George & Upward Streets, Leichhardt

Draft Development Control Plan 2013

Version 1.6
7 June 2013

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1.0 Introduction

1.1 Name of the Plan and Commencement

This plan is called the George and Upward Streets, Leichhardt Development Control Plan 2013 (DCP). It has been prepared pursuant to the provisions of Section 74C of the *Environmental Planning and Assessment Act 1979* (the Act). This DCP as adopted by the Director-General of the Department of Planning & Infrastructure on *xx 2013* and came into force on *xx 2013*.

1.2 Land to Which this Plan Applies

This DCP applies to the land shown in Figure 1 being:

Lot 6-9, DP79950	Lot 1, DP104359	Lot 16, DP69760	Lot 1, DP920105
Lot B, DP327352	Lot 1, DP1108695	Lot 7, DP448755	Lot 1, DP972151
Lots 1-2, DP102461	Lot 5, DP1080665	Lots 5-6, DP745976	Lot 1, DP745979
Lots 10-13, DP 83665	Lot 15, DP1081840	Lot 1, DP745978	Lot 9, DP666322

and known as 22 & 30-40 George Street, Leichhardt (referred to as the 'site'). The site has an area of 14,662m^2 and is within a block bound generally by George, Upward and McAleer Streets, Leichhardt.

Figure 1 – Land to which this Plan applies

1.3 Relationship with Other Plans

The site is the subject of a site specific amendment to Leichhardt Local Environmental Plan (LEP) 2000 (Amendment No. xx).

The following DCPs and sections of Leichhardt DCP 2000 (or equivalent in any comprehensive DCP) apply to development of the site:

- DCP 32 - Design for Equity of Access
- DCP 35 - Exempt and Complying Development
- DCP 36 - Notifications under the EPA Act
- DCP 38 - Waste, Avoid, Reuse and Recycle
- DCP 42 - Land Contamination
- DCP 48 - Managing Activities on Footpaths and Street Verges
- DCP 51 - Telecommunications and Radio-communications
- DCP 2000 Part A - General Information except for A8.0 Generic Parking Rates and A10.1 Suburb Profile
- *DCP 2000 - Part B Residential Development except for B1.2, B2.1- B2.8, B3.1 - B3.6, B4.1 - B4.6*
- DCP 2000 - Part C

In the event of an inconsistency between this DCP and any other DCP, policy or code, this DCP shall prevail in relation to development on the site.

1.4 Purpose, Aims and Objectives

The purpose of the DCP is to provide guidance on and to facilitate the future development of the site consistent with the aims and objectives of LEP 2000 Amendment No. xx.

The specific aims and objectives of this DCP are:

- communicate the objectives and controls against which the consent authority will assess future development applications;
- ensure the orderly, efficient and environmentally sensitive development of the site;
- minimise impacts on the residential amenity of adjacent properties; and
- promote a high quality urban design outcome for the site.

1.5 Application of the DCP Provisions

The provisions of this DCP are not statutory requirements and any development application will be considered on its merits. The consent authority is to be flexible in applying the controls and allow reasonable alternative solutions that achieve the objectives of the controls.

2.0 Provisions

2.1 Site Layout and Built Form

Objectives

O1. To integrate new buildings with the adjoining and neighbouring buildings through the transition of building height.

O2. To provide a design that is responsive and sympathetic to the form and cultural character of the existing urban landscape.

O3. To use building orientation to maximise views and minimise overlooking and overshadowing on neighbouring properties.

O4. To maximise the benefits of communal open space for residents.

O5. To create built form that responds to the site terrain and flood risks.

O6. To provide opportunities for the provision of non-residential uses at the ground floor in appropriate locations that activate the public domain.

Controls

C1. New building forms on the site are to be generally consistent with the layout shown at Figure 2 and the following principles:

(a) address and align with the streets to form perimeter blocks / courtyards,

(b) have depths generally as shown and consistent with the NSW Residential Flat Design Code,

(c) meet solar access and visual and acoustic privacy requirements outlined in this DCP,

(d) the ground floor of buildings indicated at Figure 2may include non-residential uses that have an active frontage to the public domain, and

(e) adequate separation is provided for the at-grade shared zone off George Street including pedestrian links and landscaping.

