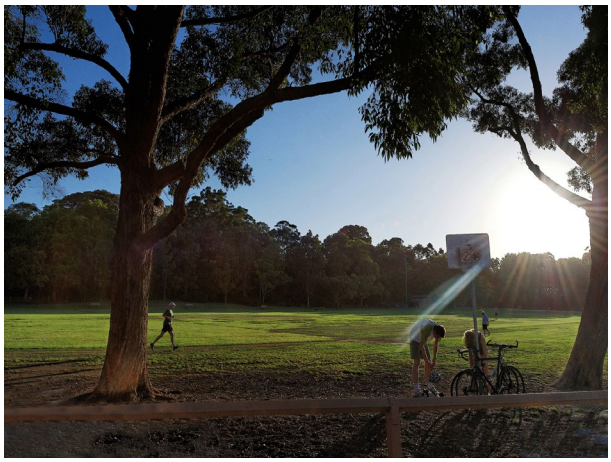
INNER WEST

Leichhardt Development Control Plan 2013 (Amendment No. 18)



Amendment No.	Effective Date	Description of Amendment
1	11 March 2014	• George & Upward Streets, Leichhardt Development Control Plan 2014 (Separate DCP) • Only applies to 22 & 30-40 George Street, Leichhardt (Kolotex and Labelcraft Sites)
2	26 June 2014	• Housekeeping Amendment (Amendment to Part C3.2)
3	15 July 2015	• 141 & 159 Allen Street Leichhardt (Amendment to Part G) • Site specific controls for 141 & 159 Allen Street Leichhardt were added to Part G of the DCP.
4	22 September 2015	• Balmain Leagues (Amendment to Part A) • This DCP amendment confirmed that the Leichhardt DCP 2000 controls apply to the Balmain Leagues Club site
5	19 April 2016	• Housekeeping Amendments
6	31 May 2016	• Specific control was added to clause 1.14.7 Criteria for assessment of tree removal for medical reasons (Amendment to Part C1.14)
7	20 December 2016	• Development control changes for low impact licensed premises and clarification of parking provisions relating to small bars (Amendment to Part C C4.11 & C1.11)
8	9 May 2017	• Changes to the wording of clause A3.9 Activity Applications to simplify notification requirements for the types of activities covered by the Local Approvals Policy (Amendment to Part A3.9)
9	27 April 2018	• Amendment to Part G - Site specific controls for 168 Norton Street, Leichhardt were added to Part G of the DCP.
10	6 July 2018	• Amendment to the Flood Control Lot Maps and Foreshore Flood Control Lot Maps in Appendix E - Water Guidelines.
11	21 September 2018	• Amendment to Part G - Site specific controls for 17 Marion Street, Leichhardt were added to Part G of the DCP.
12	1 August 2019	• Housekeeping amendments relating to waste management, flood and stormwater management, car parking controls and administrative and legislative updates.
13	20 March 2020	• Amendment to Part C1.14 – Tree Management
14	3 July 2020	• Amendment to Part A – Introduction – Section 3 – Notification of Applications. Replace contents of this section with link to Council's Community Engagement Framework • Amendment to Part C – Section 1 – C1.11 Parking – delete control C25(c) relating to car share provision
15	9 April 2021	• Amendment to Part G - Site specific controls for 1-5 Chester Street, Annandale were added to Part G of the DCP.

16	9 September 2022	• Housekeeping amendment to ensure consistency with Inner West Local Environmental Plan 2022.
17	20 December 2022	• Amendment to Part G – Site specific controls for 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield were added to Part G of the DCP.
18	1 April 2023	• Amendment to Part C1.14 – Tree Management

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PART A: INTRODUCTION

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SECTION 1 – PREAMBLE

A1.1 NAME OF THIS PLAN AND WHEN THIS PLAN CAME INTO FORCE

This Development Control Plan is the *Leichhardt Development Control Plan 2013*. Council adopted this Plan on 24th September 2013 and it came into force on 3rd February 2014.

A1.2 PLANS REPEALED BY THIS PLAN

The following Plans are repealed by this Development Control Plan, except to the extent that those Plans shall continue to apply to development applications saved under clause 1.8A of *Inner West LEP 2022*:

a. Leichhardt Development Control Plan 2000, however this plan does not repeal Leichhardt Development Control Plan 2000 to the extent that it applies to land identified as a "Deferred matter" in the Land Application Map under cl. 1.3 (1A) of the *Inner West LEP 2022*.

b. Development Control Plan 21 – Wharf Road Birchgrove

c. Development Control Plan 27 – Balmain Power Station

d. Development Control Plan 31 – Ampol Site (White Bay)

e. Development Control Plan 32 – Design for Equitable Access

f. Development Control Plan 35 – Exempt and Complying Development

g. Development Control Plan 36 – Notifications

h. Development Control Plan 38 – Avoid, Reuse, Recycle

i. Development Control Plan 42 – Contaminated Land Management

j. Development Control Plan 47 – Jane Street Balmain

k. Development Control Plan 48 – Approvals Policy Managing Activities on Footpaths and Verges

l. Development Control Plan 51 – Telecommunications and Radiocommunications.

This Development Control Plan also replaces the Tree Preservation Order.

A1.3 LAND TO WHICH THIS PLAN APPLIES

Subject to clause A1.2 (a), this Development Control Plan applies to the Inner West Local Government Area for the extent of land identified in *Figure A5: Land covered by this Development Control Plan*.

A1.4 SAVINGS AND TRANSITIONAL PROVISIONS

This Development Control Plan does not apply to an application under the *Environmental Planning and Assessment Act 1979* which was lodged with Council, but not determined before, the commencement of this Development Control Plan. Any application lodged before the commencement of this Development Control Plan, will be assessed in accordance with any relevant previous Development Control Plans, which applied at the time of application lodgement.

A1.5 AIMS OF THIS PLAN

The principal aim of this Development Control Plan is to facilitate development that gives effect to the aims and objectives, including the objectives of the land zones under *Inner West LEP 2022,* and to provide for the matters set out in s3.43 of the *Environmental Planning and Assessment Act 1979*.

Many of the performance measures against which an application is assessed relate to *amenity*, environmental performance or heritage issues. Planning and design outcomes that Council is pursuing include sustainable and contemporary building and place design, transit oriented development, heritage conservation, active streets and laneways and diversity of land use which supports economic, environmental and social sustainability.

A1.6 DEFINITIONS

The glossary in Appendix A of this Plan defines words and expressions for the purposes of this Development Control Plan. Where this Development Control Plan uses a term that is defined in *Inner West LEP 2022* the meaning of that term is to be taken from *Inner West LEP 2022.*

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

A1.7 RELATIONSHIP OF THIS PLAN TO OTHER PLANS

State policies

State Environmental Planning Policies (SEPPs) may apply to land to which this Development Control Plan applies.

Codes SEPP

State Environment Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) applies to certain land where this DCP applies. The *Codes SEPP* identifies a range of development of minor environmental impact that may be carried out as exempt development without the need for approval under the NSW planning system. The Codes SEPP also specifies certain types of development that may be carried out as complying development. Complying development does not require a development application to be lodged with Council; it may be carried out after obtaining a complying development certificate (CDC) from Council or an accredited certifier. Further information on the *Codes SEPP* is available at www.planning.nsw.gov.au/housingcode.

Inner West LEP 2022

Inner West LEP 2022 applies to the land to which this Development Control Plan applies. *Inner West LEP 2022* is a statutory environmental planning instrument that sets out land use zones and development standards and controls for development in Leichhardt. This Plan supports and supplements the provisions of *Inner West LEP 2022*. The provisions of *Inner West LEP 2022* prevail over this Development Control Plan in the event of any inconsistency.

A1.8 HOW COUNCIL ASSESSES PROPOSED DEVELOPMENT

Preparing and lodging a development application

A development application is required to be submitted to Council for most land uses and development proposals, unless that development is identified as exempt development or complying development in

Inner West LEP 2022 or *SEPP (Exempt and Complying Development Codes) 2008* or other State Environmental Planning Policies (SEPP's).

A development application submitted must contain all necessary information referred to in Council's documentation entitled *"DA Lodgement Checklist*" and "*Specifications for Development Application Documentation*" along with the required fees.

Assessing the application

Council assesses each application according to:

- S4.15 of the *Environmental Planning and Assessment Act 1979*;
- the statutory provisions of *Inner West LEP 2022* and any relevant SEPPs;
- the objectives and planning controls set out in this Development Control Plan;
- the provisions of any other policies or guidelines adopted by Council and referred to within this Plan or identified as relevant to the development proposal; and
- Section 7.11 and 7.12 (formerly 94 or 94A) contributions plan or plans that apply.

Council expects that applicants will satisfy the objectives and comply with the corresponding planning controls set out in this Plan. Every application will be dealt with on its merits. A proposal must address each relevant planning control and respond to the context of the site, streetscape and the desired character of the area.

Council is required by section 4.15 (3A) of the Act to apply the controls of this Development Control Plan flexibly and to consider alternative design solutions. Where a planning control cannot be satisfied because of conflict with another control in this Development Control Plan, Council will consider a flexible application of the controls only where it can be demonstrated that the objectives of all relevant controls are nonetheless satisfied.

A1.9 THE STRUCTURE OF THIS DEVELOPMENT CONTROL PLAN

This Development Control Plan complements and provides further detail to support the *Inner West LEP 2022.*

This Development Control Plan is structured as follows:

- Part A includes the *Introduction*, outlines how this Development Control Plan works, Council's approach to the notifications, and statutory information about the implementation of this Development Control Plan;
- Part B is called *Connections* and includes objectives and controls which support health and well-being, social inclusion, creativity, employment and economic opportunity;
- Part C is called *Place* and includes Suburb Profiles, Distinctive Neighbourhood Character Statements, objectives and controls, General Provisions including controls for both residential and non-residential development; Residential Provisions for all types of residential development, irrespective of the zone; and Non-residential Provisions which provides for types of non-residential development, irrespective of the zone;
- Part D is called *Energy* and relates to Energy and Waste Management;
- Part E relates to *Water Management*;

- Part F is called *Food* and relates to food production;
- Part G relates to *Site Specific Controls*;
- Appendix A includes the *Glossary*;
- Appendix B includes the *Building Typologies*;
- Appendix C includes the *Urban Framework Maps*;
- Appendix D includes *Energy and Waste Templates;*
- Appendix E includes *Water Management Templates*; and
- Appendix F includes *Late Night Trading Maps.*

Development is assessed against all relevant parts of this Development Control Plan including general provisions and use specific provisions. A use that has specific provisions in this Development Control Plan must still comply with the general provisions of the relevant part. Where there is an inconsistency between the general provisions and the use provisions, the use provisions apply.

This Development Control Plan is a performance-based instrument that facilitates merit based assessment. Merit-based assessment is appropriate in Leichhardt due to the variety of development contexts where a planning and design solution, that is appropriate for one location, may not be appropriate for another location.

In this context, through the development application process, development must demonstrate to Council's satisfaction that it complies with the provisions of the relevant parts of the Development Control Plan. The provisions contain two parts:

1. Objectives; and
2. Controls.

Development must achieve the objectives of the relevant sections within the Development Control Plan. The controls represent one solution that may demonstrate compliance with the objectives; however every application will be dealt with on its merits. Development may propose an alternative solution to the controls. In such cases, the applicant is required to clearly demonstrate to Council how this alternative solution meets the objectives.

A1.10 MONITORING AND REVIEW

Council is required to keep Local Environmental Plans and Development Control Plans under regular and periodic review under s.3.21 of the *Environmental Planning and Assessment Act 1979*. The Council is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments.

The Council aims to review the *Inner West LEP 2022* and this Development Control Plan at least at five yearly intervals in order to:

a. assess the continued relevance and responsiveness of the Plan's provisions and objectives;

b. measure the achievement of the objectives of the Plan;

c. identify the need for changes to the provisions to better achieve the objectives of the Plan; and

d. ensure the availability of adequate development capacity under the Plan's provisions.

Council may update this Development Control Plan on a more frequent basis to ensure that the objectives and controls contained in the document reflect the desired future character of the municipality.

SECTION 2 – DEVELOPMENT APPLICATION REQUIREMENTS

A2.1 DEVELOPMENT APPLICATION GUIDELINES

Council has outlined a step-by-step development assessment process on the Council website. Reference should also be made to "*Development Application Lodgement Checklist*" and "*Development Application Documentation*" forms.

