72-84 Foveaux Street – Structure plan'.

6.3.17.3 Heritage and Public Art

(1) The design of the building is to relate sympathetically to the heritage conservation area through:

(a) fine grain glazing and façade detail that responds to the vertical rhythm of buildings in the area equal in quality to 'Figure 6.168: 72-84 Foveaux Street – Southern elevation perspective'.

(b) provide a visual transition from taller buildings that front Foveaux Street to the east of the site to lower scale buildings to the site's west.

(2) Future development is to provide high quality public art integrated in the building's primary facade along Foveaux Street and Waterloo Street.

Figure 6.168
72-84 Foveaux Street – Southern elevation perspective



6.3.17.4 Parking, vehicular access and servicing

(1) All basement car parking should be removed.

(2) A single vehicular access is to be provided for building servicing from Waterloo Street in accordance with '72-84 Foveaux Street – Structure plan'.

6.3.17.5 Sustainability

(1) Development must be accompanied by a 5.5 star NABERS Energy Commitment Agreement.

(2) A photovoltaic system must be on the roof of the building, to achieve a minimum of 14 kWp.

(3) Operable windows are to be incorporated into the facade design to permit passive ventilation.

(4) End of Journey facility and bicycle parking is to be provided in the basement.

6.3.18 1-11 Oxford Street, Paddington

The following objectives and provisions apply to 1-11 Oxford Street, Paddington, as shown in Figure 6.1 Specific Sites Map, where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.52 (new clause) of *Sydney LEP 2012* enables development to exceed the height and floor space above ground to a prescribed amount, provided:

- the development is primarily for the purposes of hotel or motel accommodation;
- the development will not endanger the structural stability of the existing building or any heritage items on or under the land;
- at least 300 square metres of the gross floor area at basement level of the resulting building will be used for the purposes of entertainment facilities;
- at least 300 square metres of the gross floor area at basement level of the resulting building will be used for the purposes of health services facilities; and
- the resulting building will not be used for the purposes of residential accommodation or serviced apartments.

If a development proposed at 1-11 Oxford Street, Paddington, seeks to utilise additional height or floor space permitted by Clause 6.52 (new clause), then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Facilitate the provision of hotel or motel accommodation, entertainment facility and health services facility uses.

(b) Conserve and enhance the heritage significance of the contributory building within the Paddington Urban Heritage Conservation Area by retaining significant elements of the building and restoring or reconstructing altered or missing fabric.

(c) Ensure that the scale, massing and modulation of the building form is appropriate in response to its context within the Paddington Urban Heritage Conservation Area, setting of the surrounding heritage items, streetscapes of Oxford Street; South Dowling Street; Victoria Street; and Barcom Avenue and the surrounding low scale residential.

(d) Define a maximum building envelope, including heights, setbacks and envelope planes, to deliver a high-quality built form that respects the contributory building and local context and minimises amenity impacts, including overshadowing; visual privacy and noise.

(e) Activate Oxford Street and South Dowling Street through appropriate uses and design.

(f) Designate acceptable vehicle access point, loading and servicing facilities and public domain improvements required.

(g) Establish benchmarks to achieve ecologically sustainable development.

(h) Protect the subterranean Busby's Bore, a state heritage item.

Provisions

6.3.18.1 Built Form

(1) Development is not to exceed the envelope shown in 'Figure 6.169: 1-11 Oxford Street, Paddington – Maximum building envelope plan', 'Figure 6.170: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 1', 'Figure 6.171: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 2' and 'Figure 6.172: 1-11 Oxford Street, Paddington – Maximum building envelope section'.

(2) Development shall retain and continue floor levels established by the existing building, relating to the floor space between the main auditorium wall and the street facade fronting Oxford Street and South Dowling Street marked 'Existing building fabric to be retained', shown in 'Figure 6.172: 1-11 Oxford Street, Paddington – Maximum building envelope section', and shall not exceed 6 storeys above ground and 2 basement levels below ground.

(3) A maximum of two lift overruns, each with a maximum area of 9 square metres and a maximum height of RL 68.655 m AHD, may be permitted within Hatch area 1, shown in 'Figure 6.169: 1-11 Oxford Street, Paddington – Maximum building envelope plan', 'Figure 6.170: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 1', 'Figure 6.171: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 2' and as noted in 'Figure 6.172: 1-11 Oxford Street, Paddington – Maximum building envelope section'. The design of lift overruns are to be integrated into the overall design, minimise the visual bulk and not be visually dominant or detract from the heritage significance of the retained building, the Paddington Urban Heritage Conservation Area and surrounding streetscapes.

(4) One additional storey potentially may be permitted within Hatch area 2, shown in 'Figure 6.169: 1-11 Oxford Street, Paddington – Maximum building envelope plan', 'Figure 6.170: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 1' and 'Figure 6.171: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 2', provided the built form:

(a) is below the existing stepped parapet where the form abuts the parapet on the splay corner of Oxford and South Dowling Streets and does not alter the parapet profile from the surrounding streetscapes; and

(b) is not visually dominant or detract from the heritage significance of the retained building, the Paddington Urban Heritage Conservation Area and surrounding streetscapes.

(5) Penetration of the envelope for dormer windows may be permitted within Hatch area 3, shown in 'Figure 6.169: 1-11 Oxford Street, Paddington – Maximum building envelope plan', 'Figure 6.170: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 1' and 'Figure 6.171: 1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 2', provided:

(a) The dormers relate to the proportion and spacing of original windows on the Oxford Street facade and where possible align with the windows below;

(b) The width of any dormer is not more than 1.3m;

(c) The apex of the gable or top of the dormer roof is to be at least 200mm below RL 64.755 to allow the roof plane to be clearly discerned; and

(d) The dormers must not include windows or skylights to the side walls or within the apex of the gable.

Figure 6.169
1-11 Oxford Street, Paddington – Maximum building envelope plan

- Reduced level point (AHD)
- Horizontal plane - RL's as shown
- Angled plane - RL's as shown
- Existing building fabric to be retained
- Hatch area 1 - Permitting additional height and envelope for lift overrun
- Hatch area 2 - Potentially permitting additional height and envelope
- Hatch area 3 - Permitting additional height and envelope for dormer windows

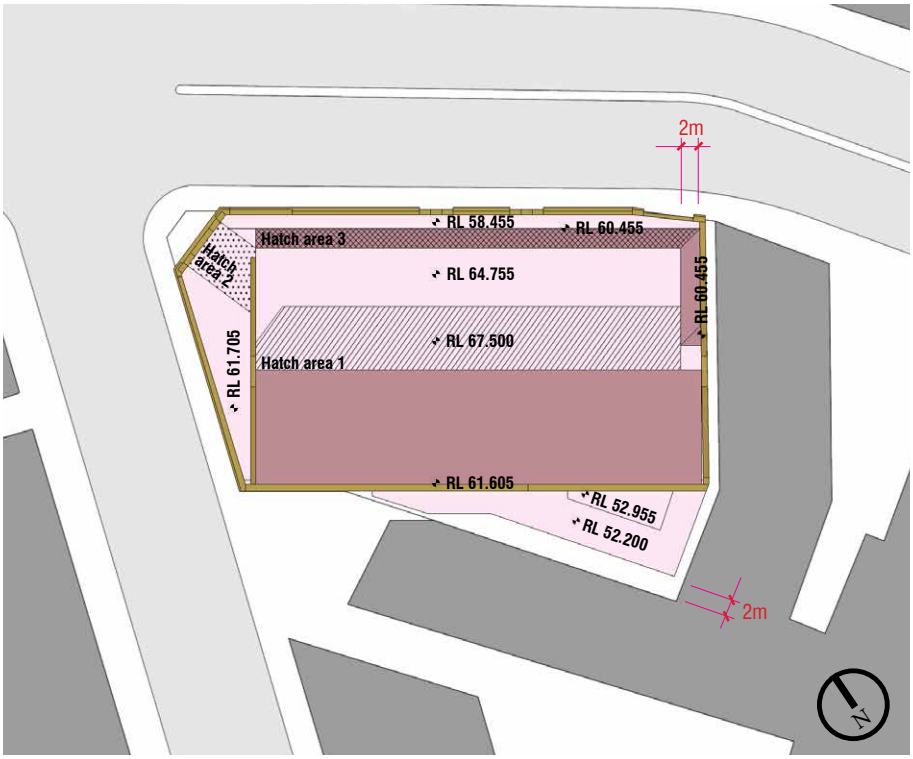


Figure 6.170
1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 1

- Reduced level point (AHD)
- Horizontal plane - RL's as shown
- Angled plane - RL's as shown
- Existing building fabric to be retained
- Hatch area 1 - Permitting additional height and envelope for lift overrun
- Hatch area 2 - Potentially permitting additional height and envelope
- Hatch area 3 - Permitting additional height and envelope for dormer windows

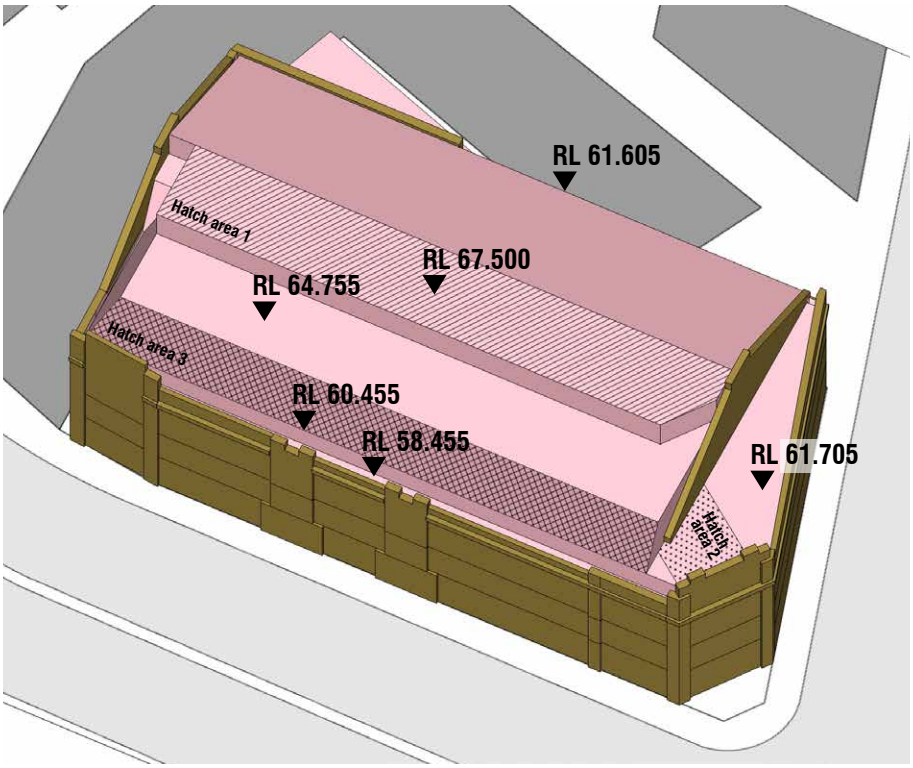


Figure 6.171
1-11 Oxford Street, Paddington – Maximum building envelope axonometric – view 2

- Reduced level point (AHD)
- Horizontal plane - RL's as shown
- Angled plane - RL's as shown
- Existing building fabric to be retained
- Hatch area 1 - Permitting additional height and envelope for lift overrun
- Hatch area 2 - Potentially permitting additional height and envelope
- Hatch area 3 - Permitting additional height and envelope for dormer windows

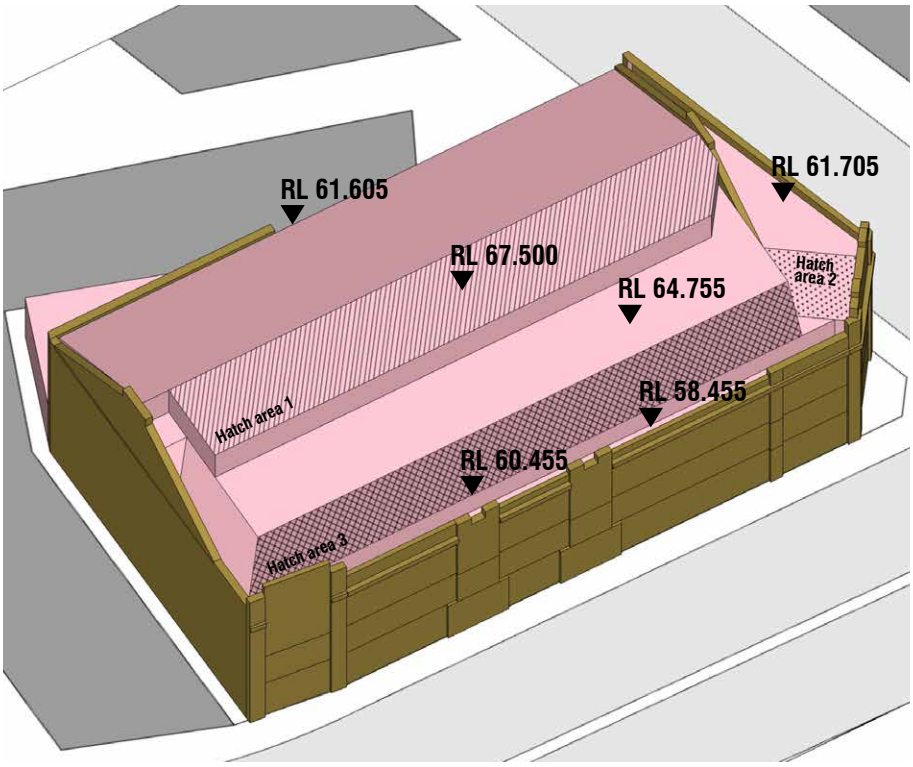
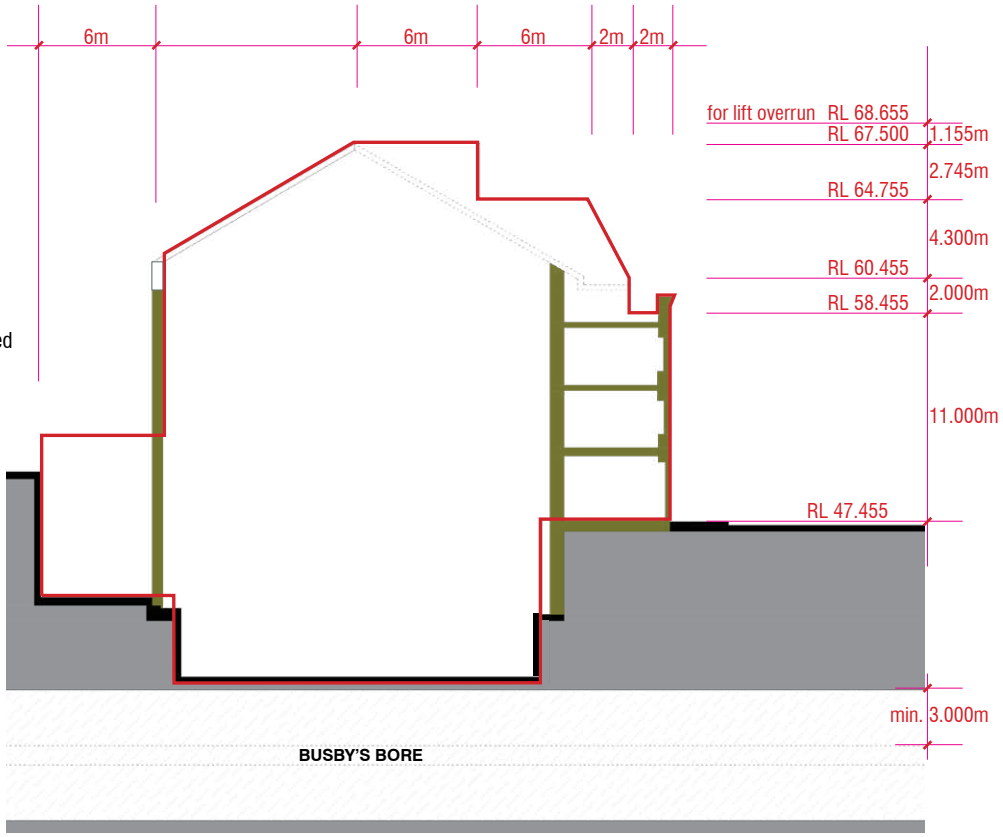


Figure 6.172
1-11 Oxford Street, Paddington – Maximum building envelope section

- Maximum building envelope
- Existing building fabric to be retained

RL's to AHD



6.3.18.2 Heritage conservation

(1) Alterations to original facades, in particular on the north-west corner and along the parapet walls, are limited to restoration of significant features, and discrete, sympathetic or reversible additions that are compatible with and do not dominate the original or early architectural expression of the former cinema.

(2) No new openings are permitted in original parapet walls or blank arches, in particular on most prominent Oxford Street and faceted corner facades.

(3) New window openings are permitted at first floor level on the South Dowling Street facade provided the windows relate to the proportion and spacing of the original windows at second floor level on the South Dowling Street facade and where possible align with the windows above

(4) A Conservation Management Strategy, to include conservation policies and a schedule of conservation works, and heritage impact statement must be prepared by a suitably qualified heritage consultant and submitted for approval by the consent authority with any development application. The conservation works must include, but not be limited to, conservation of windows and rendered facade features and the reinstatement of the semicircular corner portico based on documentary and physical evidence.

(5) New development is to retain:

(a) the Federation facades of the existing building, fronting Oxford Street and South Dowling Street;

(b) the main structural walls of the whole building (including the extension of walls becoming gables at the eastern and western ends of the auditorium part of the existing building);

(c) the floor structure of the ground, first, and second floors; and

(d) any surviving pressed metal ceilings within the existing shops.

As marked 'Existing building fabric required to be retained', shown in 'Figure 6.173: 1-11 Oxford Street, Paddington – Required building retention and permitted excavation plan', 'Figure 6.174: 1-11 Oxford Street, Paddington – Required building retention and permitted excavation long-section' and 'Figure 6.175: 1-11 Oxford Street, Paddington – Required building retention and permitted excavation cross-section'.

(6) Vertical additions to the contributory building shall not visually dominate or compete with the original building form, and shall be designed to present as a recessive light-weight addition and roof form.

(7) Any changes to the ground floor street facades are to respect, and be sympathetic to the fine grained nature of their Federation style.

(8) Surviving pressed metal ceilings within the existing shops are to be retained and conserved.

(9) Excavation of the site is restricted to within the area marked 'Permitted excavation', shown in 'Figure 6.173: 1-11 Oxford Street, Paddington – Required building retention and permitted excavation plan', 'Figure 6.174: 1-11 Oxford Street, Paddington – Required building retention and permitted excavation long-section' and 'Figure 6.175: 1-11 Oxford Street, Paddington – Required building retention and permitted excavation cross-section', to a depth of a maximum of two basement levels and wholly outside of the 3m curtilage protection zone around the State-significant Busby's Bore heritage item (SHR00568) running under the site.

(10) The position and depth of the State-significant Busby's Bore heritage item (SHR00568) running under the site and 3m curtilage around the structure is to be accurately surveyed across the whole site. Any encroachments on Busby's Bore SHR curtilage are likely to require either a Section 57 Exemption Notification or a Section 60 Permit Application with the NSW Heritage Council.

(11) The method for retaining all original fabric retained on the site during the demolition and construction stage and to enable the structural stability for the long term retention and method to minimise any impact on the State-significant Busby's Bore heritage item (SHR00568) running underneath the site and adjoining residential structures, is to be undertaken in accordance with a detailed structural report prepared by a suitably qualified structural engineer with experience in the retention and protection of heritage fabric, and reference the Structural Peer Review (Reference No. 1817702cRE Issued 04/07/2019), prepared by Shreeji Consultant. This is to be submitted with any future development application.

(12) A Heritage Interpretation Plan, prepared by a suitably qualified and experienced heritage consultant, must be prepared and submitted with any future development application. It is to address the history and significance of the site, particularly in relation to the purpose built picture theatre built on the site in 1911 and subsequent changes that reflect the changes to, and operation of cinemas over time, including the 1970s Brutalist style foyer fitout of the former Academy Twin Cinema.

(13) Based on the findings of the Baseline Archaeological Assessment, prepared by AMC dated November 2018, a Research Design and Excavation Methodology to guide the works will need to be prepared prior to any demolition or excavation and form part of a Section 140 Excavation Permit Application with the Heritage Council. This Methodology is to outline an archaeological programme to manage relics on site.

Figure 6.173
1-11 Oxford Street, Paddington – Required building retention and permitted excavation plan

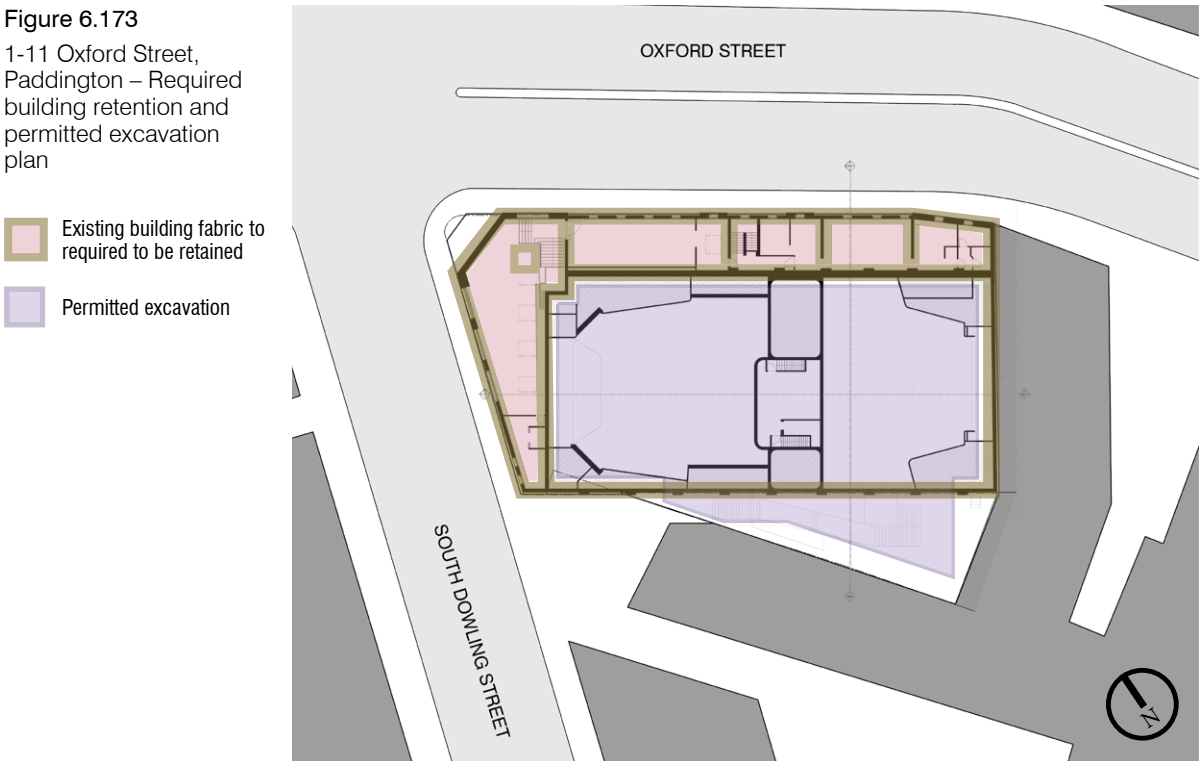


Figure 6.174
1-11 Oxford Street, Paddington – Required building retention and permitted excavation long-section

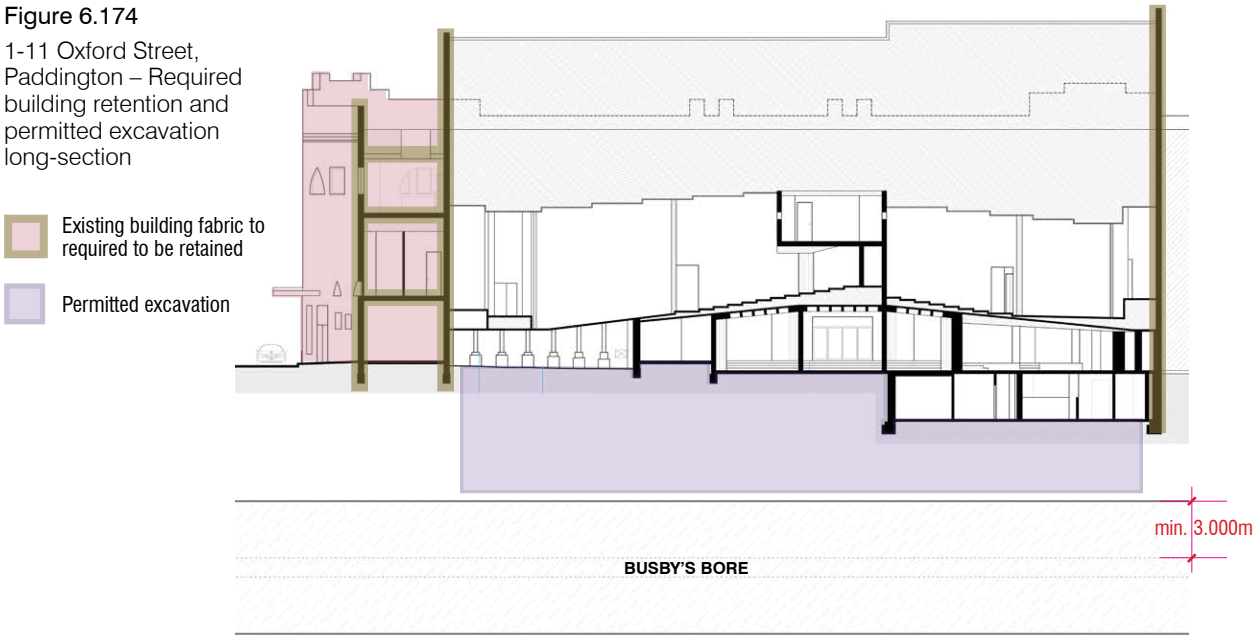
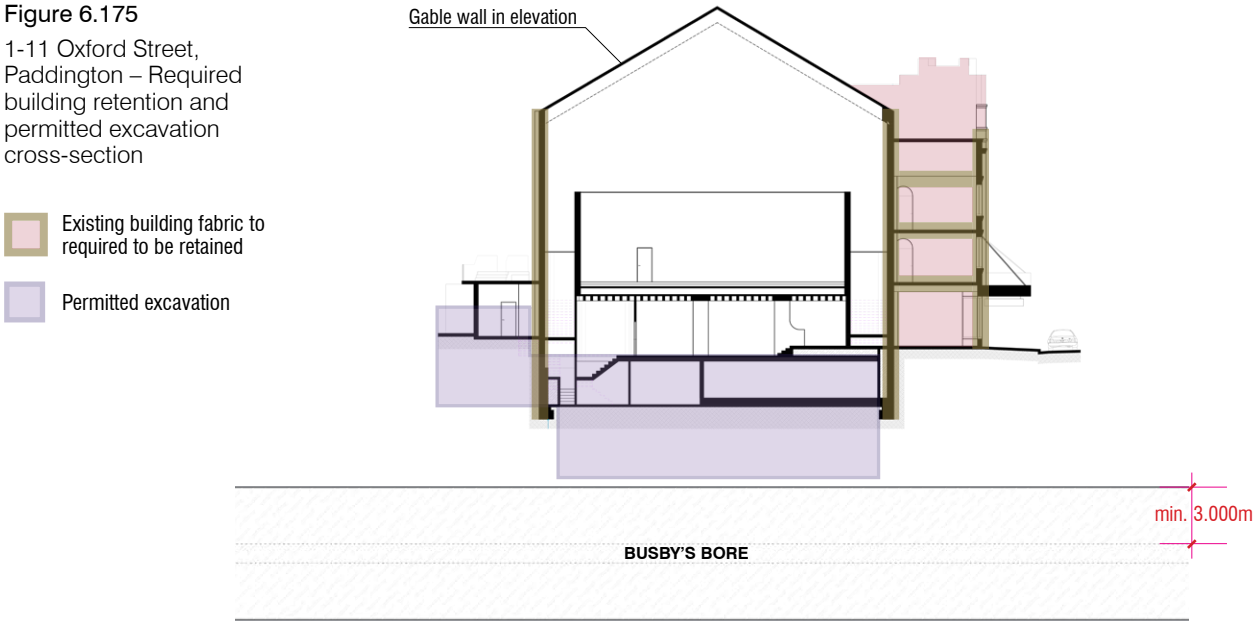


Figure 6.175
1-11 Oxford Street, Paddington – Required building retention and permitted excavation cross-section



6.3.18.3 Public domain, green roof, loading, servicing and access

(1) Active uses and frontages should be provided on the ground level fronting Oxford Street and splay on the corner of Oxford and South Dowling Streets.

(2) Four new trees are to be provided on Oxford Street, as shown in 'Figure 6.176: 1-11 Oxford Street, Paddington – Public domain, green roof, loading, servicing and access' and a replacement full width awning is provided that improves pedestrian amenity (sun and rain protection), is sympathetic to heritage and accommodates the new trees.

(3) A single vehicular driveway crossover off South Dowling Street is permitted to allow access into the south-western corner of the building, restricted to left-in-left-out movements, and accommodating no greater than a small rigid vehicle, positioned and dimensioned to limit the removal of only one tree and minimise the impact on the two adjoining trees, as shown in 'Figure 6.176: 1-11 Oxford Street, Paddington – Public domain, green roof, loading, servicing and access'.

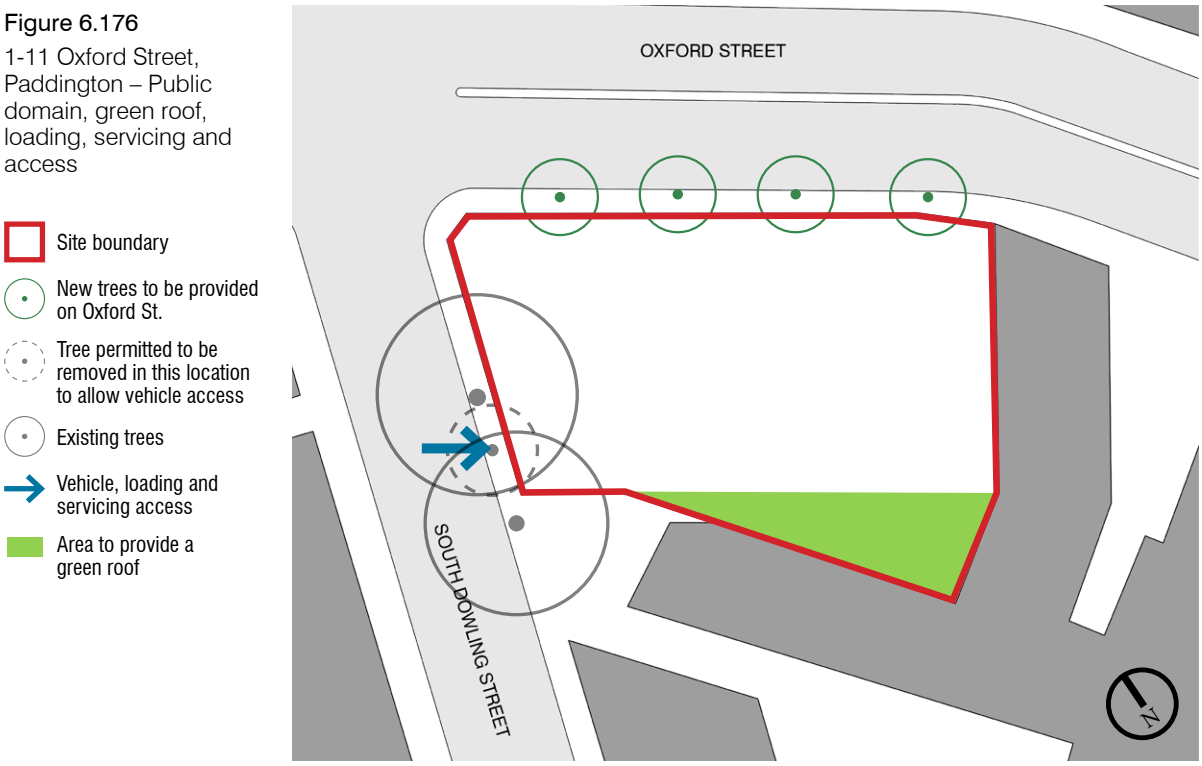
(4) Loading/servicing bays being provided to the site that accommodates no greater than a small rigid vehicle designed so that vehicles can enter and exit the site in a forward direction, servicing all uses on the site and servicing the entertainment facility from the same level it is located on.

(5) A transport management plan incorporating all operations and servicing on the site shall be submitted with the development application.

(6) Any on-site substation associated with the development is to be located and designed to manage any potential impacts on neighbouring properties and the public domain.

(7) A green roof with a minimum area of 90 square metres is to be provided south of the existing main building structure within the green area, as shown in 'Figure 6.176: 1-11 Oxford Street, Paddington – Public domain, green roof, loading, servicing and access'.

Figure 6.176
1-11 Oxford Street, Paddington – Public domain, green roof, loading, servicing and access



6.3.18.4 Sustainability

(1) The hotel development is to achieve 5 star Green Star Design & As Built certification, exceeding the minimum energy and water credits.

(2) The owner of the hotel development must execute a Commitment Agreement of 4.5 stars National Australian Built Environment Rating System (NABERS) Energy for the whole hotel building with the NSW Office of Environment.

(3) The hotel development is to achieve 4 star NABERS Water whole building rating, as evidenced by hydraulic engineers report at detailed design stage.

6.3.19 1-3 Burrows Road, St Peters

The following objectives and provisions apply to 1-3 Burrows Road, St Peters, as shown in Figure 6.1 Specific sites map.

This section is to be read in conjunction with other relevant sections of this DCP, in particular Section 3 – General Provisions and Section 5.8 Southern Employment Lands. Where there is conflict, this section applies to the extent of any inconsistency.

Objectives

(a) Ensure development results in high quality design and materiality appropriate to the high visibility of the site from the public domain and the St Peters Interchange.

(b) Ensure development provides adequate setbacks to Canal Road and Burrows Road to soften the built form and provide opportunity for deep soil and increased canopy cover.

(c) Ensure development results in an active frontage to Burrows Road to activate the street.

(d) Ensure development achieves a high standard of sustainability.

Provisions

6.3.19.1 Built form, landscape setbacks and access

(1) Development is not to exceed the maximum number of storeys and height in metres shown in Figure 6.177: Height in Storeys and Table 6.4: Height in Storeys and Metres.

