Draft indicative DCP
Not endorsed by Council

Version 1 – 6 June 2022
Foreword:

- To be converted to InDesign template closer to reporting/exhibition to allow for tracked-changes.
- Please maintain all edits in track-changes to allow for iterative review.

Part 6.7 TG Millner Site, 146-150 Vimiera Road, Marsfield

1.0 Introduction

1.1 Objectives of this Part

The objectives of this Part are:

1. To provide a site responsive development control framework.
2. To ensure the orderly use and development of the land (to which this Part applies) for residential uses and public open space.
3. To ensure future redevelopment of the site provides for a design that is considerate of adjoining development to minimise any adverse impacts, particularly to surrounding residential land uses.
4. To facilitate the provision of a new public park that provides for a diverse range of active and passive recreational spaces with high quality embellishment.
5. To provide safe and convenient vehicular access and internal circulation for vehicles, pedestrians and cyclists.
6. To promote the adoption of sustainable design and smart city principles in new development.
7. To give detail to the Ryde Local Environmental Plan 2014, Amendment #.

1.2 Land to which this Part applies

This part applies to the land known as Lot 6 DP 1046532, 146 – 150 Vimiera Road, Marsfield.

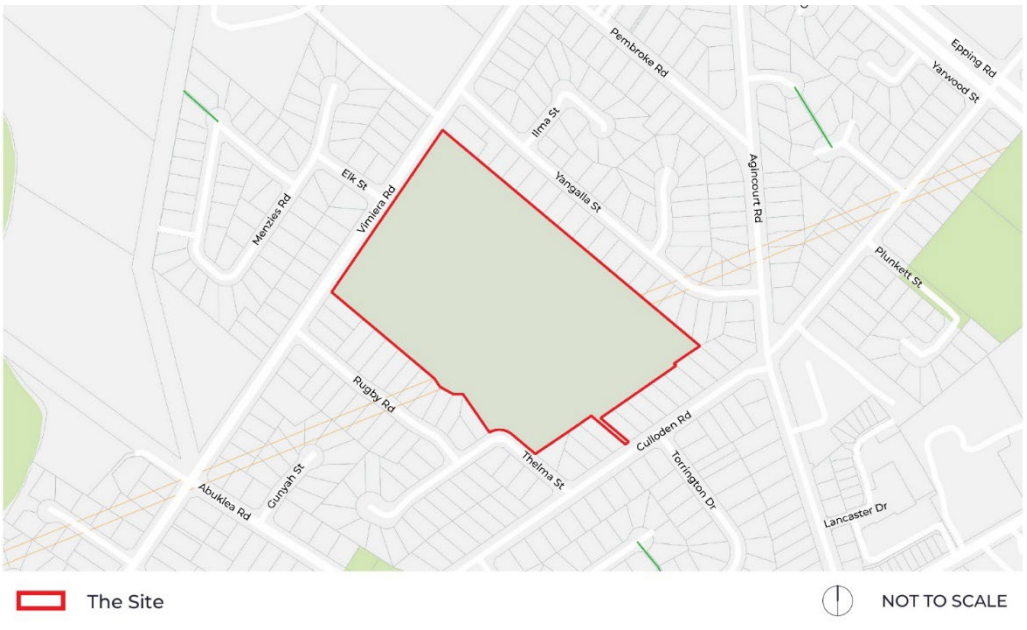

Figure 1 The land to which this Part applies

1.3 Purpose of this Part

The purpose of this DCP Part is to guide the future development of the site for residential uses and public open space only, by identifying the development principles and controls for the site. It seeks to ensure the orderly, efficient and environmentally sensitive development of the site to achieve high quality urban design outcomes and will:

- Give effect to the aims and objectives of Ryde Local Environmental Plan 2014; and
- Facilitate development that is permissible under that Plan.

1.4 Relationship to other sections of the DCP

This section forms part of The Ryde Development Control Plan 2014 (DCP 2014). Development within the land to which this plan applies, will need to have regard to this section of the DCP as well as other relevant controls in DCP 2014. In the event of any inconsistency between this section and other sections of DCP 2014, this section will prevail to the extent of the inconsistency.