This is amended from time to time to take account of legislative amendments and best practice.

SECTION 3 – NOTIFICATION OF APPLICATIONS

For information regarding notification of applications please refer to Council's Community Engagement Framework

https://www.innerwest.nsw.gov.au/ArticleDocuments/946/Community%20Engagement%20Framework.pdf.aspx

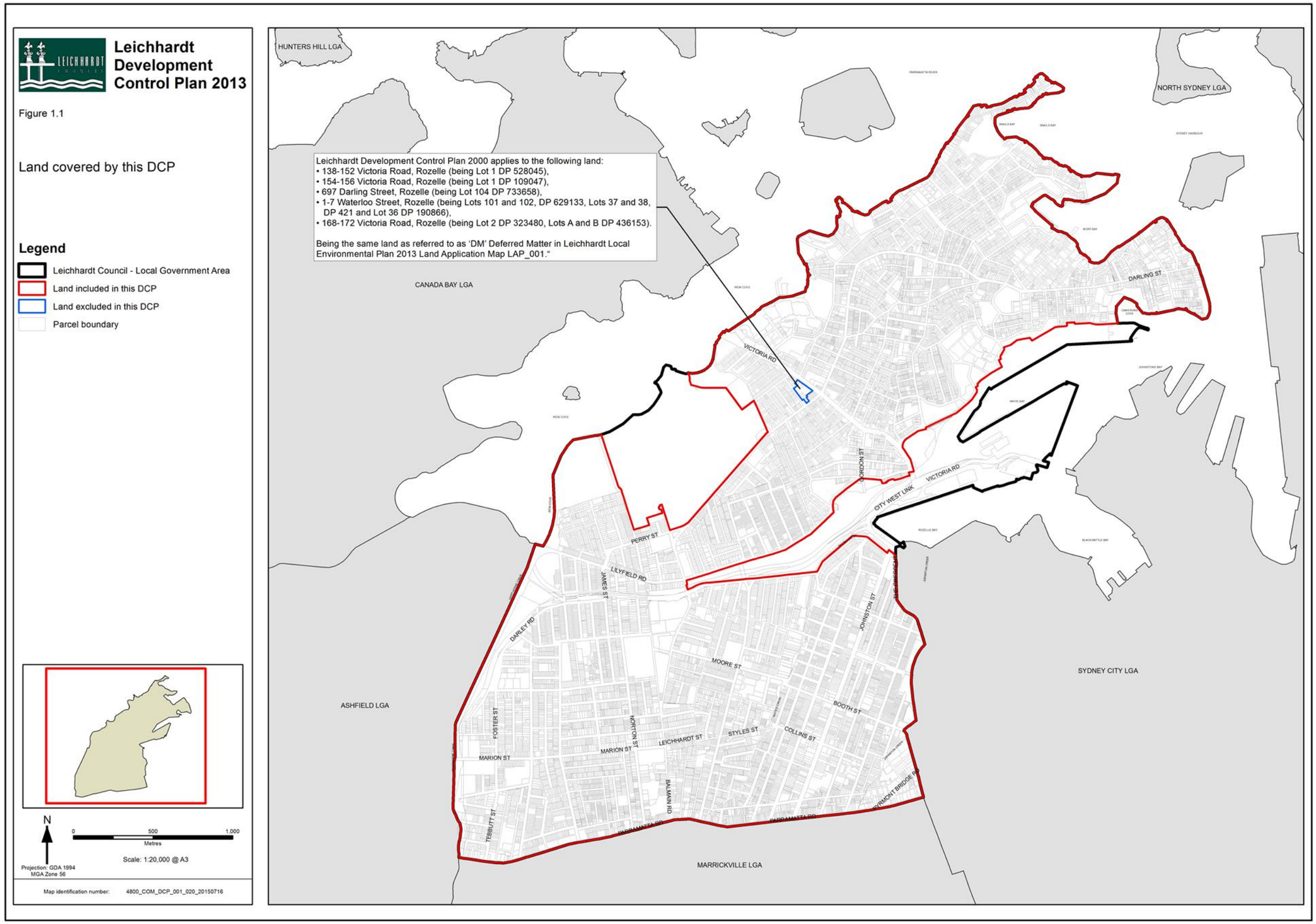

Figure A1: Land Covered by this Development Control Plan

PART B: CONNECTIONS

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SECTION 1 – CONNECTIONS

B1.1 CONNECTIONS

Objectives

Inner West LGA is a socially rich and diverse community where social equity, justice and regard for the needs of the entire community form the basis for sensitively planned new development. This Development Control Plan includes objectives and controls which will assist Council to implement its strategic direction as outlined in the adopted Leichhardt Community and Cultural Plan 2011-2021.

The Leichhardt Development Control Plan 2013 will assist Council in making important decisions about the physical environment and activities within it to support the wider social and economic needs and community aspirations on land where this DCP applies, including the special and individual needs of the old, young, disabled, indigenous and those from diverse cultural backgrounds.

The key strategic objectives identified in the Leichhardt Community and Cultural Plan 2011- 2021 are:

1. Connecting People to Each Other;
2. Connecting People to Place;
3. Develop Community Strengths and Capability;
4. Enliven the Arts and Cultural Life; and
5. Promoting Health and Wellbeing.

In implementing the five strategic objectives from the Leichhardt Community and Cultural Plan 2011-2021 Council seeks to:

O1 Foster a cohesive, connected, caring, safe and equitable community where a wide and representative array of community and cultural interests are pursued which reflect the interests of the whole community including leisure, social and recreational activities, creative arts, education and hobbies.

O2 Improve social inclusion to foster equity and social justice and to support people from diverse backgrounds to engage in accessible community, creative and recreational programs and activities.

O3 Facilitate opportunities for people to organise and attend public events and activities that contribute to the social and cultural life of the area.

O4 Promote arts practice.

O5 Enhance the public domain through facilitating democratic access to open space and the public domain, place making, public art and urban design.

O6 Develop and sustain the wellbeing of a vibrant community by encouraging healthy and environmentally sustainable lifestyle practices.

O7 Encourage and support activities and development which promote sustainability, biodiversity, healthy environments and food production.

O8 Enhance experience of places and spaces in the area by fostering art in the public domain.

O9 Support existing and encourage new local employment and economic opportunities appropriate to the character, traditions and needs of the local community.

O10 Provide quality open space, sporting and recreation facilities that are accessible for people of all ages, ethnicities, ability levels and socio-economic groups and which optimise opportunities for people to connect to each other and to place through active living activities.

O11 Promote safety in the public domain.

O12 Support urban design that accommodates active travel options such as walking, cycling and public transport between homes, centres and attractions so that people can be better connected to each other and to places.

O13 Improve social inclusion to foster equity and social justice and to support people from diverse backgrounds to engage in accessible community, creative and recreational programs and activities.

O14 Strengthen the identity, character and uniqueness of the area.

O15 Enhance active and passive recreation opportunities, enjoyment of places of cultural and environmental significance and beauty.

O16 Enhance access to the public domain for all people.

Controls

C1 Council encourages urban design that accommodates active travel options such as walking, cycling and public transport between homes, workplaces, centres and attractions.

SECTION 2 – HEALTH AND WELLBEING

B2.1 PLANNING FOR ACTIVE LIVING

Background

Inner West Council recognises the influence that the design of urban spaces and accessibility to areas for recreation and reflection can have on the health and wellbeing of the community. Council supports planning which facilitates positive lifestyle choices for the local community. A key component of this approach is to support active living.

Active living refers to opportunities for incorporating physical activity into daily life as well as for sport and recreation (Premiers Council for Active Living, 2010). This can be achieved through the provision of a variety of facilities accessible by all members of the community, designing urban spaces to be safe, walkable, cycle-able and connected, and maintaining the amenity of the public domain. Well planned and connected neighbourhoods foster opportunities for leisure, recreation and reflection as well as contributing to social cohesion, social opportunities and community wellbeing.

Active living encompasses the experience of being present in the public domain, in diverse activities that comprise participation on the life of the neighbourhood.

Objectives

O1 To establish Council's position regarding urban design to support opportunities for diverse active living in the municipality.

Controls

C1 Council supports the provision of quality open space, sporting and recreation facilities that are accessible for all.

C2 Council supports urban design that accommodates active travel options such as walking, cycling and public transport between homes, workplaces, centres and attractions.

C3 Council supports the development of streets that are attractive and safe for all members of the local community.

C4 Council supports the development of town centres and other key destinations in the municipality to provide safe, vibrant and attractive streetscapes both day and night.

C5 Council supports private development that addresses the street and is well connected to movement systems (i.e. streets, laneways, paths, open space etc.).

C6 Council supports safe, walkable neighbourhoods.

C7 Council encourages development that prioritises active travel over personal car use.

SECTION 3 – SOCIAL INCLUSION

B3.1 SOCIAL IMPACT ASSESSMENT

Background

Social issues embrace all aspects of human life including how we live, our culture, our community, our health and wellbeing and our aspirations.

Social Impact Assessment is used to analyse, monitor and manage the social consequences of development. Council uses Social Impact Assessment proactively to improve development outcomes, rather than just for the identification and mitigation of negative outcomes.

Inner West Council requires a Social Impact Assessment to be submitted in relation to some types of development applications as a means of assessing potential social impacts more comprehensively and consistently, to ensure that development and activities are consistent with Council's vision of making the area where this DCP applies:

- a place where the community wants to live, work, play and visit;
- a community that values democratic and responsible government; and
- a role model in social, environmental and economic sustainability.

Demand for a greater focus on social impacts has been driven through:

- a changing demographic profile and pressures arising from inner-urban life and proximity to the Sydney CBD;
- increasing awareness of planning authorities to apply social criteria in making decisions about development and land use;
- increasing emphasis by Council and the community on sustainability; and
- increasing emphasis on creating a cohesive, connected, caring, safe and equitable community.

B3.1.1 Forms of Social Impact Assessment

There are two forms of Social Impact Assessment, Social Impact Comment (SIC) and Social Impact Statement (SIS).

Social Impact Comment

A Social Impact Comment (SIC) is a comment on a social impact/s. It is a basic level of assessment that will briefly address and categorise social impacts of a certain development (i.e. positive, neutral, negative).

It need not be long, but must contain sufficient information for Council to make a decision. A SIC should not require specialist technical assistance to complete.

The required content of a Social Impact Comment includes the following information:

a. a brief description of how the development will impact upon the local area, and to what extent;

b. details of any community consultation undertaken in accordance with Council's adopted Community Engagement Framework and any concerns raised by those consulted;

c. a description of how the social impacts caused by the development and any concerns raised through the community consultation will be addressed by the applicant;

d. a list and description of the positive and negative impacts of the proposed development and a plan of management for identified impacts;

e. any additional information deemed relevant by the applicant; and

f. any additional information requested by Council Officers in Pre-Development Application (Pre DA) consultation.

Social Impact Statement

A Social Impact Statement (SIS) is a more in-depth description and analysis of actual and potential social impacts which recommends management and mitigation measures to address identified impacts.

A Social Impact Statement is required to be prepared by a suitably qualified person such as a social scientist with social impact assessment experience.

The required content of a Social Impact Statement includes the following information:

a. pre-development demographic profile of the suburb that the development is located within;

b. a description of the development including the expected resident and worker profile;

c. a description of the scope of the proposed changes;

d. identification of the probable impacts, including impacts likely to affect minority groups, marginalised groups, different age, income and cultural groups, and future generations;

e. assessed potential demand for community facilities and services from the expected new community and how this will impact on access by the existing community;

f. consideration of how the proposed development contributes to key Council policies and plans; and

g. an evaluation of the impacts of the proposal and suggestions on how any negative impacts might be managed and mitigated and any positive impacts enhanced.

Objectives

O1 To ensure social impacts are considered in Council's decision making and planning processes.

O2 To enhance consistency and transparency in Council's assessment of the social impacts during developments of new policies, plans, projects or proposed development.

O3 To maximise positive social impacts and minimise negative social impacts in relation to land use plans and development, new Council policies, plans or projects.

O4 Social Impact Assessments address and support the delivery of the Our Inner West 2036 vision.

O5 To encourage increased community participation in influencing decisions that affects them.