Figure 6.177
Height in Storeys

Black number followed by "st" – maximum permitted number of storeys for industrial uses (other uses given in Table 6.4)

Blue number followed by "m" – minimum horizontal dimension of area with no built form (this area is shown light grey)

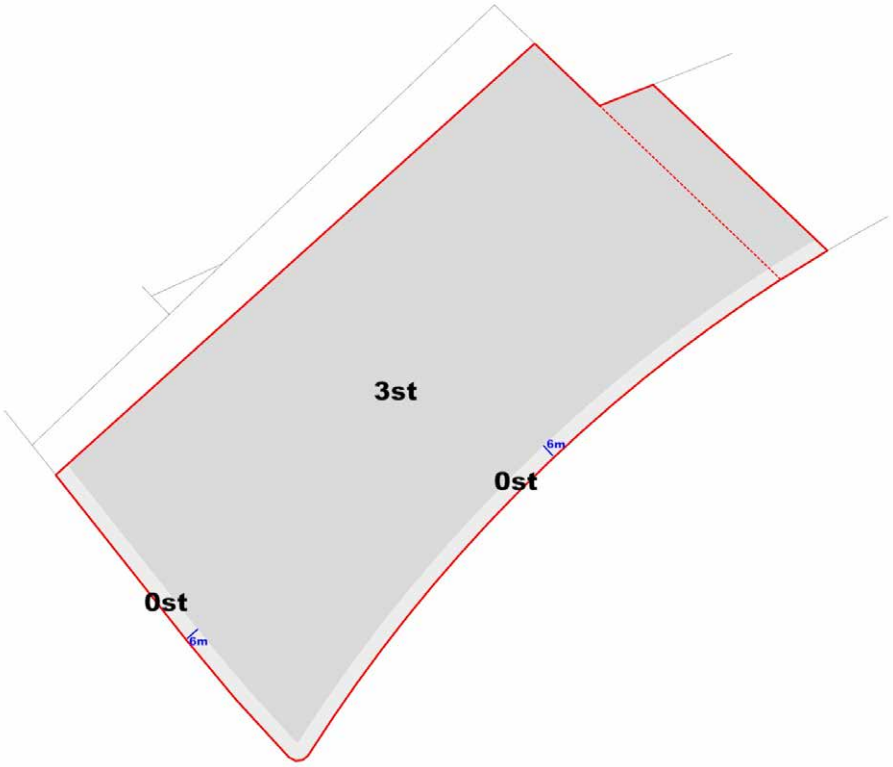


Table 6.4: Height in Storeys and Metres

Height in storeys shown in Figure 6.177	Maximum height in storeys for industrial uses	Maximum height in storeys for ancillary office uses	Maximum height in metres for buildings
0 st	0	0	0
3 st	3 (excluding mezzanines)	6	30 (33 including additional height awarded for design excellence)

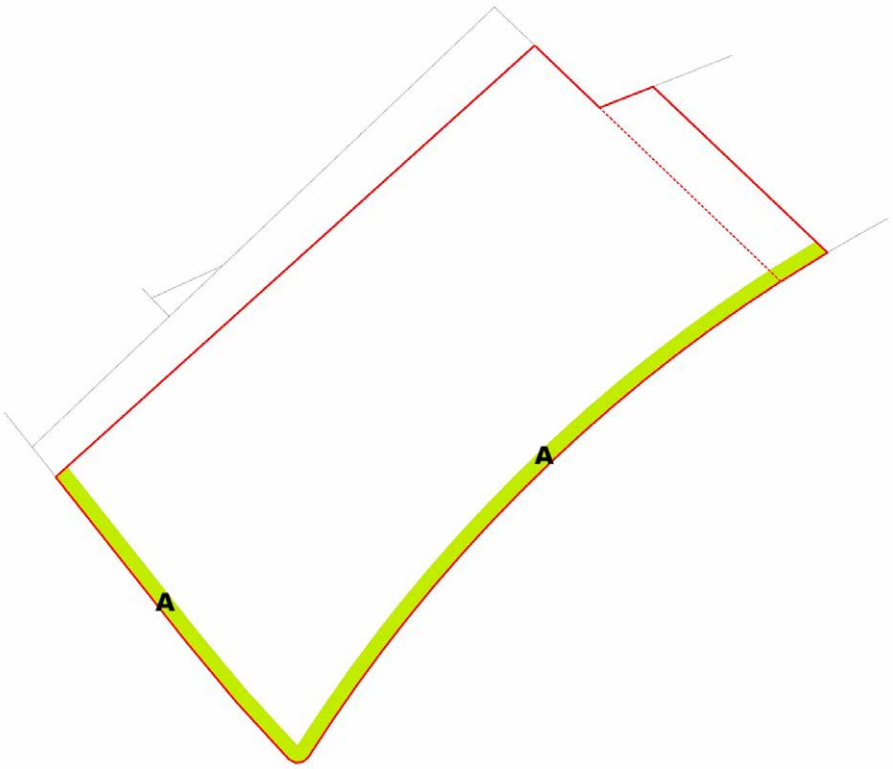
(2) The building is to be entirely within the envelope shown at Figure 6.177: Height in Storeys and Table 6.4: Height in Storeys and Metres.

(3) Development must provide minimum 6m wide landscape setbacks in accordance with Figure 6.178: Landscape Setback. Landscape setbacks are to accommodate substantial planting including densely planted large trees. Landscape setbacks are not to be overhung by building elements or include any above ground services. They may include pedestrian paths and vehicle driveways.

(4) Landscape setbacks are not required to be dedicated to Council.

Figure 6.178
Landscape Setback

A – 6m landscape setback (shown light green)



(5) Pedestrian access points must be provided that are direct, clear, accessible (step free) and safe (provided with natural surveillance from streets).

(6) Pedestrian access points must be provided that are direct, clear, accessible (step free) and safe (provided with natural surveillance from streets).

6.3.19.2 Design and materiality

(1) Development is to be of high aesthetic quality in relation to its materials and architectural composition and details, and is not to show exposed services.

(2) Services, structure, soffits, vehicle circulation, parking, loading areas and the like are not to be visible from outside the site except where they have been purposefully designed as part of a high quality coherent composition.

(3) Vehicle ramps visible from Canal Road or Burrows Road are to include suitable shielding.

(4) Development is to have ground floors designed to maximise views from internal office spaces to the street and be visually interesting.

6.3.19.3 Communal open space

(1) Any communal open space must be easily accessible to workers and tenants of all parts of the building.

(2) Any communal open space must be protected from pollution impacts from St Peters Interchange and internal vehicle ramps.

6.3.19.4 Sustainability

(1) Buildings should be designed to meet 5 Star Green Star rating.

(2) Any ancillary office space, provided separately to warehouse, must enter into a 5.5 Star NABERS Energy Commitment Agreement.

(3) On-site stormwater detention and treatment are to be delivered in the form of water tanks and water sensitive urban design bio swales at ground level.

(4) A green roof must be provided, as described in Section 9 - Green roofs and walls, to the greatest possible extent of roof coverage.

(5) Green walls, as described in Section 9, are encouraged to be delivered on both the Burrows Road and WestConnex St Peters Interchange frontages.

(6) A photovoltaic system must be delivered on the roof of the building to achieve a minimum of 2000 kWp.

(7) Any ancillary office component is to include suitable window shading.

6.3.19.5 Signage

(1) All signage must only be located on the Canal Road and Burrows Road frontages, and not be visible from the St Peters Interchange or Sydney Park.

6.3.19.6 Design excellence strategy

(1) Where a competitive design process is required by Division 4 of Sydney LEP 2012 it is to be carried out in accordance with the following before the lodgement of a detailed development application for the site:

(a) A competitive design alternatives process is to be undertaken in accordance with Division 4 of Sydney LEP 2012 for the entire site identified in Figure 6.1 Specific sites map;

(b) The competitive design alternatives process is to involve a minimum of three (3) invited competitors including at least one emerging architectural firm.

(c) The Selection Panel is to comprise a total of four (4) selection panel members. The proponent is to nominate two (2) selection panel members and the City of Sydney is to nominate two (2) selection panel members.

(d) Any additional building height that results from a competitive design process is to be accommodated in accordance with Table 6.4 Height in Storeys and Metres.

(e) No additional floor space under clause 6.21D(3)(b) is to be awarded as a result of the competitive design process.

6.3.20 4-44 Wentworth Avenue, Surry Hills

The following objectives and provisions apply to the site 4-44 Wentworth Avenue, Surry Hills, as shown in Figure 6.1 and where relevant site-specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

For 4-22 Wentworth Avenue, Clause 6.55 of Sydney LEP 2012 enables development to exceed the height and floor space ratio shown in the height in metres and floor space ratio maps up to a prescribed amount, provided the entire site is developed for commercial uses (including health services facilities, educational establishments, hotel or motel accommodation, entertainment premises, light industry or information and education facilities with ancillary commercial premises at the ground level.

For 24-40 Wentworth Avenue, Clause 6.56 of Sydney LEP 2012 enables development to exceed the height shown in the height in metres map up to a prescribed amount, provided the sites are developed for commercial uses (including health services facilities, educational establishments, hotel accommodation, entertainment premises, light industry and information and education facilities).

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.

Objectives

(a) Facilitate the provision of new tourist and visitor accommodation in an appropriate location.

(b) Facilitate the provision of commercial development in a central, easily accessible location that is adjacent to Central Sydney and a variety of public transport links.

(c) Define the maximum building envelope to deliver a high quality built form that is of appropriate bulk and scale for its location whilst minimising amenity impacts to surrounding properties.

(d) Conserve the group heritage item of former warehouses at 4-34 Wentworth Avenue, and the individual heritage item known as the former Macquarie Hotel at 40-44 Wentworth Avenue, Surry Hills.

(e) Ensure that the quality of design and setbacks are appropriate to and respect the architectural integrity and heritage character of the group heritage item in its setting;

(f) Ensure new development and additions are compatible with the heritage items and positively contribute to the site and surrounding streetscape.

(g) Activate Wentworth Avenue through appropriate uses and design.

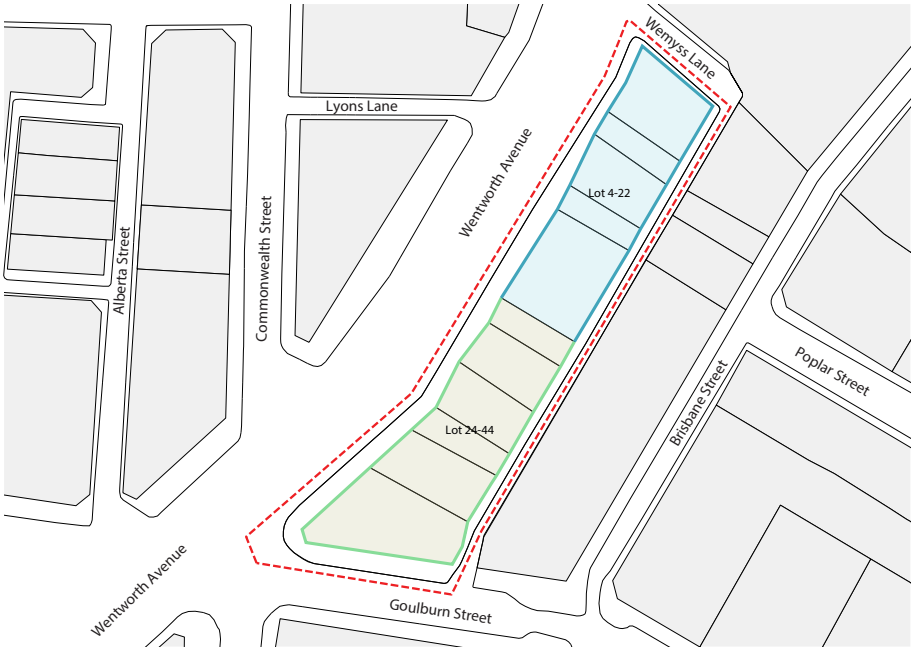
(h) Establish benchmarks to achieve ecologically sustainable development.

(i) Establish a design excellence strategy for a competitive design process in accordance with Sydney LEP 2012 and the City of Sydney Competitive Design Policy.

Provisions

The following provisions apply to 4-44 Wentworth Avenue, Surry Hills, as shown in Figure 6.179.

Figure 6.179
Boundary of 4-44 Wentworth Avenue as shown in red dotted line – boundary of site-specific controls for 4-22 shown in blue, boundary of site specific controls for 24-44 Wentworth Avenue shown in green



6.3.20.1 Overshadowing of neighbouring residential properties during mid-winter

(1) Proposed development must minimise overshadowing of neighbouring residential properties during mid-winter.Where a nearby residential property does not currently receive a minimum of 2 hours of solar access, the proposed development must ensure existing solar access to the neighbouring residential property is not reduced by more than 20% in time.

(2) Proposed development must not increase the number of neighbouring residential properties that receive no direct sun (less than 15 minutes).

6.3.20.2 Heritage conservation

(1) Development of the site must maintain the structural and architectural integrity of the group heritage item at 4-34 Wentworth Avenue and the individual heritage item at 40-44 Wentworth Avenue, Surry Hills.

(2) New uses and new works to the group heritage item must retain the industrial character of the buildings. New uses and works to all heritage items must maximise retention and exposure of significant building fabric and spaces, internally and externally.

(3) Development of the site must include conservation works to the heritage items, such as the repair and making good of any damage to existing original fabric, reinstatement of original features including original timber windows, laneway basement windows, finishes, removal of air conditioning units from the facades, removal and replacement of later aluminium windows with timber windows and removal of all existing façade mounted plumbing and services. The original exposed brick finish of the facade of no. 14 Wentworth Avenue (which is currently painted) must be reinstated.

(4) For heritage items, investigate and adopt alternative solutions to the Building Code of Australia performance requirements, with the aim of retaining and exposing the existing timber beams and columns and other historic features.

(5) Locate building services for new uses, such as loading, plant rooms, fire egress and lifts, within modern fabric, new spaces or fabric of lower significance where possible, to minimise impacts on the significant fabric of the buildings.

(6) The podium addition at 4-22 Wentworth Avenue and any addition above 24-44 Wentworth Avenue must be designed to present as a discrete, light-weight addition with an articulated southern side wall. The addition must minimise the visual bulk of the addition and visibility of blank side walls from the public domain.

(7) A heritage interpretation strategy must be prepared as part of any development.

(8) Development must maintain the individuality and distinction of each building, internally and externally, within the group of this heritage item, including retention of significant floors and floor levels, interpretation of significant spaces, maintaining separate existing entries to the buildings and the party walls of the buildings. Single openings may be created within the party walls to allow connection of internal spaces provided they are located away from street frontages and are not visible from the street.

(9) Development must not detract from the group's distinctive existing streetscape presentation.

(10) Development must be architecturally designed to respond to the individual buildings within the group heritage item and the separately listed heritage item at 40-44 Wentworth Avenue.

(11) Vertical additions above the group heritage item must respond to and reflect the varying heights of buildings.

(12) Alterations to existing building facades should be limited to maintenance, reinstating original features or removing non-significant features.

(13) Any existing openings to the basement on the laneway must be retained and not be amalgamated or extended.

(14) Later non-original awnings may be removed or replaced with a sympathetic awning characteristic of the period of the building.

(15) Significant internal and external architectural features of the original buildings should be retained, including, but not limited to, original/significant facade detailing, timber framed windows, timber joinery and internal timber structure.

(16) Any existing exposed brickwork and stonework must not be rendered or painted.

(17) The opening of the original loading dock of 10-12 Wentworth Avenue at the rear lane must be retained.

(18) Existing floor levels within each building must be maintained.

(19) New internal walls, floors and ceilings must not be built across existing windows.

6.3.20.3 Sustainability

Hotel use

(1) Any hotel development is to be designed to achieve 5 star or higher Green Star Design & As Built certification, exceeding the minimum mandatory energy and water credits, or equivalent certification.

(2) The owner of the hotel development must execute a Commitment Agreement of 4.5 stars National Australian Built Environment Rating System (NABERS) Energy for the whole hotel building with the NSW Office of Environment.

(3) The hotel development is to achieve 4 star NABERS water whole building rating, as evidenced by hydraulic engineer's report at detailed design stage.

Commercial office use

(4) Any development for the purposes of commercial office use must execute a Commitment Agreement of 6 stars National Australian Built Environment Rating System (NABERS) Energy for the base building with the NSW Office of Environment.

(5) The commercial office development is to achieve 4 star NABERS water whole building rating, as evidenced by hydraulic engineer's report at detailed design stage.

6.3.20.4 Public domain and site servicing

(1) Existing street trees are to be retained/maintained.

(2) Building services and vehicular access are to be consolidated and are to be located on Wemyss Lane.

(3) For any hotel development, a transport management plan incorporating hotel operations and servicing shall be submitted with the development application, setting out management strategies to provide for:

(a) Pick up and drop off on Wemyss Lane;

(b) Details of bus/coach parking including location and use; and

(c) Pedestrian safety.

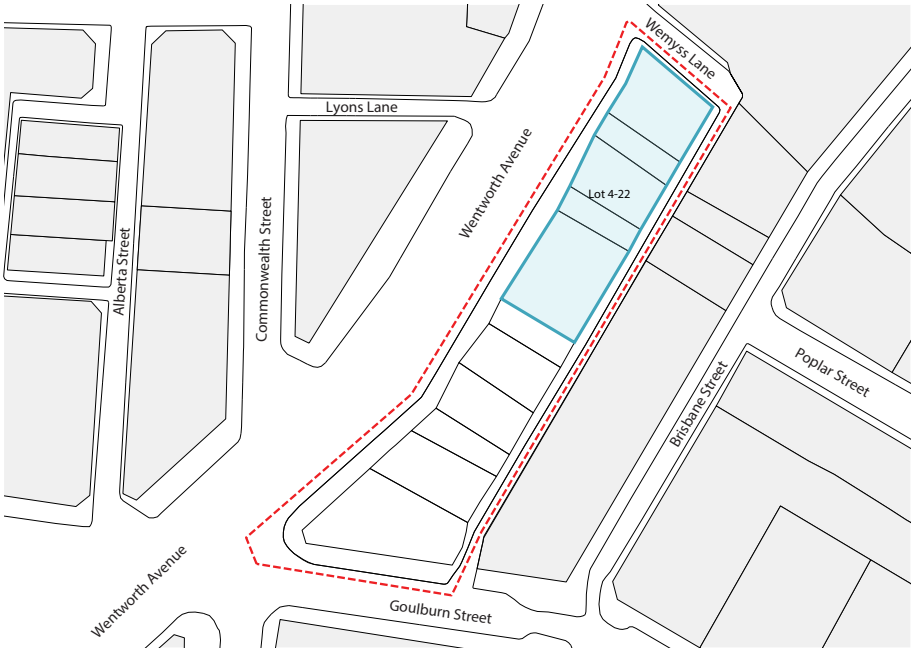
6.3.20.5 Awnings

(1) Awnings may be permitted to Wentworth Avenue but only where they considered to be appropriate for and sympathetic to the heritage significant facades of the buildings.

Provisions – 4-24 Wentworth Avenue

The following provisions apply to 4-24 Wentworth Avenue, Surry Hills, as shown in Figure 6.180.

Figure 6.180
Boundary of site specific controls for 4-22 Wentworth Avenue shown in blue



6.3.20.6 Built form – 4-22 Wentworth Avenue, Surry Hills

(1) Development is not to exceed the maximum planning envelope described by 'Figure 6.181: 4-22 Wentworth Avenue – Maximum planning envelope plan' and 'Figure 6.182: 4-22 Wentworth Avenue – Maximum planning envelope – axonometric view'.

The envelope is the maximum permissible extent of the built form and the final building design must be appropriately massed within the envelope.

(2) Despite 6.3.19.1 (1) above, development may only be permitted within the cantilevered portion of the tower form and within the reduced setback to the rooftop podium addition (both shown in darker blue) as per 'Figure 6.181: 4-22 Wentworth Avenue – Maximum planning envelope plan', 'Figure 6.182: 4-22 Wentworth Avenue – Maximum planning envelope – axonometric view', provided:

(a) A competitive design process has been carried out for the whole site and the development is considered to achieve design excellence in accordance with Division 4 of Sydney LEP 2012; and

(b) The consent authority is satisfied that the podium addition has been designed:

(i) To ensure three dimensional features of host buildings or adjacent buildings can be retained (e.g. cornicing, turrets, side return walls);

(ii) To ensure a finely articulated junction with the existing form;

(iii) To use high quality materials;

(iv) To reference the proportioning and detailing of the host building (without copying or reproducing those details);

(v) To ensure its proportioning achieves a harmonious bulk and form relationship with the host building;

(vi) To ensure its architectural detail clearly reads as a contemporary structure;

(vii) To be clearly articulated from the host building through a horizontal separation or similar architectural device;

(viii) To acknowledge the fine grain of the streetscape;

(ix) To ensure its structure does not diminish the quality of interior spaces within the host building; and

(x) Without the predominant use of glazing.

Figure 6.181
4-22 Wentworth Avenue – Maximum planning envelope plan

Note: design excellence shown in darker blue



This plan should be read in conjunction with figure 'Axonometric RL heights'.

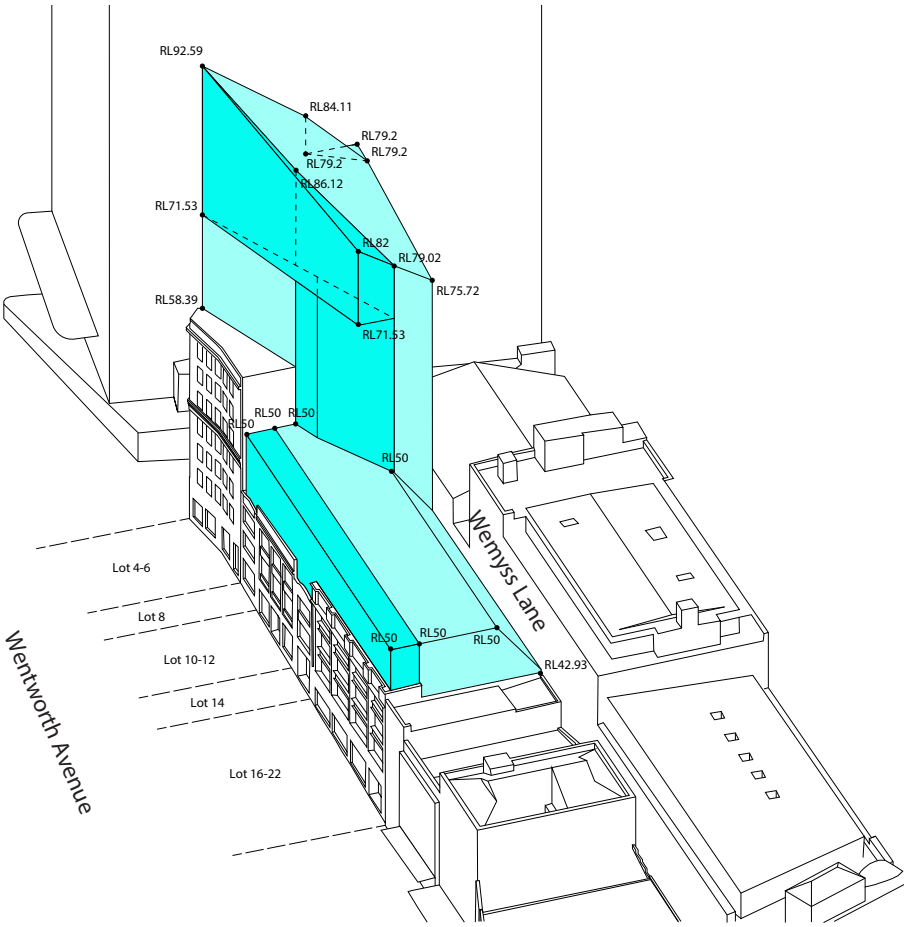
4-22 Wentworth Avenue indicative existing building fabric outline
Outline of proposed built form
Outline of additional design excellence built form
Kerbline
Surrounding context, existing property outlines

RL
RL
RL
low

Figure 6.182

4-22 Wentworth Avenue: Maximum planning envelope – axonometric view

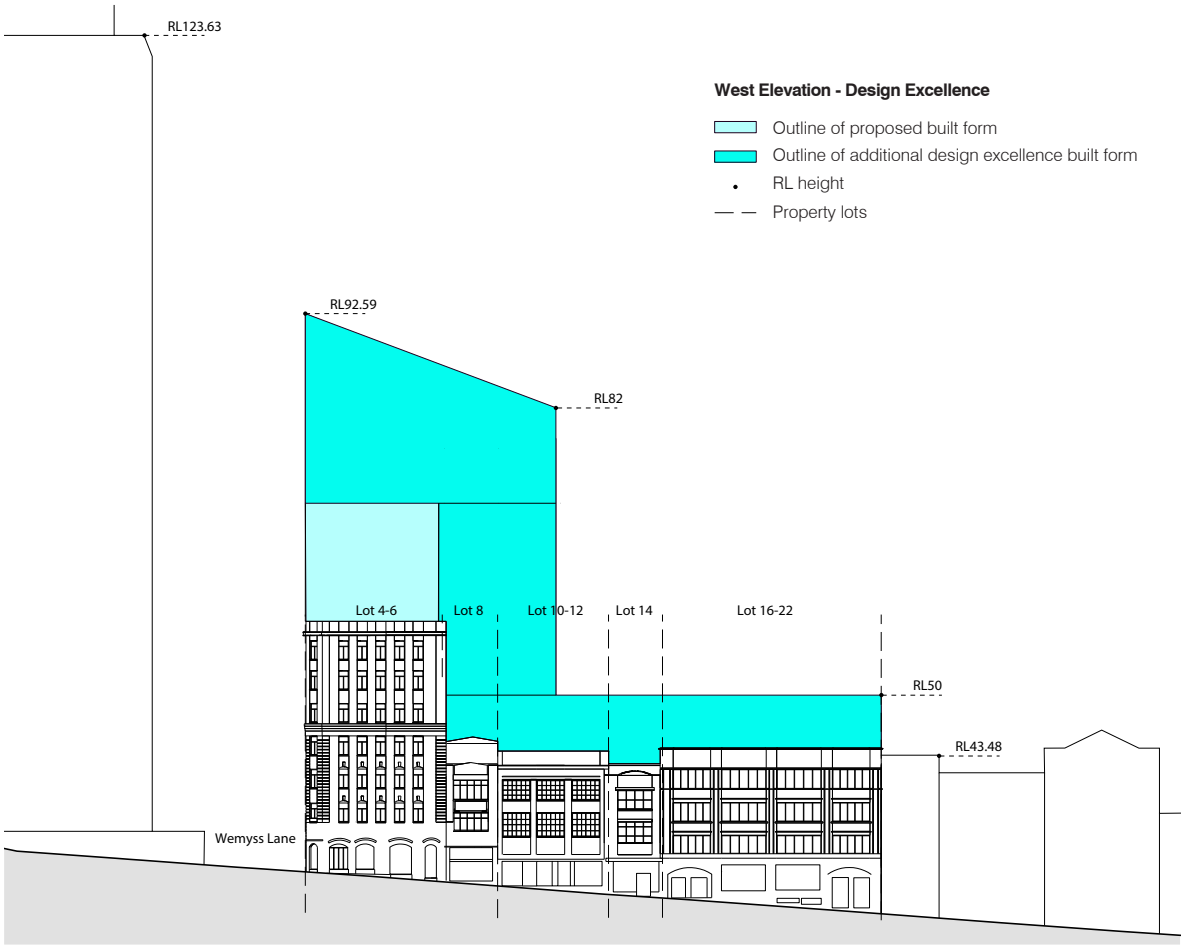
Note: design excellence shown in darker blue



Axonometric with RL heights

- Outline of proposed built form
- Outline of additional design excellence built form
- Outline of additional design excellence built form beyond
- RL height

Figure 6.183
4-22 Wentworth Avenue – Maximum street wall heights



6.3.20.7 Design excellence strategy – 4-22 Wentworth Avenue, Surry Hills

(1) The competitive design process is to be undertaken in accordance with Division 4 of Sydney LEP 2012 and is to apply to the entire site. The competitive design process is to comprise an invited competitive design alternatives process involving no less than four architectural firms including emerging, emerged and established architectural firms, with demonstrated experience designing high quality heritage infill buildings.

(2) The selection panel is to comprise a total of four (4) members. The proponent is to nominate two (2) panel members and the City of Sydney is to nominate two (2) panel members.

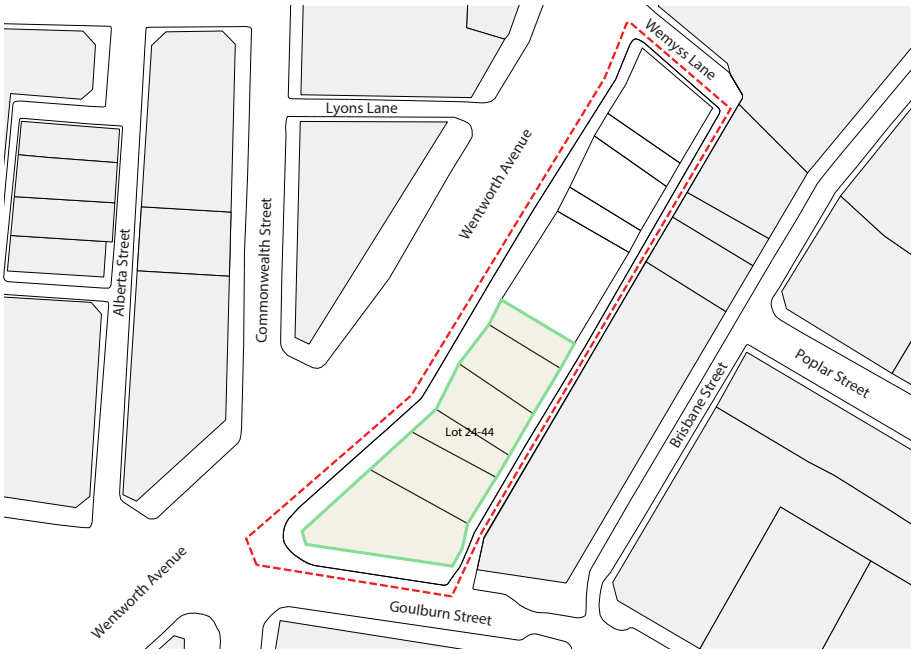
(3) A building demonstrating design excellence is eligible for an amount of additional floor space in accordance with the design excellence provisions of Sydney LEP 2012. No additional height is to be awarded as a result of the competitive design process.

(4) Any additional floor space that may be awarded in relation to any competitive process(es) as per clause 6.21D(3) of Sydney LEP 2012 is to be accommodated within the proposed planning envelope as shown in 'Figure 6.181: 4-22 Wentworth Avenue – Maximum planning envelope plan', 'Figure 6.182: 4-22 Wentworth Avenue – Maximum planning envelope – axonometric view' and 'Figure 6.183: 4-22 Wentworth Avenue – Maximum street wall heights'.

Provisions – 24-44 Wentworth Avenue

The following provisions apply to 24-44 Wentworth Avenue, Surry Hills, as shown in Figure 6.184.

Figure 6.184
Boundary of site specific controls for 24-44 Wentworth Avenue shown in green



6.3.20.8 Built form – 24-44 Wentworth Avenue, Surry Hills

(1) Development is not to exceed the maximum planning envelope described by 'Figure 6.185: 24-44 Wentworth Avenue – Maximum planning envelope plan', 'Figure 6.186: 24- 44 Wentworth Avenue – Maximum planning envelope – axonometric view 1' and 'Figure 6.187: 24-44 Wentworth Avenue – Maximum planning envelope – axonometric view 2.'

The envelope is the maximum permissible extent of the built form and the final building design must be appropriately massed within the envelope.

(2) Despite 6.3.19.1 (1) above, development may exceed the permissible FSR by up to 10% provided:

(a) A competitive design process has been carried out for the whole site and the development is considered to achieve design excellence in accordance with Division 4 of Sydney LEP 2012; and

(b) The consent authority is satisfied that the addition has been designed:

(i) To ensure three dimensional features of host buildings or adjacent buildings can be retained (e.g. cornicing, turrets, side return walls);

(ii) To ensure a finely articulated junction with the existing form;

(iii) To a use high quality materials;

(iv) To reference the proportioning and detailing of the host building (without copying or reproducing those details);

(v) To ensure its proportioning achieves a harmonious bulk and form relationship with the host building;

(vi) To ensure its architectural detail clearly reads as a contemporary structure;

(vii) To be clearly articulated from the host building through a horizontal separation or similar architectural device;

(viii) To acknowledge the fine grain of the streetscape;

(ix) To ensure its structure does not diminish the quality of interior spaces within the host building; and

(x) Without the predominant use of glazing.

Figure 6.185
4-22 Wentworth Avenue – Maximum planning envelope plan
Note: design excellence shown in darker blue



Site Plan - Proposed Built Form

- 24-44 Wentworth Avenue existing indicative building fabric outline
- Kerbline
- Surrounding context, existing property outlines
- Proposed RL50 level
- Proposed RL44.26 level
- Determined by sun access of neighbouring building

Figure 6.186
24-44 Wentworth Avenue: Maximum planning envelope – axonometric view 1

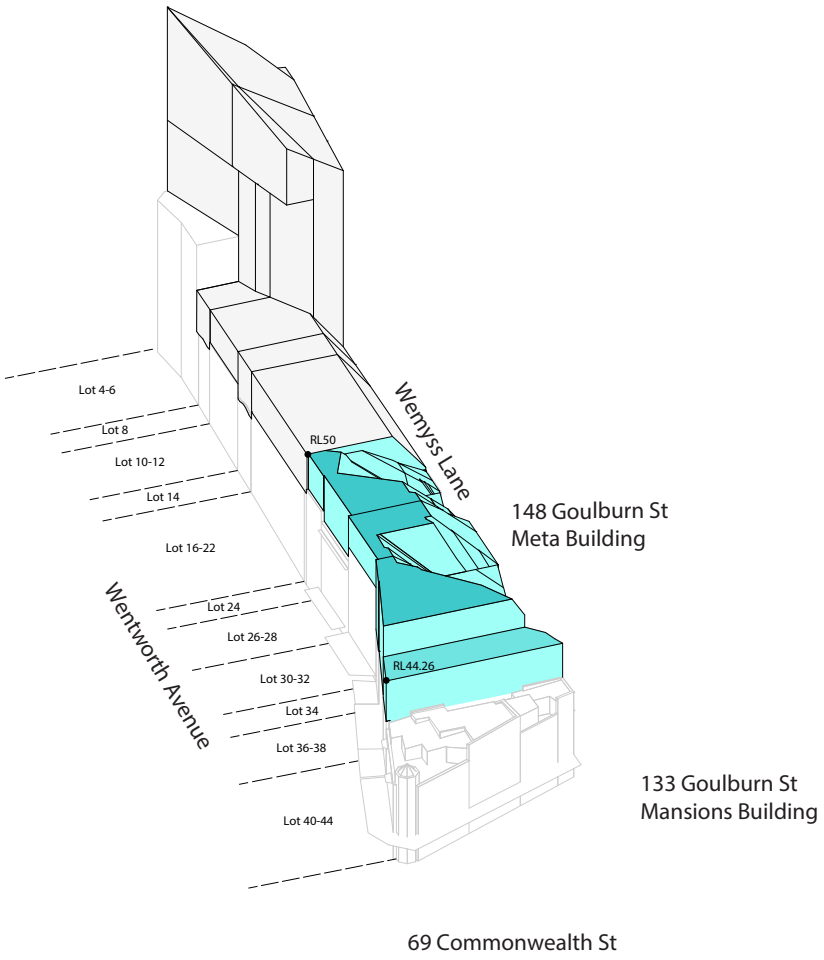


Figure 6.187
24-44 Wentworth Avenue: Maximum planning envelope – axonometric view 2

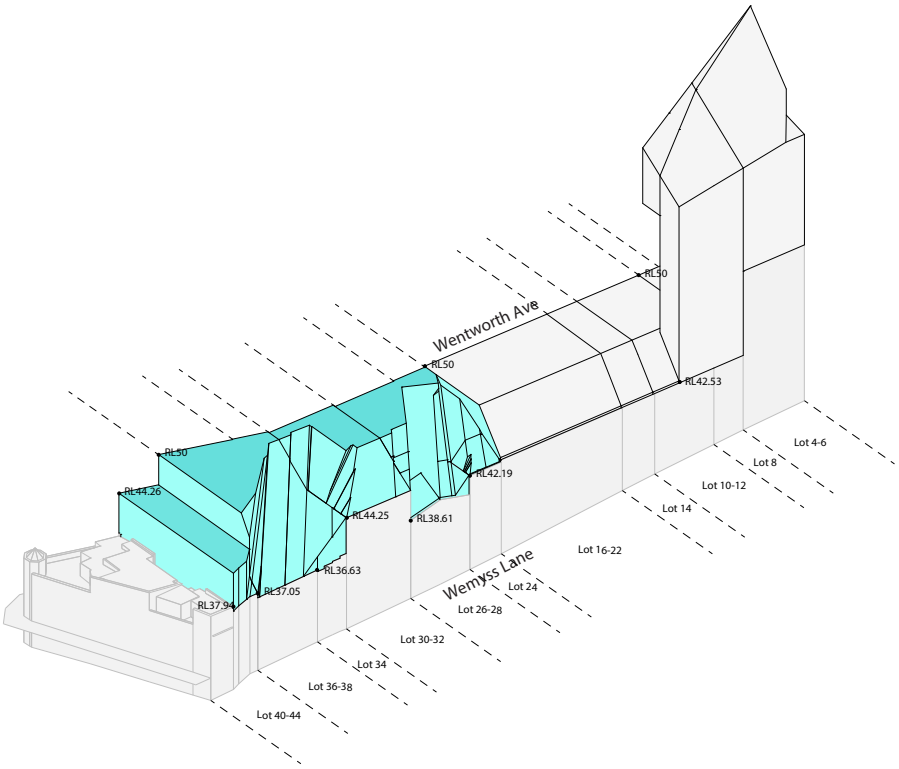
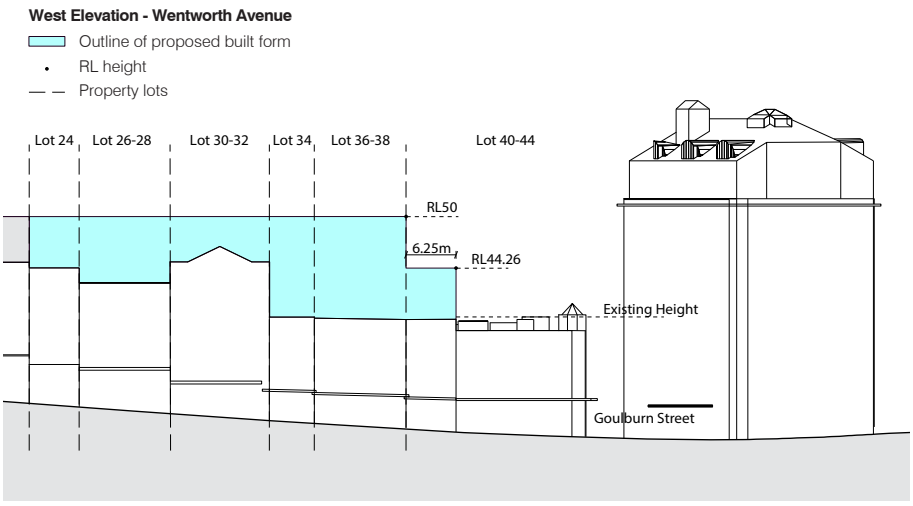


Figure 6.188
24-44 Wentworth Avenue – Maximum street wall heights



6.3.20.9 Design excellence strategy – 26-44 Wentworth Avenue, Surry Hills

Note: this provision does not apply to 24 Wentworth Avenue, as the increase in building height is below 25m unless the applicant self nominates to undertake a competitive design process.