2.0 General Development Controls

This section provides controls designed to guide the redevelopment of the part of land to which this Part applies.

2.1 Subdivision

Objectives

1. To ensure that subdivision occurs in a manner that is generally consistent with the master plan.
2. To ensure that any proposed public roads and public open space are dedicated to Council and that appropriate mechanisms are included to facilitate public pedestrian access through the site between Vimiera Road and Thelma Street.
3. To ensure that subdivision demonstrates how any privately-owned roads, landscaping, open space, pedestrian connections and infrastructure is well-maintained in perpetuity.
4. To support the future provision of housing diversity through the provision of a range of compact lots suitable for detached, semi-detached and attached dwellings.
5. To ensure that future dwellings are the subject of a Development Application(s) to allow a detailed assessment of design quality in accordance with the provisions of this development control plan.

Controls

a. Any proposed subdivision of the site is not to result in more than 136 residential dwelling lots.

b. Any proposed subdivision of the site is to demonstrate compliance with the following minimum lot sizes:

   i. Attached dwelling: 190 square metres

   ii. Semi-detached dwelling: 200 square metres

   iii. Dwelling house: 200 square metres

   iv. Where a Development Application proposes to create lots smaller in size than those outlined above, the Development Application must be accompanied by architectural drawings demonstrating that a satisfactory level of residential amenity and streetscape design can be achieved.

c. Subdivision should be generally in accordance with **Figures 1 and 6**.

d. Any Development Application for subdivision is to demonstrate appropriate mechanisms to facilitate the dedication of proposed public roads to Council.

e. Any Development Application for subdivision is to include details of the proposed mechanism(s) to ensure the ongoing upkeep and maintenance of areas of internal communal roadways, pedestrian networks, on-street parking, landscaping and vegetation, stormwater infrastructure etc. by the future land owners.

f. Any Development Application for subdivision is to include details of proposed rights of way for the provision of public pedestrian access between Vimiera Road and Thelma Street in perpetuity.

g. Any Development Application for subdivision is to include details of a restriction on title for each residential lot that precludes the making of a Complying Development Certificate in relation to that lot under Parts 3 or 3B of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Figure 1: Proposed Master Plan

2.2 Vehicular and Pedestrian Access and Circulation

Objectives

1. To provide convenient and safe access and adequate car parking that meets the needs of all future residents and visitors.
2. To provide access arrangements which do not impact upon the efficient or safe operation of the surrounding road system.
3. To minimise any adverse impact of vehicular access on the surrounding public domain, neighbouring properties and neighbourhood character.
4. To prevent vehicular access to the site via Thelma Street.
5. To provide a direct pedestrian and cycling route between Vimiera Road and Thelma Street.

Controls

a. Vehicular access points and internal roads should be laid out generally in accordance with **Figure 2**.

b. Internal communal roads should be designed to be generally in accordance with **Figures 3 - 5**.

c. A minimum of 50 on-street parking spaces should be provided to cater for visitors to the public open space and future residents. A suitable proportion of these spaces should be designed and designated as accessible parking spaces.

d. The relevant Development Application(s) relating to subdivision and/or the construction of internal roads should demonstrate how public pedestrian and cyclist access between Vimiera Road and Thelma Road is provided and demonstrate how public access is maintained in perpetuity through appropriate restrictions on title.

e. All Development Applications relating to the construction of roads should include swept path diagrams for the largest expected vehicle types, including for waste collection and removalists.

f. The Development Application for the construction of the roadway adjoining the public park should include details of consultation with local car-share providers and, if supported by demand, identify opportunities for the provision of a dedicated on-street car share parking space.

g. Driveways are to have the smallest configuration possible (particularly within the road verge) to serve the required parking facilities and vehicle turning movements and shall comply with AS2890.

h. The location of driveways is to be determined with regard to dwelling design and orientation, street trees and is to maximise the availability of on-street parking in the vicinity of the public park.

i. A Public Domain Plan is to be prepared by a suitable qualified landscape architect/designer and submitted with the relevant Development Application that demonstrates any changes necessary to the public domain in Vimiera Road and Thelma Street necessary to facilitate the proposed vehicular, pedestrian and cyclist networks.

j. Development Application(s) for the construction of roadways with on-street parking should include details of any proposed parking restrictions and an indication of the mechanisms by which these restrictions will be enforced.