Variations may be considered where the above principles and the aims and objectives of this DCP are satisfied.

C2. Building footprints (including balconies) are to cover no more than 50% of the site area.

C3. The maximum number of storeys, excluding basement and/or podium parking areas, is to be in accordance with Figure 3. Structures including plants rooms, roof elements, lift overruns and landscape elements may be provided on podium areas or rooftops above the specified number of storeys, subject to consideration of potential impacts on the streetscape, the amenity of the adjoining properties and the overall character of the area.

C4. The predominant street frontage height along George Street is to be 3 storeys. Along Upward Street it may vary from 3 - 6 storeys (increasing from north to south).

C5. Upper level setbacks are to be provided as shown at Figures 3, 5, 6 and 7, in order to minimise the bulk of the taller building forms. Additional upper level setbacks may be required to improve solar access within the site to both apartments and open space.

C6. The ground floor of buildings is to be set above the Flood Planning Level.

C7. Building setbacks are to be consistent with Figure 4. Relaxation of the setbacks at the corner of Upward and McAleer Streets is possible where greater expression to the corner of the building is proposed.

C8. The maximum length of a building fronting a street is 60m.

C9. The main building fronting George Street is to be divided into 3 segments at ground level with allowance for pedestrian access points at ground level into the site. At least one of the access points is to be open to the space (ie full height gap) and at least 10m wide.

C10. Building separation distances are to be generally consistent with those shown at Figure 4 and the NSW Residential Flat Design Code.