(1) The competitive design process is to be undertaken in accordance with Division 4 of Sydney LEP 2012 and is to apply to the entire site. The competitive design process is to comprise an invited competitive design alternatives process involving no less than three architectural firms including emerging, emerged and established architectural firms, with demonstrated experience designing high quality heritage infill buildings.

(2) The selection panel is to comprise a total of four (4) members. The proponent is to nominate two (2) panel members and the City of Sydney is to nominate two (2) panel members.

(3) A building demonstrating design excellence is eligible for an amount of additional floor space in accordance with the design excellence provisions of Sydney LEP 2012. No additional height is to be awarded as a result of the competitive design process.

(4) Any additional floor space that may be awarded in relation to any competitive process(es) as per Clause 6.21D(3) of Sydney LEP 2012 is to be accommodated within the proposed planning envelope as shown in 'Figure 6.185: 4-22 Wentworth Avenue – Maximum planning envelope plan', 'Figure 6.186: 4-22 Wentworth Avenue – Maximum planning envelope – axonometric view 1' and 'Figure 6.187: 4-22 Wentworth Avenue – Maximum planning envelope – axonometric view 2.

6.3.21 187 Thomas Street, Haymarket

The following objectives and provisions apply to 187 Thomas Street, Haymarket as shown in 'Figure 6.1 Specific sites map', where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.58 of the Sydney LEP 2012 enables development to exceed the height and floor space ratio shown in the building height in metres and floor space ratio maps up to a prescribed amount, providing the subject site is developed for commercial use.

If a development at 187 Thomas Street, Haymarket, seeks to utilise additional height or floor space ratio permitted by clause 6.58 of the Sydney LEP 2012, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

(a) Provide detailed controls to satisfy the provisions of Clause 6.58 187 Thomas Street, Haymarket in Sydney LEP 2012.

(b) Facilitate the redevelopment of the site to achieve a high quality urban form.

(c) Ensure that development on the site results in significant public benefits.

(d) Ensure publicly accessible open space is fronted with active uses and suitable for outdoor dining.

(e) Enable additional building height where the redevelopment of the site does not include residential or serviced apartment uses.

(f) Define the maximum envelope that respects the local context and achieves acceptable levels of solar access, acoustic amenity, wind comfort and daylight.

(g) Deliver additional publicly accessible space adjacent to the future public square to be located on Quay Street.

(h) Meet high performance benchmarks for ecologically sustainable development.

(i) Maximise active frontages with retail and business premises uses at ground level and minimising services, vehicle access and lobbies.

(j) Provide a through-site link to improve pedestrian permeability for the public and support greater activation.

(k) Incorporate high-quality public art.

(l) Positively relates to adjoining development.

Provisions

6.3.21.1 Maximum envelope

(1) Building massing, height, footprint and setbacks are to be consistent with 'Figure 6.189 – Indicative envelope massing' and 'Figure 6.190 Elevation of indicative envelope'.

(2) The maximum building height is to be RL 226.80m to the highest point on the building including any plant and rooftop architectural features.

(3) Building height of the various components of the building is to be consistent with 'Figure 6.190 Elevation of indicative envelope', specifically:

  (a) the maximum street wall height facing Thomas, Quay and Valentine Street shall not exceed RL 33.20m;

  (b) the opening/void tower component of the building is to have a minimum height of RL 54.40m;

  (c) the commercial tower component of the building is to have a maximum height of RL 175.60m; and

  (d) the skyrise component of the building is to have a maximum height of RL 226.80m.

(4) Tower setbacks are to be consistent with 'Figure 6.192 Indicative envelope – setbacks', specifically:

  (a) a ground floor setback of 4.8m to Quay Street;

  (b) a podium setback of 14m to the Sutton Forest Meat building;

  (c) the opening/void tower component of the building (between RL 33.20m and 54.40m) is to be setback 26.5m from the northern boundary (with the exception of support columns);

(d) the tower (above RL 33.20) is to include the following setbacks:

(i) 8m to Valentine Street;

(ii) 10m to Quay Street;

(iii) 3m to the northern boundary;

(iv) 5m to the eastern boundary (with the exception of the lift core, which has a 3m setback to a height of RL 178.60m); and

(e) upper level setback (above RL 155.40m) of 24m from Quay Street.

(5) The envelope detailed in 'Figure 6.189 – Indicative envelope massing' is the maximum permissible extent of the building form, and the final building design must be appropriately massed wholly within this envelope.

(6) Tower setbacks are to maintain views from the public domain to Christ Church St Laurence as viewed from the future Quay Street public square and from Thomas Street towards to the future Quay Street public square.

6.3.21.2 Ground floor

(1) Entry to the basement carpark is to be located at the north of the site from Thomas Street, as shown on 'Figure 6.194 Indicative ground floor layout plan'.

(2) All street frontages and the through-site link, as shown on 'Figure 6.194 Indicative ground floor layout plan', are to be activated with retail or business premises or both.

(3) The building shall maximise active frontages by minimising building services, vehicle entries and lobbies.

6.3.21.3 Wind

(1) A quantitative wind effects report is to be submitted with a detailed development application for the subject site.

(2) The quantitative wind effects report is to demonstrate that the proposed development will not:

(a) cause wind speeds that exceed the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks except where the existing wind speeds exceed the standard; and

(b) worsen an existing wind condition that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks by increasing the spatial extent, frequency or speed of the wind.

(3) The quantitative wind effects report is to further demonstrate the proposed development incorporates measures to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing.

Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standard for Sitting in Parks is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

(4) The building shall be designed to mitigate wind impacts on Thomas and Valentine Streets, including through the use of active systems, form, materials and where necessary, redistribution of building bulk as shown in 'Figure 6.195 Wind mitigation envelope options'.

6.3.21.4 Haymarket Special Character Area

(1) The development is to complement the civic character of the Haymarket Special Character Area by way of suitable façade composition, building materials, colours and textures, and by appropriate building articulation.

(2) The building is to be designed to positively contribute to vistas, preserve key views and enhance the skyline in the locality.

6.3.21.5 Development adjacent to heritage items

(1) The development is to be designed to respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the former Sutton Forest Meat heritage item at 757-759 George Street.

(2) The maximum street wall height fronting Valentine Street extending 14m to the west of the boundary with the Sutton Forest Meat building is to be RL 23.20m consistent with the height of the heritage item.

(3) Consideration is to be given to the impact the development would have on the significance, setting, landmark values and ability to view and appreciate the heritage item from public places.

(4) The development is to respond to and maintain the significant view corridor towards the Christ Church St Laurence heritage item at 814A George Street through appropriate podium height and setbacks.

6.3.21.6 Public domain

(1) A ground floor setback of at least 4.8m to Quay Street is to be included to provide additional publicly accessible open space to be read as an extension of the future public plaza on Quay Street.

(2) The building is to be planned and designed to accommodate future conversion of adjacent streets into shared or pedestrian zones and associated stormwater works.

(3) Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.

(4) High quality public art is to be incorporated into the design of the publicly accessible open space adjacent to the future public plaza on Quay Street.

(5) A feature tree is to be located in the publicly accessible open space adjacent to the future public plaza on Quay Street.

6.3.21.7 Residential amenity

(1) The building is to provide a high level of amenity for occupants of the adjacent residential building by ensuring:

(a) good solar access – minimum 2 hours direct sunlight between 9.00am and 3.00pm on 21 June; and

(b) a void at the north wing of the building is to be provided between RL 33.20m and RL 54.40m with a minimum setback of 26.5m from the northern boundary.

(2) The design, construction and ongoing operation of the external terrace through a management plan is to minimise any adverse acoustic impacts to adjacent residents, as follows:

(a) the hours of operation are to be restricted to 7.00am to 8.00pm Monday to Friday;

(b) no playing of amplified speech or music will be undertaken on the external terrace; and

(c) acoustic absorption shall be applied to the underside of the building structure above the external terrace:

(i) Absorption will be included to approximately 50% of the soffit above; and

(ii) Include a material or construction with a minimum NRC of 0.6.

6.3.21.8 Parking and vehicular access

(1) Parking on site is to be limited to a total of not more than 79 car parking spaces having regard to the site's high level of accessibility by public transport services and active transport modes.

(2) Vehicular access to the basement is to be from Thomas Street only, with no access from Quay or Valentine Streets.

(3) Site loading facilities are to be useable and delivery and servicing needs are not to impact the use of the footpath in any way.

6.3.21.9 Design excellence strategy

(1) An invited architectural design competition is to be undertaken in accordance with Division 4 of the Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy.

(2) The competition is to include:

(a) no less than six competitors;

(b) the majority to be local or national Australian firms; and

(c) at least one competitor that is an emerging architect or in partnership with emerging architect;

(d) competitors with demonstrated experience on projects that have either received an environmental sustainability award or achieved high Green Star Design & As Built or NABERS Energy/Water ratings high level of skill in sustainable design; and

(e) competitors with gender representation ratio of 40% male, 40% female, 20% any gender in their design team.

(3) The jury is to comprise a total of six (6) members. The proponent is to nominate three (3) jurors and the City of Sydney is to nominate three (3) jurors. At least one (1) juror is to have sustainability expertise.

(4) Any additional floor space pursued for a building demonstrating design excellence under clause 6.21D(3)(b), is to be accommodated within the building envelope shown within 'Figure 6.189 – Indicative envelope massing'.

(5) No additional building height under clause 6.21D(3)(a) is to be awarded as a result of the competition.

6.3.21.10 Sustainability

(1) The building is to be designed to meet 5.5 star NABERS Energy rating for the commercial component and 4.5 star NABERS Energy rating for the hotel component, evidenced by provision of NABERS Energy Commitment Agreement at detailed design stage.

(2) The building is to be designed to meet a 4 star NABERS Water score for both the commercial and hotel components as evidenced by hydraulic engineers report at detailed design stage.

(3) The building is to include photovoltaic systems to achieve a minimum of 88kWp.

(4) The building is to include a rainwater harvesting and storage strategy.

Figure 6.189
187 Thomas Street, Haymarket – Indicative envelope massing

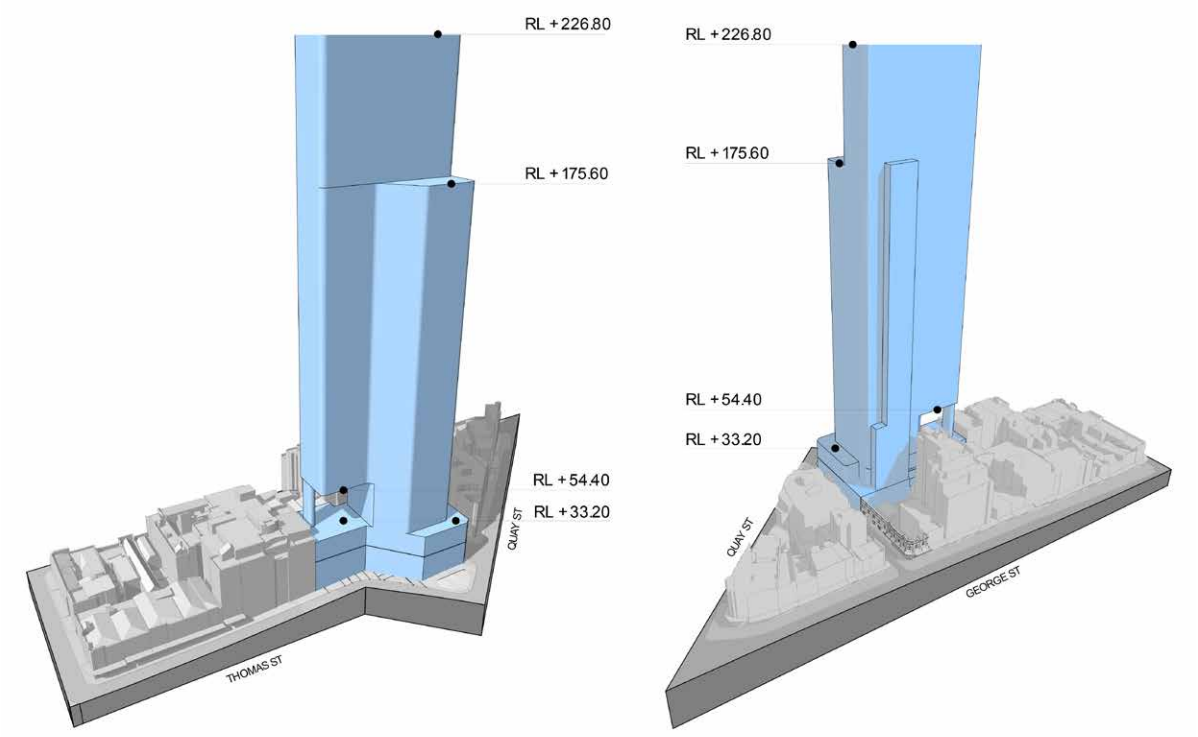


Figure 6.190
187 Thomas Street, Haymarket – Elevation of indicative envelope

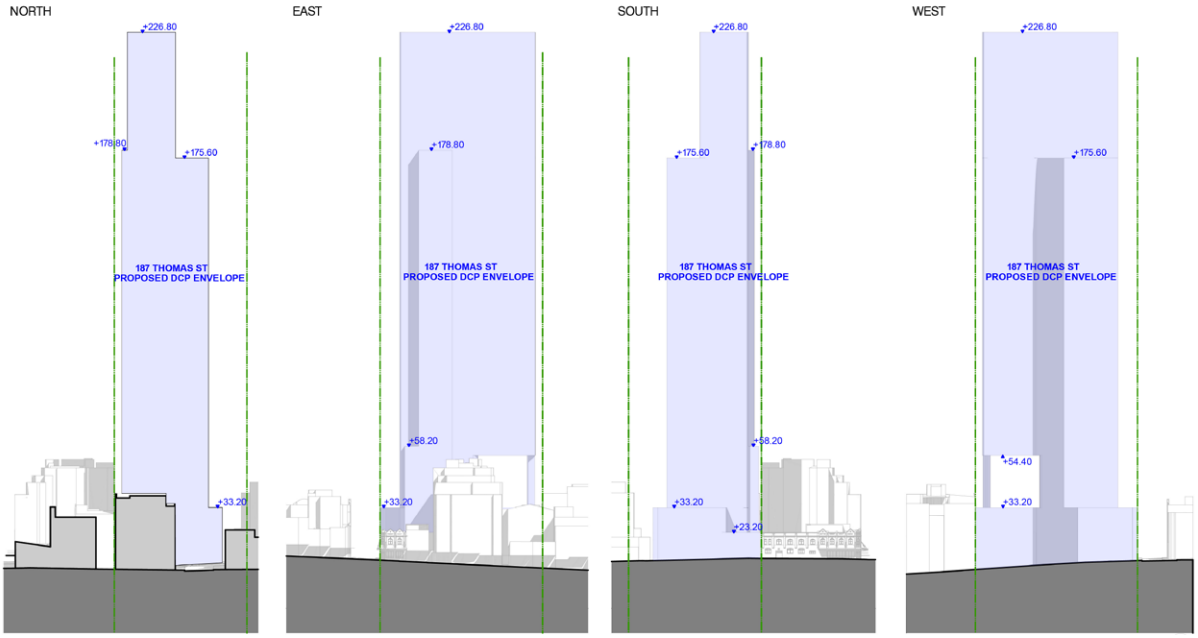


Figure 6.191
187 Thomas Street, Haymarket – Cross-section of indicative envelope

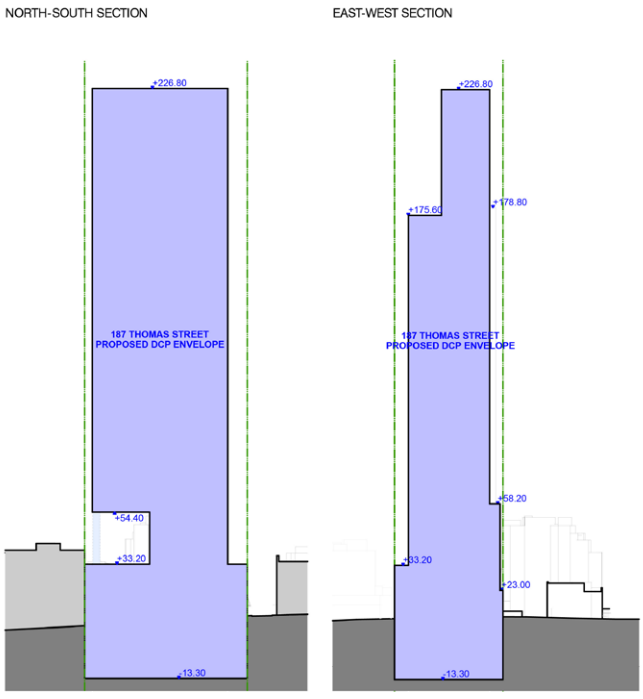


Figure 6.192
187 Thomas Street, Haymarket – Indicative envelope – setbacks



Figure 6.193
187 Thomas Street, Haymarket – Indicative envelope – void tower floor plan



Figure 6.194
187 Thomas Street, Haymarket – Indicative ground floor layout plan

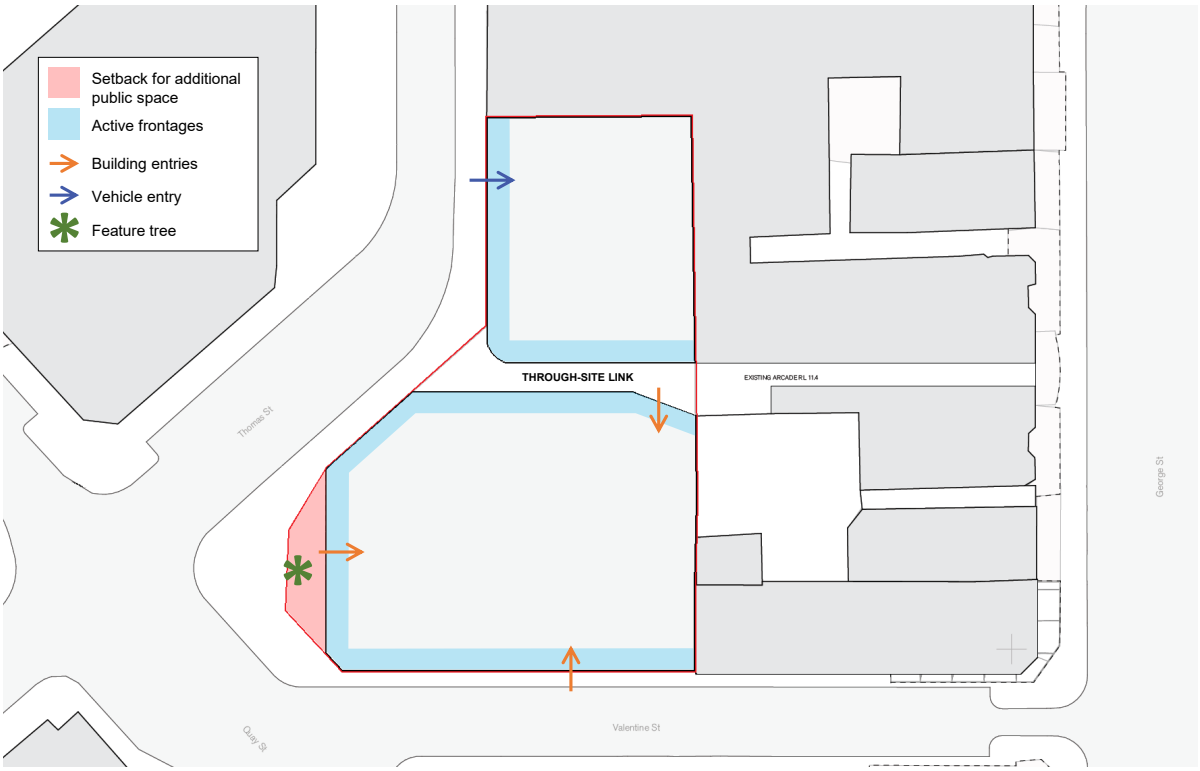
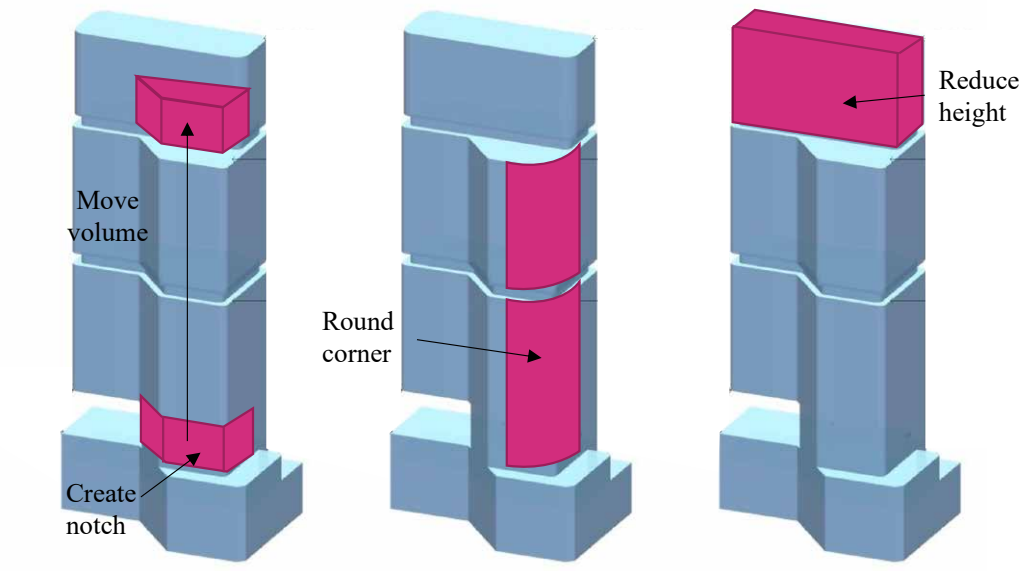


Figure 6.195
187 Thomas Street, Haymarket – Wind mitigation envelope options



6.3.22 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 6.196, where relevant site-specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.54 (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 6.196
Land Application (subject site outlined in red)



6.3.22.1 Desired future character statement

Objectives

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; and

(g) high quality apartment architecture using face brick and a series of new terraces fronting MJ Doherty Reserve.

6.3.22.2 Uses and flood protection

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 generally in accordance with Figure 6.197: Non-residential ground floor uses and 6.3.21.2(2) and (3).

(2) A non-residential use for social purposes with a minimum area of 165 square metres is to be provided with a frontage to Wentworth Park Road.

(3) A commercial or retail space with a minimum area of 35 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 6.197.

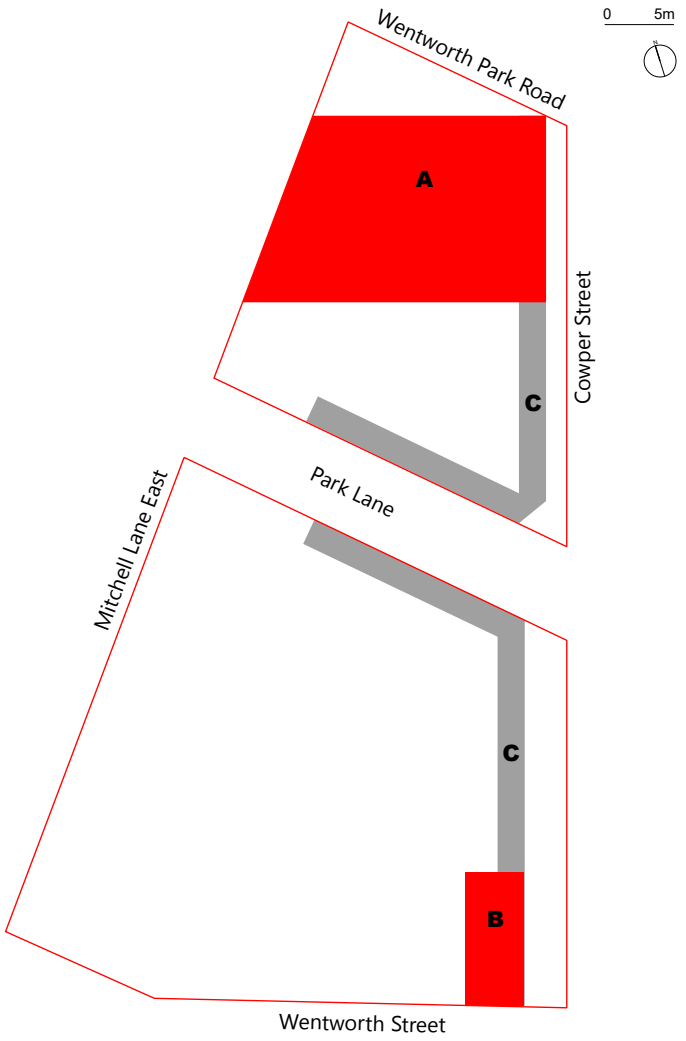
(5) Service and waste management areas should be protected from flooding by measures that may include flood barriers or flood resistant doors.

Figure 6.197
Community facility and non-residential ground floor uses

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

B – Indicative location of ground level commercia-l or retail space

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



6.3.22.3 Local infrastructure

Objectives

(a) Ensure footpaths on Cowper Street meet NSW target widths.

(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 generally in accordance with Figure 6.198: Footpath widening and shared surfaces and 6.3.21.3(2) and (3).

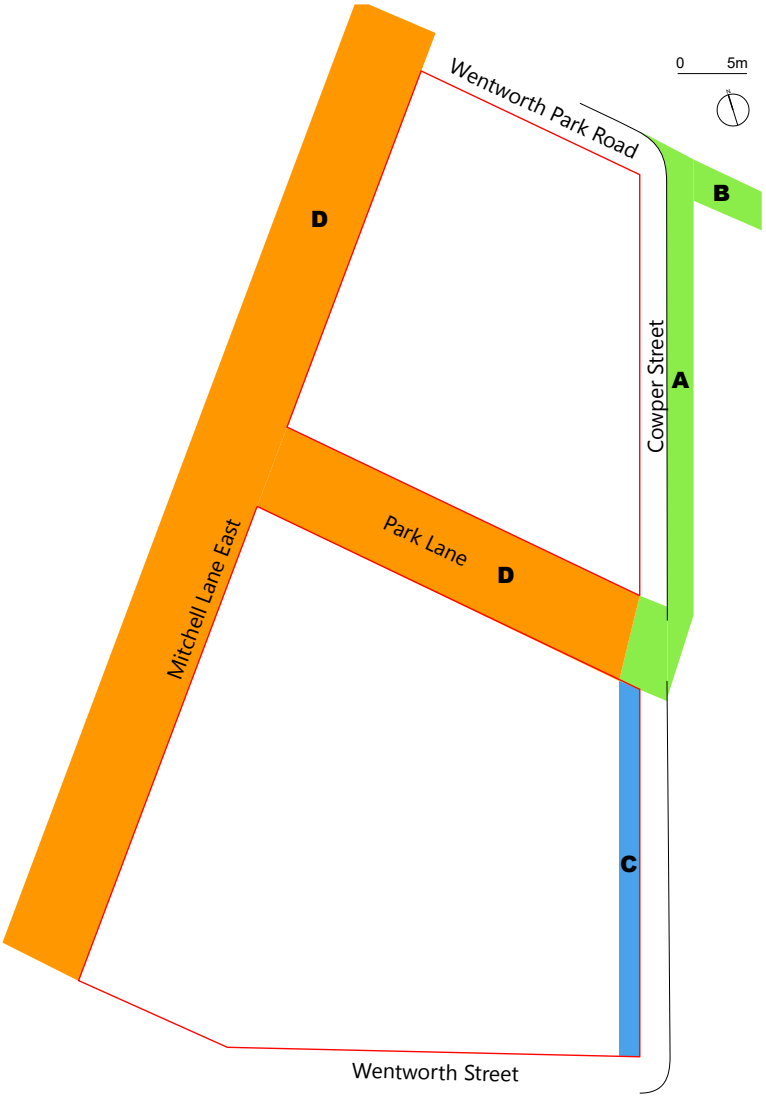
(2) The footpath on the western side of Cowper Street north of Park Lane is to be widened by providing a setback from the face of the kerb to ensure a clear footpath width of 2.9m (with a minimum of 2.3m extending for no more than 3m along the length of the street) consistent with the NSW Walking Space Guide, Type 2 footpath, target Level of Service C. 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 6.198
Footpath widening and shared surfaces



A – Setback from the kerb to ensure a clear footpath width of 2.9m (with a minimum of 2.3m extending for no more than 3m along the length of the street) – NSW Walking Space Guide, Type 2 footpath, target Level of Service C.

B – 2.9-3.6m wide 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. The footpath is to be continuous across the vehicular access point.

6.3.22.4 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-west 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 6.199: Landscape areas.

Figure 6.199
Landscape areas

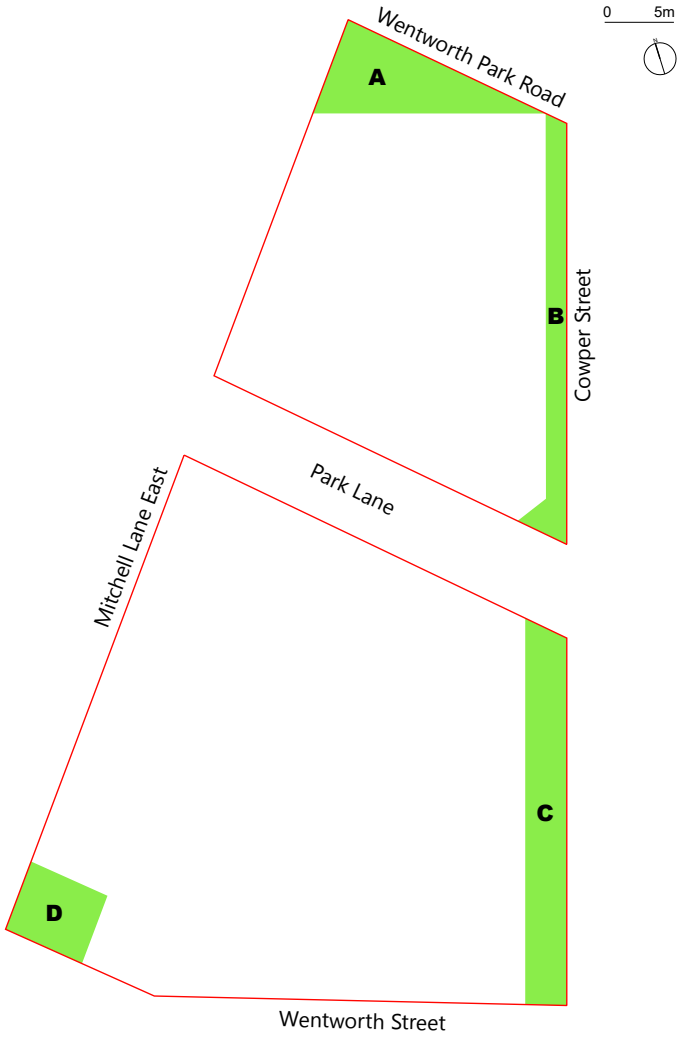
Provide landscape areas:

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



(5) Landscaped areas shown in Figure 6.199 must be provided as deep soil and be entirely occupied by tree canopy 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.

(7) A minimum of 8% of the total (combined) site area must be provided as deep soil as per 6.3.21.4(5).

(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 6.200: 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 and not include kerb returns.

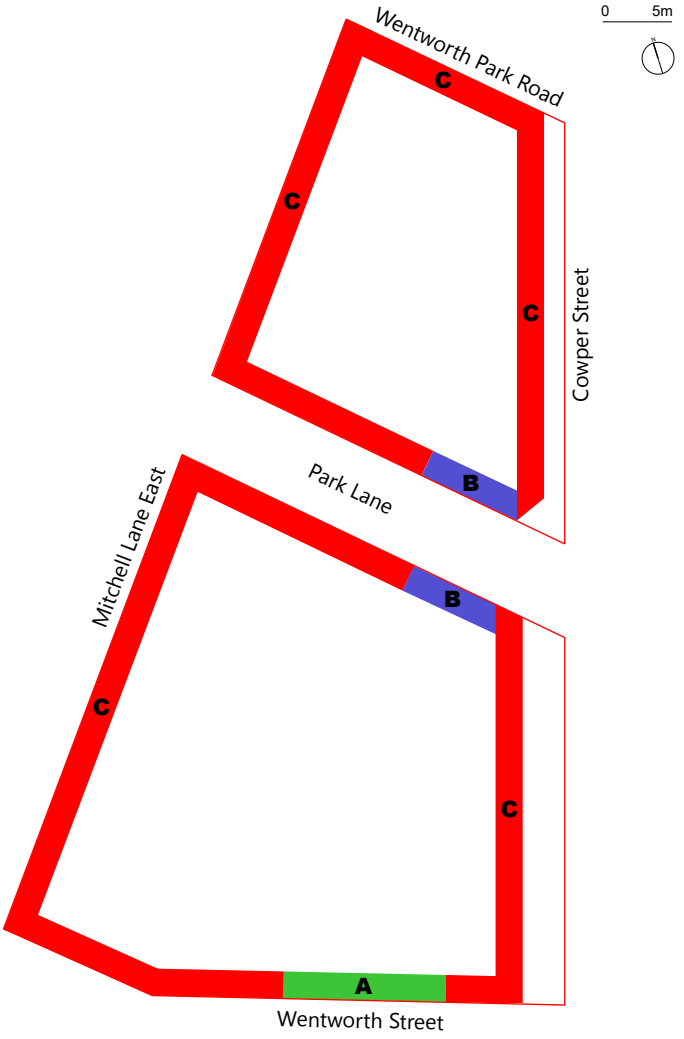
(11) Any parking provided in a basement up to the maximum number of spaces permitted in Sydney LEP 2012 will be deemed to be required parking for the purposes of determining Gross Floor Area.

Figure 6.200
Vehicular access and servicing

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



6.3.22.5 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 6.201: Maximum heights in storeys and Figure 6.202: 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 6.201 or 6.202 except stairs, ramps, landscape structures, small decorative brick facade elements and non-trafficable external sun shading.

Figure 6.201
Maximum heights in storeys

A – No built elements (see provision 2)

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

Areas noted as "+attic" may instead be 3 storey where the uppermost storey is set back at least 3m from Mitchell Lane East.