O6 To provide guidance as to what types of development applications require a Social Impact Assessment and expected content.

O7 Social Impact Assessment will be used by Council to assist in the assessment of development applications to ensure that development:

a. supports socially sustainable development and decision-making, contributing to the determination of best policy or development alternatives;

b. is informed by relevant policy and legislation and integrate policy priorities in the assessment (e.g. affordable housing, equitable access to services, integrated community facilities, sustainable transport);

c. acknowledges the values of local communities;

d. identifies impacts that are directly related to the proposed development, and demonstrates the connection between the intervention and the likely impact;

e. demonstrates rigour and a social science base in presenting evidence; and

f. addresses how net social benefit can be enhanced through the development and how negative social outcomes can be ameliorated and managed through mitigating and monitoring measures.

Controls

C1 A Social Impact Comment is to be submitted for those development types identified in Table B1: Requirement for Social Impact Assessment below and any other development if Council informs the applicant in writing that a Social Impact Comment is required.

C2 A Social Impact Statement prepared by a suitably qualified person is to be submitted for those development types identified in Table B1: Requirement for Social Impact Assessment and any other development if Council informs the applicant in writing that a Social Impact Statement is required.

C3 A Social Impact Assessment must include the required content specified for that type of Social Impact Assessment.

C4 Reference is to be made to Council's Social Impact Assessment Policy and Guidelines

Note: Where an applicant is unsure if a Social Impact Assessment is required for their development, or requires assistance in completing the Social Impact Assessment, the applicant is advised to contact Council for further information.

Table B1: Requirement for Social Impact Assessment

Development Type	Social Impact Comment	Social Impact Statement
New/loss of/intensification, boarding house, hostel, housing for people with disability, backpackers accommodation		Required
Amusement centre		Required
Any other development that Council believes there is doubt regarding the potential social impacts	May be required	May be required
Boat building & repair facility	Required	
Car park (stand-alone commercial car park)	Required	
Charter & boating tourism facility	Required	

Development Type	Social Impact Comment	Social Impact Statement
Child care centre (caring for more than 7 children)		Required
New or redevelopment of community facility		Required
Community garden	Required	
Crematorium		Required
Depot	Required	
Educational establishment		Required
Emergency services facility	Required	
Entertainment facility		Required
Environmental facility	Required	
Freight transport facility		Required
Function centre		Required
Funeral chapel/funeral home/mortuary		Required
Group homes (permanent or transitional)		Required
Health consulting rooms	Required	
Health services facility (excluding health consulting rooms) & hospital		Required
Helipad/heliport		Required
Horticulture	Required	
Hospital		Required
Hotel or motel accommodation		Required
Information & education facility		Required
New kiosks	Required	
Bulk landscape & garden supplies	Required	
Licensed premises (Hotel or motel accommodation, pubs & bottle shops)		Required
Liquid fuel depot	Required	
Local shop	Required	
Major road, arterial or transport corridor		Required
Marina		Required
Markets		Required
Mixed use development <20 Dwellings	Required	
Multi dwelling housing (developments of more than 25 dwellings, e.g. large flat/unit/mixed use developments)		Required

Development Type	Social Impact Comment	Social Impact Statement
Nightclub		Required
Offensive and/or hazardous industry		Required
Passenger transport facility (bus stop / bus shelters only)	Required	
Passenger transport facility (excluding bus stops & bus shelters)		Required
Aboriginal place of heritage significance	Required	
Places of public entertainment		Required
Places of public worship		Required
Port facility		Required
New or redeveloped recreation areas		Required
Recreation facility – Only major or outdoor facilities		Required
Recreation facility (indoor) gym and personal training only)	Required	
Registered club		Required
Residential care facility		Required
New restaurant, food and drink premises (excluding licensed premises)	Required	
Restricted premises		Required
Retail premises (shopping centres only)		Required
Seniors Housing (excluding residential care facility)		Required
Service stations		Required
Sewage reticulation system		Required
Sex service premises/brothel (New or enlargement/intensification of premises)		Required
Student accommodation		Required
Telecommunication facility	Required	
Veterinary hospital	Required	
Waste or resource management facility		Required
Water recreation structure	Required	
Water supply system & water resourcing system		Required
Wetland		Required

B3.2 EVENTS AND ACTIVITIES IN THE PUBLIC DOMAIN (SPECIAL EVENTS)

Background

Events and activities in the public domain make an essential contribution to the character, quality and enjoyment of places and spaces. Council seeks to facilitate the activation of places and spaces by ensuring that its controls and procedures make planned and informal activities possible.

Council is committed to making the municipality a socially inclusive community. Council will facilitate that outcome by enhancing opportunities for people to feel and be connected to each other and to places. The diverse use of public spaces can increase real and perceived safety, encourage diverse interactions, contribute to wellbeing and enhance expression and enjoyment of creativity.

Events and activities in the public domain may result in increased pedestrian and vehicle traffic, increased noise and increased demand for facilities and services such as toilets, parking, recycling and waste management, security and food and beverage facilities, in addition to those that already exist in the local area. Council seeks to ensure the amenity of residents and visitors is maximised.

Special Events Classes are defined within the RTA's Guide to Traffic & Transport Management of Special Events (2006) as the following:

- Class 1: is an event that impacts major traffic & transport systems and there is significant disruption to the non-event community. For example: an event that affects a principal transport route in Sydney;
- Class 2: is an event that impacts local traffic and transport systems and there is low scale disruption to the non-event community. For example: an event that blocks off the main street or shopping centre but does not impact a principal transport route or a highway;
- Class 3: is an event with minimal impact on local roads and negligible impact on the non-event community. For example: an on-street neighbourhood Christmas party;
- Class 4: is an event that is conducted entirely under Police control (but is not a protest or demonstration). For example: a small march conducted with a Police escort.

Objectives

O1 To facilitate opportunities for residents, employees and visitors of the Inner West community to connect with each other and to place through the temporary use of public land for special events.

O2 To establish when a development application, activity application, Council booking or written notification is required for the temporary use of public land for special events.

O3 To manage and encourage the responsible shared use of the public domain by establishing provisions regarding:

a. hours of operation;

b. accessibility;

c. traffic and parking management including bike and pram parking;

d. noise;

e. crime prevention;

f. risk assessment;

g. insurance;

h. emergency procedures;

i. crowd management;

j. alcohol;

k. first aid;

l. waste management; and

m. food.

B3.2.1 Events to which this section applies

Controls

C1 These controls apply to all special events within the municipality that are held on land that is owned by or control vested in Inner West Council and includes a street, park, reserve or public plaza, but does not include any event that is Exempt and Complying under the provisions of the *Inner West LEP 2022.*

B3.2.2 Other relevant legislation or policies

When planning an event or activity that requires submission of a development application or activity application to Council, this section of the Development Control Plan should be read in conjunction with the legislation, standards, policies and manuals referred to in this section, as amended from time to time.

B3.2.3 Events requiring a Council booking form

Controls

C1 the following special events on public land will require submission of the relevant Council booking form:

a. the use of Council's parks, reserves or sporting grounds for special events, in accordance with the Inner West Council Events in Parks Policy, except where Heritage Items are involved, which require a development application; https://www.innerwest.nsw.gov.au/ArticleDocuments/954/Events%20in%20parks%20policy.pdf.aspx or

b. the use or hire of public facilities such as Town Hall in accordance with the Inner West Council General Conditions of Hire. https://www.innerwest.nsw.gov.au/ArticleDocuments/324/General%20Conditions%20of%20Hire.pdf.aspx

B3.2.4 Events requiring an activity application

Controls

C1 The following special events on public land will require submission of an activity application to Council:

a. any event proposed to be held on community land in accordance with Section 68 of the *Local Government Act 1993*, except where a park booking form is applicable; and

b. any Class 3 Special Event as defined in the RTA's Guide to the Traffic & Transport Management for Special Events Process

B3.2.5 Events requiring a development application

Controls

C1 The following special events will require submission of a development application to Council:

a. any event proposed to be held in Callan Park;

b. any event that is held on or will affect a Heritage Item in accordance with the *Heritage Act 1977* (i.e. items on the State Heritage Register);

c. any Class 1 or Class 2 Special Events as defined in the RTA's Guide to the Traffic & Transport Management for Special Events Process; and

d. any other events where there is doubt as to the impacts of the proposed Special Event and where a development application is requested by Council.

Note: The "Guide to the Traffic & Transport Management for Special Events Process" can be accessed online at:

http://www.rta.nsw.gov.au/trafficinformation/downloads/tmc_specialevents_dl1.html.

Note: For further information on using Council land for an event or function contact Council on (02) 9367 9222 or visit Council's website at: https://www.innerwest.nsw.gov.au/explore/venues-for-hire.

B3.2.6 Events requiring notification to Council

Controls

C1 The following special events on public land will require the following written notification to Council prior to the event:

a. Class 1 event – minimum 6 months;

b. Class 2 event – minimum 4 months;

c. Class 3 event – minimum 6 weeks;

B3.2.7 General Provisions

Objectives

Accessibility

O1 To ensure that reasonable provision is made for access and circulation for people with disabilities at public events.

Traffic and Parking Management

O2 To ensure the safe movement of people and vehicles involved with the temporary use of land for special events on public land.

O3 To ensure provision of adequate and safe parking for patrons of special events on public land and neighbouring properties.

Noise

O4 To ensure the amenity of neighbouring properties is not unreasonably affected by noise associated with the temporary use of public land for special events.

Crime Prevention

O5 To minimise the risk of criminal activity occurring at public events.

Risk Assessment

O6 To ensure that potential risks relating to special events on public land are identified and adequately mitigated.

Emergency Procedures

O7 To ensure reasonable provisions are made to cater for emergency situations at special events on public land.

Crowd Management

O8 To ensure reasonable provisions are made for crowd management at special events on public land.

Insurance

O9 To ensure that adequate public liability insurance coverage is held by the applicant for the staging of special events on public land.

Alcohol

O10 To make possible the legal and responsible service and consumption of alcohol whilst minimising any potential harm connected with the consumption of alcohol at special events on public land.

First Aid

O11 To ensure the health and safety of patrons at special events on public land is adequately addressed.

O12 To ensure that adequate first aid providers are available to event patrons.

Waste Management

O13 To ensure that waste generated by a special event on public land is minimised, adequately managed and reused where practical.

Toilet Facilities

O14 To facilitate sufficient, clean accessible toilet facilities for the duration of special events on public land for patrons.

Lighting

O15 To ensure that an adequate level of lighting is provided to enable the safe movement of patrons of public special events in, around and out of the site, without negatively impacting the amenity of neighbouring properties.

Food

O16 To support local food businesses.

O17 To ensure the provision of food by venues at special events on public land is conducted in a manner that protects public health, safety and amenity, and complies with the *NSW Food Act 2003*.

Controls

General

Note: Consent or permission from Council relating to temporary use of public land for special events does not constitute an exemption or approval under any other applicable legislation or under any other Federal, State or Local Government requirements. It is the responsibility of the applicant to obtain all necessary permits and approvals prior to the event, including any required health, liquor licensing, police, public liability insurance or other approvals.

C1 Council may request further information for special events on public land that require submission of a Council Booking Form or written notification to Council.

Hours of operation

C2 Where Council consents to the temporary use of public land for special events, events may commence after 8.00am and continue until 10.30pm, with set up and removal occurring between 07.00am and 11.00pm.

Note: Variation to the hours outlined above may be permitted in special circumstances (e.g. New Year's Eve). Applicants are to submit their request in writing/seek development consent (depending on the category of event), and consent must be received in writing from Council prior to an approved event taking place.

Application Requirements: Special Event development applications or activity applications

C3 The following provisions of this section apply to all special events held on public land requiring submission of a development application or activity application, except where Council provides a written exemption.

Accessibility

C4 The applicant is to demonstrate consideration of the needs of persons with disabilities in relation to access to or use of the premises including:

a. appropriate and easily accessible parking areas;

b. easily identifiable and accessible seating and/or viewing areas;

c. reasonable unobstructed paths of travel; and

d. dedicated toilet facilities for persons with a disability.

Note: Clarification of relevant requirements should be obtained through reference to Australian Standard AS1428 Design for access and mobility and the Commonwealth Disability Discrimination Act 1992.

Traffic and Parking Management

C5 Development is to be consistent with Part C1.11 - Parking within this Development Control Plan.