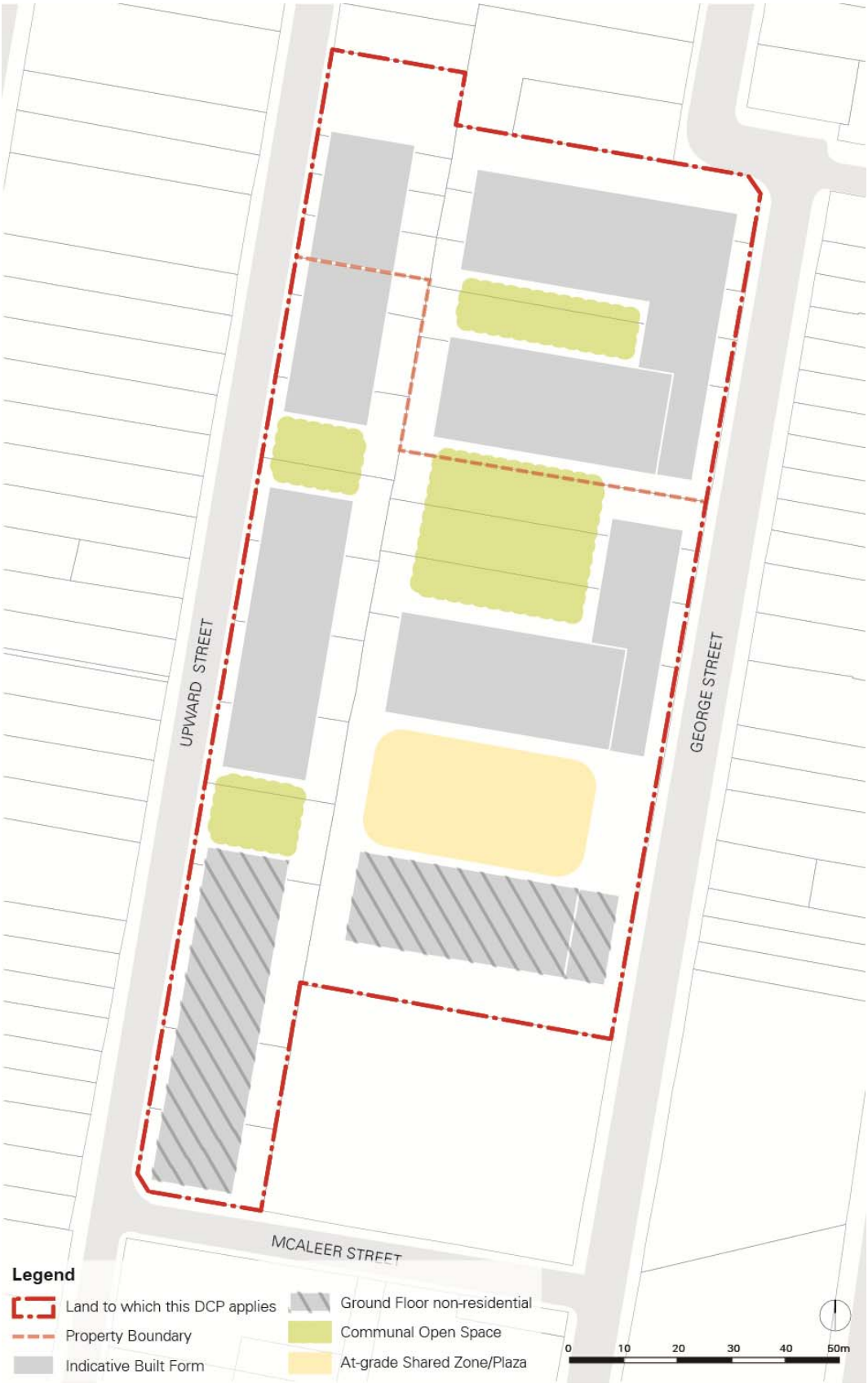

Figure 2 - Indicative Site Layout

Figure 3 - Maximum Building Heights

Figure 4 - Building Setbacks and Separation

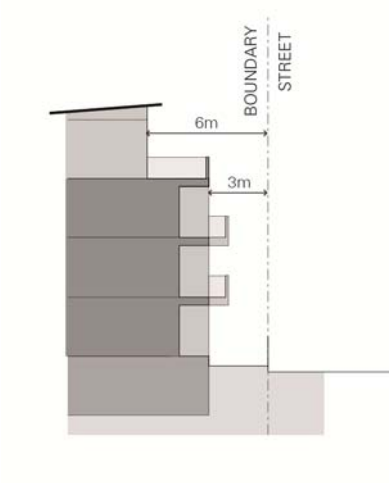

Figure 5 - Typical Cross Section A-A

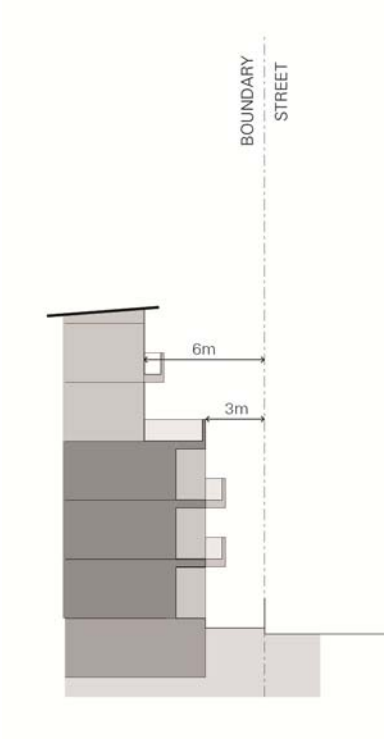

Figure 6 - Typical Cross Section B-B

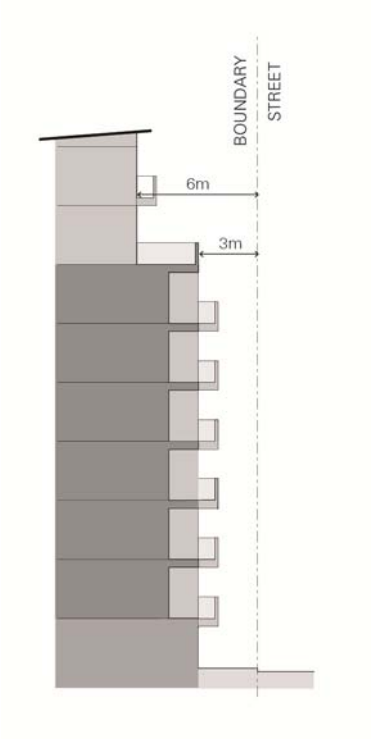

Figure 7 - Typical Cross Section C-C

2.2 Building Design

Objectives

O1. To provide a mix of dwellings that cater for the needs of the resident population and to encourage a diverse population.

O2. To ensure that the grain, rhythm and palette of materials used in the design of new buildings respond to the character of the surrounding area.

O3. To ensure that buildings have a high quality appearance and have regard to the character of the surrounding area.

O4. To minimise the impacts of vehicular entry on the streetscape where possible.

Controls

C1. Buildings fronting George Street, the northern end of Upward Street and the internal shared zone / plaza are to be designed with individual entrances and ground level (ie terrace or maisonette style dwellings).

C2. Minimum dwelling sizes are to be consistent with the NSW Residential Flat Design Code.

C3. Adaptable housing is to be in accordance with Part 5 of DCP 32.

C4. Building facades facing both George and Upward Streets are to display a distinct vertical modulation and rhythm that complement the fine grain character of the locality.

C5. Articulation for balconies, sun shading devices, architectural features and the like may extend up to 1m into the building setback area on both George and Upward Streets, for no more than 50% of the facade area.

C6. Building articulation, design and materials are to be of contemporary design providing an appropriate balance between the new development and the older character of the locality.

C7. Buildings elements, including balconies, entries, roof features and screening are to contribute to the character of the streetscape and the quality of the building design.

C8. Roof forms, plant and lift overruns are to be designed to be simple compact forms that are visually unobtrusive.

C9. Air-conditioning units are located and designed to be screened from view from other dwellings, other sites and the public domain.

C10. The bulk of the larger buildings is to be articulated to create proportional relationships with the surrounding buildings.