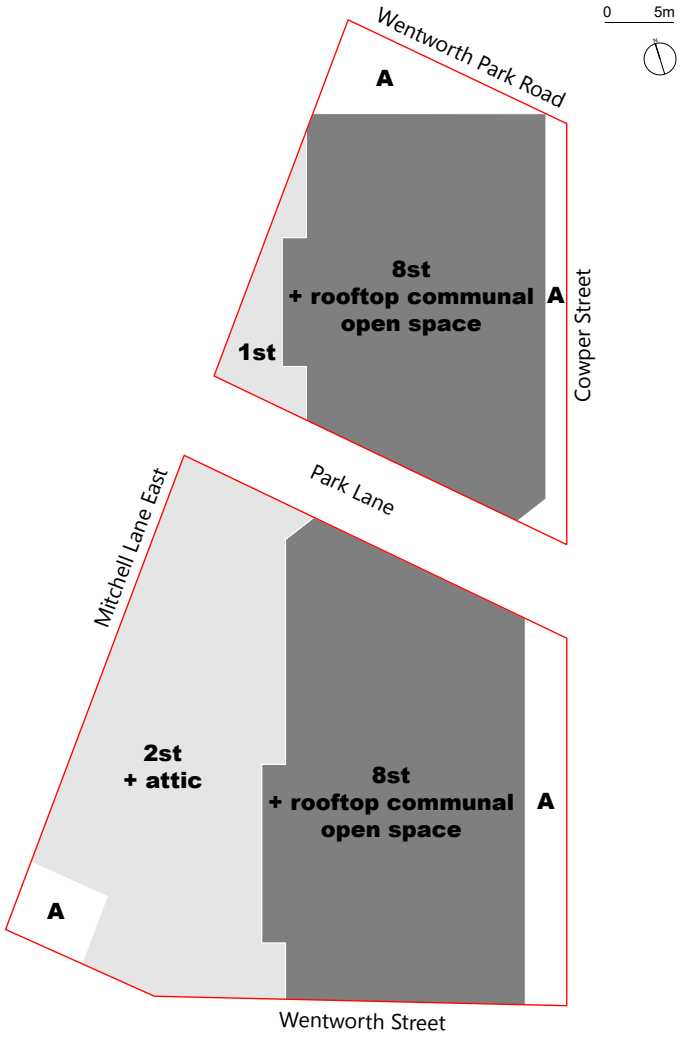
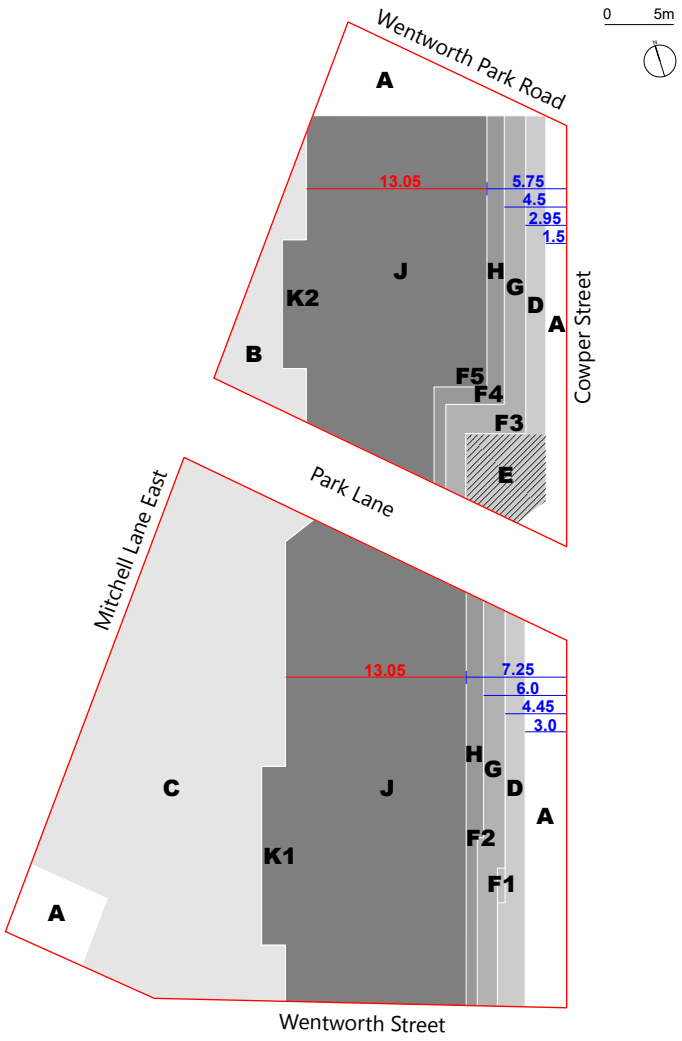


Figure 6.202
Maximum heights (RLs)



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 – RL 5.0 (except for landscape structures)

B – RL 9.5

C – RL 15.0

D – RL 31.6

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

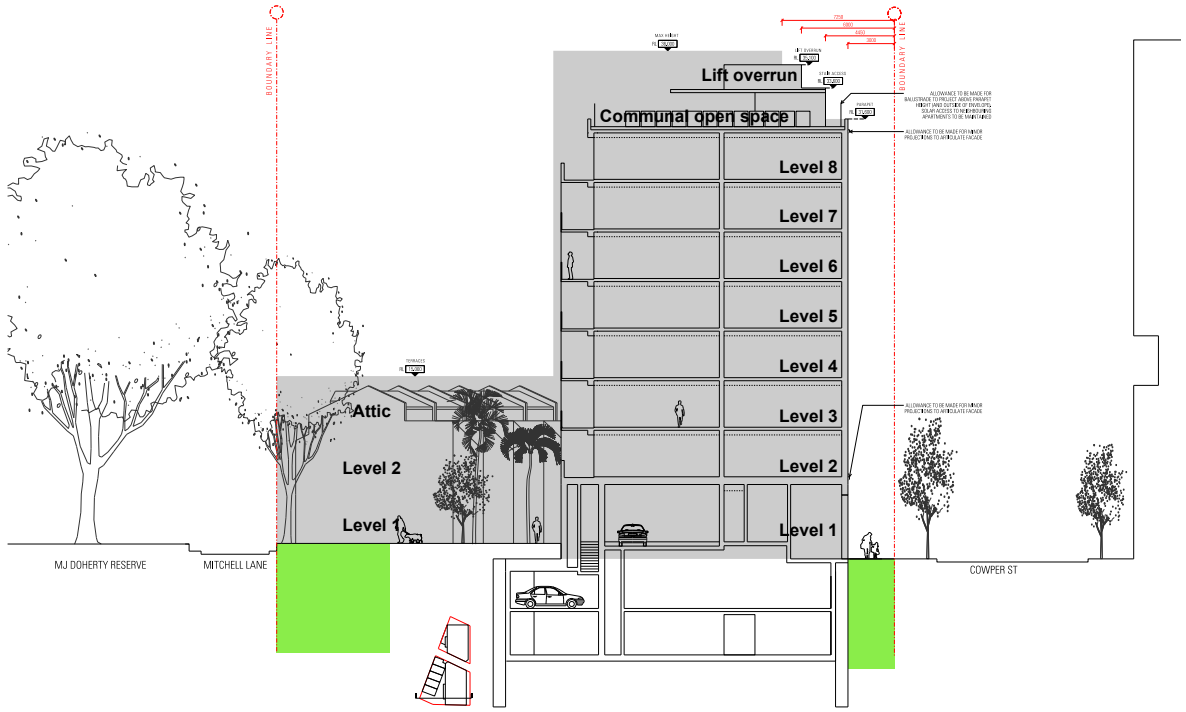
H – RL35.1

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 6.203
Illustrative east-west cross section



6.3.22.6 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 detaileddevelopment application must be generally in accordance with the winning 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 a competitive design process to be held in relation to the proposed development under Clause 6,21(6) of Sydney LEP 2012.

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

6.3.22.7 Street trees

Objectives

(a) Maximise retention of existing street trees.

Provisions

(1) Existing street trees must be retained.

6.3.22.8 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.

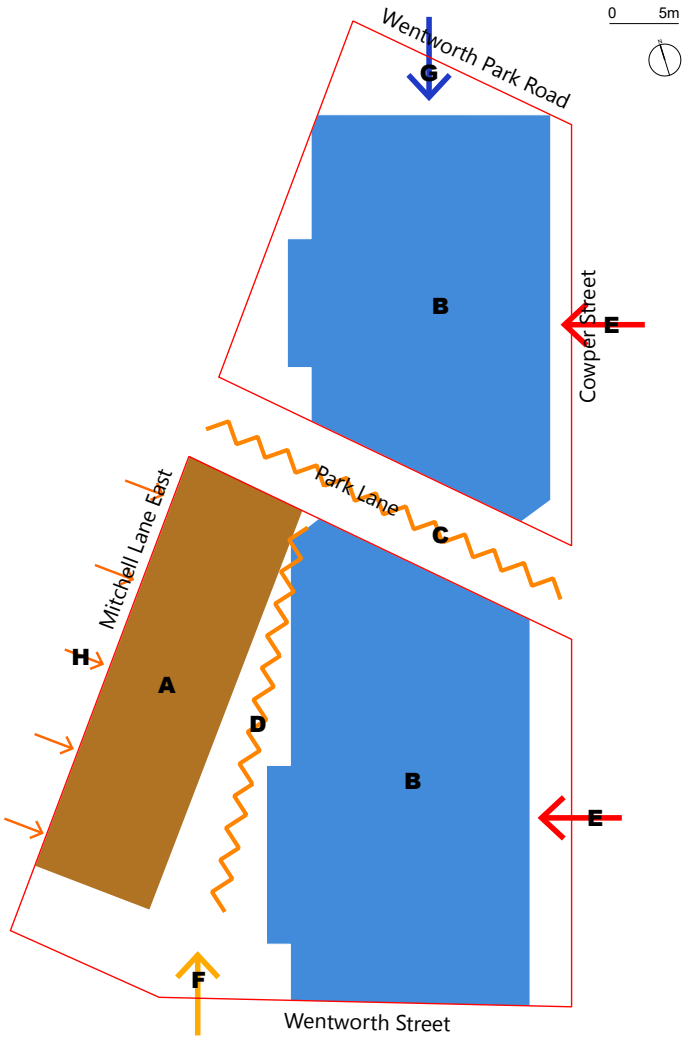
6.3.22.9 Building typologies, visual privacy and pedestrian entries

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 6.204: Typologies, visual privacy and pedestrian entries.

Figure 6.204
Typologies, visual privacy and pedestrian entries



A – Terrace typology (2 storey plus attic or 3 storeys with upper level set back)

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 Street

6.3.22.10 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:

- 5-star Green Star Design and As-Built.

(b) Residential Development:

- BASIX Energy 50 for buildings up to 3 storeys in height;
- BASIX Energy 30 for buildings more than 3 storeys in height;
- Solar Panels on the roofs of all buildings; and
- a stretch goal of more than BASIX Water 40, strongly encourage the use of recycled water beyond irrigation.

(2) All development must have a combination of green roofs, 155sqm of roof-top solar PV (or no less than 35 kWp) 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 through provision of external sun access and shading to doors and windows except where tree canopy provides shading over an extended summer period, there is a projecting balcony overhang or the window to external wall ratio for the room behind is less than 20%.

(5) The development must not include any gas infrastructure or systems.

(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.

(10) Strongly encourage provision of ceiling fans in habitable rooms.

6.3.22.11 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.

6.3.23 30-62 Barcom Avenue, Darlinghurst

The following objectives and provisions apply to 30-62 Barcom Avenue, Darlinghurst where the provisions of the Sydney Local Environmental Plan 2012 Clause 6.60 30-62 Barcom Avenue Darlinghurst are implemented.

All other relevant provisions of this DCP apply. The provisions of this section shall prevail in the event of any inconsistency.

Objectives

(a) To ensure that the building is of appropriate bulk and scale in response to its context of adjoining low scale residential and the Barcom Avenue Conservation Area;

(b) To ensure that acceptable levels of solar access and privacy for residential neighbours; and

(c) To ensure that development exhibits a high level of environmental performance.

Provisions

6.3.23.1 Built form

(1) Development is not to exceed the maximum number of storeys shown in Figure 6.205 Height in Storeys.

(2) Development is to provide third and fourth storey upper level setbacks to the building to deliver a building envelope which achieves:

  (a) building setbacks in accordance with Figure 6.206 Building Setbacks;

  (b) a third storey height not exceeding RL 25.61 and a fourth storey height not exceeding RL 30.10; and

  (c) a 'lower fourth storey' in the areas demarked as 'A' and 'B' in Figure 6.205 Height in Storeys and as dimensioned in Figure 6.206 Building Setbacks, with a building height not exceeding RL 29.35 at 'A' and not exceeding RL 28.32 at 'B'.

(3) Windows are to be suitably screened or treated to provide high levels of privacy to nearby residential properties.

(4) The roof of the third level is not to be used as private open space and no balustrades are permitted.

(5) The existing building is to be retained and adapted.

Note: The LEP includes the consent authority to consider overshadowing to neighbours before awarding additional height and/or floor space which may limit the potential to achieve the maximum floor space ratio.

Figure 6.205
Height in Storeys

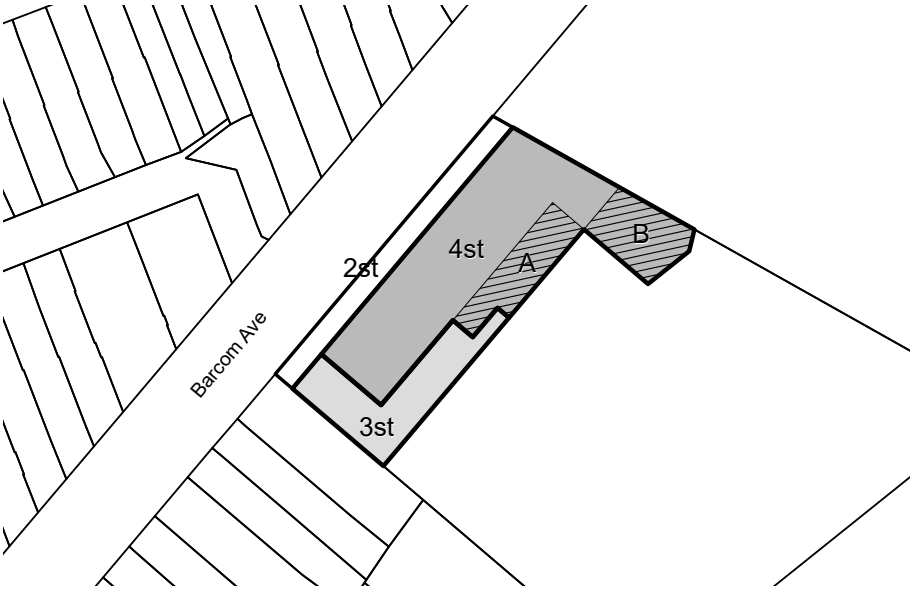
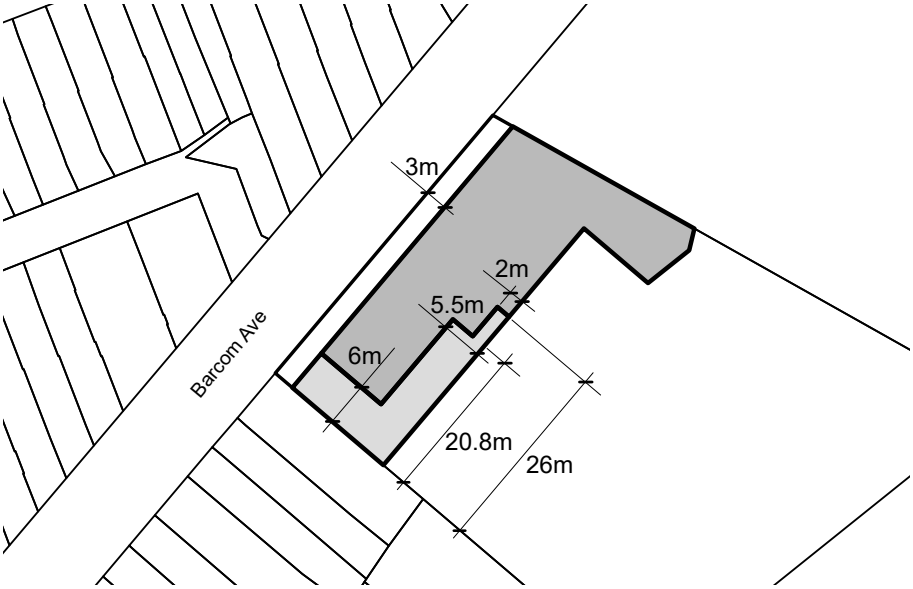


Figure 6.206
Building Setbacks



6.3.23.2 Sustainability

(1) Development is to be accompanied by a 6 star base building NABERS Energy Commitment Agreement.

(2) A PV system is encouraged on the roof of the building, which can also include some solar water heating for the building.

(3) Building design is to consider how best to maximise the roof top solar potential and is to avoid high parapet walls, unnecessary roof clutter and the like.

(4) A green roof, intensive or extensive, covering 30% of available roof space is encouraged, with available roof space being the total roof area minus areas for renewable energy, where the renewable energy system cannot be incorporated into and work appropriately with a green roof.

6.3.23.3 Sustainable travel

(1) Bike parking spaces are to be provided in conjunction with the new office floor space permitted under Clause 6.60 of Sydney Local Environmental Plan 2012 as follows:

(a) 9 employee spaces; and

(b) 4 visitor spaces.

(2) Development is to be accompanied by a Green Travel Plan promoting sustainable travel behaviours to and from the site.

6.3.24 2 Chifley Square, Sydney

The following objectives and provisions apply to 2 Chifley Square, Sydney as shown in 'Figure 6.1 Specific sites map', where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.60C of the Sydney LEP 2012 enables development to exceed the floor space ratio shown in the floor space ratio map up to a prescribed amount, providing the subject site is developed for commercial use.

If a development at 2 Chifley Square, Sydney, seeks to utilise additional floor space ratio permitted by clause 6.60C of the Sydney LEP 2012, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

6.3.24.1 Maximum Building Envelope

Objectives

(a) Ensure development provides a strongly defined podium

(b) Ensure development provides:

(i) tower setbacks that create a large setback from Hunter Street

(ii) stepping setbacks to Chifley Square that define the square and relates to the stepping massing of the existing tower

(iii) sufficient setbacks from side boundaries that all maintenance can occur within the site boundaries

(iv) a formally composed presentation when viewed from Macquarie Street

(c) Determine the maximum planning envelope that respects the local context and achieves acceptable levels of solar access, wind comfort and daylight.

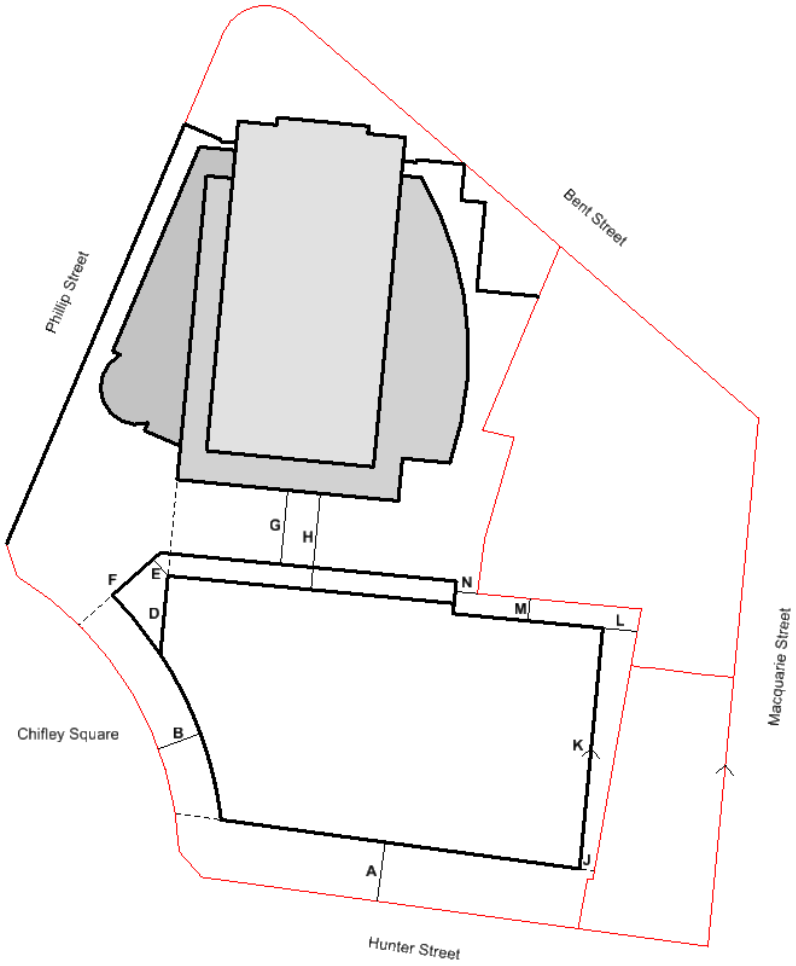
(d) Ensure the building is appropriately massed within the planning envelope.

Provisions

(1) The street frontage height facing Chifley Square and Hunter Street shall not exceed RL 61.1m.

(2) Setbacks of the tower component of development above the street frontage height are to be consistent with Figure 6.207 Envelope – tower setbacks.

Figure 6.207
Envelope – tower setbacks



A – 8m from Hunter Street

B – 6m from Chifley Square

D – Above 120m above ground – align with the face of the existing tower, extension of alignment shown with a dashed line

E – 3m exactly measured from the north west corner of the envelope above 120m above ground

F – Up to 120m above ground – setout from E aligned perpendicular to the curved alignment of Chifley Square as illustrated, the closest point is approximately 14.7m from Phillip Street

G – Up to 120m above ground – 10m from the face of the existing tower

H – Above 120m above ground – 13m from the face of the existing tower

J – 2m from the boundary aligned parallel to Hunter Street

K – Setout from J aligned parallel to Macquarie Street boundary with 175-181 Macquarie Street

L – Setback resultant of J and K – approximately 4.7m

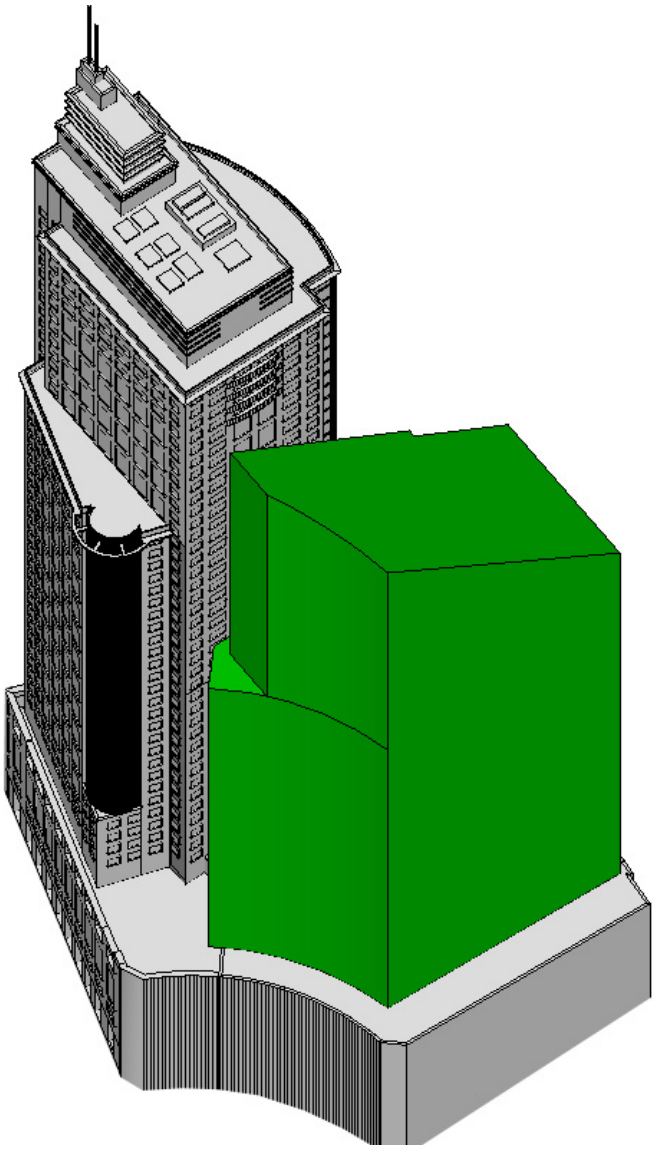
M – 3m from the boundary

N – 3m from the boundary

Grey – Existing tower to be retained

(3) The envelope detailed in '*Figure 6.207 Envelope – tower setbacks*' is the maximum permissible extent of the building form, and the final building design must be appropriately massed within this envelope. This envelope is indicatively illustrated in '*Figure 6.208 – Planning envelope view from the south-west*'.

Figure 6.208
Planning envelope view from the south-west



(4) A minimum of 10.5% of the total tower component envelope area (the sum of the areas measured in plan at each level) is to be for the purposes of architectural articulation (open areas), sun shading and external walls.

6.3.24.2 Materiality

Objectives

(a) Ensure development provides a high-quality cohesive urban ensemble.

Provision

(1) Consideration of the opportunity for a response to the architecture and materials of the existing Chifley Tower to create a cohesive urban ensemble.

6.3.24.3 Defining Chifley Square

Objective

(a) Ensure development provides a high-quality unified presentation to Chifley Square.

Provision

(1) Development is to create a new unified architectural design of the building frontage to Chifley Square with a consistent height datum. The design of this frontage is to complement and join beautifully with the architectural expression of the existing Phillip Street street wall frontage and Qantas House facade.

6.3.24.4 Ground level frontage

Objective

(a) Maximise active frontages with retail and business premises uses at ground level, and minimise services, vehicle access and lobbies.

Provisions

(1) Chifley Square and Hunter Street ground level frontages are to maximise activation with retail or food and drink premises or both.

(2) Entry to the basement carpark is to be maintained at the existing location on Bent Street.

6.3.24.5 Wind

Objective

(a) Ensure development results in a comfortable and safe wind environment in adjacent public places.

Provisions

(1) A quantitative wind effects report is to be submitted with a detailed development application for the subject site.

(2) The quantitative wind effects report is to demonstrate that the proposed development will not:

  (a) cause wind speeds that exceed the Wind Safety Standard, the Wind Comfort Standard for Walking except where the existing wind speeds exceed the standard; and

  (b) worsen an existing wind condition that exceeds the Wind Safety Standard and the Wind Comfort Standard for Walking by increasing the spatial extent, frequency or speed of the wind.

(3) The quantitative wind effects report is to demonstrate that the proposed development will result in lower average wind comfort speed than the Schedule 11 Procedure B Base Case model envelope.

(4) The quantitative wind effects report is to further demonstrate the proposed development incorporates measures to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing.

Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

6.3.24.6 Parking and vehicular access

Objectives

(a) Ensure development results in minimal provision of car parking on site.

(b) Ensure development provides basement access to adjoining sites.

Provisions

(1) Vehicular access is to be from the existing location on Bent Street only.

(2) Commercial car parking spaces removed from the site are not to be converted to tenant car parking spaces

(3) The basement is to include break through panels and necessary easements to the adjoining site known as 167 Macquarie Street.

6.3.24.7 Design Excellence Strategy

Objective

(a) To ensure that the building design is the result of an architectural design competition to achieve design excellence.

Provision

(1) An invited architectural design competition is to be undertaken in accordance with clause 6.21D of the Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy.

(2) The competition is to include:

  (a) no less than six (6) competitors invited to participate;

  (b) the majority to be local or national Australian firms;

  (c) the architectural practice that designed the existing tower;

  (d) at least one (1) competitor is an emerging architect or all competitors must be in partnership with emerging architects

  (e) competitors should demonstrate that they meet a gender representation ratio of at least 40% non-male members in their design team

(3) The jury is to comprise a total of six (6) members. The proponent is to nominate three (3) jurors made up of one independent member (a person who has no pecuniary interest, nor is a pending or contracted employee or consultant to the proponent) and the City of Sydney is to nominate three (3) jurors.

(4) Any additional floor space that may be awarded for a building demonstrating design excellence under the site specific clause 6.60C, is to be accommodated within the building envelope shown within '*Figure 6.206 – Envelope – tower setbacks*'.

6.3.24.8 Pedestrian connection through the podium

Objectives

(a) Ensure development results in pedestrian access though the site.

Provisions

(1) A pedestrian connection is to be provided through the podium providing a legible, accessible connection linking Bent Street with Hunter Street.

6.3.24.9 Sustainability

Objective

(a) Ensure that development includes net zero energy operation.

(b) Ensure that the new office development on the southern portion of the site:

(i) is consistent with Australian best practice performance benchmarks for ecologically sustainable development.

(ii) minimises embodied and operational carbon emissions.

Provision

(1) The consent authority must be satisfied that office development is capable of achieving net zero energy for the base building prior to commencing use through achievement of:

(a) 5.5 Star NABERS Energy Commitment Agreement + 25%; or

(b) certified Green Star Buildings rating with a "credit achievement" in Credit 22: Energy Use

(c) a maximum of 45 kWh/yr/m^2 of GFA.

and

(d) renewable energy procurement for a period of at least 5 years equivalent to net zero energy".

For clarity, the whole of the development must be demonstrated to be capable of achieving (d) and the new building either (a),(b) or (c).

The sustainability requirements of (1) (a)-(c) apply to the new developments containing office premises with a net lettable area of 1,000sqm or more, and developments accumulatively involving alterations, additions and refurbishments to existing office premises where the estimated cost of works is over $5 million, and contains a net lettable area of 1,000sqm or more.

(2) In this sub-section:

(a) net zero energy means the development consumes no more energy than is provided by a combination of:

(i) renewable energy generated on-site, and/or

(ii) renewable energy sourced/procured from off-site sources. In this definition, energy includes gas, electricity and thermal energy, and excludes diesel used for emergency back-up generation. Other emissions, such as those from refrigerants, are not included.

(b) renewable energy means energy that comes from natural resources such as sunlight, wind and rain that are renewable (naturally replenished).

(3) The development is to be designed to include the following environmental performance and features:

(a) only electrically powered plant and equipment be used for all parts of the existing and proposed development (other than for emergency and standby generation) including replacement of all existing plant and equipment;

(b) all plant and equipment to use only natural refrigerants where possible or refrigerants with global warming potential (GWP) of not more than 10 for central chilled water generating plant, or not more than 700 for unitary equipment;

(4) The new development in the southern portion of the site is to be designed to include the following environmental performance and features:

(a) GreenStar Buildings v1 – achieves 6 star

(b) electricity sub-metering metering is to be provided for light, air conditioning and power within each floor and/or tenancy;

(c) rooftop photo-voltaic panels;

(d) integrated facade photo-voltaic panels where feasible;

(e) operational and embodied carbon emissions – provide an operational and embodied carbon emissions integrated design options report that demonstrates how operational and embodied carbon emissions have been minimised over the lifecycle of development through options analysis, including but not limited to, structural optimisation to reduce material volumes, optimisation of use of low embodied carbon materials (including concrete that achieves at least 30% lower embodied carbon than Conventional Ordinary Portland Cement (OPC) concrete), and optimisation of external shading and window to wall ratios (benchmarked against a 50% ratio with high levels of shading, high R value and low embodied carbon wall construction;

(f) include space allocation and infrastructure to enable daily management of all on-site organic waste including separation, storage and either onsite composting or collection and transfer to organic waste processing facility.

(5) Design and performance and features in (1) and (3) are to be referenced in City of Sydney Design for Environmental Performance Template submitted with the detailed development application.

(6) A Sustainable Travel Strategy is required to be prepared as part of an application for redevelopment of the site to address sustainability objectives, and support healthy and active lifestyles, not negatively impact on the environment, and so that the development will not lead to unnecessary vehicle trip generation and network congestion.

6.3.24.10 Public Art

(1) Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.

Schedules


OPEN
BREAKFAST
Big breakfast
Omelette
Coffee
LUNCH & DINNER
Pasta
Seafood
Steak
Risotto

Schedules

Contents

~~Schedule 1 Advertising and Notification~~
Superseded and replaced by the Community Participation Plan 2019

Schedule 2 S2-1
Information required in a Development Application

Schedule 3 S3-1
Late Night Trading

3.1 Late Night Trading Area Character Statements S3-1
3.1.1 Late Night Management Areas – Character Statement S3-1
3.1.2 City Living Area – Character Statement S3-3
3.1.3 Local Centre Areas – Character Statement S3-4

3.2 Plan of management requirements S3-7

Schedule 4 S4-1
Projections over or into public road

Schedule 5 S5-1
Public open space dedication and design criteria

Schedule 6 S6-1
Signage in The Rocks

6.1 A – Facades to narrow streets, lanes and passages S6-2
6.1.1 A – Technical Drawing S6-2

6.2 B – Facades to wide streets S6-3
6.2.1 B – Tecnical Drawing S6-4

6.3 C – Terraces with party walls S6-4
6.3.1 C – Technical Drawing S6-5

6.4 D – Terraces with cantilevered balconies S6-6
6.4.1 D – Technical Drawing S6-6

6.5 E – Shopfronts S6-7
6.5.1 E – Technical Drawing S6-7

6.6 F – Awnings and fascias S6-8
6.6.1 F – Technical Drawing S6-8

6.7	G – Restaurant menus	S6-9
6.7.1	G – Technical Drawing	S6-9
6.8	H – Removable/temporary signage	S6-10
6.8.1	H – Technical Drawing	S6-11
6.9	I – Construction site hoardings	S6-11
6.10	J – Tall buildings	S6-12
6.11	K – Major multiple tenancy buildings	S6-13
6.11.1	K – Technical Drawing	S6-14
6.12	Specification Note 1	S6-14
6.12.1	General Fixing Notes	S6-14
6.12.2	Masonry Fixing Notes	S6-15
6.13	Specification Note 2	S6-15
6.14	Specification Note 3	S6-16
Schedule 7 Transport, parking and acces		S7-1
7.1	Introduction	S7-1
7.2	Managing transport demand	S7-2
7.3	Transport report requirements	S7-2
7.4	Transport Impact Study requirements	S7-2
7.5	The requirements for a Parking and Access Report	S7-4
7.5.1	Assessment of the appropriate provision of on-site car parking	S7-5
7.5.2	Assessment of the appropriate provision for buses and coaches	S7-5
7.5.3	Assessment of the appropriate provision for mechanical parking installations	S7-6
7.6	Green Travel Plan requirements	S7-6
7.6.1	Monitoring and review mechanisms	S7-6
7.6.2	Implementation	S7-7
7.7	Transport Access Guide requirements	S7-7

7.8	Required parking spaces and design	S7-8
7.8.1	Service vehicles	S7-8
7.8.2	Buses and coaches	S7-9
7.8.3	Passenger pick up and set down areas	S7-9
7.8.4	Motorcycle parking spaces	S7-9
7.8.5	Accessible car parking spaces	S7-9
Schedule 8 Tree management		S8-1
8.1	Neighbour notification	S8-1
8.2	Arborist reports	S8-1
8.2.1	Aboricultural Impact Assessment Report	S8-1
8.2.2	General Arborist Report	S8-1
Schedule 9 Green roofs and walls		S9-1
9.1	Introduction	S9-1
9.2	Definitions	S9-2
9.3	Design considerations	S9-3
9.4	Information required to be submitted with a development application	S9-5
Schedule 10 Providing community infrastructure in Green Square		S10-1
10.1	Introduction	S10-1
10.2	Why is community infrastructure needed in Green Square	S10-1
10.3	Defining community infrastructure	S10-2
10.4	How is the appropriate community infrastructure identified	S10-2
10.5	How is the value of the “equivalent” community infrastructure assessed	S10-3
10.6	How is the commitment to provide community infrastructure secured	S10-4

Schedule 11 S11-1
Electronic variable content advertising structures

11.1 Guidelines for a Visual Impact Assessment report S11-1

11.2 Guidelines for a Light Impact Assessment report S11-4

11.3 Measurement of Luminance S11-6

11.4 Times for daylight hours, twilight hours and night time hours by calendar month S11-7

11.5 Guidelines for a Road Safety report S11-7

Schedule 12 S12-1
Procedures for demonstrating compliance with variation provisions for street frontage height and setbacks, side and rear setbacks, building separations and tapering controls in Central Sydney

12.1 Procedure A S12-2
Minimum Street Setback Encroachment and Compensating Recess

12.2 Procedure B S12-5
Equivalent or improved wind comfort and wind safety and daylight levels in adjacent Public Places

Schedule 13 S13-1
Oxford Street Cultural and Creative Precinct
– spatial requirements of specific creative spaces

Schedule 2

Information required in a Development Application

A development application is to include all the relevant information as required by the "Application for Development Form". This form is available on the City of Sydney website at www.cityofsydney.nsw.gov.au.

Statement of Environmental Effects

A Statement of Environmental Effects (SEE) is required to be submitted with every development application. The purpose of the Statement of Environmental Effects is to demonstrate:

(a) how the development is consistent with the principles of the locality statements;

(b) the impact of the development on the public domain;

(c) how the development will minimise any environmental impact;

(d) how the proposal complies with *Sydney LEP 2012*, *Sydney DCP 2010* and other relevant Council codes and policies.

The SEE is to include an analysis of the development context and, where relevant, is to include detailed reports for the following;

(a) Existing situation;

(b) Proposed development;

(c) Response to urban context;

(d) Heritage implications;

(e) Transport impact (Schedule 7);

(f) Parking and access (Schedule 7);

(g) Green travel plan (Schedule 7);

(h) Transport access guide (Schedule 7);

(i) Tree management;

(j) Reflectivity;

(k) Privacy impact;

(l) Floor space area and floor space ratio calculations;

(m) Wind effects;

(n) Shadow assessment;

(o) Noise effects;

(p) Waste management;

(q) Stormwater management;

(r) Energy efficiency;

(s) Construction effects;

(t) Daylight to residential units;

(u) Public art provision;

(v) Response to Section 79C of the *Environmental Planning and Assessment Act 1979*; and

(w) Copy of the land title highlighting encumbrances.