Figure 2: Indicative road layout

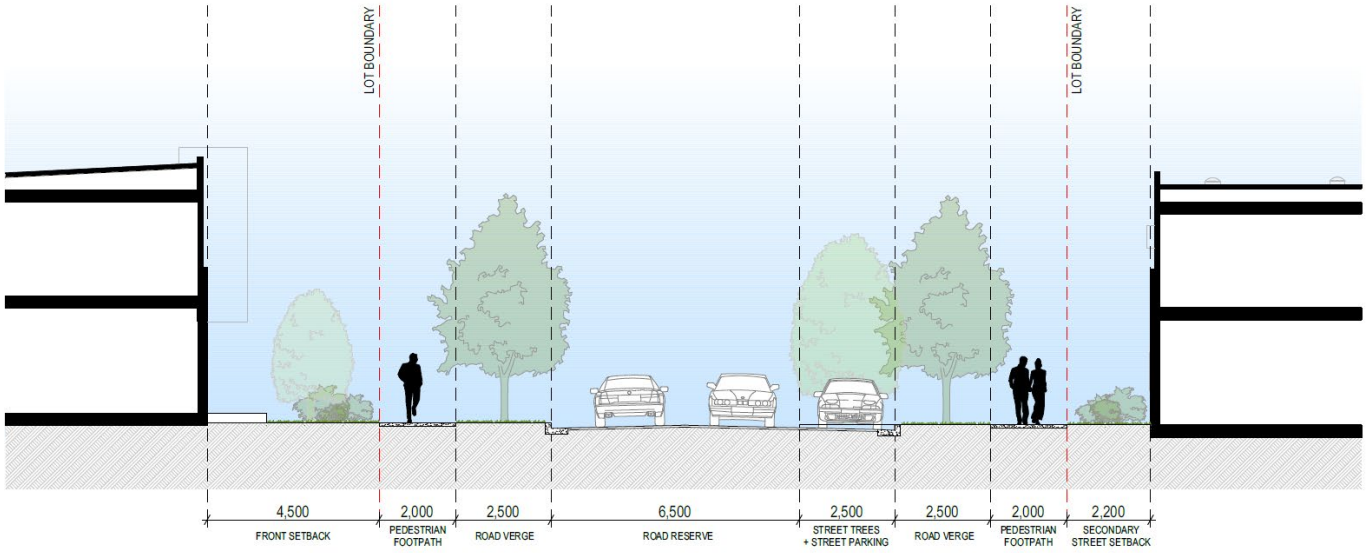

Figure 3: Indicative cross sections for loop roads

Figure 4: Indicative cross sections for central avenue

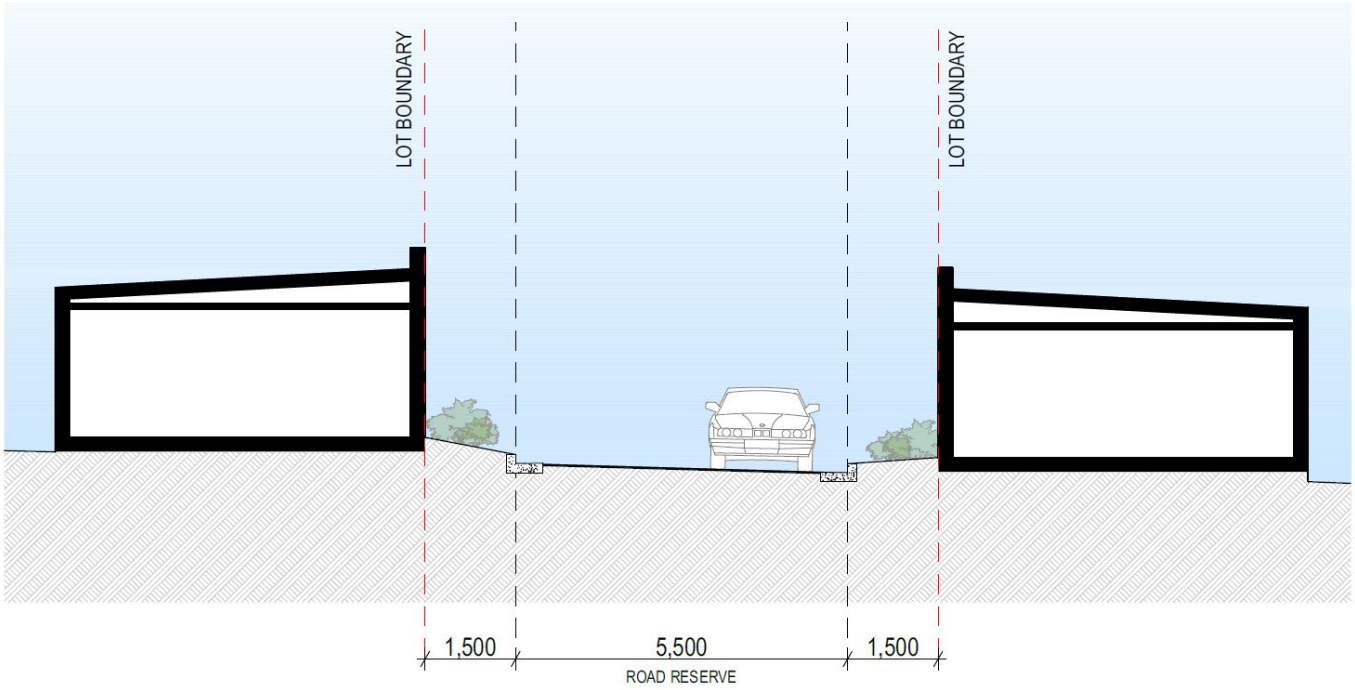

Figure 5: Indicative cross sections for laneways

2.3 Dwelling Design

Objectives

1. Provide a diverse range of housing typologies within the site to cater to the housing needs of the existing and future community.
2. Ensure sufficient separation between existing and future dwellings to provide visual privacy.
3. Achieve suitable levels of direct solar access to areas of private outdoor open space.
4. Concentrate attached dwellings within the centre of the site.

Controls

a. Development is generally to consist of the following types of dwellings, for which detailed controls are set out in **Sections 2.3.1 - 2.3.4**:

   i. Detached dwellings – including 'zero lot' detached dwellings

   ii. Semi-detached dwellings

   iii. Attached dwellings

b. Site coverage is the proportion of the lot covered by a dwelling house and all ancillary development (e.g. carport, garage, shed) but excluding driveways, unenclosed balconies, verandahs, porches, al fresco areas etc.

c. Provide dual frontages where practical at internal street intersections.

d. Distribution of dwelling typologies should generally in accordance with **Figure 6**.

Figure 6: Indicative distribution of dwelling typologies

2.3.1 Detached Dwelling Controls (A1)

Element	Control
Lot width (min)	12 metres
Front setback (min)	For dwellings fronting proposed public open space: – 3.5 metres to building façade line – 2.0 metres to articulation zone For all other dwellings: – 4.5 metres to building façade line – 3.0 metres to articulation zone
Side setback (min)	0.9 metres
Rear setback (min)	4m (ground level) 6m (upper levels)
Site coverage (max)	50%
Pervious area (min)	35%

Solar access	At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to at least 50% of the principal private open space for at least 70% of the proposed development. At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to all adjoining properties outside of the site.
Garages and car parking	Double garages permitted. Max. garage door width not to exceed 3.0m (single) or 6.0m (double)
Studio/secondary dwelling	Not permitted

2.3.2 'Zero Lot' Detached Dwelling Controls (A2)