Noise

C6 The applicant is to submit a Noise Control Plan demonstrating how the event will comply with the requirements of the Environmental Noise Control Manual and the *Protection of the Environment Operations Act 1997*. The Noise Control Plan is to be developed in consultation with a suitably qualified production team and/or acoustic consultant.

C7 Sound amplification equipment used during the event shall be installed and maintained to minimise the noise impact on any residential premises or businesses.

Crime Prevention

C8 The applicant is to submit a Crime Prevention Plan with the application outlining provisions to address the following Crime Prevention Guidelines: Surveillance, Access Control (Legibility), Territorial Reinforcement, Vulnerability and Space Management. See Part C1.9 – Safety by Design within this Development Control Plan for further information.

Risk Assessment

C9 The applicant is to submit a Risk Management Plan that has been developed in consultation with Council that addresses the following aspects at a minimum:

a. event summary – name, type, date/s, event contact, anticipated event attendance, event crowd profile and demographics, licensing details, door/gate open and close times, security communications and identification;

b. organisation and staffing – event organisational structure, event contact details, event roles, responsibilities, authority and accountability, contractors used on event site, qualifications and competencies of staff and contractors, event specific training;

c. event specific structures, plant/machinery/equipment and consumables;

d. details of consultation and notifications undertaken;

e. risk management provisions – risk assessment and mitigation, event inspections and/or audits, recording and reporting; and

f. risk control plans.

Emergency Procedures

C10 The applicant is to submit an Emergency Management Plan with the relevant application outlining what procedures would need to be implemented in the case of an emergency at the event. The Plan should include provisions for reporting of injuries and/or incidents that occur on site, as well as an evacuation plan.

C11 Permanent access for emergency vehicles to and from the premises shall be provided, and an emergency evacuation point is to be nominated.

C12 Emergency Services including local Police, Fire and Ambulance Services shall be advised of the event no less than 24 hours prior to the event.

Crowd Management

C13 The applicant is to submit a Crowd Management Plan with the relevant application that addresses the following at a minimum:

a. identification of relevant stakeholders;

b. event summary – name, type, date/s, event contact, anticipated event attendance, event crowd profile and demographics, licensing details, door/gate open and close times, security communications and identification (uniform);

c. detailed schedule;

d. event site profile and plan;

e. security crowd management strategy (physical security infrastructure, security command structure and security command locations);

f. security communication arrangements;

g. security operational activities;

h. crowd management event reporting;

i. security risk register (risk hazard, risk impact, security control system, person/organisation responsible); and

j. procedures applicable to the event.

C14 Crowd management for the event is to be compliant with the requirements of Australian Standard AS 4360:2004 Risk Management, Handbook HB 167:2006 Security risk management, and International Standard AS/NZ/ISO 31000:2009 Risk management – principles and guidelines.

Insurance

C15 The applicant is to consult with Council and their insurance provider to determine the appropriate level of insurance required for the public special event.

C16 The applicant is to hold current and valid insurance for the event that covers the dates of the public special event, and are to submit evidence of this with the relevant application.

C17 The applicant's insurance policy is to include a provision indemnifying Council, Roads and Maritime Services, and any other public authority for all applicable dates relating to the development.

Alcohol

C18 Licence requirements pertaining to the service of alcohol at the event are to be complied with.

Note: Further information and details about on-licence (function) licences, or about hoteliers supplying liquor away from their licensed premises, contact the NSW Independent Liquor and Gaming Authority on (02) 9995 0599 or online at http://www.ilga.nsw.gov.au/ILGA_Home. Other information regarding Liquor Licenses and Registered Clubs can be obtained from the NSW

Office of Liquor, Gaming and Racing on (02) 9995 0894 or online at http://www.olgr.nsw.gov.au/contact_home.asp.

First Aid

C19 Suitably qualified first aid personnel are to be provided at all major events. Personnel may be supplied by St John Ambulance Australia or similar agencies such as Red Cross.

Waste Management

C20 A Site Waste Minimisation and Management Plan (SWMMP) is to be submitted to Council with the development application. The SWMMP template is located in Part 1 of Appendix D within this Development Control Plan.

C21 The SWMMP is to be developed with reference to the NSW Waste Avoidance & Resource Recovery Strategy and Part D Section 2 – Resource Recovery and Waste Management within this Development Control Plan in consultation with Council's Resource Recovery & Waste Management Officer. The SWMMP shall outline provisions for sustainable packaging, the removal of all rubbish from the event and rubbish collection throughout the event. Also, the Plan is to outline arrangements for the distribution and collection of waste bins for the event, and post-event clean up arrangements.

C22 It is the responsibility of the applicant to select equipment which assists the public in separating their waste into recyclable groups and reducing contamination. The bin system is to at least divide materials into the following categories:

a. bottles (plastic and glass), cans; and

b. rubbish (materials which cannot be recycled).

Bins are to be provided in the following areas:

c. at food and drink stalls;

d. near toilets;

e. in designated drinking and eating areas; and

f. public entrances and exits.

C23 All special events on land owned by or control vested in Council are to be promoted as Waste Wise Events that encourage participants to take their personal rubbish home to be sorted.

Note: Further information on waste management can be obtained from the NSW Office of Environment and Heritage website at http://www.environment.nsw.gov.au/.

Toilet Facilities

C24 Details of existing and additional toilet facilities are to be provided with the relevant application by the applicant.

C25 At an event where alcohol is permitted the number of toilets to people ratio is 1:75. For all other events a ratio of 1:150 is permitted. 10% of the required number shall be accessible toilets.

C26 The following issues are to be considered when installing and managing temporary toilet facilities:

a. supplied and serviced (if required) by a hiring contractor;

b. removed within 12 hours after the event;

c. provided with adequate lighting and suitably signposted;

d. secured to avoid tipping;

e. hand washing facilities with soap and paper towels to be provided in or immediately near the toilets;

f. for events longer than four (4) hours duration, toilets are to be periodically cleaned and resupplied with toilet paper;

g. disabled toilet facilities to be provided in a suitably accessible location; and

h. highly visible directional signposting located in appropriate locations (i.e. at the entrance, near food/drink outlets).

Lighting

C27 The location and direction of both existing and additional lighting is to be planned so as to minimise negative impacts upon the neighbouring properties and users of any adjoining roads.

C28 Lighting is to be used appropriately to maximise the personal safety and accessibility of patrons navigating the site in accordance with the principles of Crime Prevention Through Environmental Design (CPTED) and Public Health and Safety. See Part C1.9 – Safety by Design within this Development Control Plan for further information.

C29 Event lighting is to be situated in accordance with Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.

Food

C30 Council consent for food market stalls at special events on public land will be considered on a case-by-case merit basis with regard to the potential impacts to local food businesses.

C31 Where given, Council consent for temporary foods stalls will be in the form of temporary food permits. The following conditions apply:

a. a separate completed Market Stall Application Form, application fee and evidence of current insurance is required for each stall;

Note: See Council's website: https://www.innerwest.nsw.gov.au/ArticleDocuments/899/Market%20Stall%20Application.docx.aspx for further information.

b. all temporary food events must be registered with the NSW Food Authority online at www.foodnotify.nsw.gov.au; and

Note: Online notifications are free; for enquiries regarding these notifications contact the NSW Food Authority on 1300 552 406 or contact@foodauthority.nsw.gov.au.

c. each stall provider is to have an employee working for their business that has completed the Food Safety Supervisor Certificate training in accordance with the *Food Amendment (Food Safety Supervisors) Bill 2009* and has a current and valid certificate of accreditation. The employee is not required to be onsite, but a copy of the certificate is to be present

onsite at all times, and made available to NSW Food Authority Officers or Council Officers where requested.

C32 The applicant is to ensure that the proprietor(s) of any food businesses associated with the event fully comply with the relevant sections of *the Food Act 2003, The Food Regulation 2010,* and *the Australia & New Zealand Food Standards Code*.

B3.2.8 Notification of events and activities in the public domain

Controls

C1 Special events on public land will be publicly notified in accordance with the notifications provisions of this Development Control Plan.

B3.2.9 Determination of a development application or activity application for events and activities in the public domain

Controls

C1 Approval for a special event on public land may be subject to conditions relating to, but not limited to, parking, traffic, waste disposal, security, food facilities and toilet facilities.

Duration of approval

C2 The duration of any approval relating to a special event on public land will be restricted to specified dates. An approval will establish permission to conduct a particular event upon certain dates.

B3.3 PUBLIC ART

Background

Public art has an intrinsic value and capacity to contribute to the cultural enrichment of a locality, and is often a destination in itself. It can enhance public places and spaces by reflecting local character, culture, customs and history. Public art can have a significant positive impact on community wellbeing through its connective capacities and ability to make visible the aspirations of communities. Public art can express the emerging issues and respond to changing characteristics of present and future communities. This can allow a meaningful fusion between people and place to occur, which encourages active custodianship of localities, and makes room to accommodate diverse members.

Public art can improve safety in public space through its capacity to build on Crime Prevention Through Environmental Design (CPTED) principles by increasing pedestrian activity and space activation, and improved way finding directives. Public art can increase the economic value of places and buildings, and can assist development by evoking business confidence and attracting investment. Public art can contribute a strong visual and physical identity to localities, through defining rest points, active areas and in particular by signifying entry points.

Inner West Council is committed to developing an innovative public art collection which is site-specific thereby enhancing a localities' "sense of place." Inner West Council recognises the capacity of public art to contribute to the aims of Council's strategic plan, Our Inner West 2036 to make the municipality a place where we want to live, work, play and visit. Leichhardt's Community and Cultural Plan 2011-2021 further defines a framework for facilitating this outcome, including the two strategic objectives which are particularly relevant to public art, Connecting People to Place and Enlivening the Arts and Cultural Life.

For the purposes of this Plan, public art means artistic work that is located in, or can be clearly seen from the public realm such as a street, park, urban plaza or public building. It may be temporary, freestanding or integrated into building exteriors and streetscapes.

Development should, where appropriate incorporate public art features into the design of new or refurbished building sites and is particularly important at the public-private interface. Early involvement of public artists on development design teams will significantly enhance the capacity of the artwork to be seamlessly and meaningfully integrated into the overall place plan.

Certain public art is classified as Exempt Development in *Inner West LEP 2022* and does not require a development application. In particular this applies to art in the public domain that is installed by and on behalf of Inner West Council.

Objectives

O1 To enhance public enjoyment, engagement with and an understanding of places and spaces.

O2 To recognise and celebrate community heritage and culture in the public domain.

O3 To facilitate the installation of site-specific public art that infuses places and spaces with a unique character, creativity and identity.

O4 To enhance the appearance, character and value of buildings and spaces.

O5 To support local artists.

Controls

Development application requirements

C1 A description of the proposed public art must be submitted to Council with all applications for public art with the following specifications and design documentation elements:

a. location;

b. dimensions;

c. drawings of the work;

d. drawings of the work showing relative scale within the site;

e. materials and colours to be used;

f. the intention of the artwork and related research materials;

g. CPTED features of the work;

h. time period of installation;

i. decommissioning process and timing;

j. an indication of the method of artist accreditation;

k. a statement outlining and illustrating how the proposed artwork responds to, invigorates or makes challenge to the site and surroundings including existing and historical urban, visual and landscape character; and

l. a maintenance plan.

C2 All types of public art may be considered by Council for approval, however development applications must demonstrate that the artwork:

a. will be clearly seen from, or will be located in the public realm and is integrated into the design of public spaces;

b. is consistent with any public art policy, urban design master plan or streetscape program relevant to that streetscape, place or space;

c. is consistent with current planning, heritage and environmental policies and Plans of Management relevant to that streetscape, place or space;

d. will contribute to an attractive, stimulating and functional environment and will not detract from the amenity and safety of the public realm;

e. has been specifically designed for and is suitable for the building or site on which it is to be located;

f. is made from quality materials that will not have an adverse impact on the natural environment, are durable and will be easy to maintain, unless approved as temporary or ephemeral art;

g. has given consideration to public safety and public access in the public domain;

h. has undergone appropriate consultation with Council, community groups and any other relevant parties;

i. has considered using the artworks in a dual role, for example, play equipment for children or informal seating;

j. has considered the time period of the public art and any decommissioning date for the art; and

k. will be maintained as required.