C11. Expansive sections of blank facade are to be avoided and roof equipment is to be integrated into building articulation.

C12. Building materials are to be fit for purpose and reflect the character and climatic conditions and be of a suitably high specification to ensure long term quality and sustainability.

C13. Vehicular entries are to be designed to minimise the visibility of garage doors on the street. This is to be achieved by providing parking below ground level and setting doors back from the street boundary and building edge where possible.

C14. Particular attention required to the design of the ground level along the Upward Street frontage where parking / podium areas are required to be elevated above the ground due to flooding. Any structure is to be treated through the use of materials, landscape etc to enhance its streetscape presentation.

2.3 Residential Amenity

Objectives

O1. To optimise solar access to habitable rooms and private open space of new housing to improve amenity and energy efficiency.

O2. To protect the visual privacy of adjoining dwellings by minimising direct overlooking of principal living areas and private open space.

O3. To ensure that dwellings have good access to fresh air and that energy efficiency is maximised.

Controls

C1. Solar access to residential development on the site is to meet the minimum requirements of the NSW Residential Flat Design Code, specifically, living rooms and private open spaces for at least 70% of apartments should receive a minimum of 3 hours direct sunlight between 9 am and 3 pm in mid winter.

C2. New development is to retain appropriate solar access to adjoining residential properties, being

(a) at least three hours of direct sunlight to 50% of the primary private open space and into living rooms between 9am and 3pm on 21 June, or

(b) the existing levels of direct sunlight between 9am and 3pm on 21 June (whichever is less).

C3. Residential buildings are to be naturally cross ventilated consistent with the NSW Residential Flat Design Code.

C4. Visual privacy within and external to the site is to be achieved through a combination of:

(a) building setbacks and separation consistent with Figure 4 and the NSW Residential Flat Design Code,

(b) building layouts that minimise direct overlooking from apartments to other rooms and private open spaces,

(c) screening devices to retain views and privacy from rooms and outdoor spaces, and

(d) staggering doors, windows and primary balconies to block direct views between apartments.