Element	Control
Lot width (min)	10.5 metres
Front setback (min)	4.5 metres to building façade line 3.0 metres to articulation zone
Side setback (min)	Nil for maximum depth of 7 metres, then 2 metres thereafter 0.9 metres on other side
Rear setback (min)	4 metres (ground level) 6 metres (upper levels)
Site coverage (max)	45%
Pervious area (min)	35%
Solar access	At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to at least 50% of the principal private open space for at least 70% of the proposed development. At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to all adjoining properties outside of the site.
Garages and car parking	Double garages permitted. Max. garage door width not to exceed 3.0m (single) or 6.0m (double)
Studio/secondary dwelling	Not permitted

2.3.3 Semi-Detached Dwelling Controls (B1/B2)

Element	Control
Lot width (min)	7.0 metres
Front setback (min)	4.5 metres to building façade line 3.0 metres to articulation zone
Side setback (min)	0 metres to common boundary 0.9 metres
Rear setback (min)	4 metres (ground level) 6 metres (upper levels)
Site coverage (max)	50%
Pervious area (min)	35%
Solar access	At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to at least 50% of the principal private open space for at least 70% of the proposed development. At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to all adjoining properties outside of the site.

Garages and car parking	Double garages not permitted. Max. garage door width not to exceed 3.0m (single). Driveways and garages are to be co-located to maximise areas available for planting.
Studio/secondary dwelling	Not permitted

2.3.4 Attached Dwelling Controls (C)

Element	Control
Lot width (min)	6.6 metres
Front setback (min)	4.5 metres to building façade line 3.0 metres to articulation zone
Side setback (min)	Nil
Rear setback (min)	Nil for detached garage
Corner lot secondary street setback (min)	1 metre
Site coverage (max)	55%
Pervious area (min)	30%
Solar access	At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to at least 50% of the principal private open space for at least 70% of the proposed development. At least 2 hours of sunlight between 9am and 3pm at the winter solstice (21 June) is to be provided to all adjoining properties outside of the site.
Garages and car parking	Max. garage door width not to exceed 3.0m (single) or 6.0m (double)
Studio/secondary dwelling	Permitted above garage – refer **Section 2.4**
Maximum run of dwellings	No more than 5 attached dwellings per run

2.4 Additional Controls for Secondary Dwellings

Objectives

1. To permit a limited number of secondary dwellings to be developed above rear-accessed garages in order to facilitate increased housing diversity, opportunities for multi-family and multi-generational living, and casual surveillance of internal laneways.
2. To ensure that secondary dwellings are adequately serviced and supported by adequate infrastructure.

Controls

a. Secondary dwellings are to be provided only on lots which have rear access to a laneway.

b. Windows and private open spaces must not overlook the private open space of any adjacent dwellings. Windows that potentially overlook adjacent lots must either have obscured glazing, be screened or have a minimum sill height of 1.5m above floor level.

c. Secondary dwellings and associated garages may have a zero lot setback to one side boundary and may be attached to another garage/secondary dwelling on an adjoining lot.

d. No additional car parking space is required for a secondary dwelling.

e. No separate private open space is required for a secondary dwelling.

f. Secondary dwellings are to have balconies or windows that overlook laneways for casual surveillance.

g. Where a secondary dwelling is built over a rear garage and separated from the upper levels of the principal dwelling, there must be a minimum separation of 5m between the upper floor rear façade of the principal dwelling and the secondary dwelling.

h. Where the secondary or studio dwelling is built to a zero lot line on a side boundary, windows are not to be located on the zero lot wall unless that wall adjoins a laneway, public road, public open space or drainage land.

i. No separate services or waste facilities are required. However, secondary dwellings must have access to the waste services of the principal dwelling where separate waste facilities are not provided for the secondary dwelling.

j. Subdivision of a secondary dwelling from the principal dwelling is not permitted.

Note: Secondary dwellings must comply with the provisions of Clause 5.4(9) of the Ryde Local Environmental Plan 2014, which principally requires that the total floor area of a secondary dwelling must not exceed whichever is the greater of 60 square metres of 11% of the total floor area of the principal dwelling.

Where an above-garage room is not intended to be occupied independently of the principal dwelling, it is to be designed so as to preclude its independent use as a secondary dwelling unless it complies with the provisions for a secondary dwelling outlined in this Section.