PART C: PLACE

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SECTION 1 – GENERAL PROVISIONS

C1.0 GENERAL PROVISIONS

Objectives

Council seeks to maximise opportunities for good urban design to make a positive contribution to streetscapes and public spaces throughout the Inner West whilst promoting the amenity of property, its occupiers and the prosperity of businesses. Proposed developments, including new buildings, landscapes and even provision for parking or signage, need to reflect and complement the identified values of individual Heritage Items and Heritage Conservation Areas in their design. Appropriate new development should not only protect, but also enhance, public and private amenity for the entire community, now and for the future.

Council will, regardless of location, promote urban design that produces walkable, cycle-able neighbourhoods that will support a socially, environmentally and economically resilient community. Development is to make a positive contribution to implementing the following urban design objectives:

O1 Sustainable: places and spaces 'meet the needs of the present without compromising the ability of future generations to meet their own needs'[1]. Environmental performance of buildings is optimised through the management of energy and water consumption, production and recycling.

O2 Accessible: places and spaces can be accessed by the community via safe, convenient and efficient movement systems.

O3 Adaptable: places and spaces support the intended use by being safe, comfortable, aesthetically appealing, economically viable and environmentally sustainable and have the capacity to accommodate altered needs over time.

O4 Amenable: places and spaces provide and support reasonable amenity, including solar access, privacy in areas of private open space, visual and acoustic privacy, access to views and clean air.

O5 Connected: places and spaces encourage people to interact with the physical environment and each other through a network of safe, convenient travel routes and alternatives which are accessible for all users. Places and spaces accommodate a variety of uses and activities which attract people and enhance social activity.

O6 Compatible: places and spaces contain or respond to the essential elements that make up the character of the surrounding area and the desired future character. Building heights, setbacks, landscaping and architectural style respond to the desired future character. Development within Heritage Conservation Areas or to Heritage Items must be responsive to the heritage significance of the item and locality.

[1] World Commission on Environment and Development (1987). *Our Common Future*. Oxford: Oxford University Press. p. 27

Character: the underlying natural landform, distinctive landscape elements, date and style of buildings, scale and form of buildings, street and subdivision patterns, setbacks, materials, building techniques and details, views, vistas and skylines, the solid to void relationships and orientation.

Scale: the size of a building in relation to surrounding buildings or landscape. Building design should recognise the predominant scale (height, bulk, density, grain) of the setting and then respond sympathetically. The impact of an inappropriately scaled building cannot be compensated for through landscaping, building form, design or detailing.

Form: the overall shape, volume and arrangement of its parts. Building design should be compatible with the predominant form of its neighbours. Roofline will play an important part in determining neighbourhood character. Buildings should respond to, or reinforce existing ridge or parapet lines, roof slopes and other features such as party walls and chimneys. The treatment of the building in terms of proportion, materials and number of openings need not copy that of the neighbours but should relate to it positively. Contemporary design will be considered for new development where compatible with other provisions of this part, particularly but not exclusively, the protection of heritage character throughout the Inner West.

Siting: the location and orientation of the building. Buildings are to be located to ensure compatibility with the site layout and design of adjoining buildings and the prevailing streetscape, in particular in terms of scale, form and other defining elements, whilst allowing for reasonable variation to respond appropriately to context and site characteristics.

Materials and colour: characteristic materials, textures and colours which are used locally and in adjacent buildings should be re-interpreted and incorporated as part of the new building work. Modern materials are suitable if the proportions and details are harmonious with the surrounding context. Colour, texture and tonal contrast can be used as unifying elements.

Detailing: details within an area establish neighbourly resemblance and contribute to its special character. Verandahs, chimneys and shutters, fences, garden walls and planting treatments are examples of detailing which can inform or inspire the design of a new building. Modern details can reinterpret traditional details and create new relationships between new and old. Contemporary detailing of materials and junctions can provide levels of visual interest that contribute positively to the character of a place.

Legible: places and spaces can be easily remembered by people because landmarks, paths, neighbourhoods and centres have a distinctiveness generated by individual elements and the contribution of those elements to the overall impression of the urban environment.

Activated: places and spaces are oriented to maximise opportunities for visual and physical connection between the public and private domains. Front walls, fences, building entries, and landscaping enhance access and contribute to the public/private interface. Places and spaces in the public domain are designed to accommodate a range of uses and activities.

The provisions of Part C Section 1 – General Provisions of this Development Control Plan give guidance on how to facilitate development that gives effect to the aims of the *Inner West LEP 2022* and achieves the objectives of the applicable land use zones.

C1.1 SITE AND CONTEXT ANALYSIS

Background

Site and context analysis is a critical component of the planning, design and development process. A site and context analysis documents and analyses the subject site and surrounds and must occur prior to the planning and design of any development so that the site is not considered in isolation.

Objectives

O1 To encourage property owners to ensure that the planning and design of their development takes into account:

a. existing site conditions on the site and adjacent and nearby properties;

b. the development potential of adjoining and nearby sites and the likely impacts on the site itself and its neighbours if those properties are developed to their maximum potential;

c. known future development proposals and development trends in the vicinity of the site;

d. the potential for amenity impacts such as overshadowing, loss of privacy, views or solar access;

e. the need to minimise energy consumption during the construction and operation of the building;

f. the special qualities of the site and its context including urban design, streetscape and heritage considerations; and

g. approved development on adjoining properties which have not yet been constructed.

h. existing and potential active travel networks and connections, including links to, from and through proposed developments.

O2 To assist in the development assessment process by outlining the matters which should be taken into account when preparing a planning and design concept for any development.

C1.1.1 Site and context analysis documentation requirements

Controls

C1 Site and context analysis is to be documented and submitted with all development applications for building works, unless determined otherwise by Council's Development Assessment officers. Site analysis is to be provided in accordance with Council's DA Lodgement Checklist.

Pre-Development Applications

Note: Applicants are encouraged to undertake a Pre-Development Application with Council once they have prepared Concept Designs that respond to the Site and Context Analysis.

C1.2 DEMOLITION

Objectives

O1 To enhance the environmental performance, cultural significance and character of the area by encouraging good management of existing buildings.

O2 To ensure that heritage items or buildings in a Heritage Conservation Area are only demolished where they cannot be reasonably retained or conserved.

O3 To ensure that where demolition of a Heritage Item or buildings in a Heritage Conservation Area is deemed appropriate, that the replacement building:

a. meets the desired future character of the area;

b. is compatible with the apparent subdivision pattern; and

c. is consistent with the objectives contained in the *Inner West LEP 2022* and this Development Control Plan.

O4 To retain existing buildings that contribute to the desired future character of the area.

Controls

C1 Council will not approve a development application for the demolition of:

a. a Heritage Item; or

b. a building in a Heritage Conservation Area that contributes positively to the conservation area; or

c. a building that makes a positive contribution to the desired future character of the area

Unless:

i. the existing building is found to be structurally unsafe; and

ii. cannot be reasonably repaired; and

iii. the proposed replacement building is consistent with the development controls contained in *Inner West LEP 2022* and this Development Control Plan; and

iv. the quality of the proposed replacement building will be compatible with the Heritage Conservation Area or streetscape in terms of scale, materials, details, design style and impact on streetscape.

Heritage Items or buildings in Heritage Conservation Areas

C2 A development application for the demolition of a Heritage Item or building in a Heritage Conservation Area must be lodged with Council and be accompanied by the following information:

a. statement of significance of the item (significance of the item itself and the significance of the Heritage Conservation Area in which it is located (if applicable);

b. a report or statement which identifies and explains the current structural condition of the building. The report is to be prepared by a qualified structural engineer or building surveyor and is to address:

   i. structural adequacy of the building;

   ii. options for the building to be made structurally safe through rectification/remediation works;

   iii. options for the conservation of the building;

c. details of the proposed replacement building, including the proposed elevations, materials, detail, design style and compliance with the development controls contained in the *Inner West LEP 2022* and this Development Control Plan.

C3 In determining development applications for the demolition of a Heritage Item or a building in a Heritage Conservation Area, Council will consider the following:

a. heritage status of the building and its context as outlined in:

   i. the Statement of Significance of the Heritage Item or building in a Heritage Conservation Area as outlined in the relevant Council heritage study or expert opinion;

b. the contribution that the existing Heritage Item or building in a Heritage Conservation Area makes to the heritage significance of the Conservation Area by virtue of its age, scale, materials, details, design style or intactness;

c. the structural adequacy of the existing building;

d. options for the conservation of the existing building under current controls;

e. consistency of the proposed replacement building with the development controls contained in *Inner West LEP 2022* and this Development Control Plan, including those relating to amenity impacts on surrounding properties;

f. the quality of the proposed replacement building and its fit with the Heritage Conservation Area in terms of scale, materials, details, design style and impact on streetscape.

Buildings not within Heritage Conservation Areas or listed as Heritage Item

C4 A development application for the demolition of a building not within a Heritage Conservation Area or listed as a Heritage Item or subject to the Exempt and Complying development provisions for demolition, must be lodged with Council and be accompanied by the following information:

a. a report or statement which identifies and explains the current structural condition of the item. The report is to be prepared by a qualified structural engineer or building surveyor and is to address:

   i. structural adequacy of the building;

   ii. options for the building to be made structurally safe through rectification/remediation works;

   iii. options for the conservation of the building.

b. details of the proposed replacement building including the proposed elevations, materials, detail, design style and compliance with the development controls contained in the *Inner West LEP 2022* and this Development Control Plan.

C5 In determining development applications for the demolition of a building which is not within a Heritage Conservation Area or listed as a Heritage Item or subject to the Exempt and Complying development provisions relating to demolition, Council will consider the following:

a. the contribution that the building makes to the streetscape by virtue of its age, scale, materials, details, design style or intactness;

b. the structural adequacy of the existing building;

c. options for the conservation of the existing building under current controls;

d. consistency of the proposed replacement building with the development controls contained in *Inner West LEP 2022* and this Development Control Plan, including those relating to amenity impacts on surrounding properties;

e. the quality of the proposed replacement building and its fit with the streetscape in terms of scale, materials, details and design style; and

f. the impacts on any attached development.

C1.3 ALTERATIONS AND ADDITIONS

Background

This section outlines objectives and controls for alterations and additions to existing buildings.

When considering alterations and additions in a Heritage Conservation Area or to a Heritage Item, there are generally two approaches:

- The original building and roof form is left intact, and the new addition provided as a separate, linked element (which could be contemporary and different in style) or;
- If the addition is to merge with the existing building and roof form then it should retain the integrity of the original elevation treatment and roof form.
- Reference should also be made to Part C Section 1.4 – Heritage Conservation Areas and Heritage Items – within this Development Control Plan

For advice on your specific property, applicants are encouraged to undertake a Pre-Development Application with Council

Objectives

O1 To ensure that development:

a. complements the scale, form and materials of the streetscape including wall height and roof form;

b. where an alteration or addition is visible from the public domain it should appear as a sympathetic addition to the existing building;

c. makes a positive contribution to the desired future character of the streetscape and any heritage values associated with it;

d. is compatible with neighbourhood character, including prevailing site layout;

e. protects existing residential amenity, including the retention of adequate private open space and ensuring adequate sunlight, natural ventilation and privacy to the existing dwelling and surrounding dwellings;

f. maintains views and glimpses from the public domain to natural and built elements that contribute to local character and sense of place;

g. reasonably protects views obtained from surrounding development and promotes view sharing;

h. retains existing fabric wherever possible and maintains and repairs, where necessary, rather than replaces the fabric.

Note: If the development is located within a Heritage Conservation Area, all relevant controls within Part C Section 1.4 – Heritage Conservation Areas and Heritage Items of this Development Control Plan are also to be met.

Controls

General provisions

C1 The overall form of alterations and additions shall:

a. have regard to the provisions within Appendix B – Building Typologies of this Development Control Plan;

b. be compatible with the scale, form and material of the existing dwelling and adjoining dwellings, including wall height and roof form;

c. retain any building and streetscape consistencies which add positively to the character of the neighbourhood (e.g. architectural details, continuous rows of dwellings, groups of similar dwellings, or the like);

d. maintain the integrity of the streetscape and heritage significance;

e. be considered from all public vantage points from which the additions will be visible; and

f. achieve the objectives and controls for the applicable desired future character

C2 Development shall preserve the consistency in architectural detail and form of continuous rows of attached dwellings, or groups of similar dwellings.