C5. Buildings fronting the residential properties to the north of the site are to be designed to minimise overlooking.

C6. New development is to incorporate measures that reduce the entry of noise from external sources into dwellings. Where necessary, include acoustic measures to reduce the impact of noise from external sources.

2.4 Open Space and Landscape

Objectives

O1. To provide communal open space for residents that offers social opportunities and quality outlook from apartments.

O2. To provide landscaping that supports substantial trees as well as a diverse range of planting, including native species.

O3. To improve local amenity by incorporating landscaping, open and public spaces, integrated connections and environmental features.

O4. To provide a new streetscape and external pedestrian footpath zone to contribute to the surrounding network.

Controls

C1. Indicative landscaped areas are shown at Figure 8. A minimum of 20% of the site area is to be landscaped area (either communal or private). The landscaped area is to include a large area(s) in the middle of the site to form a communal open space for residents. Opportunities for public art/furniture in the central communal open space area should be considered, particularly a piece relating to the historical use of the site.

C2. A minimum 10% of the site is to consist of deep soil planting. The deep soil planting areas are to be:

- distributed across the site,
- a minimum width of 3m,
- form part of the semi-private communal open space,
- have no structures encroaching into the area below or above the ground level,
- landscaped with large trees, and
- planted with a majority of indigenous species providing habitat for native fauna.

C3. Street verges and buildings setbacks to George and Upward Streets are to be utilised for widened pedestrian footpaths and substantial street tree planting (including deep soil planting, where possible).

C4. Opportunities for green walls, green roofs and communal gardens within the site are to be explored.

C5. Landscape materials are to be fit for purpose, reflect the character and climatic conditions and be of a suitably high specification to ensure long term quality and sustainability.

C6. The external public domain and internal communal open space are to be designed with a similar material palette to create a continuous path of travel across the site.

C7. Front fencing to George Street is to be designed to achieve a level of privacy for the front gardens whilst not overwhelming the streetscape.

C8. The existing overhead powerlines adjacent to the site in George Street are to be relocated underground.

C9. Private open space is to be consistent with the NSW Residential Flat Design Code. Where it is located at ground level, it is to have a minimum area of 16m^2, a minimum dimension of 3m with a maximum gradient of 1 in 20.

C10. 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.

C11. Common open space / courtyards are to be located, designed and landscaped to:

(a) enhance views from residential apartments and create recreational opportunities,

(b) be the focal point of a site and incorporate public art and water features where appropriate, and

(c) achieve good amenity for the dwellings in terms of solar access, natural air flow and ventilation.

C12. Provision of additional unroofed communal open space on roof tops is encouraged in locations where it does not adversely impact on the amenity of surrounding residents.

Figure 8 - Indicative Landscape Areas

2.5 Access, Movement and Parking

Objectives

O1. To facilitate pedestrian access through the site to link Upward and George Streets.

O2. To ensure that traffic, transport and parking solutions are integrated within the development without diminishing the quality of amenity to occupants and neighbours.

O3. To minimise visual impact of parking areas and driveways.

O4. To encourage use of active transport including public transport, cycling and walking.

Controls

C1. At least two publicly accessible through site links are to be provided linking George and Upward Streets generally as shown in Figure 9. The through site links are to:

(a) have a minimum width of 6m,

(b) be direct and 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.

C2. Preferred vehicle access points are to be to be generally consistent with Figure 9. A maximum of 3 basement access points are to be provided and all required vehicular parking is to be located within the basement parking areas.

C3. Car park entries are to incorporate flood mitigation measures if located on land affected by the 1 in 100 year flood levels.

C4. A shared zone / plaza is to be provided off George Street. The shared zone is to provide space for loading and service delivery vehicles and accessible parking. The level of the shared zone/ plaza is to include minimal falls to allow accessibility for all users.

C5. Any vehicle access beyond the shared zone / plaza is to be strictly limited to emergency vehicles and only provided if required.