2.5 Design Quality

Objectives

1. To ensure well-designed buildings constructed of durable and attractive materials.
2. To provide for a coordinated approach to residential design within the site that delivers an integrated approach to architectural design and design diversity.
3. To incorporate a range of materials to provide visual interest, enhance visual amenity and articulate the built form.
4. To ensure that dwellings with frontages to the proposed public park or Thelma Street pedestrian connection achieve an appropriate design response that supports the quality of these public spaces.

Controls

a. Future Development Applications for dwellings should demonstrate how architectural diversity will be achieved throughout the site, which may include the incorporation of differentiated architectural character areas across the site.

b. Any dwelling with frontage to the proposed public park or the Thelma Street pedestrian/landscaped connection, either directly or across a proposed road, should:

   i. Provide clear demarcation at ground level between the public and private domain.

   ii. Provide high quality landscaping within the front setback to the dwelling.

   iii. Be designed to encourage high levels of passive surveillance of public open space whilst maintaining visual and acoustic privacy for residents.

   iv. Ensure suitable levels of internal acoustic amenity for residents, particularly for dwellings located in the vicinity of proposed active recreational elements of the proposed park.

2.6 Open Space

Objectives

1. Deliver a high quality public park that includes a diverse range of passive and active recreational offerings for existing and future residents and visitors.
2. Provide equitable access for persons of all ages and abilities.
3. Minimise impacts on the amenity of the existing and future community arising from the use of the new public park.
4. Provide a suitable landscaped presentation to Thelma Street incorporating pedestrian and cyclist access.

Controls

a. Future embellishment of the public park fronting Vimiera Road is to include the following:
    i. Multi-purpose sports court at least equivalent in size to a basketball court. The court should be designed to be configurable for a wide range of sports usage.
    ii. Badminton and table tennis courts.
    iii. Open turfed area for active and passive recreation, with relatively flat gradients suitable to allow the use of these areas for informal football/active recreational uses.
    iv. Areas of informal and formal seating.
    v. Walking paths and fitness stations.
    vi. Nature play that is suitable for use by persons of all ages and abilities.
b. Future naming, design and information provided within the public park fronting Vimiera Road is to include reference to the historic use of the TG Millner Field by Eastwood Rugby.
c. The Development Application for the public park is to be accompanied by details of
d. The Thelma Street landscaped area is to be comprised predominately of landscaping with groundcover, trees and tree planting with the use of retaining walls/structures to be minimised.

2.7 Tree Retention and Landscaping

Objectives

1. To maximise landscaped areas and planting around the buildings to increase amenity for occupants, improve the landscape character of the neighbourhood and environmental performance of the landscape
2. Protect high value trees identified for retention in the master plan through future development.
3. Facilitate the retention of additional medium and low-value trees where compatible with the master plan.
4. Establish a high level of future tree canopy cover across the site.

Controls

a. Future Development Applications are to demonstrate the protection and retention of the following trees which are given a high retention value and which are identified for retention in the Arboricultural Impact Assessment prepared by Sydney Arbor Trees Pty Ltd dated 5 May 2022: 113, 131, 134, 136, 190, 191, 200, 254,
b. Future Development Applications are to prioritise the retention of other existing trees identified for retention in the Arboricultural Impact Assessment prepared by Sydney Arbor Trees Pty Ltd dated 5 May 2022 where practical subject to detailed design.
c. Future Development Applications are to demonstrate future replacement tree planting to achieve a minimum canopy cover of 65% averaged across the site.
d. Provide deep soil zones which will encourage tree root systems and facilitate water absorption across the site, especially in the setback zones.

Note: Development is to comply with the provisions contained in Part 9.5 Tree Preservation and Tree Management Technical Manual under the Ryde DCP 2014.

2.8 Earthworks

Objectives

1. To provide a landform that is capable of supporting residential and public open space uses.
2. Ensure suitable levels and gradients are achieved within the site to ensure equitable pedestrian access, minimise the need for retaining walls, achieve appropriate level changes within the site and to adjoining land, and to ensure suitable levels for stormwater management.