Schedule 3

Late Night Trading

3.1

Late Night Trading Area Character Statements

The Late Night Trading Management provisions identify a hierarchy of three late night trading areas located throughout the City of Sydney. These primarily include areas that are focal points for varied night-time social and recreational activity; or are, at least in part, places with a distinct night-time entertainment character; or where a night-time entertainment character is evolving, and the area is considered to have the capacity for an increase in late night activity.

There are three types of late night trading areas:

- Late Night Management Areas;
- City Living Areas; and
- Local Centre Areas.

A character statement for each is below. Late Night Trading areas are shown on the Late Night Trading Areas Map.

3.1.1 Late Night Management Areas – Character Statement

Key defining elements

Late Night Management Areas are places within the City that:

(a) have historically been the focal points for varied late night social and recreational activity; or

(b) are places with a distinct late night entertainment character; or

(c) have an evolving night entertainment character and the Area is considered by the Council to have the capacity for an increase in late night trading premises; or

(d) are business only zones, able to accommodate performance and arts and cultural uses, with good accessibility to public transport.

These places should be vibrant and multifunctional places where people can go out late at night in safety without affecting the amenity of nearby residents. Patrons of late night trading premises should be able to take advantage of a diverse range of cultural and entertainment opportunities in close proximity to each other; without one particular type of late night use dominating which may usurp the diversity and attraction of the area.

Late Night Management Areas are often regional 'destinations' that have accessible and frequent public transport at night and usually have their focus on main streets or tourist locations where people shop, meet, work and live. Given the likely higher level of visitation and the possibility of long trading hours, it is important that all premises, especially those high impact premises are well-managed and regulated.

Some Late Night Management Areas, such as the North Alexandria heritage area, will be in business only zones, with industrial buildings, ideally suited to provide space for performance, creative and cultural uses, and with good access to public transport. These business areas provide a unique opportunity for live entertainment and cultural uses without a conflict in land use, character or impact on residential amenity.

Buffer zones

Late Night Management Areas may be of variable size and their physical boundary is defined by clear transitions in the intensity and duration of late night activity compared to lower impact late night trading areas nearby. Late Night Management Areas often share boundaries with places where less intensive night-time activity is evident, such as Local Centre or City Living Areas (i.e. lower intensity classifications of late night trading).

These lower intensity areas act as buffer zones to the more concentrated late night time activity of Late Night Management Areas. Buffer zones are intended to function as a transition zone by providing a lesser intensity of use. These are not 'spill' zones, and are not intended for expansion of Late Night Management Areas.

Mix of uses

Late Night Management Areas should be vibrant places both day and night, and premises that trade late at night should enhance this vibrancy. The predominant night-time uses in Late Night Management Areas include:

- cafes
- shops
- businesses offering local services, for example: hairdressers and drycleaners
- small bars
- bars
- licensed hotels;
- theatres and performance, creative or cultural space
- restaurants; and
- other like premises.

Many of these premises may trade in the early hours of the morning, particularly on weekends.

The Late Night Trading Management provisions aim to achieve a mix of premises in Late Night Management Areas that reinforce the landmark night-time qualities of the area and which capitalise on night-time attractiveness to encourage tourism and economic activity. New premises in Late Night Management areas should contribute to diversity rather than usurp it. At the same time, new late night trading premises should not erode the diversity of retail and local services that operate during the day which service the local community, workers and visitors.

Late Night Management Areas should be places that people visit for a number of reasons and not solely to patronise high impact licensed premises such as pubs and nightclubs. Late Night Management Areas provide opportunities for late night entertainment and have historically been a focus for live music, theatre and electronic and dance music. They are appropriate places for the nurturing of performing arts and other cultural and social activities.

Issues and management

Due to the concentration of late night trading premises in Late Night Management Areas, the cumulative noise levels, generation of pedestrian and vehicle traffic, and activity levels will be an issue, more so than in other late night trading areas.

Whilst it is acknowledged that noise and late night activity is a key characteristic

of these areas, it is also essential to manage the cumulative impacts of late night trading premises in Late Night Management Areas and to effectively manage each individual late night premises within the area.

Since Late Night Management Areas may be destinations for people that live outside the City of Sydney, particularly on weekends, it is important that this higher visitation is managed effectively in order to minimise the impacts of late trading premises on nearby uses. It is important that proposals for late high impact premises such hotels and night-clubs premises are accompanied by detailed Plans of Management which effectively address amenity, safety and security.

Trading hours

Extended hours can allow Late Night Management Areas to reinforce their role as centres of activity which offer entertainment, social and cultural opportunities that attract both locals and international visitors. Early morning trading hours may be acceptable for premises located in Late Night Management Areas where proponents can verify over time that noise, safety and amenity impacts can be managed to a level which is at an acceptable community standard. Up to 24 hour trading may be permissible in Late Night Management Areas; but only in circumstances where applicants have a sustained track record of good management, minimising amenity and safety impacts.

3.1.2 City Living Area – Character Statement

Key defining elements

This area is characterised by its diversity and potential to accommodate a range of lower impact late night trading premises which can cater to the entertainment and cultural needs of people that live in, work in and visit the City Centre.

Late night trading premises that are desirable in the City Living Area are premises that reinforce the rich cultural life of the City, establish places of interest and provide for the cosmopolitan needs of the community.

However, concentrations of late night trading premises are not encouraged, particularly when they are located in close proximity to places where the primary land use is residential in character. The City Living Area requires a lower scale and intensity of late night trading premises in comparison to Late Night Management Areas.

The City Living Area includes places where previous approvals have enabled late night trading to occur up to 24 hours a day, particularly on weekends. However, extended hours are dependent on context and impact, and in cases where impacts on residential properties cannot be effectively managed, late night trading will be limited to a narrower range of trading hours. It is desirable that premises do not trade exclusively at night and also function as places that people go during the day to create a balance of activity.

Pockets of night-time activity are encouraged in streets and laneways which are underutilised at night and where impacts on residential uses (if in close proximity) can be effectively managed. Late night trading in such places is only desirable if:

(a) the safety of patrons and others is protected;

(b) there are clear and safe linkages to city streets that are active at night;

(c) public transport is frequent and accessible late at night; and

(d) any adverse impacts on any nearby/surrounding residential development are adequately managed.

Mix of uses and concentration

The City Living Area accommodates a wide range of commercial, retail, cultural, tourism and entertainment uses with wide variations in operating hours, with many premises operating late at night throughout the week.

This area includes areas with concentrations of apartment buildings and other residential development in close proximity to existing areas of night time activity (eg. Broadway). High levels of pedestrian and vehicular activity is evident in the City Living Area at night and it broadly has a 'dual identity', with parts that contain either predominantly business or predominantly residential uses.

The potential for clustering or concentration of late night trading premises is limited in much of the City Living Area due to constraints arising from existing business and residential development that physically dominate some parts of the Area.

The City Living Area can accommodate discrete night-spots that may provide an alternative experience to the types of late night trading premises that locate elsewhere in the City.

Such night spots may range from hotels and night-clubs to small cafes that may attract clientele on the basis of reputation and prior knowledge rather than a 'critical mass' of people (or simply from passing pedestrian traffic) that visit a particular area for its high cultural and entertainment profile. Hence, due to the mixed character of the City Living Area, opportunities may exist for a diverse range of unique 'niche' premises.

Both niche and 'conventional' market premises are encouraged in the City Living Area, particularly in cases where they promote Central Sydney's role as Australia's principal centre for culture, entertainment and tourism.

Issues and management

The central issue for this Area is the management of impacts on residential development within and near the Area. As a result, proposals will differ based on whether there is nearby or surrounding residential development to the proposed premises. Plans of management will assist in this regard, as aside from the basic content they may also nominate specific mechanisms to manage proximity to residential development where appropriate.

Trading hours

Appropriate late night trading hours for premises are dependent on the extent and proximity of residential premises to any proposal. Decisions on appropriate late night trading hours will be based on the impact it is considered that the use will have on the amenity of residential and other land uses.

Generally longer trading hours may be acceptable where the predominant surrounding land use is non-residential or is insulated/protected from late night trading activity, or where there are clear buffers. Longer trading hours may be acceptable in peak periods on weekends and during special events and may be subject to trial periods as is the case for all types of late night trading land uses addressed by Council's Late Night Trading Management provisions.

Conversely, trading hours will be shorter where the predominant surrounding character is residential. Due to the generally active character in the City Living Area (even within some predominantly residential areas), longer trading hours may be considered more acceptable compared to Local Centre Trading Areas where the interface between residential and non residential uses is more defined.

3.1.3 Local Centre Areas – Character Statement

Key defining elements

Local Centre Areas are primarily located within shopping streets and retail spines in the City of Sydney and consist of active places that are the commercial and cultural focus for the local community.

Local Centre Areas are active and vibrant places at night, although the intensity of activity is distinctly lower than in Late Night Management and City Living Areas. Premises such as restaurants and licensed hotels will generally have shorter trading hours than their counterparts in other areas. This is due to the proximity of Local Centre Areas to residential and other sensitive land uses and thus greater potential to impact upon the liveability of local residents.

Such areas have good access to public transport at night, and offer a broad range of opportunities for passive and low-intensity recreation at night including restaurants, cafes, galleries, licensed hotels and retail uses.

Local Centre Areas may also include places within the City of Sydney that have the potential to support an increase in night time activity, particularly in instances where a notable number of commercial premises are vacant or underutilised such as south Regent Street in Chippendale or Botany Road in Green Square.

Local Centre areas should be safe places for people to go out at night and provide late night options for local communities; and can provide an alternative and respite from the sustained levels of activity that are characteristic of Late Night Management Areas. In some locations in Local Centres, low impact premises may have the potential to trade later than midnight, and up to 2am.

Although Local Centre Areas cater to people who live or work in the locality, they also have a minor role as destinations for people outside the CBD on weekends and therefore serve an important role in the hierarchy of night-time entertainment and recreational opportunities in the City.

Mix of uses and activities

In Local Centre Trading Areas, a mix of commercial and passive recreational uses is evident throughout the day and these uses flow on into early evening hours.

While traditionally at night the retail uses in Local Centre Areas have had a secondary role and cultural and recreational activities become the main focus, the demand for shops and businesses to stay open later to serve the needs of the local community has increased. Ideally, in Local Centres some retail uses will continue to operate during late night hours and have a complementary relationship with late night uses. These may include shops such as chemists, clothing stores, bookshops and supermarkets or businesses that supply local services, like drycleaners, hairdressers and medical centres. It is desirable that the urban village character of Local Centre Areas is sustained at night in order to maintain diversity. Premises within Local Centre Areas that operate exclusively at night are not encouraged.

Trading hours

Careful consideration will be given to the residential context of the area and existing hours of other late night trading premises in close proximity when assessing applications in these areas. Trading hours up to the maximum extended hours of operation permissible for local centre areas are acceptable where it is considered that the use:

(a) will have minimal impact on residential amenity;

(b) is characteristic of other uses in close proximity; and

(c) where it will not contribute to the clustering of Category A premises.

In some locations in Local Centres it may be appropriate for low impact venues, to trade until 2am such as small bars, in accordance with their small bar liquor license. This will only be allowed where entry and egress to the premises is onto a main street and not a residential laneway or area.

Local businesses may also be able to trade until 2am to provide greater diversity and meet the needs of local communities.

Some areas have the potential to be Local Centre Areas (for example: Redfern, Botany Road) which have the capacity to support an increase in night-time activity that would encourage greater main street activity at night, ultimately contributing to revitalisation.

Issues and management

In order to maintain their relatively low level night-time activity and to promote diversity, it is desirable that a wide range of low impact night-time trading premises operate in Local Centre Areas. Thus, the clustering of high intensity premises is discouraged which will prevent a monoculture of high impact licensed premises that may adversely change the night time character of the locality. Local Centre Areas should characteristically have a strong presence of lower impact premises (eg. cafes, restaurants) that are 'anchored' by higher impact premises such as hotels.

An issue for Local Centre Trading Areas is residential development within and near the area, so proposals will differ based on whether there is nearby or surrounding residential development to the proposed premises. Plans of management will assist in this regard, as aside from the basic content they may also nominate specific mechanisms to manage proximity to residential premises. The type of use proposed may also assist, given that high-impact uses are discouraged in Local Centre Trading Areas, low-impact proposals are expected and given their very nature will have a lesser impact.

3.2

Plan of management requirements

(1) A Plan of Management should be in the form of a separate attachment with an application and should be accompanied by a signed declaration from the licensee/manager that they have read and understood the Plan of Management. At a minimum, a Plan of Management should contain the following information:

(a) Site and locality details

(i) A description of the primary use of the premises as well as any secondary/ancillary uses (eg. retail liquor sales, public entertainment, outside trading areas, gaming areas etc).This may be in the form of a floor and/or site plan that indicates the use of all areas within the building or site;

(ii) Identification of any 'active areas' adjacent to the boundaries of the site used in association with the use of premises (eg. Outdoor seating, footway dining, queuing areas, parking etc);

(iii) A floor plan that indicates the proximity of external doors, windows and other openings to residential and other sensitive land uses. The floor plan should also indicate the proposed layout of all areas of the premises, such as internal queuing areas, seating, dining, gaming, dance floors, entertainment, lounge, etc;

(iv) Details of the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time;

(v) The location of waste storage areas;

(vi) Location of air conditioning, exhaust fan systems and security alarms;

(vii) Identification of the most commonly used pedestrian routes to and from the premises, including any safety corridors.

(b) Operational details

(i) An overview of the organisation in the form of a brief statement that provides details about the company/licensee/proprietor that includes information regarding:

- the number and type of staff (including security);
- other similar premises within the company's portfolio (if relevant);
- any Liquor Licenses for the premises;
- a description of any actions that the proprietor/licensee has taken to co-operate with NSW Police, the local community and incorporated resident groups regarding the management of the premises;
- membership of a Licensing Accord within the City of Sydney (please refer to the City's website for details of Licensing Accord operating within the City).

(c) Hours of Operation

(i) For existing premises seeking a renewal or extension of trading hours, a schedule of the current trading hours showing the range for each day. For example; this should be expressed in the following format:

- 9am Friday to 2am Saturday
- 9am Saturday to 2am Sunday
- 9am Sunday to 1am Monday
- 9am Monday to midnight Monday
- 9am Tuesday to 11pm Tuesday
- 9am Wednesday to 2am Thursday

(ii) A schedule of the proposed operating hours for each day of the week for all areas of the premises (eg. courtyards, rooftop, balcony, footway, gaming room etc.) showing the range of hours proposed for each day in the format above. If the nature of an area changes, for example, a dining area becomes a dance floor after the kitchen closes, then this should be noted and operational hours for the different uses detailed and

(iii) If applicable, a schedule of proposed entertainment hours for each day of the week in the format above.

(d) Noise

(i) The identification of all likely noise and vibration sources associated with the operation of the premises. This may include such sources as:

- Live entertainment and amplified sound;
- external (outside) areas such as courtyards, rooftops, balconies etc;
- patrons leaving and entering the premises;
- the operation of mechanical plant and equipment;
- waste disposal, sorting and collection of bottles etc
- in stand-alone gyms in buildings with residential accommodation, background music, air conditioning and the use of exercise machines and free weights.

(ii) Details of all noise and vibration attenuation measures related to the use and operation of the premises.

(iii) A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (eg. Australian Standards, Protection of the Environment Operations Act 1997, EPA Industrial Noise Guidelines, etc.);

(iv) Details of how management will address complaints relating to noise, and any noise control strategies that will be implemented to minimise the potential for complaints (eg. liaison with neighbours and local police, maintaining a complaint register etc);

(v) Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies or designated smoking areas etc; and

(vi) Details of any noise limiting devices to be installed;

(di) Security and safety – may only be applicable for licensed premises or takeaway food and drink premises located close to late night licensed premises.

(i) A description of any arrangements that will be made for the provision of security staff. This is to include (but is not limited to) the following:

- any recommendations from Local Licensing Police regarding appropriate security provision and a statement outlining the extent of compliance with police recommendations;
- the number of security personnel that will be patrolling inside and outside the premises including the frequency of security patrols;
- Identification of the physical extent of any patrolled areas outside the premises;
- Hours that security personnel will be on duty (including the period after closing time);
- Staff security training, weapons detection, and other security response methods.

(ii) Details of CCTV surveillance camera installation that identifies both indoor and outdoor areas monitored by cameras, and camera technical specifications (eg. recording capacity, frames per second etc.)

(iii) Details of signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises;

(iv) Details of any liaisons or outcomes of any meeting with local NSW police; and

(iv) Details of any complaints associated with the operation of the premises must be recorded in a Complaints Register which includes:

- Complaint date and time;
- Name, contact and address details of person(s) making the complaint;
- Nature of complaint;
- Name of staff on duty;
- Action taken by premises to resolve the complaint;
- Follow-up; and
- Outcome.

(f) Management Measures

General Amenity:

(i) Details of all measures that will be taken to ensure that amenity impacts that may result from the operation of the premises are minimised.

(ii) Details of all actions that will been taken to respond to complaints made about the operation of the premises (including but not limited to consultations with residents, discussions with Council Officers, liaison with Police, public access to Plans of Management, review of existing Plan of Management etc.);

(iii) A waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas etc;

(iv) Details of methods that will increase patron awareness of public transport availability(eg. signage, availability of timetables) as well as a description of any other measures that will assist patrons in using public transport (eg. provision of a shuttle service, taxi assistance etc.); and

(v) Details of methods that will increase patron awareness of responsible disposal of cigarette butts;

(vi) Any other measures that will be undertaken to ensure that amenity impacts that may arise from the operation of the premises are addressed.

Security and Safety (where applicable):

(i) Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering or leaving the premises will minimise disturbance to the neighbourhood.

(ii) Any provisions that will be made to increase security in times where higher than average patronage is expected (eg. during public entertainment, peak periods on weekends, New Years Eve, following large sporting events in the locality, during special events and functions etc.);

(iii) Liaison that will be undertaken with other licensees or operators of late trading premises in the locality/area to improve security at night;

(iv) Detail procedures and provisions that will be implemented to improve premises security. This could include:

- emergency procedures;
- crowd control;
- search procedures;
- maintenance of an incident register;
- monitoring of patron behaviour;
- monitoring of numbers of patrons within the premises;
- recording of complaints and reporting of incidents to Police;
- membership of the proprietor/licensee to a Licensing Accord (see the City's website for details of Licensing Accords operating within the City);
- dress codes;
- staff security training;
- distinctive security attire;
- availability of cloak rooms;
- internal and external security patrols;
- measures to prevent glass being carried from the premises by patrons;
- measures to ensure safe capacities (eg. electronic counting of patrons, occupancy limits, signage); and
- actions to be taken during 'wind down' periods prior to closing time.

(v) If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded. This description may address such matters as:

- A description of how and how often security guards will monitor queues (e.g. security guards will monitor queues every 10 minutes to identify inappropriate behaviour before patrons enter);the use of temporary ropes and bollards;
- maximum queue numbers;
- actions taken to minimise loitering; and
- actions ensuring the fast and efficient movement of a queue.

Optional issues that may be required in relation to an application for a liquor license

(vi) Methods employed to implement harm minimisation and the responsible service of alcohol (RSA) requirements such as:

- employee training and awareness regarding RSA and harm minimisation;
- approaches that will be used to manage intoxicated and/or disorderly persons;
- promotion of non-alcoholic beverages and provision of free water;
- display of the premises' house policy;
- assisting patrons in accessing safe transportation from the premises (eg. arranging taxis, public transport timetable information);
- encouraging responsible drinking;
- number of RSA marshalls employed for each shift and details on how they will monitor RSA; and
- actions taken to discourage drug use and to manage drug related incidents.

(vii) Detail emergency and evacuation procedures in accordance with the relevant Australian Standard and provide details of staff training in those procedures.

(g) Performance, creative or cultural uses (where applicable)

(i) A description of the music, visual, performance, creative and cultural events that may be staged at the premises;

(ii) Details of the capacity of the space to host performance, creative or cultural uses including the location and dimensions the space, stage audience (standing or seating area) and equipment to present the performance, creative or cultural use;

(iii) Arrangements for booking and promoting performance, creative and cultural uses;

(iv) Procedures for notifying neighbours about the nights when operating hours are extended to provide for performance, creative and cultural uses.

Schedule 4

Projections over or into public roads

Note: Awnings are separately addressed in Section 3

Objective

(a) Projections beyond private property boundaries over or into the public road/footpath are to contribute to the amenity and character of the street, not cause obstruction or a loss of safety for users of the street, and meet the relevant requirements of the *Roads Act 1993*.

Provisions

(1) Projections for decoration or sun shading devices

(a) Building elements designed for decoration or as sun shading devices may project beyond the road/footpath alignment if the projection: extends not more than 450mm over the road/footpath alignment; is at least 3m above the footpath; is at least 800mm from the face of the kerb; and is constructed primarily of masonry, reinforced concrete, steel or other approved non combustible material.

(2) Balconies and bay windows

(a) Balconies and bay windows may project beyond the alignment of a road/footpath if the projection extends not more than 450mm over the road/footpath alignment, comprises not more than 50% of any road frontage of the building at any level, is at least 3.2m above the footpath and at least 800mm from the face of the kerb, and does not result in adverse impacts on the amenity of an adjoining property.

(3) Flagpoles, pipes and services, sewerage pipe traps, and footings

(a) Flagpoles may project over the road/footpath alignment if the poles and flags/banners suspended from the poles are at least 3.2m above the footpath, and at least 800mm from the face of the kerb, and do not interfere with public services.

(b) Pipes and services for existing buildings may project over the road/footpath alignment provided they are essential and cannot be located within the building. In particular, rainwater heads are not to project more than 450mm over the road/footpath and rainwater downpipes are not to project more than 150mm, and all projections are to be at least 2.7m above the road/footpath.

(c) For existing buildings, traps on sewerage service pipes and reflux valves may be installed in the road. For new buildings, traps on sewerage service pipes and reflux valves are not to be installed in the road.

(d) Footings may project beyond the alignment only under the footpath, not under the carriageway, and not more than 450mm if the projection is at least 1.35m below footpath level, and 750mm if the projection is at least 3m below footpath level.

Schedule 5

Public open space dedication and design criteria

The following table sets out criteria that apply to any land that is to be dedicated to Council for the purpose of public open space.

Size	Local parks are to be a minimum of 3,000-5,000sqm unless the proposal will increase an area of adjoining open space or provide a lineal connection to nearby open space. Spaces need to be large enough to create a sense of openness and provide usable green spaces. 5,000sqm is preferred as it allows for the accommodation of a variety and diversity of open space uses and amenity.
Shape	Regular shapes, square or rectangular, are preferred to allow flexibility for useable open space. The minimum width for access corridors (linear parks) is 10m. Long narrow parks are generally unacceptable unless the prime function is for linking larger park areas.
Comfort and amenity	Good solar access, protection from wind and traffic noise and a visually attractive environment for users is to be provided.
Accessibility	The location and park landscape should maximise access for people with mobility difficulties.
Distance from any residence	All residents should be within a ten minute walk (approximately 400m) of local open space.
Park boundary	It should be clearly demonstrated that the park is public open space. A park is to have at least 50% frontage to a street and at least three sides of the park are to be street/lane frontages. Corner street frontages are preferred to ensure identification as a public place and to contribute to security and surveillance of the site. A substantial length of road frontage is crucial for local parks to ensure access, good community surveillance and legibility of the public domain.
Connectivity	The park should be located on identified pedestrian and cycle routes and provide opportunities to link to adjoining open space. Safe and convenient access is to be provided. The location and urban design is to provide for multi-mode access.
Land Quality	Maximum slope in the park is to be 1:4. The park is to be fit for purpose (generally flat and usable) and not constrained by contaminated land restrictions or property easements. Assessing the land quality will minimise development and maintenance costs and ensure long term flexibility for the use of the park.

Schedule 6

Signage in The Rocks

This schedule provides information to assist tenants, consultants and fabricators on high quality signage appropriate for The Rocks precinct.

Below are different signage applications applicable in The Rocks precinct. Over page, further detail is provided on each application type.

Following the application type details is a map illustrating the location of each application area and matrix showing which signs are allowable in each area.

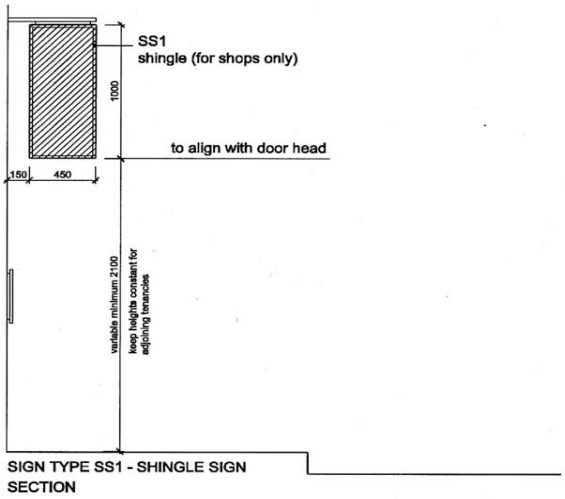
- A: Facades to narrow streets, lanes and passages
  Applies to commercial/retail frontages without awnings, up to 4 storeys high, along the narrower streets in the precinct. Refer to 7.1
- B: Facades to wide streets
  Applies to commercial/retail frontages without awnings, up to 6 storeys high, along the wider streets in the precinct and includes warehouses, commercial office buildings. Refer to 7.2
- C: Terraces with party walls
  Applies to terrace rows characterised by party walls and set back from walls. Refer to 7.3
- D: Terraces with cantilevered balconies
  Applies to two storey terrace rows characterised by cantilevered timber balconies at first floor level e.g. Playfair Terraces. Refer to 7.4
- E: Shopfronts generally
  Applies to shopfronts with display windows. Refer to 7.5
- F: Awnings and fascias
  Applies to frontages with awnings and verandahs. Refer to 7.6
- G: Restaurant menus
  Applies to menus displayed outside restaurants/cafes etc. Refer to 7.7
- H: Temporary signs and temporary promotional shopfront window sign
  Applies to all commercial businesses including real estate signage. Refer to 7.8
- I: Construction site hoardings
  Applies to temporary hoardings around construction or archaeological sites. Refer to 7.9
- J: Tall building signage
  Applies to the area of The Rocks that is south of the Cahill Expressway and contains a number of buildings over 6 storeys in height. Refer to 7.10
- K: Major multiple tenancy building signage
  Applies to Argyle Centre, Metcalfe Arcade and Campbell's Stores

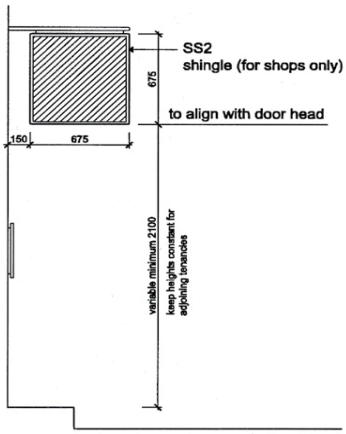
6.1

A – Facades to narrow streets, lanes and passages

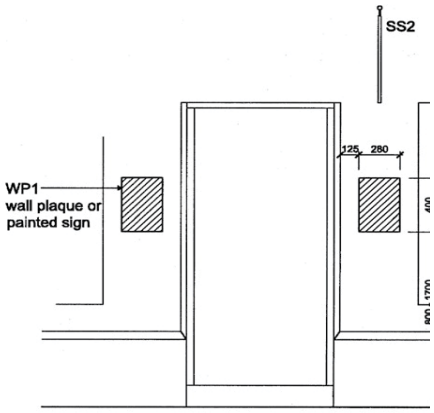
Application	This applies to commercial building frontages generally and including former warehouses, coach houses and shops (historic and contemporary) and other buildings up to 4 storeys high without awnings located along the narrower streets in the precinct.
Objective	• To regulate signage for retail and commercial premises • To preserve spatial character of streets • To preserve the characteristic Rocks skyline as seen from external vantage points and to distinguish it from the Sydney skyline generally • To provide reasonable exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	SS1 – shingle signs – 450x1000* SS2 – shingle signs – 675x675* (min. 4m centres) WP1 – wall plaque – 280x400* (or alternatively WP4 menu plaque) * *dimensions in mm (w x h) are maximum permissible size*
No. of signs	Maximum one shingle and one wall plaque per tenancy.
Illumination	Indirect. Back-lit cut-out plaques will be considered in some areas.
Specifications	For plaque details and fixings into masonry and stone, refer to specification note 1. For details and fixing of shingle signs, refer to specification note 2.
Notes	All graphics to be professionally designed and approved as part of the development application. Wall plaque signs may be converted to menu type signs to provide flexibility for variable messages, promotional sales and the like.

6.1.1 A – Technical Drawing





SIGN TYPE SS2 -SHINGLE SIGN
SECTION

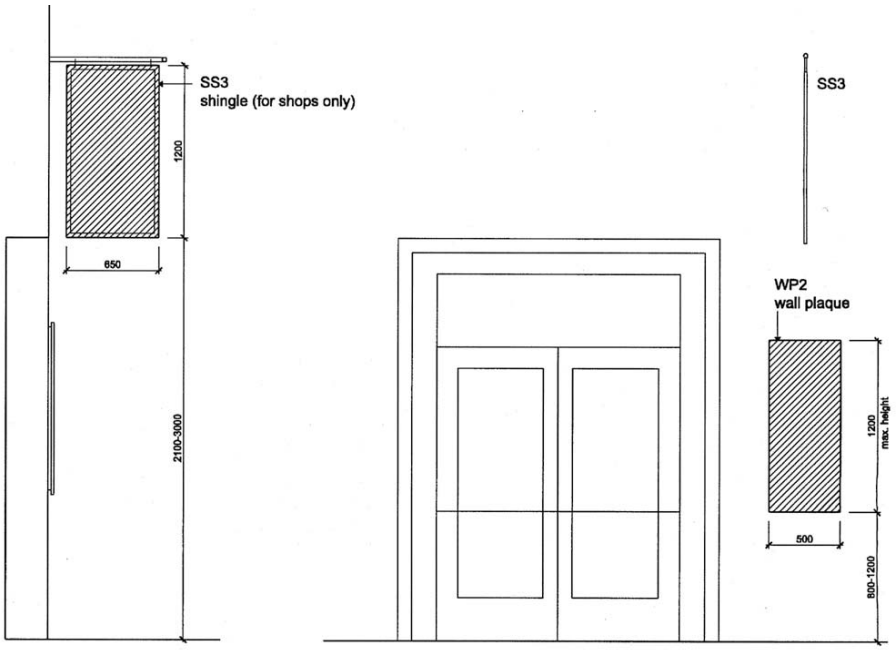


SIGN TYPE WP1 - WALL PLAQUE
ELEVATION

6.2
B – Facades to wide streets

Application	This applies to commercial retail building frontages without awnings, up to 6 storeys high, llocated along the wider streets and avenues of the precinct. This includes former warehouses and commercial office buildings.
Objective	• To regulate signage outside retail and commercial premises • To preserve spatial character of streets • To preserve the characteristic Rocks skyline as seen from external vantage points and to distinguish it from the Sydney skyline generally • To provide exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	SS3 – shingle signs*** – 650x1200* (min. 6m centres) WP1 – single tenancy wall plaque - 280x400* WP2 – multiple tenancy wall plaque** - 500x1200* ** (or alternatively WP4 menu plaque) * *dimensions in mm (w x h) are recommended maximum size* ** *multiple tenancies can be listed on separate panels mounted onto the same plaque* *** *SS3 applies to tenancies with direct street access only*
No. of signs	Maximum one shingle and one wall plaque per tenancy.
Illumination	Preferably no lighting, but indirect lighting from behind plaques may be considered.
Specifications	For plaque details and fixings into masonry and stone, refer to specification note 1. For details and fixing of shingle signs, refer to specification note 2.
Notes	All graphics to be professionally designed and approved as part of the development application. Wall plaque signs may be converted to menu type signs to provide flexibility for variable messages, promotional sales and the like.

6.2.1 B – Tecnical Drawing

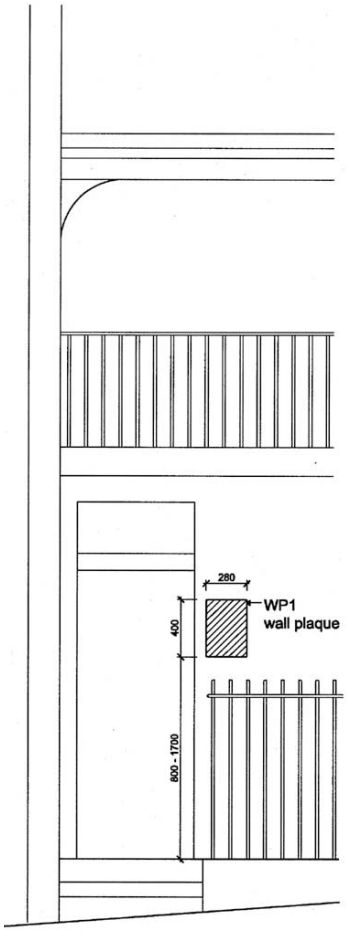


6.3
C – Terraces with party walls

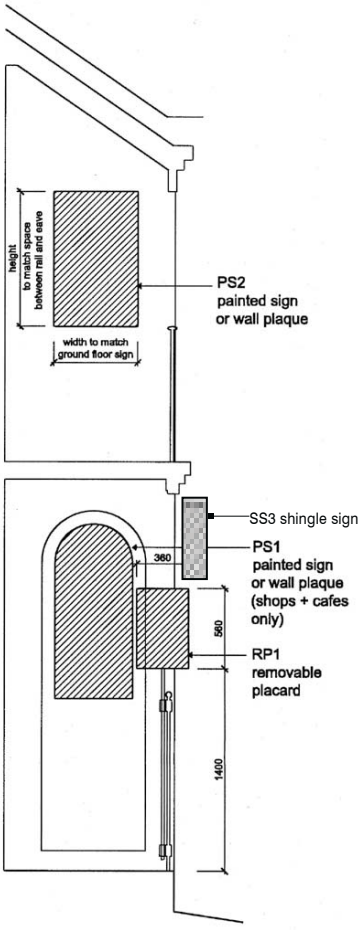
Application	Limited application where terraces are characterised by verandah set back with expressed party walls e.g. Sergeant Major's Row.
Objective	• To enhance the characteristic rhythm of terrace house party walls • To maintain the integrity of the original structures • To provide reasonable exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	WP1 – front wall plaque – max. 200x400* (fixed as shown in Specification Note 1 (one only per tenancy), or alternatively WP4 menu plaque) PS1 – painted sign on party wall - to be limited to one side of party wall PS2 – Painted sign on plaque - signage on one side only, to be consistent with entire terrace row, plaque to be fixed into niche or on surface of party wall at both ground and first floor levels (only one per building) RP1 – Removable placard – max. 425x600* (fixed to palisade fence, this option is for temporary installations such as exhibition posters or restaurant menus) * *dimensions in mm (w x h) are recommended maximum size*

No. of signs	Maximum one shingle and one wall plaque per tenancy.
Illumination	Preferably no lighting, but indirect lighting from balcony soffit or from behind plaque may be considered.
Specifications	For plaque details and fixings into masonry and stone, refer to specification note 1. For details and fixing of shingle signs, refer to specification note 2.
Notes	Wall plaques may be converted to menu type signs to provide flexibility for variable messages, promotional sales and the like.