C6. Basement parking areas and structures are not to protrude more than 1.0m above the level of the adjacent street or public domain, except for in the south-western corner of the site that is flood affected. Where visible, basement structures and vent grills are to be integrated into the building and landscape design to minimise visual impact.

C7. The maximum rates for on-site car parking are:

Residential	Studio Dwellings	Nil
	1 Bedroom Dwellings	0.8 per dwelling
	2 Bedroom Dwellings	1 per dwelling
	3+ Bedroom Dwellings	1 per dwelling
	Visitors	0.1 per dwelling
Commercial		1.5 per 100m^2 GFA

C8. Residential development must provide at least 2% of total car parking spaces as car share parking spaces. Car share parking spaces are included in the maximum number of car parking spaces permitted on the site. The car share parking spaces are to be:

(a) retained as common property by the Owners Corporation of the site, and not sold or leased to an individual owner/occupier at any time,

(b) made available for use without a fee or charge,

(c) publicly accessible at all times and visible from the public domain wherever possible, so that scheme members do not require specific security access to the space. They are to be provided on site, where possible. However, accessible, convenient locations along McAleer and George Street would also be acceptable,

(d) located together in the most convenient locations relative to car parking area entrances and pedestrian lifts or access points,

(e) located in a well lit place that allows for casual surveillance,

(f) located adjacent to a public road and integrated with the streetscape through appropriate landscaping where the space is external, and

(g) made known to building occupants and car share members through appropriate signage which indicates the availability of the scheme and promotes its use as an alternative mode of transport.

A development application is to demonstrate how the car share parking space is to be accessed, including arrangements for access if car share parking is accessed through a security gate. A covenant is to be registered with the strata plan advising of any car share parking space. The covenant is to include provisions that the car share parking space(s) cannot be revoked or modified without prior approval of Council.

C9. All bicycle parking is to comply with the provisions contained in A8.0 of Leichhardt Development Control Plan 2000.

C10. A Travel Access Guide will be required to be available to residents and non-residential tenants of the development and approved by Council prior to occupation.

Figure 9 - Access and Circulation

2.6 Safety and Security

Objective

O1. To minimise opportunities for criminal and anti-social behaviour.

Controls

C1. Building design is to maximise opportunities for casual surveillance of the streets and communal spaces within the site.

C2. Ground floor dwellings fronting the streets are to have an "address" or "front door" that is visible and directly accessible from the street where possible.

C3. The detailed design of the external areas of the ground floor is to minimise blind-corners, recesses and other areas which have the potential for concealment.

C4. Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development.

C5. Where practicable, lift lobbies, stairwells and corridors are to be visible from public areas by way of glass panels or openings.

2.7 Flooding and Stormwater

Objectives

O1. To minimise the impact of flooding on adjacent properties and be consistent with the relevant provisions contained at Part A 3a.0 Sustainable Water and Risk Management of the Leichhardt DCP.

O2. To reduce peak stormwater flows downstream, minimise transport of pollutants into waterways and maximise water recycling.

Controls

C1. Development is to incorporate an appropriate Flood Planning Level.

C2. The Water Management report submitted with the development application is to specifically address:

(a) flooding impacts in the south-western corner of the site,

(b) the necessary augmentation of existing stormwater capacity in McAleer and Upward Streets, and

(c) the accommodation of water sensitive urban design strategies on the site.

2.8 Waste Management

Objectives

O1. Waste Management to be consistent with the relevant provisions within the Development Control Plan No.38: Waste – Avoid, Reuse, Recycle.

O1. To ensure that adequate on-site provision is made for the temporary storage and disposal of waste and recyclable materials.

O2. To ensure that opportunities to maximise source separation and recovery of recyclables are integrated into the development.

Controls

C1. Facilities required for the management, temporary storage, loading and unloading of waste and recyclable materials are to be provided wholly within the development.

C2. Waste management and storage areas are to be located, designed and constructed to ensure integration into the streetscapes.