Controls

a. Any Development Application that proposes subdivision or earthworks should be accompanied by a Cut and Fill Plan that demonstrates how site levels will be established having regard to:

   i. Ensuring equitable pedestrian access within the public park and internal roads that complies with the relevant accessibility standards.

   ii. Minimising the need for retaining walls.

   iii. Achieve suitable transitions in site levels to adjoining properties.

   iv. Ensure suitable site levels for stormwater infrastructure and overland flow paths.

   v. Minimising the need to import or export fill from the site for the purpose of establishing new site levels.

Note: A Cut and Fill Plan is to be submitted with any Development Application that involves the reshaping of levels within the site.

2.9 Safety and Security

Objectives

1. To ensure that the siting and design of buildings and spaces decreases the opportunities for committing crime through casual surveillance.
2. To ensure that development encourages people to use streets, parks and other public places without fear of personal risk.

Controls

a. Dwellings should be designed to overlook streets, lanes and other public or communal areas to provide casual surveillance. In the case of corner lots habitable windows are to be oriented to overlook the side street.

b. Encourage a sense of community ownership of open and public spaces (eg parks, footpaths, etc) through appropriate design of publicly accessible areas.

c. Pedestrian and public areas are to have sufficient lighting to ensure a high level of safety. These areas must be designed to minimise opportunities for concealment.

d. All development should aim to provide casual surveillance of the street as a means of passive security. This should be achieved by maximising outlooks and views, but minimising the overlooking of neighbouring properties. Opportunities for casual surveillance from dwellings are to be incorporated into the design, particularly where rear access is proposed from laneways.

e. All developments are to incorporate the principles of Crime Prevention through Environmental Design (CPTED).

f. Future Development Applications relating to the provision of public open space are to be accompanied by a Crime Prevention through Environmental Design (CPTED) Assessment prepared by a suitably-qualified assessor.

2.10 Sustainability

Objectives

1. Reduce consumption of energy and water at the site.
2. Incorporate opportunities to capture renewable energy and stormwater resources for reuse at the site.
3. Design infrastructure and dwellings to support the future uptake of electric vehicles by residents.

Controls

a. Development Applications for new dwellings should demonstrate how opportunities to incorporate the following sustainable design measures have been addressed:

   i. Rooftop solar photovoltaics.

   ii. Provision of, or design to allow future retrofitting of, charging infrastructure for electric vehicles.

   iii. Stormwater capture and reuse.

   iv. Energy-efficient building design.

b. Development Applications for public domain and open space design should demonstrate how opportunities to incorporate the following sustainable design measures have been addressed:
    i. Energy and water-efficient infrastructure and fixtures/fittings.
    ii. Water conservation and reuse opportunities.
    iii. Provision of, or design to allow future retrofitting of, electric vehicle charging infrastructure for one on-street visitor parking space located within the site near the public open space.
c. All Development Applications must be accompanied by a Construction Waste Management Plan that identifies measures to avoid, reduce, reuse and facilitate recycling of construction waste streams.
d. Light coloured roofs are encouraged in architectural design.

Note: New residential dwellings must also comply with the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and all Development Applications for BASIX affected buildings must be accompanied by BASIX Certificates with relevant commitments noted on accompanying architectural drawings.

2.11 Stormwater Management

Objectives

1. To provide an acceptable means of controlling stormwater runoff from properties that will not cause nuisance or damage to other properties.
2. To preserve and protect the amenity and property of existing residents.
3. WSUD is to be adopted throughout all development to provide sustainable and integrated management of land and water resources, incorporating best practice stormwater management, water conservation and environmental protection measures.
4. All buildings must install rainwater tanks to meet a portion of supply such as outdoor use and toilets.

Controls

a. Stormwater and flood management is to be generally in accordance with **Figure 7**.
b. Overland flow from properties in Yangalla Street and other adjoining properties is to be managed in a manner that does not give rise to any additional flooding impacts or risks to public safety.
c. A stormwater management system is to be provided in accordance with the requirements of Part 8.2 Stormwater Management provisions of this Development Control Plan.
d. Water Sensitive Urban Design (WSUD) is to be provided to reduce any adverse impact on the nature environment. A WSUD report is required in line with the City of Ryde DCP Part 8.2.