6.3.1 C – Technical Drawing



SIGN TYPE WP1
PART ELEVATION



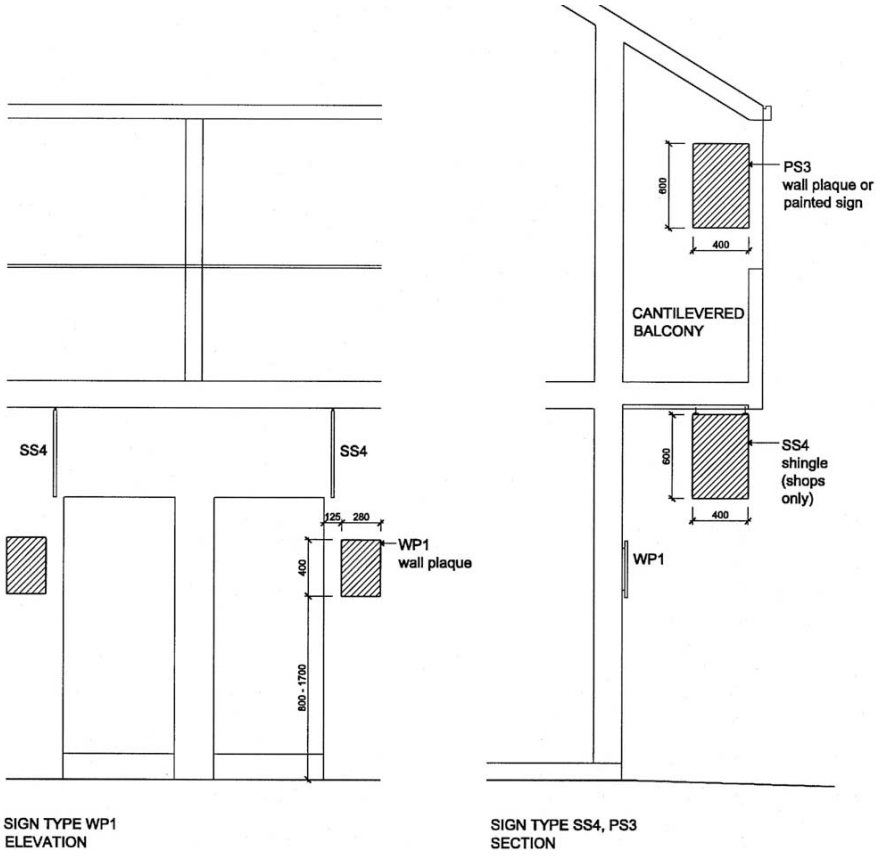
SIGN TYPE PS1, PS2, RP1
PART SECTION

6.4

D – Terraces with cantilevered balconies

Application	The applies to simple two storey residential terraces with cantilevered timber balconies at first floor level e.g. Playfair Terraces.
Objective	• To replace suspended signage fixed to edge of balcony • To restore the characteristic prominence of the cantilevered balconies • To provide reasonable exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	WP1 – front wall plaque – max. 280x400* (fixed as shown, one per tenancy) PS3 – wall plaque (fixed to surface of first floor balcony dividing wall or alternatively painted sign) SS4 – shingle sign (fixed to soffit of cantilevered balcony) * *dimensions in mm (w x h) are recommended maximum size.*
No. of signs	One only per tenancy
Illumination	Preferably no lighting, but indirect lighting from balcony soffit or from behind plaque may be considered
Specifications	For plaque details and fixings into masonry and stone, refer to specification note 1. For details and fixing of shingle signs, refer to specification note 2.
Notes	All graphics to be professionally designed and approved as part of the development application.

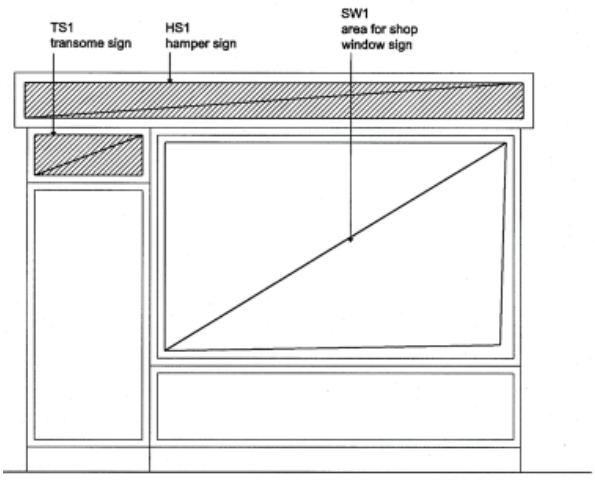
6.4.1 D – Technical Drawing



6.5
E – Shopfronts

Application	Retail frontages with glass display windows
Objective	• To maintain integrity of shopfronts • To provide reasonable exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	TS1 – painted transom panel above shop entry door (text should not exceed 80% of the available height and should be limited to business name or street number) SW1 – shingle sign on shop window (field area of the sign can occupy up to 10% of glazed surface area) HS1 – hamper signage – field area of the sign can occupy up to 80% of the hamper's glazed surface area) * *dimensions in mm (w x h) are recommended maximum sizes* Notes: Signage inside shop window should be at least 900mm inside glazing. Internally illuminated signage or flashing or moving signage is not allowed inside shopfronts. For restaurant menus inside shop windows see Guideline G.
No. of signs	One of each sign type per shopfront
Illumination	Limited to ambient street and under awning lighting and from inside the shop window
Specifications	n/a
Notes	All graphics to be professionally designed and approved as part of the development application.

6.5.1 E – Technical Drawing

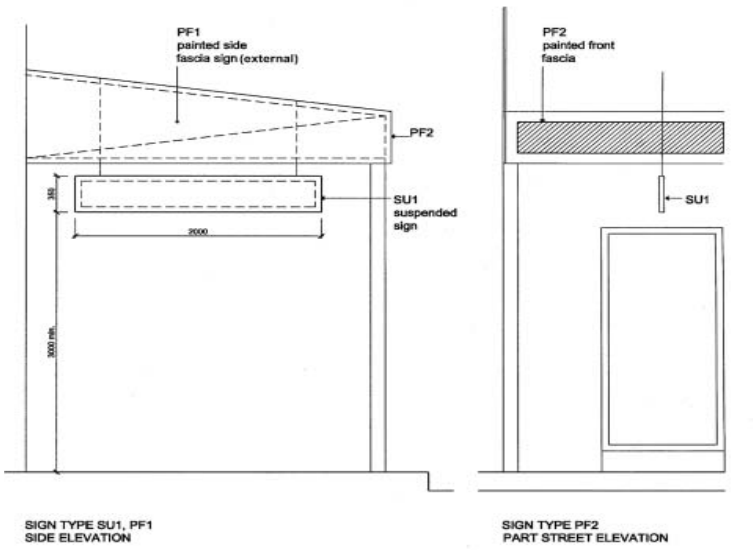


SIGN TYPE TS1, HS1, SW1
STREET ELEVATION

6.6
F – Awnings and fascias

Application	Awnings, verandahs and colonnades projecting from the main building face. Refer to 7.5 for manual relating to shop front windows, hampers and transoms.
Objective	• To preserve character of projecting awnings • To modulate street edges where defined by awning fascias • To provide reasonable exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	SU1 – Suspended signs – 2000x350* max. (limited to one for each tenancy or spaced at a maximum of 6m centres for longer frontages) PF2 – front fascia sign (painted text to be max 80% of available height) PF1 – side fascia sign (to match graphics on street front fascia and positioned to suit the shape of the fascia) * *dimensions in mm (w x h) are recommended maximum sizes*
No. of signs	One suspended sign and front fascia sign per shopfront. One side fascia sign per external exposed side fascia
Illumination	Indirect from soffit of awning for suspended signs only.
Specifications	n/a
Notes	All graphics to be professionally designed and approved as part of the development application.

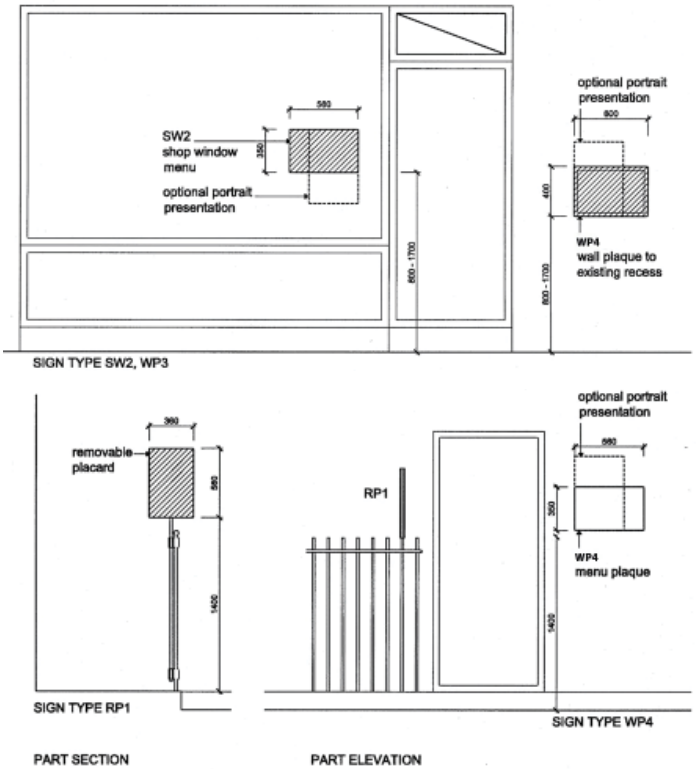
6.6.1 F – Technical Drawing



6.7
G – Restaurant menus

Application	Menus displayed outside restaurants and cafes. The design should be considered in conjunction with the commercial fit out of the restaurant or café.
Objective	• To regulate signage outside retail and commercial premises • To preserve spatial character of streets • To provide reasonable exposure for building/tenant identification • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	RP1 – Removable placard signs (to be used together with palisade fencing) WP4 – Wall mounted menu boxes – 360x560* WP3 – Menu box (set into existing naming plaque recess) SW2 – Menu box (mounted inside shopfront, overall dimensions 350x560* max.) * *dimensions in mm (w x h) are recommended maximum size*
No. of signs	Maximum one menu per tenancy.
Illumination	Discrete spotlights or gentle lightbox effects considered subject to impact on fabric and presentation.
Specifications	For plaque details and fixings into masonry and stone, refer to specification note 1. For placard details, refer to specification note 3.
Notes	All graphics to be professionally designed and approved as part of the development application. Free-standing removable menu boards at the edges of commercial outdoor seating areas are not allowable.

6.7.1 G – Technical Drawing

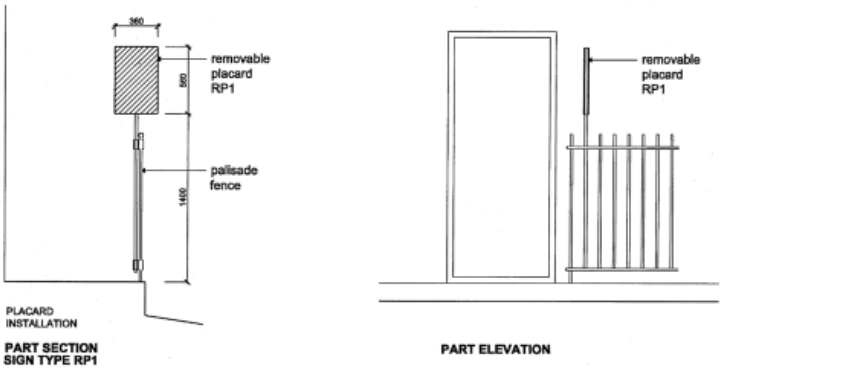


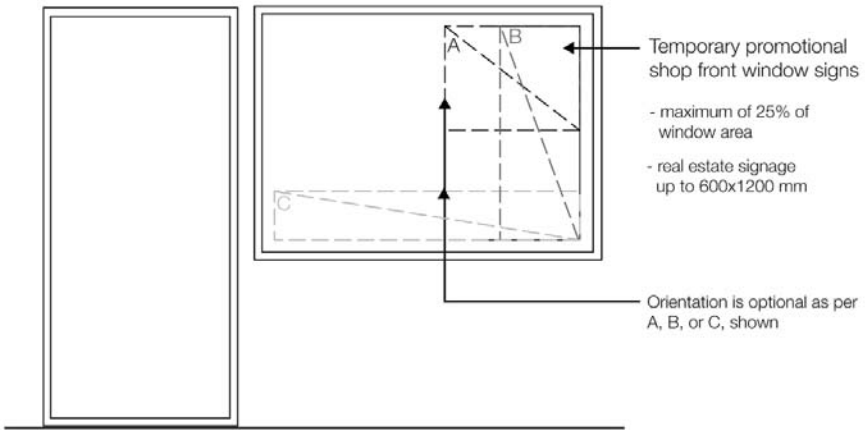
6.8

H – Removable/temporary signage

Application	This guidelines applies to all commercial businesses including real estate signage.
Objective	• To preserve visual and spatial simplicity of streets and lanes • To protect building fabric from permanent and disfiguring fixings • To allow for temporary promotion of events, gallery exhibitions and leasing opportunities • To allow for a flexible system of temporary signage • To promote food contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	RP1 – Placard signs (to be used with existing palisade fencing only i.e. for terrace houses described in 7.3. Placards must be removed at the end of each trading day.) PW1 – Promotional signage (displayed for a maximum of 30 business days and maximum 2 events per year. Window sign can be maximum 25% of window area) RE1 – External real estate signs (up to 3m2 may be installed on all buildings north of the Cahill Expressway and all heritage buildings south of Cahill Expressway for up to 4 months** if: • No building fabric of exceptional or high significance is obscured • There are no fixings into fabric of exceptional or high significance • Signs are mounted flush to the face of the building Final sizes and dimensions are to be assessed on a case by case basis. RE2 – Real estate signs (may be installed for up to 4 months**. Signs can take up to 100% of the glazed area in a single window bay but graphic design and exact dimensions will be subject to approval. Window signs should not be fixed to glass or frames, mullions, transoms etc.) * *dimensions in mm (w x h) are recommended maximum sizes* ** *multiple tenancies can be listed on separate panels mounted onto the main plaque*
Exempt and complying signage	RE1 – External real estate signs (up to 2.5m^2 for residential buildings and 4.5m^2 for commercial buildings may be installed on all non heritage buildings south of the Cahill Expressway for up to 4 months * *dimensions in mm (w x h) are recommended maximum sizes*
No. of signs	RP1 and PW1 – One sign of either type per art gallery or exhibition space only. RE1 – One real estate sign for each frontage, with a maximum of 2 signs for an entire building at any one time. RE2 – One real estate sign for each frontage for each vacant tenancy
Illumination	No illumination
Specifications	For placard details, refer to specification note 3.
Notes	• All graphics to be professionally designed and approved as part of the development application • Graphic design for real estate signs in windows should incorporate interpretive material relating to the history of the building and/or the immediate precinct • Temporary signs, other than real estate and leasing signage, must be removed at the close of business each day and may only be used to promote sales within fixed duration of us to 30 business days ** For RE1 and RE2, if the property is leased before the specified time limits then signs should be removed within 10 days of the conclusion of the lease transaction

6.8.1 H – Technical Drawing





6.9

I – Construction site hoardings

Application	The applies to temporary hoardings around archaeological sites and construction sites.
Objective	• To preserve spatial character of streets • To promote good contemporary design in The Rocks, sympathetic to its heritage qualities
Permissible sign types	**TH** – painted hoardings **TF** – Fabric mesh on chainwire fence **TP** – Panels fixed to chainwire fencing or scaffolding ***** *dimensions in mm (w x h) are recommended maximum sizes*
No. of signs	Extent of hoarding to be subject of agreement
Illumination	No illumination
Content	• Size of graphics will be restricted, especially where hoarding is visible from Sydney Harbour or major road ways • Background colour should be plain to match Pantone Warm Grey 1C. Alternatively, a custom designed pattern me be acceptable

Content (continued)	Graphics should be limited to: • Accreditation for construction/development team (minimal contact details) and formatted onto a single panel. This information can be repeated once on each sheet frontage only. Overall dimensions of this sign should take into account the length of the frontage, street width, site visibility etc • Interpretive information on history/significance of the site etc, together with viewing panels as appropriate • Specially designed graphics incorporating the nature of the project and the visual character of the context

6.10
J – Tall buildings

Application	This applies to the area of The Rocks that is south of the Cahill Expressway and bordered by Cumberland Street, Grosvenor Street and George Street. This area contains a number of buildings over 6 storeys in height that are of a different character to smaller scale buildings elsewhere in The Rocks precinct. Tall building signage has the potential to impact the surrounding environment in a variety of ways and therefore requires a specific set of guidelines. These guidelines are intended to protect the significant characteristics of buildings, streetscapes, vistas and the city skyline and to encourage well-designed and well-positioned signs. Street level signage will be assessed on a case by case basis. In addition, guidelines in 7.2 may be applied in design and assessment of street level signage in this area.
Objective	• To promote signs that add character to the streetscape and assist with wayfinding and the pedestrian usability of the city • To promote signs that complement the architectural style and use of buildings • To encourage suitably located signs that provide a legible and clear message through the use of high quality materials and a high standard of graphic design • To consider the amenity of surrounding residential and heritage development and the visual quality of the public domain
Guidelines	Signs are to be designed to: • Be integrated with the architectural design of the supporting building and to ensure that significant architectural features are not obscured • Have regard to the view of the sign and any supporting structure, cabling and conduit from all angles including visibility from street level, nearby higher buildings and against the skyline • Have only minimal projection from a building • Not contain additional advertising promoting products or services other than the approved use of the premises or site (such as logos or brands of products) irrespective of whether that product or service is sold on the site • Not be supported by or hung from other signs Further guidelines are as follows: • Corporate identification such as corporate logos, colours and other graphic elements is permitted but modification may be required such as a reduction in colour intensity, inverting graphic components, deleting backing elements or by the innovative use of materials • Signs should not exceed two words • Signs painted on or applied to the roof are prohibited • Signs should generally be below the parapet • Tower signs will be limited to one per building • The visual impact from the harbour will be a key consideration, as will the impact on the night time skyline of the city. The use of exposed neon will not be permitted

Guidelines (continued)	• Signage should be no greater than 50% of the width of the viable frontage of the building. Signs painted on or applied to the roof are prohibited ***** *dimensions in mm (w x h) are recommended maximum sizes*
Illumination	• Illuminated signs are not to detract from the architectural character of the supporting building during daylight • Illumination (including cabling) is to be: o Concealed o Integral with the sign o Provided by means of carefully designed and located remote or spot lighting • The ability to adjust the light intensity of illuminated signs is to be installed where deemed necessary by the consent authority • A curfew may be imposed on the operation of illuminated signs where continuous illumination may impact adversely on the amenity of surrounding heritage development, residential buildings, services apartments or other visitor accommodation, or have other adverse environmental effects. • Uplighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign.
Notes	All graphics to be professionally designed and approved as part f the development application.

6.11

K – Major multiple tenancy buildings

Application	The applies to The Rocks Centre, Argyle Stores, Metcalfe Arcade and Campbell's Stores, being buildings with multiple tenancies, where the tenants have no direct frontage to a commercial street.
Objective	• To identify the 4 nominated buildings by name • To clearly indicate the predominant tenancy types housed within the building i.e. 'shopping' or 'dining' and make this apparent from the street • To be sympathetic to the heritage character of the nominated buildings and the surrounding precinct • To develop a consistent sign type for the 4 buildings
Design principles	A lightweight banner may be installed to identify each of the 4 nominated buildings provided that: • No fabric of exceptional or high significance is obscured • Banners do not obstruct significant vistas • Banners are limited to key approaches • The banner may be mounted directly to the building provided that the fixing design is determined on the basis of a detailed heritage investigation for each building • The design for each building will be unique, however, as a principle the banner may be up to 600x3000 with strong vertical proportions • The banner will contain the name of the building and the predominant building function e.g. 'shopping' or 'fine dining' • A colour scheme for the family of signage banners for each building is to be professionally developed
Notes	The signage banners may only contain wording as outlined in the Design Principles. Individual tenant names, corporate logos or advertising are not permitted A maximum of 2 banners may be permitted for each of the nominated buildings – to be determined on a case by case basis – in context of other existing signs on the building and visibility of the building from key approaches.

6.11.1 K – Technical Drawing

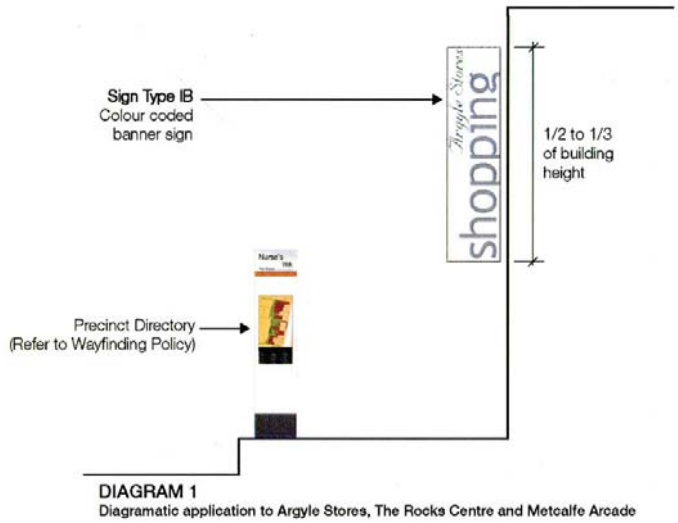


DIAGRAM 1
Diagramatic application to Argyle Stores, The Rocks Centre and Metcalfe Arcade

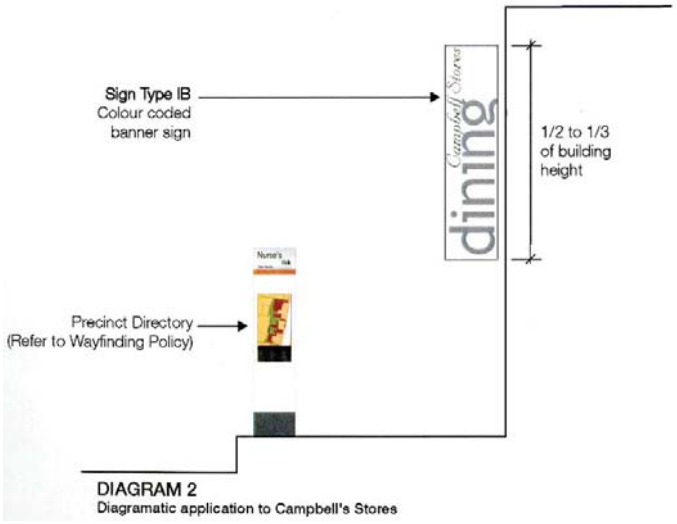


DIAGRAM 2
Diagramatic application to Campbell's Stores

6.12
Specification Note 1

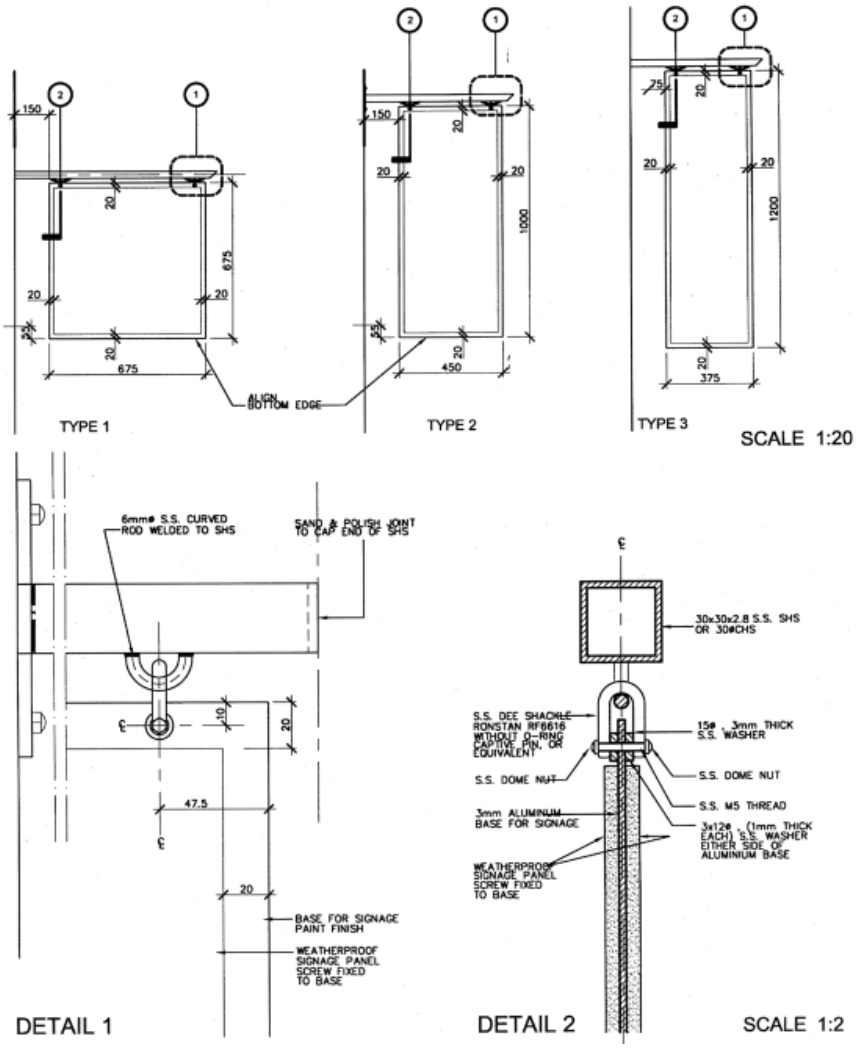
6.12.1 General Fixing Notes

- Use existing holes where possible
- Minimise number of new penetrations to existing fabric
- Use spacers to hold signs 10-30mm proud of wall surface
- Do not cover building forms, moulds or patterns
- Do not apply any finishes to signs in situ
- Ensure al metals used on signs are corrosion proof so that rust stains will not be caused on wall surfaces
- Fixings into wall are to be stainless steel or bronze

6.12.2 Masonry Fixing Notes

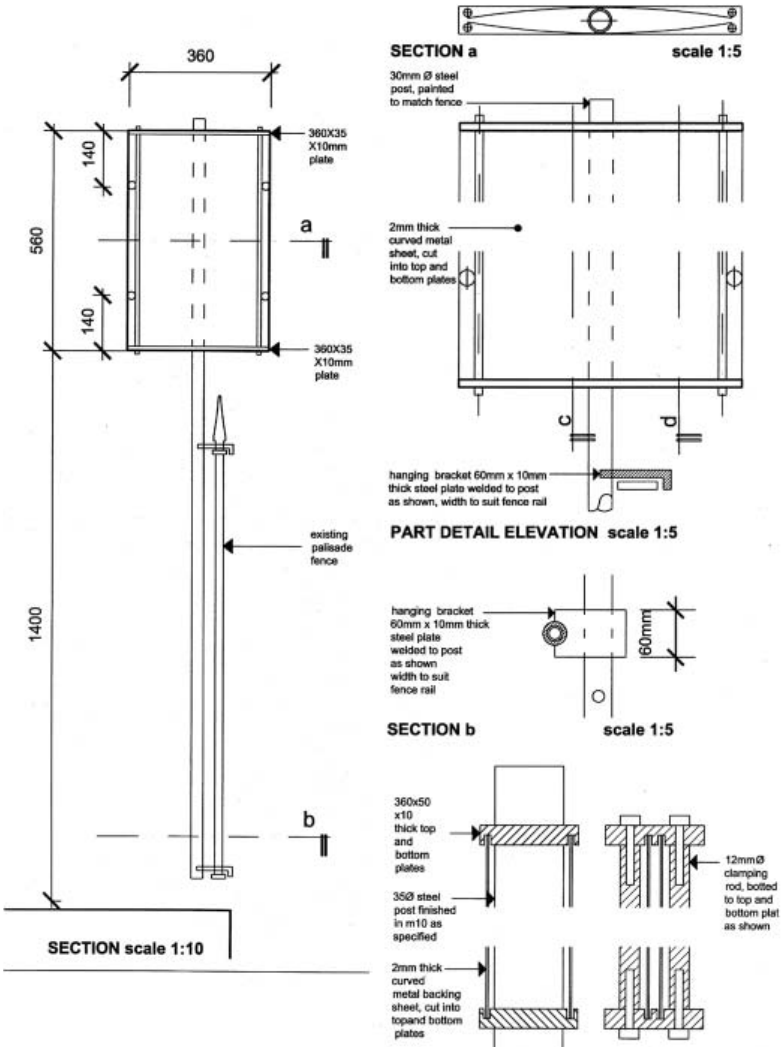
- Use screw fixings with rawlplugs, timber or plastic
- Where masonry is in a saline environment, use metal fasteners equal to :Monel: screws which will not corrode
- Do not use expanding masonry anchors or chemically bonded anchors
- Where ever possible utilise mortar joints as points of fixing
- Use lime mortar to repoint stonework if required, not cement render
- Do not use elastometric to repoint joints
- Fixings into wall are to be stainless steel or bronze

6.13
Specification Note 2



6.14

Specification Note 3

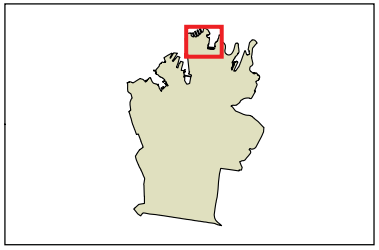


Sydney Development Control Plan 2012

The Rocks signage precinct

Legend

- A - Facades to narrow street, lanes & passages
- B - Facades to wide streets
- C - Terraces with party walls
- D - Terraces, bald faced or with cantilevered balconies
- J - Buildings over 6 storeys
- K - Major multiple tenancy buildings
- The Rocks signage precinct
- Land excluded from this DCP



N

0 150 m

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Projection: MGA Zone 56
Datum: GDA94
Paper Size: A4
Prepared By: City Plan Devt.
Printing Date: October 11, 2012
File: SDCP2012_TheRocksSignage.mxd

	SIGN TYPES / APPLICATION MATRIX																							
	SHINGLE (SS1)	SHINGLE (SS1)	SHINGLE (SS3)	SHINGLE (SS4)	WALL PLAQUE (WP1)	WALL PLAQUE (WP2)	WALL PLAQUE (WP3)	PAINTED SIGN (PO1)	PAINTED SIGN (PO2)	PAINTED SIGN (PO3)	REMOVABLE PLACARD (RP1)	TRANSOM SIGN (TS1)	HAMPER SIGN (HS1)	WINDOW SIGN (SW1)	WINDOW SIGN (SW2)	SUSPENDED SIGN (SU1)	PAINTED FASCIA (PF1)	PAINTED FASCIA (PF2)	WALL PLAQUE (WP3)	MENU PLAQUE (WP4)	PROMO SHOP FRONT WINDOW (PW1)	REAL ESTATE (EXTERNAL) (RE1)	REAL ESTATE (WINDOW) (RE2)	RETAIL DIRECTORY (RD)
A – Facades to narrow streets lanes and passages	●	●		●																	●			
B – Facades to wide streets			●			●															●			
C – Terraces with party walls			●		●			●	●		●										●			
D – Terraces with cantilever balconies				●	●					●											●			
E – Shop fronts												●	●	●							●			
F – Restaurant menus											●													
G – Removable /temporary							●				●				●					●	●			
H – Construction hoardings																								
I – Tall building signage																								
J – Major multiple tenancy buildings																								●

Schedule 7

Transport, parking and access

7.1

Introduction

The car parking rates in the LEP and DCP are based on access to public transport and services. A place that has a high level of access to public transport and services will need less car parking than a place that has a lower level of access to transport and services. Accessibility is categorised according to the following two indices:

(a) 'PTAL' Index – the Public Transport Accessibility Level Index; and

(b) 'LUTI' Index – the Land Use and Transport Integration Index.

Accessibility throughout the local government area has been mapped according to the PTAL and LUTI indexes. These maps are used to determine the maximum rates of car parking and are included in the LEP. It should be noted that where a development proposes less than the maximum number of car parking spaces, the total number of visitor spaces should be adjusted in accordance with this shortfall.

(1) The PTAL Index:

  (a) The PTAL Index applies to **non-residential development** and is based on the model developed by Transport for London to determine the level of access to public transport. Using data from Transport NSW and the Population Data Centre, the model identifies the public transport services, including trains, light rail, monorail, buses and ferries, within walking distance of a parcel of land. Each parcel of land is assigned an accessibility category based on the number of public transport services within certain walking distances.

(2) The LUTI Index:

  (a) The LUTI Index applies to **residential development** and combines access to public transport with access to urban centres, where residents can access neighbourhood services such as a range of shops. The LUTI Category is based on the walking distance to an identified urban centre from a parcel of land as well as the number of public transport services that are within walking distance of that parcel.

7.2
Managing transport demand

The DCP requires managing transport demand generated by a development to encourage more sustainable transport options. 'Managing transport demand' means minimising the need to travel, minimising the length of trips, (particularly by cars), and encouraging travel by more sustainable modes of transport (DIPNR, Integrating Land Use and Transport, 2001).

The detailed reports required for certain development applications (described below), provide the relevant information for Council assessment of transport impacts. They also identify the measures to be undertaken for a development to manage its transport demand.

7.3
Transport report requirements

The transport reports required to accompany a development application in accordance with Section 3.11 of this DCP are:

(a) Transport Impact Study;

(b) Parking and Access Report;

(c) Green Travel Plan; and

(d) Transport Access Guide.

7.4
Transport Impact Study requirements

A Transport Impact Study (TIS) is a technical investigation into the transport and safety issues that might arise from a development. The TIS includes the transport impacts on the surrounding transport network generated by a development and how those impacts are to be managed. In the past such studies have generally focused on traffic impacts however a TIS recognises the role of traffic within a broader transport system that includes public transport, walking and cycling.

A Transport Impact Study (TIS) is to address:

(a) The accessibility of the site by a range of transport modes including car, public transport, walking and cycling;

(b) The ability of the public transport network to service the site in the peak and off peak and weekend periods;

(c) Mode share targets;

(d) Means of minimising travel demand by private car and maximising the share of travel by other modes including public transport, cycling, walking or car share;

(e) Compliance with the requirements of the LEP and DCP;

(f) A justification of car parking provision and site servicing arrangements in accordance with the objectives and provisions of the LEP and DCP;

(g) The proposed allocation of parking to apartment types in residential developments;

(h) Access for the mobility impaired;

(i) Estimates of trip generation by the development and the impacts of trips generated by the development on the road network and other movement systems;

(j) Means of accommodating and integrating trips generated by the development including necessary improvements to public transport services, pedestrian systems, bicycle routes, and the road network;

(k) Means of mitigating adverse impacts of the development on movement systems;

(l) Means of improving access to the site having regard to vehicular, pedestrian, cycle and public transport access;

(m) Impacts on and means of improving pedestrian accessibility to public transport, shops, schools, open spaces, community centres and the like. Means of improving access to public transport include the provision of subsidised public transport, improving the quality and safety pedestrian access to public transport, improving bus shelters and the like;

(n) Impacts on and means of improving pedestrian safety;

(o) Availability of on street parking and potential on street parking controls to discourage commuting and all day residential parking demand generated by the development..

Vehicle trip generation

In relation to vehicle trip generation, reference should be made to the 'RTA Guide to Traffic Generating Developments' which provides a summary of basic vehicular trip generating rates for both daily and peak hour vehicle trips. Surveys of existing developments similar to the proposal, can also be done and comparisons drawn.

Two periods of traffic generation need to be considered:

(a) the peak activity time of the development itself

(b) the peak activity time on the adjacent road network.

The peak activity time of the development is used as a basis for reviewing access to the site and driveway and access design requirements. The peak activity time of the adjacent road, pedestrian and public transport networks are used to assess the effect of the development on the road and other movement systems. Such an assessment should identify whether any on road improvements, traffic management or pedestrian measures are required to accommodate the increased movement on the system.

The Transport Impact Study is to include a comparison between the vehicle trip generation rates provide in the 'RTA Guide to Traffic Generating Developments' and an assessment that considers person trips by time period adjusted on availability of parking, access to public transport and access to neighbourhood shopping centre, community facilities and open spaces where relevant. Adjustment factors for each land use may include:

(a) mode split by time period;

(b) persons per vehicle;

(c) trip purpose; and

(d) availability of on-site parking.

A number of traffic facilities can be incorporated to ameliorate the impact of traffic and parking generated by the development including traffic signals, signs, pedestrian crossings, channelisation, roundabouts, angled parking, traffic calming devices, storage bays and median islands.

Vehicle access

The Transport Impact Study is to include a description of the proposed vehicle access arrangements, and demonstrate that access driveways are not located in undesirable locations.

Bicycles

End-of-trip facilities such as storage, parking spaces, lockers and showers need to be provided in developments in accordance with the rates specified in this DCP.

Reference should also be made to the City of Sydney Cycle Strategy 2007-2017 and Planning NSW, 'Planning Guidelines for Walking and Cycling' (December 2004) and the NSW Bike Plan (May 2010).

Pedestrians

In relation to the pedestrian network, a Transport Impact Study is to include:

(a) identification of major pedestrian routes and existing pedestrian desire lines;

(b) pedestrian flows and potential conflicts with vehicles, particularly where such conflicts cause capacity constraint on either vehicular or pedestrian movement; and

(c) pedestrian infrastructure.

The assessment of the pedestrian network should extend beyond the site to include areas within at least 25m of the subject site boundary, and incorporate both sides of roads within this zone.