C3 For end terraces / buildings, new works should be setback a minimum of 500mm from the end side wall to retain the historic form as it presents to the public domain.

C4 Where buildings contain original form or detail which has been compromised, the integrity of the original form and detail should be enhanced, rather than being justification for further compromise.

Note: This may include missing architectural detail and enclosed verandahs.

C5 New materials and fenestrations of alterations and additions shall be compatible with the existing building.

C6 The reconstruction of posted verandahs is encouraged where consistent with the architectural style of the building and suitable evidence of original verandahs is on that property.

For alterations and additions <u>to the front of existing dwellings</u>

C7 Alterations and/or additions to the front of an existing dwelling must ensure that important elements of the original character of the building and its setting are retained, restored or reconstructed, where it contributes to the desired future character, including but not limited to:

a. balconies and verandahs;

b. front gardens and landscaping;

c. fences and walls;

d. fenestration;

e. roof forms.

Note: Refer to Building Typologies within Appendix B of this Development Control Plan for information about the type of building.

For alterations and additions <u>to the side</u> of existing dwellings

C8 Alterations and additions to the side of an existing dwelling (where that dwelling is currently setback from the side property boundary), must:

a. endeavour to minimise visibility from the street;

b. retain the predominant and desired future character of the street;

c. ensure compliance with the remaining suite of controls within this Development Control Plan relating to residential development where relevant; and

d. when located on the ground floor, the alterations and additions shall be:

i. setback a minimum of 1 metre from the front wall of the existing dwelling; and

ii. have minimum ceiling heights and a roof form which is subordinate to the existing dwelling, to ensure the additions do not detract from the detached nature of the dwelling.

Note: Ground floor side additions which include provision for parking are to comply with Part C Section 1.11 – Parking of this Development Control Plan

For alterations and additions <u>to the rear of an existing dwelling– on any level</u>

C9 Alterations or additions to the rear of an existing building are to:

a. be of a building height that complies with the objectives and controls of the Site Layout and Building Design Part C3.2 of this Development Control Plan;

b. maintain an area of useable private open space in accordance with Part C Section 3.8 – Private Open Space of this Development Control Plan;

c. be of minimum visibility from the street (refer to Figure C1);

d. comply with any other relevant residential development controls within this Development Control Plan.

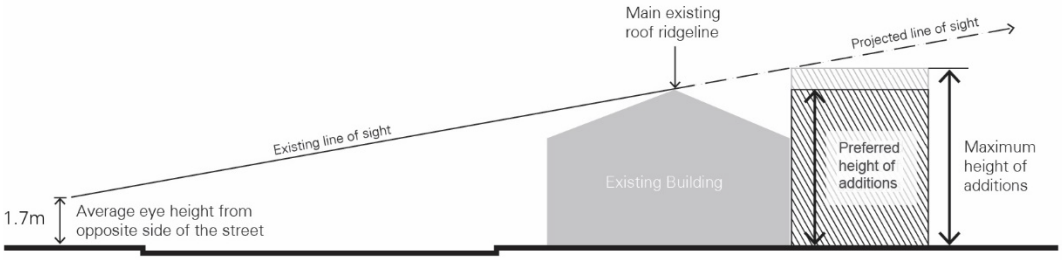

Figure C1: Alterations and additions to the rear must ensure minimum visibility from the street

C10 Where rear additions are visible from the public domain due to street layout or topography, maintaining original roof form is preferred and new additions are to be sympathetic to that original roof.

C11 Alterations and additions **above ground floor level** shall:

a. comply with the appropriate provisions within Appendix B – Building Typologies of this Development Control Plan;

b. maintain setback patterns within surrounding development;

c. be subordinate to the existing building so that the additions do not dominate the building from the public domain.

C12 Additions at **first floor and above** shall be of a scale and are to be located in a manner which:

a. maintains visual separation between the existing building and adjoining residential development; and

b. maintains setback patterns of surrounding development; and

c. will ensure that the addition does not dominate, but is sub-ordinate to the existing dwelling when viewed from the street.

C13 Any first floor and above additions to the side of the dwelling will not be supported where they detract from the detached or semi-detached nature of the streetscape or the existing dwelling.

Note: where an existing side setback exists, consideration of access for people and equipment for future maintenance and construction should occur, particularly if the side setback is the only point of access to the rear of the site.

C14 Any first floor and above additions attached to the rear of the existing roof form is to:

a. be subordinate to that roof form;

i. where attached to the existing roof form, be set 300mm below the ridgeline;

ii. enable the original roof form to be apparent from the public domain by:

- setting the additions back from the external face of the existing side roof plane (so the gable, hip or original parapet roof form is retained); or
- comprising a rear sub roof linking the existing roof to additions that appear as a separate roof form to that of the existing dwelling. Any proposed link must be set 300mm below the existing ridgeline.

Roof forms for alterations and additions

C15 Appropriate roof forms for rear additions depend on the context of the site, and may include:

a. pitched in form to match the predominant roof forms of the original property and / or its context; or

b. boxed in form where not incongruous in the context, and where this approach reduces the visual impact of the addition, such that it is not overtly visible from the street; or

c. a hybrid of roof forms where the appearance of the addition from the street is not overtly visible and is compatible with the Appendix B – Building Typologies of this Development Control Plan.

C16 Where roof links are proposed to connect the original roof space to the new addition, they are to:

a. be of minimal scale and proportion (up to a maximum of 50% of the rear roof plane) and are to provide a link only. Roof links which span the whole rear roof plane will not be supported;

b. preserve the unity of the row, preserve chimneys and traditional scale and proportion in the street;

c. not raise the roof ridge for the purpose of an internal room's compliance with the Building Code of Australia; and

d. be located below the original ridge line, including clerestory roofs.

C17 Original front verandah roofs are generally to:

a. remain separate from the main roof slope; and

b. reconstruct original form and detail where there is evidence that a front verandah was a part of the original building (evidence is often found in the fabric of the blade wall or similar).

C1.4 HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS

Background

This element outlines objectives and controls for the development and conservation of buildings within Heritage Conservation Areas and Heritage Items.

Objectives

O1 Development:

a. does not represent an unsympathetic alteration or addition to a building;

b. encourages the protection, restoration, continued use and viability of buildings for their original purpose;

c. encourages the removal of unsympathetic elements;

d. is compatible with the setting or relationship of the building with the Heritage Conservation Area in terms of scale, form, roof form, materials, detailing and colour of the building and conforms with the Burra Charter (Refer to: http://australia.icomos.org/publications/charters/;

e. conserves and enhances the fabric and detail of a building that contributes to the cultural significance of the building in its setting;

f. maintains the visual unity of groups of buildings, in particular semi-detached and attached terraces;

g. makes an appropriate visual and physical distinction between the existing building and new parts of the building;

h. protects and enhances views of the existing building from the public domain; and

i. new buildings are sympathetic in scale, form, architectural detail, fenestration and siting to the Heritage Conservation Area or Heritage Item and conforms with the Burra Charter.

Controls

General

C1 Development maintains the characteristics and is consistent with the objectives and controls for the relevant building type contained in Appendix B – Building Typologies of this Development Control Plan.

C2 The fabric of an existing building is to be the subject of appropriate conservation practices including:

a. retention of original detail and finishes such as:

i. original face brick which should not be painted over or rendered;

ii. original decorative joinery and iron work which is not to be removed;

b. conservation of original elements;

c. reconstruction or restoration of original elements where deemed appropriate;

d. retention of the original cladding material of original roofs where viable;

e. consideration of suitable replacement materials should be based on original material, and where a property is part of a group or row, replacement materials should have regard to the integrity of the group.

C3 Development of dwellings within Heritage Conservation Areas must:

a. not include the demolition of the internal walls and roof form, including any existing chimneys, of the front two rooms of the dwelling;

b. retain the major form, scale and materials of the existing structure as described in (a);

c. be for a rear addition which does not dominate the existing building or substantially change the relationship of the building to the street when viewed from the street; and

d. retain significant, established gardens and plantings including early fences.

C4 Demolition of dwellings in Heritage Conservation Areas or Heritage Items is subject to the provisions of Part C Section 1.2 – Demolition within this Development Control Plan.

Roof forms and materials

C5 Consideration of roofing materials for additions should have regard for compatibility with the original roof, as well as for the context of the setting (such as if a dwelling is part of a group of similar dwellings).

C6 Within Heritage Conservation Areas, whole roof forms should be retained where possible and roofs of additions should be subservient to the main roof (in scale, form, location and materials). Changes to the form of the existing roof or extension of the ridge cannot be supported.

C7 Where roof links are proposed to connect the original roof space to the new addition, they are to:

a. be of minimal scale and proportion (up to a maximum of 50% of the rear roof plane) and are to provide a link only. Roof links which span the whole rear roof plane will not be supported;

b. preserve the unity of the row, preserve chimneys and traditional scale and proportion in the street; and

c. not be used to raise the ridge, or be for the purpose of creating a viable roof space where roof space meets the requirements of the Building Code of Australia.

Clerestory roofs are not considered an appropriate form of roof addition to traditional ridge lines.

New buildings

C8 New development need not seek to replicate period details of original buildings in proximity to the site, but rather, demonstrate respect for the form, scale and sitting of the immediate area.

C9 New development will comply with Part C Section 1.0 – General provisions and all other relevant controls within the Development Control Plan.

C1.5 CORNER SITES

Background

This section outlines objectives and controls for corner sites. Corner sites are where a site is located on the junction of two or more streets.

Objectives

O1 Development on corner sites:

a. respects the visually prominent role of corner sites;

b. is compatible with the adjoining buildings; and

c. clearly delineates between old and new buildings.

Controls

Character and streetscape

C1 Development shall:

a. address each street frontage; and

b. not include large expanses of featureless walls.

Note: Blocking existing corner doors and windows detracts from engagement with the street and is not supported.

C2 Development extending to two distinct streetscapes shall vary the scale and form between each frontage to complement the predominant character and scale of that streetscape.

C3 Where a variation in scale from surrounding buildings is proposed, a transitional element is to be provided, in order to blend the two scales.

Note: some buildings were originally designed to strengthen the visual prominence of corners, in particular former two storey corner shops. In such instances, this original building form should be respected, with the transitional element providing a step down to adjoining lower scale buildings.

C4 Building elements including wall height, roof form and front setback and architectural features including balconies, awnings, verandahs, parapets and dormers are to be compatible in scale with the streetscape.

C5 The development does not have an adverse impact on surrounding properties, the streetscape or public domain by way of:

a. amenity;

b. solar access;

c. views;

d. privacy;

e. urban design;

f. being inconsistent with desired future character; and

g. shall be constructed of high quality materials and finishes.

Note: Corner sites within Heritage Conservation Areas must also comply with controls contained in Part C Section 1.4 – Heritage Conservation Areas and Heritage Items (where relevant) and reference should be made to Building Typologies within Appendix B of this Development Control Plan.

C1.6 SUBDIVISION

Background

This section outlines objectives and controls for the subdivision of any parcel of land (except Strata subdivision).

Objectives

O1 Development:

a. creates lots of sufficient area and dimensions to accommodate residential development that is consistent with the controls in this Development Control Plan;

b. creates lots that are consistent with the surrounding prevailing subdivision pattern and where possible, new street networks should have an east-west orientation;

c. incorporates significant natural landscape features;

d. facilitates safe, convenient and comfortable movement, particularly for pedestrians and cyclists;

e. creates high quality public open space where relevant;

f. provides a high level of safety and security;

g. is provided with appropriate infrastructure, and where appropriate, ecologically sustainable infrastructure;

h. enables lots to achieve a high level of energy efficiency.

Controls

Minimum lot size

C1 Except for strata subdivision of buildings, the minimum lot size for dwellings is 200sqm.

Subdivision pattern

C2 New allotments shall be consistent with the prevailing subdivision pattern in the neighbourhood.

Natural landscape features

C3 Development shall reinforce the visual prominence of natural landscape features such as ridgelines and rock outcrops.

Street network

C4 New streets shall create a permeable, connected street pattern that integrates with the surrounding street network.

Note: Grid or modified grid street patterns that connect with surrounding existing streets, including extending existing streets into the site, achieve this control. Cul de sacs are not appropriate.