Note: The above section is to be read in conjunction with Section 8.2 Stormwater and Floodplain Management

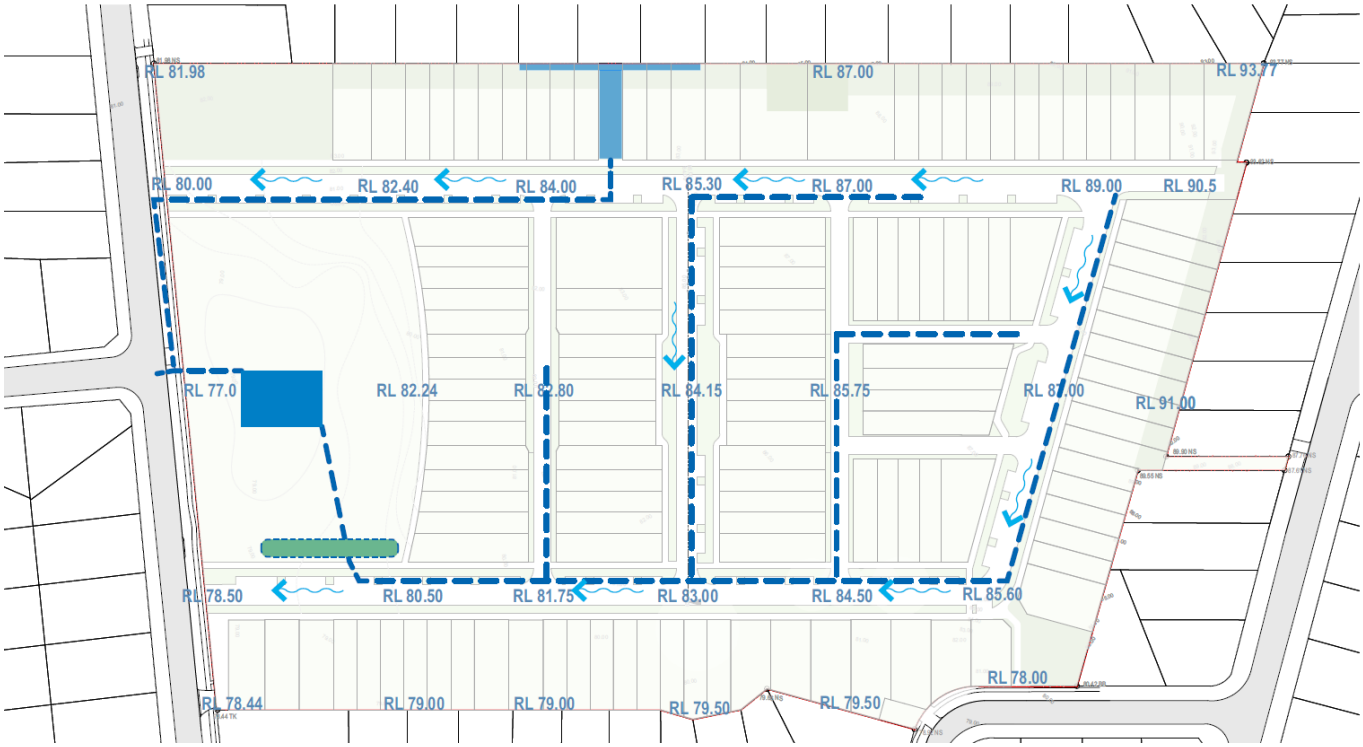

Figure 7: Indicative stormwater and flooding strategy

2.12 Services

Objectives

1. Ensure the site is adequately serviced with infrastructure to support future development.

Controls

a. The first Development Application for the site is to be accompanied by a Services and Utilities Strategy that details how utilities infrastructure will be provided to support future development of the site in accordance with the master plan. The Strategy is to be informed and provide evidence of prior consultation with the relevant utility infrastructure providers.