A number of treatments for pedestrians are available to ameliorate the impact of developments by controlling pedestrian/vehicle interaction. These include time separated facilities, physical pedestrian aids, physically separated facilities and integrated facilities as defined within 'Austroads Guide to Traffic Management series and the Ausroads Guide to Road Safety series.

Reference should also be made to 'Planning Guidelines for Walking and Cycling', Department of Infrastructure, Planning and Natural Resources December 2004.

7.5

The requirements for a Parking and Access Report

A Parking and Access Report assists an applicant and Council in determining the appropriate provision of car parking spaces in a development. A parking and access report is required to accompany a development application where:

(a) the schedules or tables in either the LEP or the DCP give no specific occupant or visitor car parking rates for a proposed development;

(b) a development includes a mechanical parking installation; and/or

(c) a development will generate trips by bus or coach.

7.5.1 Assessment of the appropriate provision of on-site car parking

Where a Parking and Access Report is required in order to assess the appropriate provision of on-site car parking, for a use that is not addressed in the LEP or DCP, it is required to address:

(a) The appropriateness of the proposed location of the development having regard to the principles and location guidelines contained in the publication Integrating Land Use and Transport – Improving Transport Choice – Guidelines for Planning and Development published by the Department of Urban Affairs and Planning 2001; or

(b) The site related requirements for location and access to facilities, in accordance with the requirements of State Environmental Planning Policy (Seniors Living) 2004 where development is for seniors housing.

(c) The accessibility of the site by a range of transport modes including walking, cycling, public transport and car.

(d) Ways of minimising travel demand especially by car and maximising the share of travel by other modes.

(e) The specific nature of the development and method of operation including:

  (i) maximum number of employees on the site at any one point and time, taking into account the number per shift and shift times;

  (ii) estimates of the number of visitors to the site;

  (iii) hours of operation;

  (iv) the number of occasions during the year when the facility is fully used.

(f) Parking requirements based on an analysis of the operational characteristics of the development and surveys of other similar development.

(g) The anticipated demand for service and delivery vehicles.

(h) The anticipated demand for bus coach and taxi set down and parking.

(i) The availability and affordability of public parking.

(j) The availability of additional parking areas to cover peak demands.

(k) The assignment of traffic generated by the development to the road network and the prediction of operating conditions with and without the development.

7.5.2 Assessment of the appropriate provision for buses and coaches

Where the use proposed in a Development Application is a hotel, outlet store or other use that attracts persons arriving or leaving by bus or coach, the Parking and Access Report is to address:

(a) the anticipated demand for bus/coach set down and parking;

(b) routes likely to be used by buses/coaches to access the site;

(c) pick-up / drop-off arrangements for bus/coach passengers;

(d) parking arrangements for buses/coaches;

(e) the likely path of pedestrian movement from the bus/coach drop-off and pick-up points and the entrance to the premises; and

(f) assessment of possible conflicts between pedestrians, including bus/coach passengers; and

(g) a description of measures required and proposed to ensure the safety of pedestrians, including bus/coach passengers.

7.5.3 Assessment of the appropriate provision for mechanical parking installations

An application that proposes a mechanical parking installation is to include a Parking and Access Report that demonstrates:

(a) the overall parking provision will comply with relevant Australian Standards for off street car parking;

(b) noise and vibration levels will be acceptable and in accordance with relevant standards;

(c) there is safe pedestrian access at all times; and

(i) there is a management plan for its operation that is:

(ii) consistent with the manufacturer specifications;

(iii) implemented by trained personnel only; and

(iv) includes a system failure response.

7.6
Green Travel Plan requirements

Sustainable Sydney 2030 includes an action to promote sustainable travel behaviour by developing Green Travel Plans that will be implemented in new development. The DCP requires the preparation of a Travel Plan for development that is over a certain size. Preparing and implementing a Travel Plan is an important part of managing the transport demand generated by a development. The Travel Plan should be based on the findings of the Transport Impact Study. A Travel Plan aims to manage transport demand through a series of measures that promote and facilitate more sustainable modes of travel with a view to reducing private motor vehicle use.

The content of a Travel Plan will vary for each development depending on the proposed land use, characteristics of the development and the adjacent transport networks. Please refer to the "Workplace Travel Plan Resource" section of the Premiers Council for Active Living for guidance on preparing a Travel Plan (www.pcal.nsw.gov.au).

7.6.1 Monitoring and review mechanisms

In consultation with Council, the proponent should include the collection of baseline travel and mode split information gathered during the 6 months prior to construction of the development. If the development involves a change of use then the baseline travel information gathered during the previous month should be included. An on-going monitoring mechanism should be agreed with Council to ensure that annual performance reports are provided for an agreed number of years. Generally, the minimum number of years that the Council would require is 5 years.

The level of information to be provided by the proponent will be dependent on the scale of the proposed development. At a minimum all proponents should provide mode split proportions for the following modes (determined through a travel survey):

(a) train;

(b) bus;

(c) bicycle;

(d) walk;

(e) car share;

(f) motorcycle;

(g) car (as passenger);

(h) car (as driver);

(i) shuttle bus (private and/or public service); and

(j) other (including services associated with any Transport Management Association).

The annual reports should provide information on the number of person trips, travel modes by time of day, journey purpose and origin/destination of trips. The purpose of the monitoring is to assess the effectiveness of measures and to facilitate responsive actions to meet targets.

7.6.2 Implementation

The Travel Plan is to identify the position in the organisation responsible for implementing the plan. If responsibility lies with an organisation or company, a contact person, address and contact details should be provided. When the organisation or person to be responsible for the ongoing implementation of the Plan is unknown at the time it is prepared, the Plan should nominate a person or organisation who will be responsible in the interim period and outline process for transferring responsibility for ongoing implementation, such as by appointing a travel plan coordinator through a condition of a tenancy agreement.

7.7
Transport Access Guide requirements

The Roads and Traffic Authority (RTA) and the Sustainable Energy Development Authority (now the NSW Department of Environment, Climate Change and Water) developed Transport Access Guides so that organisations can contribute to a reduction in both green house gas emissions and traffic congestion by encouraging the use of more sustainable energy smart modes of transport.

The aim of a Transport Access Guide is to make sure people know how to get to the subject development by walking, cycling or public transport (as well as by car).

A Transport Access Guide can take many forms such as a map printed on the back of business cards or invitations to more comprehensive information provided to new staff as part of their induction kit. Guides may be incorporated into stationery, brochures and sales literature and provided electronically on the web site and in e-mails. An electronic version can be kept on a computer and produced as needed. Reception and enquiry staff should be familiar with the content so they can advise callers about easy transport alternatives to car travel.

Transport and Access Guides should be included in Green Travel Plans and should comply with RTA guidelines.

7.8
Required parking spaces and design

7.8.1 Service vehicles

(1) The following minimum requirements for service vehicle parking apply to new development for:

(a) Residential buildings and serviced apartments:

(i) 1 space for the first 50 dwellings or serviced apartments; plus

(ii) 0.5 spaces for every 50 dwellings/serviced apartments or part thereafter.

(b) Commercial premises:

(i) 1 space per 3,300sqm GFA, or part thereof, for the first 50,000sqm; plus

(ii) 1 space per 6,600sqm, or part thereof, for additional floor area over 50,000sqm and under 100,000sqm; plus

(iii) 1 space per 13,200sqm, or part thereof, for additional floor area over 100,000sqm.

(c) Shops, shopping centres:

(i) 1 space per 350sqm GFA, or part thereof, up to 2,000sqm; then

(ii) 1 space per 8,00sqm GFA thereafter.

(d) Hotels:

(i) 1 space per 50 hotel bedrooms, or part thereof, up to 100 bedrooms; then

(ii) 1 space per 100 hotel bedrooms; plus

(iii) 1 space per 400sqm of reception, lounge, bar and restaurant area GFA, or part thereof, for the first 2,000sqm; then

(iv) 1 space per 8000sqm of reception, lounge, bar and restaurant area GFA thereafter.

(e) Industry, warehouse, distribution centre:

(i) 1 space per 700sqm GFA, or part thereof.

(f) Other uses:

(i) 1 space for 1,750sqm GFA, or part thereof, or to meet needs.

(2) For mixed use developments, the total number of service vehicle spaces is to be calculated on a pro rata basis of spaces required for the relative proportions of different uses within the building.

(3) The total requirement identified in (1) above may be reduced for developments with GFAs in excess of 50,000sqm where it can be demonstrated to the satisfaction of the consent authority that:

(a) the proposed uses are complementary in terms of servicing demand; and

(b) at least one space per tenancy for business owners is provided.

7.8.2 Buses and coaches

(1) Parking for buses and coaches is to be provided at the following minimum rates for:

(a) Clubs, Drive-in Takeaway with seating:

(i) 1 bus/coach* space per 100 seats up to 200 seats, then 1 space per 200 seats thereafter;

(b) Reception Premises:

(i) 1 bus/coach* space per 200sqm GFA up to 200sqm, then 1 space per 400 sqm GFA;

(2) Provision for tourist coach parking in conjunction with hotels is to take into account available off-site coach parking. Where practicable, and subject to urban design, heritage and streetscape considerations, loading and unloading of passengers and baggage is to be accommodated within the development site.

7.8.3 Passenger pick up and set down areas

(1) Hotels, Motels and Serviced Apartments:

(i) 2 car spaces plus;

(ii) 1 bus/coach* space per 100 rooms where the development comprises 100 rooms or more.

(2) Child Care Centres:

(i) car spaces at the rate of 1 space per 8 children, and limited in duration to no more than 30 minutes at any one time. Pick-up and set down spaces may be reduced having regard to the demand for pick-up and set down parking, accessibility by walking and public transport, the availability of convenient and safe on-street parking and potential traffic and amenity impacts; and

(ii) 1 long term visitor car parking space which is additional to all other parking requirements.

Note: The City of Sydney only gives development consent. Applicants/proponents should contact the childcare regulator to determine their specific requirements for outdoor space.

7.8.4 Motorcycle parking spaces

(1) In all buildings that provide onsite parking, 1 motorcycle parking space for every 12 car parking spaces is to be provided as separate parking for motorcycles. Each motorcycle parking space is to be designated and located so that parked motorcycles are not vulnerable to being struck by a manoeuvring vehicle.

7.8.5 Accessible car parking spaces

(1) One accessible car parking space is to be provided for every adaptable residential unit.

(2) One space for every 20 car parking spaces or part thereof is to be allocated as accessible visitor parking.

(3) Accessible parking is not required in a car parking areas where a parking service is provided and direct access to any of the car parking spaces is not available to the general public or occupants.

(4) For residential development, accessible car parking spaces are to be allocated to adaptable units, or as visitor parking. Accessible car parking spaces allocated to adaptable dwelling units are to be a part lot to an adaptable unit in the strata plan.

(5) Accessible parking is to be designed in accordance with the requirements of relevant Australian Standards.

Schedule 8

Tree management

8.1

Neighbour notification

(1) Notification of neighbours is required when a tree included in Council's Register of Significant Trees is proposed to be removed. Only neighbours adjoining the property are to be notified.

8.2

Arborist reports

(1) An **Aboricultural Impact Assessment Report** is required with all development applications that may impact on trees. This report is to also assess trees located within adjoining properties (including street trees) where the may be impacted by the proposed works.

(2) When an application is received for the pruning or removal of a tree located on private property, the Council may require a **General Arborist Report** to be submitted for assessment.

(3) Arborist Reports are to be prepared by an arborist with a minimum qualification of Diploma of Horticulture (Arboriculture) Australian Qualification Framework (AQF 5) or equivalent, and with demonstrated experience in high level tree assessment and diagnosis.

8.2.1 Aboricultural Impact Assessment Report

(1) The procedures in Australian Standard for the Protection of Trees on Development Sites (AS4970) are to be followed when preparing an Aboricultural Impact Assessment Report.

(2) In preparing an Aboricultural Impact Assessment Report:

(a) removal can not be recommended for any tree that is located on adjoining properties (including Council land) unless written consent from the tree owner is obtained; and

(b) recommendations for tree removal are to be based on arboricultural findings only. Removals where the reason given is to permit the proposed development will not be accepted.

8.2.2 General Arborist Report

(1) A General Arborist Report is to:

(a) state the name, business address, telephone number of company;

(b) provide evidence of technical qualifications and experience of the arborist, who undertakes the tree inspection, diagnoses and prepares the report;

(c) identify the address of the site containing the trees;

(d) identify the name of the person or company for whom the report is prepared;

(e) establish the methods or techniques used in the inspection;

(f) indentify and include correct botanical and common names of all trees included in an application to prune or remove trees on private land; or undertake a visual assessment of each tree, outlining the following information:

(i) the tree species (Botanic & Common Name) of each tree;

(ii) the approximate height, canopy spread and trunk diameter of each tree;

(iii) an assessment of the health and condition of each tree, including a general description of the age class, form and habit, evidence of previous pruning, presence of disease or pest infestation and evidence of structural defects or damage;

(iv) an estimate the remaining Safe Useful Life Expectancy of each tree;

(v) an assessment findings in a tree schedule/table appended to the report; and

(vi) a record of the tree assessment with evidence that it is prepared in accordance with industry best practice.

(g) include a suitably scaled plan of the site showing the location of all trees assessed in the report;

(h) include a colour photograph of each tree and/or group of trees discussed within the report;

(i) include a summary or discussion of other relevant tree and site specific information such as soil and drainage characteristics, pests and diseases and tree hazard assessment details;

(j) provide supporting evidence such as annotated colour photographs, internal diagnostic testing, laboratory results or aerial inspection findings.

(k) provide a discussion of all options available, including why tree works are recommended or not recommended,

(l) provide recommendations on the tree's future management. In the event that pruning is recommended, the pruning specification is to be specified in relation to Australian Standard for the Pruning of Amenity Trees (AS4373.)

(m) include the sources of technical information referred to in the report. (References not used in the report should not be included); and

(n) present information as objectively as possible without attempting to advocate for the client.

Schedule 9

Green roofs and walls

9.1

Introduction

Green roofs and walls have been used throughout the world as a remedy to increasing urban density and a lack of access to green and open space. In April 2014 Council adopted the *Green Roofs and Walls Policy* which supports increasing the installation of quality green roofs and walls in the local government area. More information about Green Roofs and Walls can be found on the City's website.

If you are installing greenery on your building, the technology and designs exist to provide a well-functioning, beautiful addition to your building.

Plants can be:



integrated into the walls



used as a standalone feature



provide significant open space



or a small private area

Whatever your site constraint – greenery can be integrated into your building design in a way that creates a more beautiful space and adds value to your building and to the environment.

The City of Sydney encourages the inclusion of green roofs and walls into the urban fabric. Green roofs and walls are not only beautiful, but also provide many benefits to the City including:

- creating additional space for urban greening, food production and private open space;
- slowing and cleaning stormwater;
- reducing the impacts of the urban heat island effect;
- improving air quality;
- improving amenity and liveability;
- increasing the absorption of carbon dioxide;
- increasing habitat to support biodiversity;
- improving building efficiency through heating, cooling and sound insulation;
- providing places for passive and active recreation and social interaction;
- improving the efficiency of solar panels; and
- extending roof life.

The integration of plants into building design is essential to improve the City's resilience to increasing population density and to a changing climate..

9.2 Definitions

Green roof means a roof where vegetation covers at least 30% of available rooftop space, that is, space which is not occupied by structures housing plant, equipment or stairway accesses. A green roof should provide measurable environmental benefits to the City of Sydney. The green roof includes a vegetated layer, growing medium, drainage layer and a waterproof membrane. Plants grown in sectioned lots are acceptable, however, potted plants/planter boxes which cover less than 30% of available rooftop space are not considered as a green roof. Additional to the minimum 30% vegetation cover, a green roof can include facilities for renewable energy, water collection infrastructure, walkways, furnishings and the like.

Green wall means walls that are either free-standing or part of a building that is partially or completely covered with vegetation. The wall may incorporate soil and/or inorganic material as the growing medium. There are two main types of green wall, including:

- green façades, that are made up of climbing plants either growing directly on a wall or on specially designed supporting structures. The plant's shoot system grows up the side of the building while being rooted in the ground; and
- living walls, with modular panels are affixed to the wall and geo-textiles, irrigation and a growing medium combine to support a dense network of plants.

9.3
Design considerations

This section is to provide general guidance on a number of design factors that require consideration when incorporating a green roof and/or wall into a development. Professional advice should be sought when considering the specific design, installation and maintenance requirements for your green roof or wall.

Access	Consider access to the green roof or wall for installation and maintenance purposes. Considering access early will determine how the green roof or wall is to be installed and maintained over time and can potentially reduce ongoing costs.
Accessibility	If a green roof is to be accessible to all, consideration will need to be given to pathway widths and planter box depths in order to ensure the design is free of trip hazards and can be readily accessible to residents in wheelchairs or with low mobility.
Biodiversity	Where possible, your green roof or wall design should incorporate plants from the immediate Sydney area. This is particularly important to support biodiversity. For green roofs, the inclusion of ponds or water features will also encourage bird and invertebrates to use the space. Insect hotels, rockeries and designs that provide hiding spaces for invertebrates will also support local biodiversity. Including plants that flower at different times of the year will also encourage bees and support a healthy garden.
Drainage	A drainage layer will be required to ensure water drains away from the roof adequately. For shallow (extensive) profile green roofs it is recommended that a cup style drainage layer be employed to help keep moisture in the system and prevent plants from drying out. For a deeper (intensive) soil profile a more free flowing drainage layer is more appropriate to minimise weight on the roof. Additional layers of coarse sand can be employed above the drainage and filter fabric layers to further improve drainage.
Food	Residents are increasingly looking to grow their own food and roof and wall spaces can provide opportunities for urban food production. Growing food on your building reduces food miles, provides a source of fresh food as well as opportunities to socialise and gain skills. If you are considering growing food the minimum soil media depth should be 450mm to ensure good growth. Irrigation is essential to integrate into the garden beds or green walls. If you are growing food on a wall, then plants with shallow rooting systems are preferable (herbs, lettuces, strawberries, spinach etc).
Noise pollution	Where green roofs are going to be used regularly as outdoor space it should be designed to minimise noise impact on neighbours. Screening plants and layered plantings will help to minimise noise.
Privacy	Whilst supporting green roofs, the City is also mindful of not impinging on the privacy of others. Roof tops that overlook other private spaces may require the installation of privacy screens and plantings.
Safety	Where a green roof is to be used as open space, the Building Code of Australia (BCA) requires adequate safety measures be employed to ensure the safe use of the space. If the green roof is not trafficable or used as open space it will still require a system to allow maintenance personnel to safely access the roof. If the green roof is to be used as an open space, a parapet or guarding to BCA standards is required to all edges.
Slope	A green roof requires a slope of at least 2° to ensure proper drainage. If the roof is completely flat, drainage layers can be added to improve drainage on the roof. Green roofs can be installed on roofs of pitches of 40° or more, however pitches of less than 30° are preferable to minimise soil erosion. Green roofs over 10-15° may require added support to keep soil and plants evenly distributed on the roof.

Soil media	The soil used for green roofs and walls needs to be specialist mixes that are both light weight and provide sufficient structure to allow plants to grow and drain water effectively. This DCP requires minimum soil media depths to ensure plant growth is maintained. *Lower soil depths may be acceptable if Council is satisfied it is appropriate to the location and use*. Once soil is installed on your roof or wall it should be watered in to allow the soil to settle. Once planted out, a thick layer of mulch (75mm) should be added to prevent soil erosion and to reduce watering requirements. Over time soil and fertilisers will need to be added to your roof garden or green wall to ensure the soil media and plants are kept healthy.
Solar access	In order for your green roof or wall to flourish, consideration needs to be given to the site aspect. Plants should be selected that thrive in the particular sun and wind conditions of your site. If you are intending to grow food on your green roof or wall, maximising daily sun exposure is essential.
Sound insulation	Soil in green roofs dampens low frequency noise and the plants dampen high frequency noise. Research has shown that a 200mm layer of substrate on a green roof can reduce sound by 46-50 decibels. For best effects the soil media and plants should cover the maximum surface area of the roof.
Solar panels	Green roofs improve the efficiency of solar panels and can be integrated into solar PV systems. Evapotranspiration from plants helps to keep temperatures cooler and at an optimal level for solar panels to function efficiently.
Species selection	Plants should be selected that are appropriate and can thrive in the local conditions. Consider sun access and the potentially higher wind impacts of plants on roofs or on busy road corridors. The City encourages the use of local and drought tolerant species. Species lists are available from the City and include plants that are known to do well on green roofs and walls.
Water / irrigation	Irrigation is important to maintain the health of plants. It will not need to be used consistently once plants are established, however it is an important design feature to ensure plants are kept alive during extremely hot days. Keeping moisture up to the plants also provides additional cooling of the building through evapotranspiration. Sub-surface drip irrigators are preferred as they direct moisture to the plant roots without wastage. Above ground irrigation or spray irrigation can lead to water spray drift into public areas and should be avoided. Irrigation from rainwater harvesting, or from treated grey or black water is encouraged.
Waterproofing	Green roofs are able to extend the life of waterproofing by more than 20 years. The inclusion of soil and plants limits direct sun and wind exposure to the water proofing membrane, and keeps temperatures more consistent – thus preventing expansion and contraction of water proofing as the roof heats and cools. It is recommended that testing of the integrity of the water proofing be carried out before the green roof is installed. Additional leak detection systems can be installed with the green roof, which allow even small penetrations in the water proofing to be located.
Weight	All green roofs and walls must be assessed to ensure the weight of the structure is suitable for the building. The saturated weight of a green roof can vary from 90Kg per square metre for a shallow profile up to 200 – 500Kg per square metre for deeper or more intensive planting. A structural engineer will need to assess your green roof or wall design to ensure your building can tolerate the additional load.
Wind	Plants, furniture and other objects installed on a roof space are subject to much higher wind conditions than at ground level. When designing and installing a green roof, safety measures against wind uplift need to be considered. Furniture, shade structures, planters and soil all need to be designed to withstand windy conditions.

9.4

Information required to be submitted with a development application

Where a development application is required, the following information should be submitted for the consideration of Council:

(1) A detailed plan of the green roof, drawn to scale, by a qualified landscape architect or landscape designer. The plan must include:

- (i) A statement that includes details of proposed use of the green roof, general accessibility, any noise and privacy treatments.
- (ii) Location of existing and proposed structures, services and hard landscaping on the rooftop, retaining walls, and roof fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.
- (iii) Details of the location, sizes and numbers of plants used with reference to NATSPEC (if applicable), with preference for drought resistant local species.
- (iv) Details of substrate type and depth.
- (v) Details of installation methodology e.g. safety considerations for working at height, transport of materials etc.
- (vi) Details of accessible and inaccessible areas on the Green Roof. Where proposed to be inaccessible, Green Roofs are required to remain such during occupation of the property.
- (vii) Details of drainage and irrigation systems, including overflow provisions.

(2) Prior to the issue of a Construction Certificate, a Maintenance Manual is also to be submitted.

Schedule 10

Providing community infrastructure in Green Square

10.1

Introduction

This schedule details how key community infrastructure is to be delivered in the Green Square Urban Renewal Area (Green Square) under clause *6.14 Community infrastructure floor space at Green Square* of *Sydney LEP 2012* and section *5.2.3 Community Infrastructure* of this DCP.

This schedule excludes reference to the Green Square Town Centre as the Town Centre is excluded from *Sydney LEP 2012* and this DCP.

The purpose of this schedule is to:

- explain why community infrastructure is important for the regeneration of Green Square and why it is needed to support redevelopment;
- describe how the community infrastructure can be delivered through the development process and planning agreements; and
- outline how the value of the community infrastructure works is calculated.

10.2

Why is community infrastructure needed in Green Square

Green Square is strategically located between the City, Sydney Airport and Port Botany, and continues to offer the opportunity for large scale regeneration of former industrial lands. This regeneration will significantly contribute to the City of Sydney meeting its dwelling and job targets set by the NSW Government.

Green Square is to become an attractive, vibrant and sustainable urban place that is well served by the appropriate level of infrastructure. The Green Square population is expected to grow substantially – by 2030 it will be home to over 50,000 residents and about 22,000 people are expected to work there.

To accommodate this growth and to ensure the successful transformation of Green Square, substantial new infrastructure is needed. In particular, the provision of new public streets, pedestrian and bike links, parks, community facilities and stormwater management, will ensure successful sustainable regeneration and a high level of amenity.

Some of the community infrastructure can be funded and delivered through developer levies under the *City of Sydney Section 94 Contributions Plan 2006* (the Section 94 Plan), as updated or replaced from time to time. The Section 94 Plan identifies some key works to be delivered within Green Square such as the major new transit corridors and public open spaces. However, the scope of the Section 94 Plan is not sufficient to fund all the infrastructure necessary to support the scale of redevelopment planned in Green Square. The City has additionally committed significant funds to deliver these works and other facilities.

The community infrastructure needed in Green Square cannot be provided by the City alone, despite its access to Section 94 contributions. A partnership approach with the developer for the delivery of this infrastructure is therefore necessary, and allowing development additional floor space where appropriate in return for the provision of additional infrastructure is key to the successful growth of Green Square.

10.3

Defining community infrastructure

Community infrastructure is defined in *Sydney LEP 2012*. The provisions under section 5.2.3 of this DCP lists in more detail the works that make up community infrastructure. Other provisions under section 5.2.4 Green Square of this DCP further identify the location where some of these works may be provided with development to match community infrastructure floor space.

In general, community infrastructure refers to civil infrastructure, public domain and physical facilities that support the built environment and benefit the population within the immediate vicinity of a site as well as the wider Green Square population. For example, by providing new roads the accessibility and permeability of an area increases for pedestrians, cyclists, cars and public transport. Landscape setbacks as an extension to the road reservation can offer a green buffer to development fronting the road, whilst they can provide a pleasant walking and cycling experience for the wider community, and a habitat corridor for plants, insects and birds.

Critically, *Sydney LEP 2012* requires that the infrastructure is to be "reasonably necessary" for Green Square and of a certain value. Refer to section 10.4 of this Schedule.

It should be noted that the community infrastructure is that which is over and above the requirements of the Section 94 Plan, and is in addition to any requirements for improvements that may arise from consideration of a development application by the consent authority under Section 79C of the *Environmental Planning and Assessment Act 1979*.

10.4

How is the appropriate community infrastructure identified

The Floor Space Ratio (FSR) Map under *Sydney LEP 2012* identifies the maximum FSR permissible for a site. Clause 6.14 of the LEP specifies the maximum additional FSR (above that shown in the FSR Map) that a site may potentially achieve if "equivalent" community infrastructure is included with the development. Clause 6.14 further defines "equivalent" community infrastructure.

The development must be acceptable in terms of environmental capacity and compliance with development controls, must contribute to the desired character of its locality, and must have little or no impact on the amenity of the locality. Therefore, the development must be acceptable on a merit assessment before the City can agree to a package of community infrastructure associated with the development.

The proposed community infrastructure is to be acceptable to the City and should meet the social, physical and environmental vision for Green Square. It is to be of an appropriate value that is to be calculated as set out in section 9.5 of this schedule.

If an applicant seeks to access additional FSR under clause 6.14 of *Sydney LEP 2012* and provide community infrastructure, the following is required:

- ensure the site is eligible and establish the additional FSR potentially achievable by checking clause 4.4 *Floor Space Ratio* and the relevant FSR Map, and clause 6.14 C*ommunity infrastructure floor space at Green Square* of *Sydney LEP 2012*;
- ascertain the community infrastructure that may be required to achieve the additional FSR by checking section 5.2 *Green Square* of this DCP; and
- if appropriate, identify other community infrastructure that may be offered as part of the total package of public benefits.

If there is no physical community infrastructure that may be provided within a site, the additional FSR may still be potentially achieved if the applicant proposes to contribute towards the delivery of other community infrastructure off the site but within Green Square.

The City may collect monetary contributions for identifiable works. However, with the exception of contributions for the Green Square Town Centre, the City will seek as far as practicable that community infrastructure works (rather than monetary contributions) are undertaken.

If an applicant seeks to access the additional FSR it is strongly advised that a pre-lodgement meeting be arranged with the City's planning officers.

10.5

How is the value of the "equivalent" community infrastructure assessed

Clause 6.14 of *Sydney LEP 2012* establishes that development, to be eligible for additional FSR must include "equivalent" community infrastructure. Amongst other things, to be "equivalent", the community infrastructure is to be of a certain cost.

The City uses a dollar rate to establish the minimum cost so that it is equivalent to the additional floor space being achieved under clause 6.14. The intent is to ensure an equitable and transparent assessment of the public benefits that may be derived from the provision of community infrastructure by an applicant.

The total dollar value of the community infrastructure package is calculated based on the type of use and amount of additional floor space proposed under clause 6.14 of *Sydney LEP 2012*. The dollar rates per square metre of additional floor space are as follows:

Residential floor space	$475 per square metres (excl. GST)
Retail floor space	$275 per square metres (excl. GST)
Other non-residential floor space	$200 per square metres (excl. GST)

Note: The City of Sydney adjusts the above rates from time to time.

As part of the community infrastructure package a rate of $100 per square metres (excl. GST) is included as a monetary contribution towards the Green Square Town Centre. As the Town Centre will have flow on benefits for the wider Green Square, including improved land values, this monetary contribution is allocated towards the delivery of the Town Centre essential infrastructure. This monetary contribution applies to all land uses and is included within the total value calculated.

The following steps summarise the process to establish the community infrastructure package:

- Step 1 – the applicant calculates the total dollar value of the additional floor space using the above rates (excluding any design excellence floor space)
- Step 2 – the City and the applicant identify the community infrastructure works to be provided and their priority, including the monetary contribution towards the Green Square Town Centre essential infrastructure
- Step 3 – the City and the applicant establish the total cost of the identified community infrastructure works to be delivered by the applicant within the site and/or within the Green Square locality (the cost is established by a quantity surveyor)
- Step 4 – the total cost of the works to be delivered by the applicant and the Town Centre monetary contribution are deducted from the total dollar value of the additional floor space calculated in Step 1 above, to work out the difference, if any, between the cost of works and the total value of the additional floor space
- Step 5 – the City and the applicant review and adjust the scope of works to prioritise the delivery of works
- Step 6 – where applicable, and if the City considers appropriate, where the total cost of works identified in Step 3 above, is less than the value of the additional floor space, the City may agree to a monetary contribution towards capital works projects being delivered by the City within Green Square

Where the additional floor space proposed is less than 100 square metres, the provision of community infrastructure may not be applied.

10.6

How is the commitment to provide community infrastructure secured

The legal instrument that sets out the applicant's offer to deliver community infrastructure in association with development is the planning agreement. The offer is made voluntarily by the applicant so as to access additional floor space potentially achievable under clause 6.14 of *Sydney LEP 2012*. The *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* define a planning agreement and set out how it is to be prepared and finalised.

Both the City and the applicant must come to a mutual agreement on the appropriateness of the community infrastructure package. The details of this package are incorporated into a planning agreement

The chart overleaf outlines the process for the preparation of a planning agreement. The process shown is only indicative, and may vary depending on the nature of the planning agreement being prepared.

Planning agreement process for community infrastructure

1 Pre-Development application lodgement

Before lodging a Development Application (DA), initial discussions are held between the City and the applicant/landowner on the additional floor space available and potential community infrastructure, guided by the provisions of Sydney LEP 2012 and Sydney DCP 2012.



2 Applicant/Landowner offer

The applicant/landowner makes an offer to the City outlining their willingness to enter into a planning agreement to provide community infrastructure.



3 Negotiation of planning agreement

Both parties negotiate the terms of the planning agreement.



4 Preparation of draft planning agreement

The City and the applicant finalise the draft planning agreement. The parties also agree on the details of the explanatory note to accompany the public exhibition of the draft planning agreement.



5 Development application and draft planning agreement lodged

The DA is lodged with the City with a copy of the draft planning agreement (including the explanatory note).



6 Public Exhibition

The DA and draft planning agreement are exhibited concurrently. The draft planning agreement is exhibited for at least 28 days.



7 Assessment period

The City assesses the DA and any submissions received during the exhibition period. Modifications to the draft planning agreement may be made at this time.



8 Consent authority determines development application

The DA and any relevant modifications is determined by the consent authority as a "deferred commencement" consent until the planning agreement is executed.



9 Planning agreement registered

Once the planning agreement is executed by the City and the applicant, the applicant registers the planning agreement on title and the consent becomes operative. The planning agreement is placed on Council's Public Register.

Schedule 11

Electronic variable content advertising structures

11.1

Guidelines for a Visual Impact Assessment report

A visual impact assessment report is a technical investigation of the visual impact that a development will have on the public and private domain compared to existing conditions. The visual impact assessment will assist in qualifying the reasonableness of the visual impact on existing and future views.

A visual impact assessment report should be prepared by a qualified urban planner, urban designer, architect or landscape architect with expertise in visual impact assessment.

For large-format electronic advertising structures, a visual impact assessment report is to include:

(1) A clear description of the existing site (built form, land uses, site features, etc), the proposed advertising structure and its visual characteristics. This includes (but is not limited to) physical appearance, size, location, lighting, hours of operation, dwell time, transition times, display specifications and other operational attributes;

(2) A clear description of the character and visual attributes of the area within proximity of the proposed advertising structure. This includes (but is not limited to) buildings, structures, other signs, important view corridors, important visual features, visually enhancing or detracting features, heritage, other existing and proposed developments, weather conditions, solar access and shadows;

(3) Review of other technical reports and management plans relating to the advertising structure. This should include (but is not limited to) light impact, road safety, heritage and operational management plans;

(4) Review of all relevant planning framework documents. This is to include state environmental planning policies (including State Environmental Planning Policy 64), the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and Australian Standards;

(5) A context plan that maps and photographs the existing character of the area surrounding the proposed advertising structure. This is to include (but is not limited to) specific viewing points, view sheds and any items of visual interest;

(6) An assessment of the significance, visibility, impact and reasonableness of public, driver and private views of the proposed advertising structure in comparison to existing conditions. This is to be undertaken by:

   (a) Identifying and mapping locations where views will be assessed from (view assessment locations). View assessment locations are to be key public domain, vehicular access and private domain locations where the advertising structure will be visible from. The view assessment locations are to relate to prominent views in the locality and must be representative of the surrounding public and private environment. View assessment locations should be determined through pre-development application discussions with City of Sydney;

(b) Taking daytime and night time photography of the site from all view assessment locations to visual express the context of the proposed advertising structure. All photographs are to be undertaken by a professional photographer, use camera settings that best represent the human eye and have the camera location recorded by a surveyor. The specifications for photography are to be determined through consultation with the City's Modelling Unit. Survey and MGA coordinates are to be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C;

(c) Prepare photomontages and/or computer simulations of the proposed advertising structure from each of the view assessment locations for comparison with photographs of the existing visual environment. The specifications for photomontages are to be in accordance with the guidelines prepared by the NSW Land and Environment Court;

(d) Prepare a written summary of each existing view from the view assessment location. This is to include the distance from the view assessment location to the point of interest, the character of the view assessment location and the amount of activity at the view assessment location (including time of day);

(e) Prepare a written assessment of both existing and proposed views of the site in relation to:

(i) Significance of Existing Views

'Significance of Existing Views' measures the importance of existing views from a view assessment location. The significance is to be determined by:

- whether the view contains features such as (but not limited to) landmarks, iconic buildings, vegetation, water, land-water interface or countryside;
- whether the view is static, moving, open or enclosed;
- the amount of activity in the space at various points in time;
- the length of time that the space is used for; and
- the overall quality of the built environment.

'Significance of Existing Views' is to be assessed using a scale ranging from 'Negligible Significance' to 'High Significance'. The criteria for determining the score is to be clearly identified and explained.

(ii) Potential Visibility

'Potential Visibility' assesses how likely the proposed advertising structure is to be seen from the view assessment location. The potential visibility of an advertising structure is to be determined by factors such as (but not limited to):

- the distance between the advertising structure and the view assessment location;
- how elevated the view assessment location and/or advertising structure is;
- the number of potential viewers at the view assessment location and the duration of the users view;
- whether the proposed advertising structure will be a primary or secondary feature of the view;

- the relationship the advertising structure has with other features in the view; and
- the operational attributes of the advertising structure (such as brightness, dwell time and transition time).

'Potential Visibility' is to be assessed on a scale, ranging from 'No Visibility' to 'High Visibility'. The criteria for determining the score is to be clearly identified and explained, having regard to the number of potential viewers, the duration of the view and the time of day.

(iii) Impact on View

'Impact on View' is an assessment of the extent of change that the proposed advertising structure has on the quality of the view from the view assessment location. 'Impact on View' is to take into account factors such as (but not limited to):

- 'Potential Visibility' and the extent to which the proposed advertising structure will restrict views to key view features;
- how the design and visual attributes of the proposed advertising structure responds to the view and whether it fits within the existing visual context;
- whether the proposed advertising structure enhances or detracts from the view;
- the impact that the advertising structure has on existing light conditions (particularly at night time or in dark environments); and
- the impact of its operational attributes (such as variable content and transition times) on the character of the area.