Public open space

C5 Public open space is to be provided where subdivision includes 10 or more lots. It shall be designed in accordance with Part C Section 1.13 – Open space design in the public domain of this Development Control Plan and is to be:

a. centrally located and readily accessible;

b. useable in size and dimensions;

c. connected with existing public open space where possible;

d. appropriate to the needs of the local community;

e. of a high level of amenity;

f. maximises road frontage; and

g. publicly accessible 24 hours a day.

Safety and security

C6 Lots are oriented to address streets and public open space.

Urban infrastructure

C7 Urban infrastructure such as water, sewerage and drainage is provided.

C8 Urban infrastructure that delivers ecologically sustainable outcomes is encouraged.

C9 Each new allotment must be provided with a boundary to a public road.

Energy efficiency

C10 Street and lot orientation maximises the potential for north facing main living areas connected to rear private open space.

Dwellings

C11 Where the subdivision will result in either a vacant site or demolition of an existing building, the application must also include a development application for a new dwelling/s.

Note: Refer to Part C Section 1.8 – Contamination within this Development Control Plan. Where a site is known or discovered to be contaminated, contamination must have been dealt with appropriately prior to the issue of a Subdivision Certificate.

C1.7 SITE FACILITIES

Objectives

O1 Site facilities are provided that:

a. are functional;

b. are integrated into the layout and design of the development;

c. do not cause an adverse amenity impact;

d. are adequate given the size of the dwelling or building;

e. can be easily maintained.

Controls

General

C1 Rubbish storage and collection areas are to be shaded and be designed and located to have minimal impacts and visibility from the street. They shall not be located next to openings such as doors and windows to habitable rooms. They should be located to minimise the transfer of waste through residential dwellings.

C2 Development shall be consistent with Part D Section 2 – Resource Recovery and Waste Management within this Development Control Plan.

C3 Mailboxes of sufficient size and dimensions to accommodate large envelopes and newspapers are provided in a location that is readily visible from the street and allow for convenient and safe access.

C4 Air-conditioning units are not visible from the street.

Residential Development

C5 The minimum area of internal storage space for each dwelling is 6 cubic metres.

Note: A smaller area may be considered by Council for smaller dwellings such as secondary dwellings, studios and one bedroom units.

C6 A useable area of multipurpose storage space suitable for large goods, such as bicycles and the like is provided with minimal visibility from the street.

C7 Single residential and semi-detached houses are to be provided with an uncovered area of sufficient size and dimensions to accommodate clothes drying.

C8 External clothes drying areas should not be visible from the street.

C9 Each dwelling is provided with laundry facilities.

Non Residential Development

C10 Where drinking water fountains are provided, ensure they are accessible.

C1.8 CONTAMINATION

Background

Land Contamination is often the result of past activities and may result from the improper handling of chemicals during manufacturing or storage processes on or adjacent to the site, disposal of wastes and the use of contaminated fill material. This section of the Development Control Plan has been prepared in accordance with the *Environmental Planning and Assessment Act 1979*, *State Environmental Planning Policy No. 55 – Remediation of Land* and the *Managing Land Contamination: Planning Guidelines*. In the event of an inconsistency between the provisions of this section of the Leichhardt Development Control Plan 2013 and *State Environmental Planning Policy No. 55 – Remediation of Land*, the latter prevails.

Objectives

O1 To implement a precautionary approach by identifying and dealing with contamination issues at an early stage in the planning process to prevent harm and avoid unnecessary restrictions on land use.

O2 To provide information, including that needed by the community, in relation to the procedures that control and manage contaminated land.

O3 To ensure Council exercises it's planning functions in relation to contaminated land by adhering to the relevant legislation, policies and guidelines.

C1.8.1 Determining land contamination

Contaminated land has the potential to harm human health and the biophysical environment. When carrying out planning functions under the *Environmental Planning and Assessment Act 1979* a planning authority must consider if the land is contaminated, if it is suitable in its contaminated state for the proposed uses and whether it can be remediated, if it is not suitable, and made suitable for the use. Failure to consider the possibility of contamination at the initial stage of the planning process may result in inappropriate land use decisions which impact the safety of existing and new structures or increase risk to human health and the broader physical environment.

C1.8.2 Information management

Objectives

O1 To identify how stakeholders can access information from Council regarding land use history, land contamination and remediation.

C1.8.3 Council records

Controls

C1 Information about contaminated land is added to Council's property information system as it is made available to Council when development and subdivision applications are processed or when information is provided to Council via other sources.

C2 Council records in relation to site contamination issues are kept on individual property files.

C3 Council does not hold a register of contaminated sites as records change over time and standards for remediation may change with advances in science.

C1.8.4 Access to Council information

Controls

C1 Any person is allowed to access information about individual parcels of land in relation to the information contained in Table C1: Access to Council information.

Table C1: Access to Council information

Type of Information	How to obtain copies of information
Current and past development, building, subdivision and rezoning applications.	Written request to Council in accordance with Council's schedule of fees. The written request needs to specify what information is requested, who is requesting the information and what is the intended use of the information. Information may only be released if the GIPA (Government Information Public Access) Guidelines have been satisfied.
Information on reports held by Council in relation to site contamination issues.	Written request to Council in accordance with Council's schedule of fees. The written request needs to specify what information is requested, who is requesting the information and what is the intended use of the information. Information may only be released if the GIPA (Government Information Public Access) Guidelines have been satisfied.
Information on any restrictions placed on the land.	Apply to Council for a Section 10.7 certificate. A fee will be charged in accordance with Councils Schedule of Fees and Charges.
Information on any ongoing orders or voluntary proposals agreed to under the Contaminated Land Management Act have been provided to Council by the Department of Climate Change and Water (DECCW) or whether Council has received any site audit statements.	Apply to Council for a Section 10.7 certificate. A fee will be charged in accordance with Councils Schedule of Fees and Charges.
Copies of any site audit statements.	Written request to Council in accordance with Councils' Schedule of Fees. The written request needs to specify what information is requested, who is requesting the information and what is the intended use of the information. Information may only be released if the GIPA (Government Information Public Access) Guidelines have been satisfied.

Type of Information	How to obtain copies of information
Any other information held by Council (other than stated above) in relation to site contamination issues.	Written request to Council in accordance with Councils schedule of fees. The written request shall specify what information is requested, who is requesting the information and what is the intended use of the information. The requirements of the relevant legislation must be met.

C1.8.5 Planning Certificates

Controls

C1 Council, must, under s.59 of the *Contaminated Land Management Act 1997 (CLM Act)* include information provided to Council by either:

a. a relevant authority, or

b. accredited auditors

on certificates issued for the purpose of s.149 of the *Environmental Planning and Assessment Act 1979*.

C2 Council only provides information on a planning certificate which is required under s.59 of the *Contaminated Land Management Act 1997* and s.10.7 of the *Environmental Planning and Assessment Act 1979*.

C3 S.10.7 planning certificates can be obtained from Council and contain advice about prescribed matters, which includes the existence of a Council Policy which has the potential to restrict the use of land.

Note: s.10.7 planning certificates may not contain specific details of site contamination or potential site contamination for individual parcels of land.

C1.8.6 Process for assessing land contamination and its remediation

Objectives

O1 To outline the ways in which Council, in exercising its planning functions under the *Environmental Planning and Assessment Act 1979* will consider if land is contaminated the level of contamination, if it is suitable in its contaminated state for existing or future land uses and whether it can be remediated.

Controls

C1 Council will consider contamination issues in its assessment of all development applications. Figure C2: General land contamination assessment process identifies the process that Council will apply in:

a. identifying land contamination; and

b. the development application assessment process.

C2 The level of investigation and the necessity for remediation depends on factors such as past uses of the site and the extent and sensitivity of the proposed use.

C3 A site audit may be requested, by Council, for any or all stages of the investigation and/or remediation.

C4 The publication by the NSW Environmental Protection Authority entitled *"Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report"* should be consulted for information in establishing whether there may be risk of harm associated with a development application.

C5 If contamination is identified during the development assessment process as being an issue, the following investigations and reports will apply:

a. Stage 1 - Preliminary Site Investigation Report where a site:

i. has had an Initial Evaluation carried out by a Council Officer, and it is determined that contamination may be an issue;

ii. is known to be contaminated;

iii. is currently used or has been used in the past for a purpose identified in Table C2: Some activities that may cause contamination; or

iv. the site concerned is located within an investigation area under the *Contaminated Land Management Act (1997)*.

b. Stage 2: Detailed Site Investigation Report where:

i. a Preliminary Site Investigation identifies the need for detailed site investigation.

c. Stage 3: Remediation Action Plan where:

i. a Preliminary Site Investigation or Detailed Site Investigation identifies a site as being contaminated and requiring remediation.

d. Stage 4: Validation Report and/or Monitoring Report where:

i. a site has been remediated.

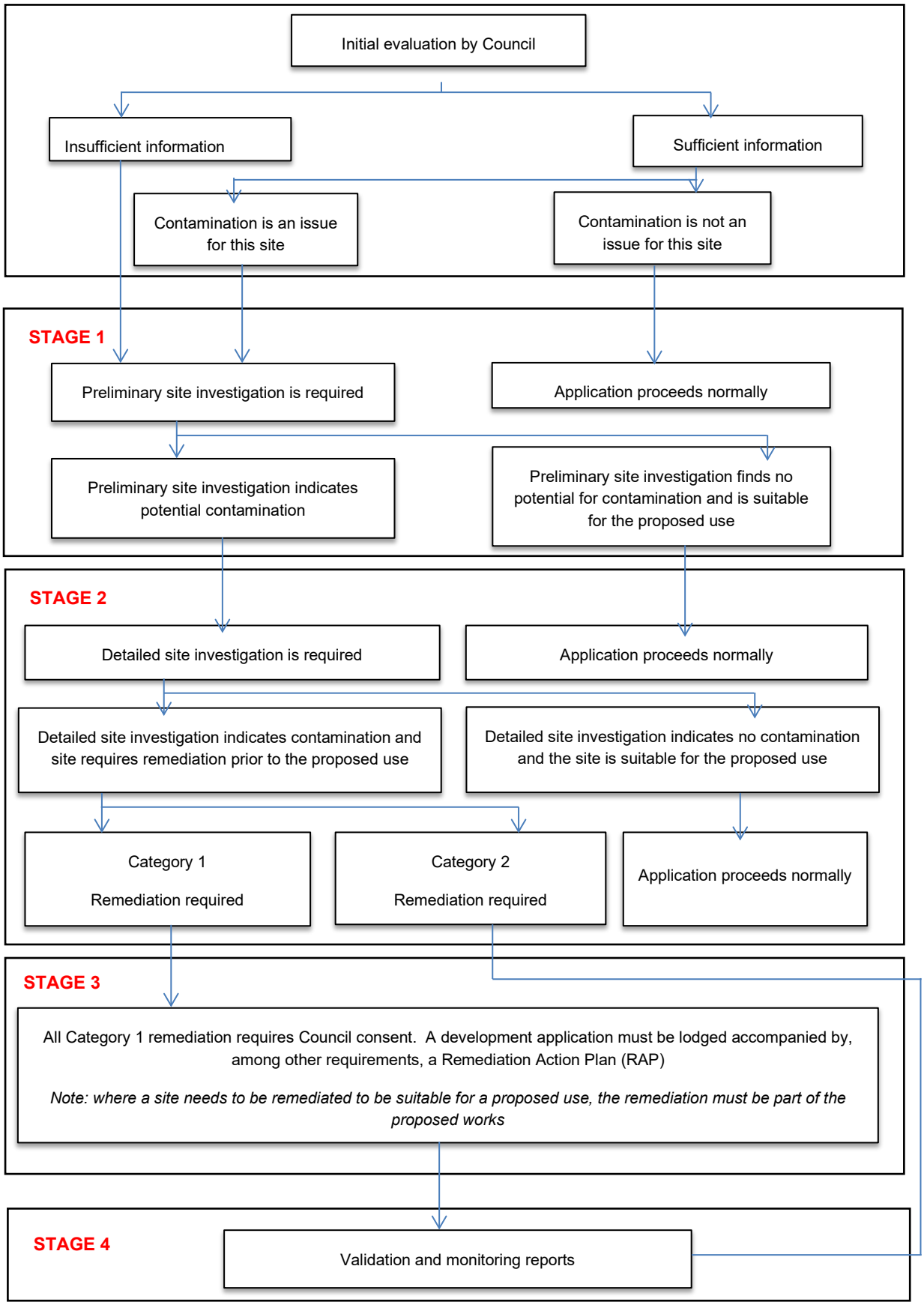

Figure C2: General land contamination assessment process

Note: a site audit may be requested for any or all stages of the investigation

C1.8.7 Initial evaluation by Council

Controls

C1 Council will undertake an initial evaluation of all development applications to determine if contamination may be an issue and therefore whether land contamination issues should be further considered in the assessment process, based on the past uses of the land.