'Impact on View' is to be assessed on a scale, ranging from 'No Impact' to 'Severe Impact'. The criteria for determining the score is to be clearly identified and explained.

(iv) Acceptability of View Impact

'Acceptability of View Impact' assesses whether the overall 'Impact on View' that the advertising structure has is beneficial, acceptable or unacceptable.

The 'Acceptability of View Impact' is to be determined having regard to (but not limited to):

- the assessment of 'Significance of Existing View', 'Potential Visibility' and 'Impact on View' against the existing and desired character of setting where the advertising structure is proposed; and
- whether this satisfies the relevant planning objectives for the area.

The 'Acceptability of View Impact' is to be assessed and rated as either 'Beneficial', 'Acceptable', 'Acceptable through mitigation measures', or 'Unacceptable'. If the 'Acceptability of View Impact' cannot be determined, additional investigations must be undertaken.

Certain proposals may be required to provide additional information as identified by the consent authority.

(7) The findings and conclusions of the view impact assessment are to be presented in the report. The report is to make recommendations to ensure the proposed advertising structure does not detract from the quality of the existing visual environment. Measures to mitigate any negative visual impacts may include (but are not limited to) changes to the siting and location, changes to colours and materials, reduction in size, changes to design, reduced illumination, longer dwell times, limited hours of operation or screening.

Resources: *Tenacity Consulting Pty Ltd v Waringah [2004] NSWLEC 140*

Rose Bay Marina Pty Ltd v Woollahra Municipal Council & Anor [2013] NSWLEC 1046

Landscape Institute, IEMA – Guidelines for Landscape and Visual Impact Assessment (2013)

Smardon, Palmer & Felleman – Foundations for Visual Project Analysis (1986)

Land & Environment Court Photomontage Policy (2013)

11.2
Guidelines for a Light Impact Assessment report

A light impact assessment report is a technical investigation into light intensity and light trespass issues that may arise from illuminated development.

For large format electronic advertising structures, a light impact assessment report is to assess the light impact that the structure will have on the public and private domain. The assessment will consider the light intensity and light trespass relative to existing conditions, statutory requirements and the provisions of this DCP. The assessment will make recommendations to ensure that illumination associated with the advertising structure will not create unacceptable glare, will not result in a safety impact for public domain users and will not reduce the amenity of accommodation land uses, particularly at night.

A light impact assessment report is to be prepared by a qualified lighting engineer, and is to address:

(1) The existing and desired character of the area of locality;

(2) The location of the light source and any environmental conditions that will influence its operation and performance, such as (but not limited to) overshadowing from other development and existing vegetation;

(3) The technical specifications of the light source, including (but not limited to) size, direction, materials, maximum light output, ability to adjust brightness, light distribution, maintenance and surface reflectance;

(4) The impact that the illumination will have on adjoining land uses, in particular residential accommodation and other land uses providing overnight accommodation;

(5) The impact that the illumination will have on lighting in the public domain;

(6) The impact that illumination will have on motorists, cyclists and pedestrians;

(7) The cumulative illumination from light sources in the locality;

(8) Recommendations for maximum luminance and curfews to ensure compliance with this development control plan; and

(9) Recommendations for on-going compliance.

(10) The calculation of illuminance, luminance and threshold increment is to be determined in accordance with Section 5 of AS 4282-1997 and the following:

(a) Significant reduction in the luminous flux occurs during the life of the lamp, primarily as a result of a gradual depreciation in light output and an accumulation of dirt on the transmitting or reflecting surfaces of the luminaires. In order to replicate a worst case installation, a Maintenance Factor of 1 is to be used for the calculations.

(b) For the purpose of calculation, the area is to be considered free of trees, vehicles and any other similar obstructions.

(c) Calculations of 'Illuminance and Luminance on Vertical Plane' is to be carried out on all surrounding properties.

(d) Calculations of 'Threshold Increment' are to be a series of points in both directions of traffic and for all lanes. The calculation grids are to be in the centre of the lane with maximum 5m spacing and at a minimum distance of 100m from the advertising structure.

Resources: *AS/NZS 1158 – Lighting for roads and public spaces*

AS 4282-1997 – Control of the obtrusive effects of outdoor lighting

Notes: *AS/NZS1158 – Lighting for roads and public spaces applies to the lighting of roads and other outdoor public spaces. It covers lighting schemes for roads, pedestrians and outdoor public spaces.*

The series provides recommendations on the illuminance requirements for the lighting design of pedestrian and road lighting, based on anticipated traffic volume, crime rate and the importance to highlight prestige. It also details the brightness limitation of exterior light sources.

AS/NZS1158 is only applicable to general lighting that is providing functional/safety movement lighting to the public space and does not specifically applying to outdoor advertising signage.

However the objective of road lighting is to provide a lit environment that is conducive to the safe and comfortable movement of vehicular and pedestrian traffic at night and the discouragement of illegal acts, while protecting the integrity of the night time environment through control of light spill and glare.

The standards do not specifically address illuminated signs and their impact on the road users. But as care should be taken that glare to pedestrian and motorists is reduced, the Standard is applied as a best practice to confirm that an advertising sign is not providing circulation lighting to the pathway. However the illuminance target in this series is not applicable to advertising signs.

AS/NZS4282-1997 – Control of the obtrusive effects of outdoor lighting specifically refers to the potentially adverse effects of outdoor lighting on nearby residents (e.g. of dwellings such as houses, hotels, hospitals), users of adjacent roads (e.g. vehicle drivers, pedestrians, cyclists) and transport signalling systems (e.g. air, marine, rail), and on astronomical observations. The Standard includes recommended benchmarks for:

(a) illuminance (amount of luminous flux arriving a site boundary/ residential window);

(b) luminous intensity (the perceived brightness of the signage); and

(c) threshold increment (the potential glare that may affect the transport system).

AS/NZS4282 does not apply to:

(a) public lighting (lighting provided for the purposes of all-night safety and security on public roads, cycle paths, footpaths and pedestrian movement areas within public parks and garden);

(b) Internally illuminated advertising signs;

(c) The obtrusive effects of brightly lit surfaces, e.g. floodlit buildings, and externally lit advertising signs.

Although AS/NZS4282 specifically excludes internally illuminated signage (as per Section 1.1 Scope b & c of the standard), in the absence of any other specific regulation or standard to minimise impact of illuminated signs on nearby residential properties, the standard is applied as best practice to confirm compliance of a sign, advertisement or advertising structure's night time operation against the recommended brightness levels in the Standard.

Table 2.1 of AS/NZS4282 recommends design benchmarks based on the surrounding environment a building element is located within. An assessment of the location and its context is required to determine the appropriate criteria applicable for this assessment.

In addition, Threshold Increment Limits apply at all times where users of transport systems are subject to a reduction in the ability to see essential information. Values given are for relevant positions and viewing directions in the path of travel. Compliance with this requirement will ensure there is no temporary visual impairment of drivers who view the signage. Table 2.1 of AS/NZS4282 notes the specific maximum value for this assessment.

11.3
Measurement of Luminance

The measurement of luminance following commencement of the advertising structure's operation is to be undertaken as follows:

(1) In order to maximise the area recording in a single reading, measurements shall be made with a luminance meter that has a field of view up to 10 degrees with an Acceptance Angle of 1 degree.

(2) Measurements are to be undertaken so that no ambient (dark or bright) background area or spurious light source outside or beyond the illuminated area of the advertising structure is included in the field of view of the luminance meter.

(3) The measurement of luminance is to be taken with the operator standing on the edge of the travelled way in a direct line and at a predetermined horizontal distance from the advertising structure. The horizontal distance (x) from an advertising structure is based on the largest axis dimension (a) of the advertising structure, and shall be determined from the following formula:

(x) = 5 multiplied by (a) metres

(4) A series of measurements are to be undertaken and the worst (brightest) result recorded to determine the worst case (brightest) luminance level for the entire sign face.

(5) The luminance meter used for the measurement shall have a current certificate of calibration.

11.4

Times for daylight hours, twilight hours and night time hours by calendar month

When determining daylight hours, twilight hours and night time hours for the purpose of assessing compliance with Section 3.16.7.2(4) of this DCP, the following times are to apply:

Month	End of Night Time Hours / Start of Twilight Hours (AM)	End of Twilight Hours (AM) / Start of Daylight Hours	End of Daylight Hours / Start of Twilight Hours (PM)	End of Twilight Hours (PM) / Start of Night Time Hours
January	5:30	6:00	20:00	20:30
February	6:00	6:30	19:30	20:00
March	6:30	7:00	19:00	19:30
April	6:00	6:30	17:30	18:00
May	6:15	6:45	17:00	17:30
June	6:30	7:00	16:45	17:15
July	6:30	7:00	17:00	17:30
August	6:15	6:45	17:15	17:45
September	5:30	6:00	17:30	18:00
October	5:45	6:15	19:00	19:30
November	5:15	5:45	19:30	20:00
December	5:15	5:45	20:00	20:30

Source: Adapted from Time and Date AS (2015)

Note: *All times are inclusive of daylight saving*

All times are in 24-hour format

11.5

Guidelines for a Road Safety report

A road safety report is a technical investigation into the impacts a proposed development will have on the safety of users of an adjoining road corridor. A road safety report is to be prepared by a qualified transport engineer.

For large format electronic advertising structures, a road safety report is to consider the extent to which the structure is likely to obstruct the view of motorists and cyclist's view of the road and/or traffic control devices, cause conflict with driving tasks at intersections and other decision points, cause distraction or be a physical obstruction.

A road safety report is to consider and address:

(1) A clear description of the existing site, including (but not limited to) built form, land uses and site features;

(2) A clear description of the proposed advertising structure. This includes (but is not limited to) its physical appearance, size, location, brightness, hours of operation, technical specifications, dwell time and transition time;

(3) The location of the structure and its visibility. This should include any environmental conditions that will influence its visibility, including (but not limited to) daylight, overshadowing from other development and presence of existing vegetation;

(4) Detailed analysis of adjoining and surrounding road network, including (but not limited to) traffic volumes, speed limits, intersections and decision points, cyclist and pedestrian infrastructure and crash data;

(5) Compliance with relevant environmental planning instruments and other planning controls. This is to include relevant state environmental planning policies (such as State Environmental Planning Policy 64 and the Transport Corridor Outdoor Advertising and Signage Guidelines, including section 3), the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and Australian Standards; and

(6) Recommendations and means of mitigating adverse impacts of the advertising structure on the adjoining road network. This may include changes to the siting and location, changes to dwell time and transition time, changes to colours and materials, reduction in size, changes to design, reduced illumination, restricted hours of operation (including a curfew) and/or screening.

Schedule 12

Procedures for demonstrating compliance with variation provisions for street frontage height and setbacks, side and rear setbacks, building separations and tapering controls in Central Sydney

Relevant sections of the DCP are reproduced below for ease of reference.

Minimum Street Frontage Height and Street Setbacks

Section 5.1.1.1

(1) The Street Frontage Height and Street Setbacks of a building must be in accordance with Table 5.1 – Permissible range of Street Frontage Heights and Table 5.2 Minimum Street Setbacks, except for buildings in Special Character Areas that must be in accordance with the Minimum Street Frontage Heights for Special Character Areas in Table 5.3, and the Minimum Street Setbacks and Maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16 in Section 5.1.1.2.

(3) Where noted in Table 5.2 Minimum Street Setbacks and on the Special Character Area maps, variation to Street Setbacks may be permitted to building massing that provides:

(a) encroachment(s) 2m forward of the minimum Street Setback within the middle third of the frontage to a Public Place and provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback; or

(b) equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places, relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance).

Procedures for demonstrating compliance with 5.1.1.1(3)(a) and (b) are set out in Schedule 12.

Side and Rear Setbacks and Building Form Separations

Section 5.1.1.6

(6) Variation to Side and Rear Setbacks and Building Form Separations may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places, relative to a base case building massing with complying Side and Rear Setbacks (i.e. variation to massing is governed by achieving equal or better performance) .

Procedures for demonstrating compliance with 5.1.1.6(4) are set out in Schedule 12.

Note: Building massing includes all building elements at all levels. For example fins, external sun shading devices, architectural features, screens, signs, awnings etc

Built form massing, tapering and maximum dimensions

Section 5.1.1.4

(3) Above the Street Frontage Height the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks:

(a) 100% up to 120m above ground;

(b) 90% above 120m up to 240m above ground; and

(c) 80% above 240m above ground.

12.1

Procedure A:

Minimum Street Setback Encroachment and Compensating Recess

In order to demonstrate compliance with Section 5.1.1.1(3)(a) in regards to varying Minimum Street Setbacks, the following procedure must be followed:

(1) Building massing with a frontage to a Public Place, where each frontage is assessed independently at each floor, the building may encroach up to a maximum of 2m forward of the required Minimum Street Setback within the middle third of the frontage if it provides an equal or greater area of compensating recesses up to 4m behind the Minimum Street Setback, but not within any other required setback.

Figure 12.1.1
Setbacks provide building design flexibility – Minimum Street Setbacks may only be varied in accordance with Section 5.1.1.1(3) of the DCP and the procedures for demonstrating compliance. This diagram shows area where encroachments and compensating recess(es) may occur

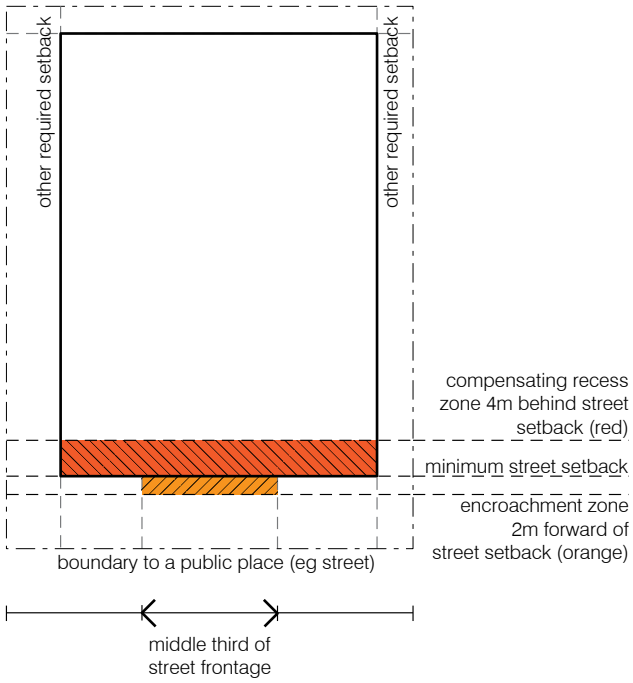
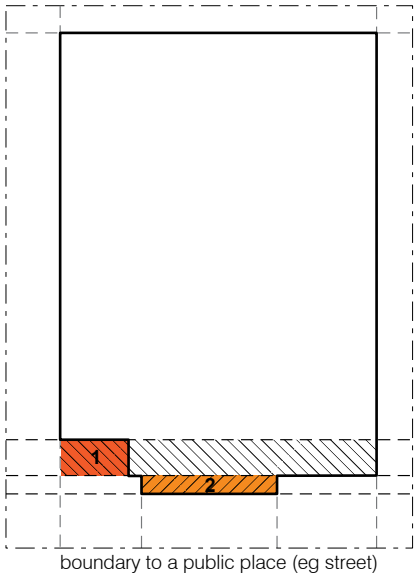


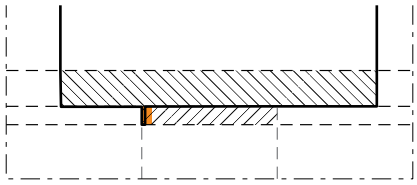
Figure 12.1.2
Example showing area of compensating recess (1) equal to area of encroachment (2)



(2) Some encroaching elements have a larger impact on daylight to a Public Place than is directly reflected in their plan area. For the purposes of assessing the area of such small or tightly spaced elements like architectural fins, any encroachments are deemed to have an area equal to their plan area except elements less than:

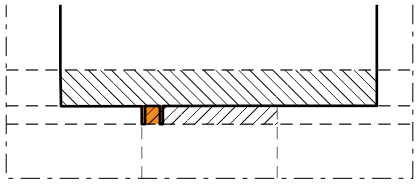
(a) 1m wide – where they are treated as if they are 1m wide; and

Figure 12.1.3
Example showing a narrow fin less than 1m wide within the encroachment zone - the deemed area of the encroachment shown orange has equal depth and is 1m wide



(b) 3m apart – where they are treated as if they are a single element that has a plan area extent described by joining the element's outermost edges with straight lines.

Figure 12.1.4
Example showing 2 narrow fins less than 3m apart within the encroachment zone – the deemed area of the encroachment shown orange includes the space between the encroaching elements

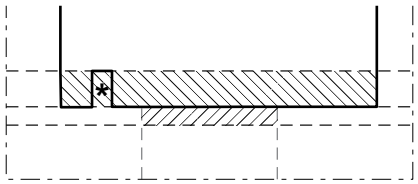


(3) Some recesses will have a negligible or limited benefit to daylight levels in Public Places so an area of building recess will only be deemed to be a compensating recess if it is:

(a) at least 3m wide (see example at "*" in Figure 12.1.5 which is not 3m wide so is not a compensating recess);

Figure 12.1.5

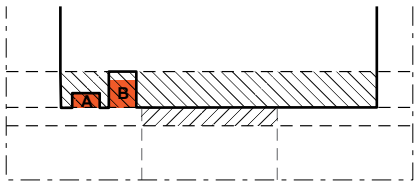
Example showing a slot that is not 3m wide (at the asterisk) – this is not deemed to be a compensating recess because it is too narrow to provide any daylight benefit



(b) wider than it is deep (ie no narrow slots [see example at "A" in Figure 12.1.6 which is wider than it is deep so is a compensating recess, where as "B" in Figure 12.1.6 is deeper than it is wide so is only a compensating recess for that portion of the recess equal to its width]); and

Figure 12.1.6

Example showing two recesses that are both 3m wide – recess A is wider than it is deep so the full area shown red is deemed a compensating recess, recess B is deeper than it is wide so only an area with a depth equal to the width shown red is deemed as an area of compensating recess

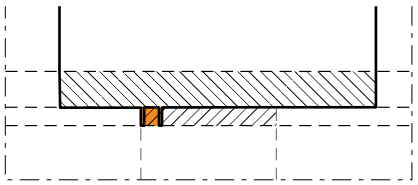


(c) is clear to the sky for the full height of the building.

(4) Notwithstanding 3(a) and (b) above, the full area of a building recess contiguous with any other required setback (other than the relevant street setback) is a compensating recess.

Figure 12.1.7

Example showing a narrow deep recess that is contiguous with a required side setback – the full area shown red is deemed a compensating recess



(5) On corner sites, the compensating recesses for each frontage are assessed independently of each other. That part of a recess that complies with the criteria for both street frontages may be counted as compensation toward encroachments on each frontage.

12.2

Procedure B:

Equivalent or improved wind comfort and wind safety and daylight levels in adjacent Public Places

Procedure B can only be used for sites larger than 1000m^2.

Procedure B is used for demonstrating compliance with Section 5.1.1.1(3)(b) and Section 5.1.1.3(6) in regards to varying Minimum Street Setbacks, Side and Rear Setbacks, Street Wall Height, Building Form Separations and Tapering provisions.

A base case model is prepared which meets all the requirements set out for Procedure B. The base case model is tested to establish the minimum performance benchmarks for daylight levels (or sky view factor) and wind comfort and safety in public places adjacent to the site. The alternative building envelopes are tested for equivalence with these performance benchmarks.

The base case model and proposed alternative building envelopes are tested, with the results of this performance benchmark equivalence testing used to demonstrate that the proposed alternative envelopes perform better than the base case in relation to daylight levels (or sky view factor) and wind performance. This informs the suitability of proposed variations to the setbacks, street wall height, building form separation and tapering controls in relation to measurable daylight (or sky view factor) and wind performance.

The base case model envelope is not a "complying envelope" for future development on a site. Any proposed building envelope needs to demonstrate that a high quality urban design outcome will be achieved through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context, and is in accordance with all the relevant controls within the LEP and DCP (including Division 4 of the LEP for design excellence) .

The base case model, with complying street frontage heights, setbacks, building separation and tapering controls, comprising a podium and tower component (in terms of area and volumes), is a 3-dimensional model to be prepared, tested and reported as follows:

(1) Podium Component Volume:

- (a) for part(s) of a site occupied by heritage items or forming part of the curtilage of a heritage item: reflect the existing height and form of the existing building or provide open curtilage to the heritage item.
- (b) for parts of the site within a Special Character Area: extrude to the lower of the heights nominated on the Special Character Area map and in Table 5.3.
- (c) for other parts of the site:
  - (i) where the building envelope is up to 120m high – extrude the part of the site vertically 35m above existing ground level (as it varies around the site perimeter);
  - (ii) where the building envelope is more than 120m high – extrude the part of the site vertically 25m above existing ground level (as it varies around the site perimeter).

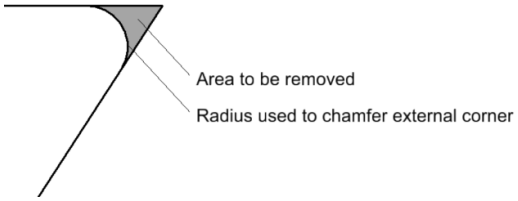
Note: Where both (i) and (ii) are applicable to the site, the podium height is based on the height of the building envelope at the point above.

(2) Tower Component Area:

(a) apply the required minimum street, side and rear setbacks, and building separations in Section 5.1.1.1(1) and Section 5.1.1.3(2) of the DCP.

(b) do not include areas over heritage items or the curtilage of a heritage item, and Tower Component areas narrower than 6m wide.

(c) All external corners of the Tower Component are to be chamfered with a circular radius that removes an area in square metres at each corner equal to the maximum horizontal dimension of the Tower Component Area x 0.4 (see illustration) up to a maximum of 20m^2 or a radius of 10m. Where corners are close together each chamfering operation is to be considered independently to determine the appropriate radius , i.e. the areas to be removed may overlap. If a part of the Tower Component is too narrow to chamfer its corners individually with a single radius, that part's corners may be treated together using a single radius that removes the sum of the areas required to be removed, e.g. for a rectangular part of the Tower Component that is 7m wide where the chamfering is required to remove 20m^2 at each of two external corners a 3.5m radius chamfer could be used but located in such a way as to remove 40m^2 of the Tower Component Area).



(3) The Tower Component Volume:

(a) extrude the Tower Component Area to the maximum permissible building height as it varies around the site.

(b) The extruded Tower Component Volume must be tapered by scaling it horizontally in both horizontal directions (X and Y) by:

(i) 95% (for the portion of the tower between 120-240m above ground level) which is equivalent to a 90% area relationship.

(ii) 90% (for the portion of the tower greater than 240m above ground level) which is equivalent to an 80% area relationship.

Figure 12.1.8
Defining the base case tower component area and building massing

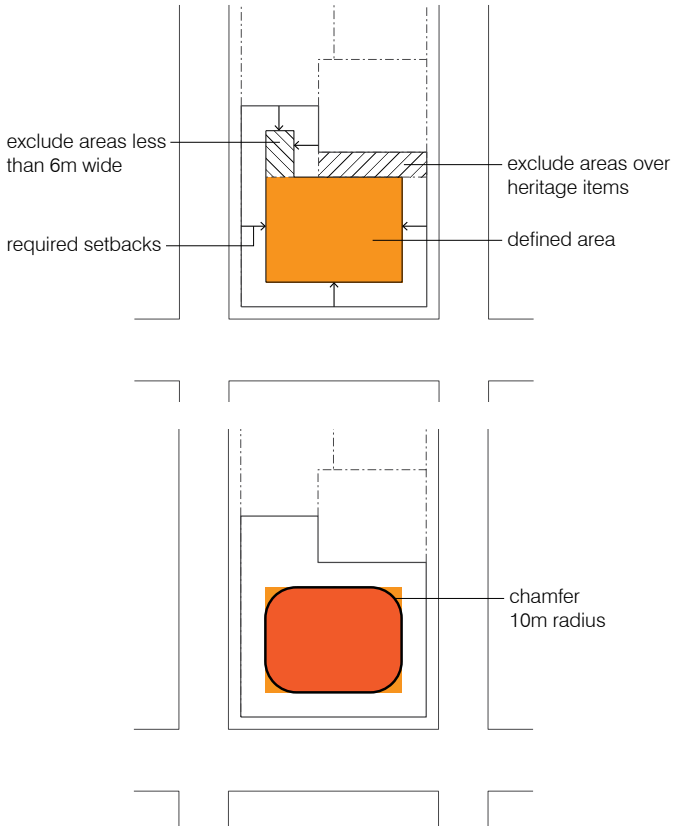
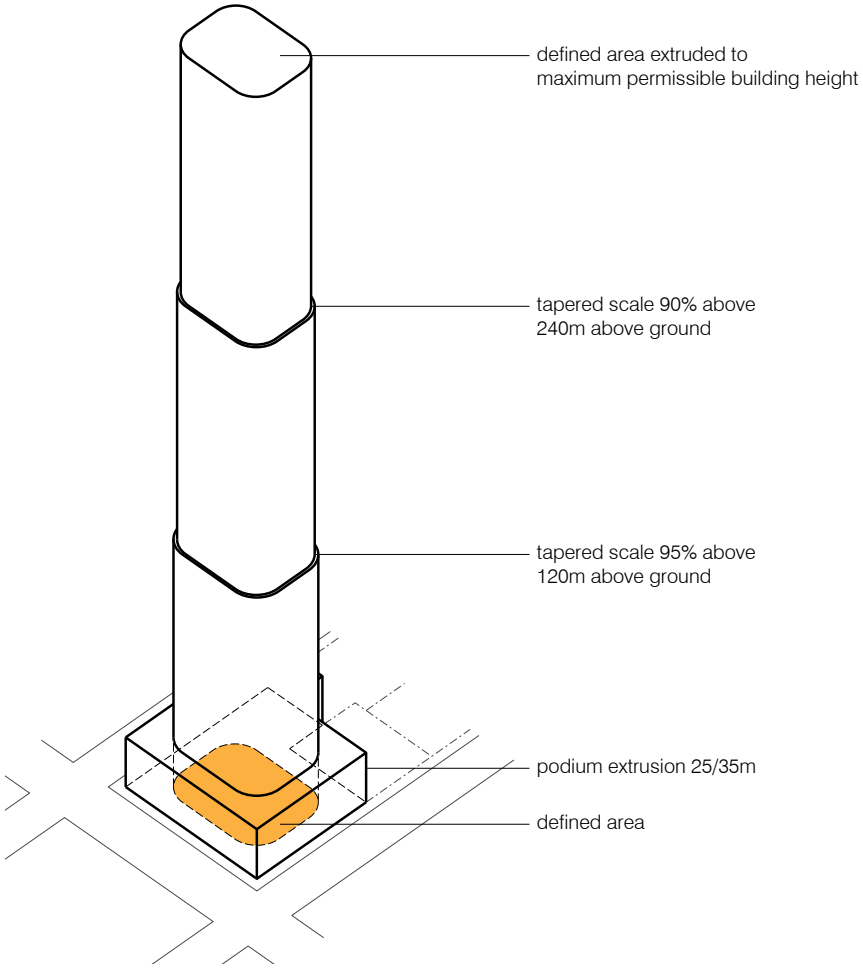


Figure 12.1.9
Tapering the base case tower building massing



Note: the maximum permissible building height excludes architectural roof features (i.e. no additional height should be assumed for permissible architectural roof features) but includes all other relevant controls including LEP height controls, Sun Access Planes, No Additional overshadowing Controls, Special Character Area height and setback controls, View Controls Airport restrictions etc.

(4) Model Testing

The wind and daylight testing of the base case model and alternative building envelopes are to include measurements in public places for a distance of at least 50m and no more than 100m from the site boundary. The tests must exclude any elements within a Public Place (e.g. trees and awnings) and must satisfy the following requirements for wind and daylight (or sky view factor):

(a) Wind: wind speeds are defined by Section 5.1.9 Managing Wind Impacts, Sydney DCP 2012 for comfort and safety.

Wind speeds must be measured within the existing city form and be distributed evenly across the surrounding public places and include testing locations in areas where wind speeds are likely to change as determined by a wind report.

(b) Daylight Factor: the average annual daylight level (which may be approximated by the average Sky View Factor) and should be measured on a 1m grid.

(i) Daylight Factor is the percentage of available daylight, on a daily basis, throughout the year.

Daylight Factor is weighted by the daily availability of light (assuming an open environment), to account for variations in amount of light throughout the year, rather than an average annual quantum of daylight.

To calculate the Daylight Factor: simulate the available direct and diffuse illuminance that reaches the ground level of the adjacent public places each day for a typical year for the base case and alternative building envelopes and express them as daily percentages of the maximum available daylight in an equivalent open environment for each day. The daily percentage factors are then averaged to give a single Daylight Factor value for each option. These Factors can then be compared.

The daylight calculations are to include consideration including the directionality of sunlight, diffuse daylight access, seasonal weather variation, and typical luminance variation of the sky.

(ii) Sky View Factor (SVF) is the extent of sky observed above a point as a proportion of the total possible sky hemisphere above the point.

SVF is calculated as the proportion of sky visible when viewed from the ground (as an abstract horizontal surface) up. SVF is a dimensionless value that ranges from 0 to 1. A SVF of 1 denotes that the sky is completely visible to the horizon in all directions; for example, in a flat terrain. When a location has topography or buildings blocking view to any part of the sky, it will cause the SVF to decrease proportionally.

Because SVF measures the whole sky hemisphere and only a small fraction of the sky will be subject to change as part of a development the SVF must be resolved at a high resolution to detect the change. This is an inherent feature of the SVF measure. This means that the sky must be subdivided into more than 5000 equal areas for final SVF calculations but also that the difference in SVF may appear small particularly when averaged over a large area.

Figure 12.1.10

Sky View Factor means the extent of sky observed above a point as a proportion of the total possible sky hemisphere above the point



(5) Equivalence reporting

All data that is relied on for equivalence testing must form part of the report including individual data points as tables and model geometries for the base case and alternative building envelopes. These must be described with sufficient dimensions to allow for the equivalent model to be created by a third party for checking.

(a) For wind: the 5% exceedance comfort wind speed values in metres per second must be averaged and compared. The comfort categories are not relevant in demonstrating equivalence.

Note that the proposed alternative building envelopes must both demonstrate equivalence and also not cause wind speeds that exceed comfort or safety standards or cause worsening of existing exceedances.

Note: if the equivalence testing shows new or worsened exceedances of the comfort or safety standards, additional wind tunnel testing will be required to show how these exceedances can be mitigated. This testing may include modelling of awnings consistent with DCP requirements.

(b) For daylight (or SVF): the factors are averaged and the single resultant values compared.

In this document “equivalent” wind speed and daylight/SVF is to be understood as very slightly “better than” at a high level of accuracy. For example a SVF of 0.10001 is equivalent to a SVF of 0.10000 by being very slightly better than it.

Authors of equivalence reports must note that while daylight and wind equivalence is essential, any proposal must still be supported by a detailed urban design and options analysis to demonstrate that a high quality urban design outcome will be achieved, and the proposed massing is compatible with the context.

Schedule 13

Oxford Street Cultural and Creative Precinct – spatial requirements of specific creative spaces

	Description	Operational	Floor space	Capacity	Special requirements	Office /Admin	Communal areas	Ceiling heights	Loading bay
Performance space	A purpose-built space for use for theatre and music performance with a large flat stage are, wing space, fixed tier seating, high level of lighting and audio equipment	Dressing rooms, loading docks, backstage storage and workshop areas. Also, audience circulation areas such as foyers, box office, food and beverage service areas	600m^2 +	500+ with fixed tier seating over a single area or multiple balconies	Orchestra pit and fly tower	Reception box office 20m^2	Floor area of front of house equal to seating area to allow for circulation	10.5m above stage to lighting (12m to top of ceiling)	To suit 43sqm^2 box truck
Performance spaces multipurpose	A flexible performance space with no fixed performance or seating area, with a high level of lighting and audio equipment	Dressing rooms, loading docks, backstage storage and workshop areas. Also, audience circulation areas such as foyers, box office, food and beverage service areas. Flexible for other events such as large-scale workshops, networking and presentations	300m^2 +	300-500 people in retractable seating	Sprung floor to allow for dance performance, stage should be 10m deep by 13m wide	Reception box office 20m^2		10.5m above stage to lighting (12m to top of ceiling)	Good rear access for 3 tonne truck, roller door and access into venue, double door access
Performance spaces rehearsal areas	Large lockable sound attenuated space for dance, theatre and music rehearsals. Ventilated with access to natural light. Easily accessible after hours and in weekends	No fixed seating, toilet facilities, dressing rooms and storage	100-300m^2	100-200 people	Sprung floors, wall to ceiling mirrors				22m^3 box truck

	Description	Operational	Floor space	Capacity	Special requirements	Office /Admin	Communal areas	Ceiling heights	Loading bay
Gallery spaces – large	Space for large scale exhibitions as one large space or separable with temporary walls. Uninterrupted walls, high ceilings and natural light	Public areas and collection storage, loading docks, handling and production spaces, workshop areas, foyer, box office, gift shops, customer amenities and office accommodation for staff. An onsite café and light kitchen		1000 people		Reception 20m^2	Front of house should be 10-20% of exhibition area	10.5m	43m^3 box truck
Gallery spaces – small to medium	Space for small to medium scale exhibitions ideally at ground floor with open space, uninterrupted walls, high ceilings and no direct sunlight on exhibitions	Storage, handling and production space, light customer amenities and office accommodation and a café.	80-1000m^2	300 people		Office 15-50m^2	Kitchen meeting room	6m	9m^2
Studio space – generic	Large lockable area alone or part of a larger collective for a group of artists	Walls for hanging and lockable skip or larger bins	20-40m^2	3-4 people	Wash-up space 2x1m			3m	Drop off parking
Studio messy	For large art practices that involve noise and mess with hard wearing floors, roller door access and large ventilated spaces	Full height walls for dust and noise containment, high roller doors for loading, concrete floor for easy washing along with a sink in each studio.	200-1000m^2	3-4 people	Wash-up space 2x1m			9m	Truck access to one loading area
Workshop spaces – ceramic	Studio space around sharing tools needed for ceramic work	Pugmill, small kiln, large electric kiln, electric wheel, tabletop slab roller and drying racks	20-40m^2	Clusters of 8-10 studios	Optional studio space 10-20m^2 or storage space 5m^2, washup space 2m^2	Site manager desk	Kitchen dining table couch	3m	22m^3 box truck

	Description	Operational	Floor space	Capacity	Special requirements	Office /Admin	Communal areas	Ceiling heights	Loading bay
Workshop printmaking	Studio space around sharing tools needed for printmaking	Etching press of different sizes, large sinks for soaking paper, drying racks and a guillotine	20-40m^2	3-10 people	Washup space 2x1m^2		Kitchen dining table couch	3m	Drop off parking
Workshop textile/fashion	Group studio space for working but open to public for sales or client appointments	Large space for cutting, pattern marking table, industrial sewing machines and irons. Sanding tables and shared larger tools	40-1000m^2	3-10 people	Washup space 2x1m^2		Kitchen dining table couch	3m	Drop off parking
Workshop – sound recording	Contains a tracking room and control room in order to record and mix music. These spaces can be hired casually and be provided with or without equipment	Soundproofed glass window between the two rooms, with noise cancellation, mixing desk and backline gear (microphones, piano, amps, drum kits) to hire	30m^2 tracking room, 20m^2 control room	5 people recording, 3-5 people editing	Optional 15m^2 room for filming	Kitchenette		3m	Crop off parking and unloading
Workshop – Photoshoot	Large room with good day lighting and continual backdrops	Backdrops for photoshoot spaces. Equipment for hire, including lights, clamps and screens	25-100m^2		Site manager desk	Kitchenette		3m	9m^2 to suit van
Workshop – Film recording	Sound attenuated space with continuous backdrop for filming sound and visuals.	Two sides drop down blue and green screens and white cyclorama	50-90m^2	Soundproof voice over recording room 2m^2, editing room 15m^2		Kitchenette		3m	9m^2
Workshop – light manufacturing	Large warehouse space for the manufacture of large items, such as set buildings and furniture. In a noise tolerant area.	Roller doors at end of warehouse, walls and power to each space.	30-50m^2	40 studios			Wash up space	9m	Drive through 5x5m roller doors and corridor for truck