C2 Council will, in undertaking an initial evaluation consider past uses of the land and will use Council's records and information provided by the applicant in the Statement of Environmental Effects

C3 If the Initial Evaluation concludes that land contamination is not an issue for the site, Council will not require further investigation.

C1.8.8 Stage 1 – Preliminary Site Investigation

Controls

C1 Council may, as a consequence of the Initial Evaluation require the applicant to provide a Preliminary Site Investigation Report prepared in accordance with the *Environmental Protection Agency's (EPA) Guidelines for Consultants Reporting on Contaminated Sites* (or as updated).

Some activities that may cause contamination

Table C2: Some activities that may cause contamination

(Source: Managing Land Contamination Planning Guidelines – *State Environmental Planning Policy 55 – Remediation of Land*)

Some activities that may cause contamination
Acid/alkali plant and formulation
Agricultural/horticultural activities
Airports
Asbestos production and disposal
Chemicals manufacture and formulation
Defence works
Drum re-conditioning works
Dry cleaning establishments
Electrical manufacturing (transformers)
Electroplating and heat treatment premises
Engine works
Explosives industry
Gas works
Iron and steel works
Landfill sites
Metal Treatment
Mining and extractive industries
Oil production and storage
Paint formulation and manufacture
Pesticide manufacture and formulation
Power stations
Railway yards
Scrap yards
Service stations
Sheep and cattle dips
Smelting and refining
Tanning and associated trades
Waste Storage and treatment
Wood preservation

C2 Where site history information is limited or inconclusive, preliminary soil sampling results are to be included in the Preliminary Site Investigation Report.

C3 A Preliminary Site Investigation Report is to be carried out in accordance with the requirements of the *Guidelines for Consultants Reporting on Contaminated Sites*.

C4 Where the Preliminary Site Investigation satisfies Council that the site is suitable for the proposed use without remediation, Council will not require any further investigations.

C1.8.9 Stage 2 – Detailed Site Investigation

Controls

C1 Council, as a consequence of the outcome of a Preliminary Site Investigation may require the applicant to undertake a Detailed Site Investigation (Stage 2).

C2 Detailed Site Investigations (Stage 2) are to be carried out in accordance with the requirements of the *Guidelines for Consultants Reporting on Contaminated Sites*.

C3 Council is to be provided with a report in relation to the Detailed Site Investigation (Stage 2).

C1.8.10 Stage 3 – Remediation Action Plan (RAP)

Objectives

O1 To identify when a Remediation Action Plan is required and information that is to be provided in the Plan.

Controls

C1 A Remediation Action Plan is required when a site has been identified during the Preliminary Site Investigation (Stage 1) or the Detailed Site Investigation (Stage 2) as being contaminated and requiring remediation to make the site suitable for the proposed use.

C2 Remediation Action Plans are to be undertaken in accordance with the *Guidelines for Consultants Reporting on Contaminated Sites.*

C3 Remediation Action Plans must demonstrate how the applicant proposes to reduce the risks of contamination to acceptable levels to ensure the site is suitable for the proposed use and achieve clean-up objectives for the site.

C4 Remediation Action Plans must clearly describe the proposal it relates to and the proposed method of remediation. If necessary, the plans of the proposal must be updated to indicate the proposed remediation.

C1.8.11 Remediation works

Objectives

O1 To identify requirements and processes in relation to Category 1 and 2 remediation works.

Controls

Category 1 – Remediation work

C1 All Category 1 remediation work requires Development Consent to be issued by Council.

C2 If the Category 1 remediation works are associated with a development application being considered by Council, that application may either be withdrawn or Council may choose to refuse the application in view of the uncertainty attached to the suitability of the land for its intended use and the time required to complete the remediation process.

Category 2 Remediation work

C3 Category 2 remediation work does not require Development Consent from Council.

C4 If Category 2 remediation works are associated with a Development Application being considered by Council, a conditional consent can be issued requiring that the remediation works are carried out in accordance with this Development Control Plan.

Notification requirements for Category 2 remediation works

C5 Notice of remediation work must be given to Council at least 30 days before commencement of works or as otherwise provided for in *State Environmental Planning Policy No.55.*

Prior Notice

C6 The notification for Category 2 remediation works must:

a. provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given;

b. provide details of the remediation work, including a Remediation Action Plan, and Soil and Water Management Plan, where appropriate;

c. explain why the work is Category 2 remediation work by reference to State Environmental Planning Policy No. 55 and this Development Control Plan;

d. specify the land on which the work is to be carried out and provide a map of the location of the land; and

e. estimate the dates for the commencement and completion of the work.

Notice of completion

C7 Notice of completion of Category 2 remediation work must be given to Council within 30 days after the completion of the work. The notification must:

a. be in writing and be signed by the person who carried out the work;

b. provide the person's name, address and business telephone number;

c. provide details of the person's qualifications to carry out the work;

d. specify the land on which the work was undertaken and provide a map of the land and the location of the work;

e. state when the work was completed;

f. specify the uses of the land, and the substances that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment;

g. specify the use(s) of the land immediately before the work started;

h. describe the method of remediation used in the work and the guidelines that were complied with in the work;

i. specify the standard of remediation achieved; and

j. state what actions must be maintained in relation to the land after the completion of the remediation work if the standard of remediation achieved is to be maintained.

C1.8.12 Stage 4 – Validation and monitoring reports

Controls

C1 Council requires that a Validation Report be submitted to Council after remediation works have been completed. The Validation Report is to:

a. demonstrate that the objectives stated in the Remediation Action Plan have been achieved and relevant conditions of development consent (where applicable) have been complied with;

b. confirm statistically that the remediated site complies with the clean-up criteria set for the site; and

c. be conducted in accordance with the NSW Office of Environment and Heritage publication *Guidelines for Consultants Reporting on Contaminated Sites*.

C2 Council requires that a Site Monitoring Report be submitted to Council in the following circumstances and where an ongoing monitoring program is required to ensure the site remains suitable for the proposes uses:

a. a full site clean-up is not feasible; or

b. on-site containment of contamination is proposed.

C1.8.13 Independent Site Auditing

Objectives

O1 To identify when Independent Site Auditing is required and information that is to be provided in the Site Audit Statement and/or Site Audit Report.

Controls

C1 Council, in accordance with the *Managing Land Contamination Planning Guidelines* (under *State Environmental Planning Policy No 55*) may require that an Independent Site Audit be prepared by an accredited site auditor for contaminated land at prescribed stages in the site investigation process if, after reviewing the contaminated land Site Investigation Reports, Council:

a. believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete;

b. wishes to verify whether the information provided by the proponent has adhered to appropriate standards, procedures and guidelines;

c. does not have the internal resources to conduct its own technical review; or

d. requires the audit at the completion of Category 1 remediation works or as required by a condition of a development consent.

C2 Site Audits are to address:

a. any issues raised in s. 49(1) (b) of the *Contaminated Land Management Act 1997*;

b. any requirements as outlined in the *Guidelines for the NSW Site Auditor Scheme*;

c. any Council defined site audit inclusions; and

d. site suitability.

C3 The applicant is to ensure that the appointed accredited site auditor for contaminated land must liaise with Council during the preparation of the site audit to ensure the scope of the site audit addresses the concerns raised by Council.

C4 Prior to issuing a Site Audit Statement the site auditor must prepare and finalise a Summary Site Audit Statement.

C1.8.14 Consideration of Contamination for Rezoning Application

Controls

C1 In accordance with clause 6 of *State Environmental Planning Policy 55 – Remediation of Land*, Council will not rezone land which falls into one of the following categories:

a. the land is in an investigation area (under the *Contaminated Land Management Act 1997*);

b. the land has been used for any of the land uses identified in Table 1 of *Managing Land Contamination Planning Guidelines State Environmental Planning Policy 55 – Remediation of Land;*

c. it is proposed to carry out development on the land for the following purposes:

i. residential;

ii. educational;

iii. recreational;

iv. child care;

v. hospital.

d. where Council does not have complete knowledge as to whether:

i. any use in Table 1 *Managing Land Contamination Planning Guidelines* from *State Environmental Planning Policy 55 – Remediation of Land* has been carried out; and/or

ii. the permissible uses that may have been lawful during any period unless Council has considered whether the land is contaminated; and

e. if the land is contaminated, whether Council is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which the land in the zone concerned is permitted to be used; and

f. if the land requires Category 1 remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

C2 In exceptional circumstances, where Council has sufficient information to form a view that the land can be made suitable for its intended use though Category 1 Remediation works, a Remediation Action Plan can be submitted for Council's consideration as part of the original rezoning application

C1.8.15 Consideration of contamination for rezoning applications involving multiple sites

Control

C1 In circumstances where it is not practical for Council to be satisfied that every part of the land is suitable for the permissible use(s) at the rezoning stage Council will consider the findings of a Preliminary Investigation Report or Detailed Site Investigation and may include provisions in a Local Environmental Plan or Development Control Plan to ensure that the potential for contamination and the suitability of the land for any proposed use is further addressed prior to the redevelopment of the land.

C1.8.16 Development Controls for Remediation Works

Objectives

O1 To ensure that remediation works do not adversely affect the environment or public amenity.

Controls

C1 Category 1 and Category 2 remediation works are to be conducted in accordance with the development controls as established by this section of the *Leichhardt Development Control Plan.*

C2 All remediation work must be conducted between the hours of 7:00am and 5.00pm Monday to Saturday. No work is permitted on Sundays or Public Holidays.

C3 All remediation works must be conducted in accordance with a Remediation Action Plan and a Soil and Water Management Plan. A copy of the plans must be kept on site and made available to Council officers on request. All erosion and sediment measures must be maintained in a functional condition throughout the remediation works.

C4 Stockpiles are to be managed as follows:

a. no stockpiles of soil or other materials must be placed in footpaths or nature strips without Council's approval;

b. all stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater

c. pits or inlets;

d. all stockpiles of soil or other materials likely to generate dust or odours must be covered; and

e. all stockpiles of contaminated soil must be stored in a secure area and be covered if remaining for more than 24 hours.

Note: Council will need to be satisfied that the site is suitable for the proposed use when considering any subsequent development applications for the subject site. Accordingly, it is recommended that comprehensive records are maintained during the remediation works including any Remediation Action Plans or Validation Reports.

Site access

C5 Vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath.

C6 Soil, earth, mud or similar materials must be removed every day or as required from the roadway by sweeping, shovelling or a means other than washing.

C7 Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters or the surrounding locality.

Excavation pump-out

C8 All excavation pump-out water must not exceed suspended solid concentrations of 50 parts per million and must be analysed for pH and any contaminants identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system.[2]

C9 Alternative options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Landscaping or rehabilitation

C10 All exposed areas must be progressively stabilised and revegetated on the completion of remediation works. Any remediation that entails the removal of contaminated soils from the site must incorporate the replacement with clean fill to the levels pre-remediation.

Land farming

C11 Land farming for hydrocarbon contaminated soils is prohibited.

Noise

C12 Category 2 remediation work must comply with the relevant controls for construction site noise.

C13 All equipment and machinery must be operated in an efficient manner to minimise the emission of noise.

Vibration

C14 The use of any plant and/or machinery must not cause vibrations at any premises.

Air quality (dust and odours)

C15 Dust emissions must be confined within the site boundary and comply with the dust control procedures as follows:

a. dust screens are to be erected around the perimeter of the site;

b. all loads entering or exiting the site are to be securely covered;

c. water sprays are to be used across the site to suppress dust;

d. all stockpiles of contaminated soil which remain on the site for more than 24 hours are to be covered; and

e. all excavation surfaces are to be kept moist.

C16 An authorised Council officer should not be able to detect odours at any boundary of the site during remediation works. The following procedures may be employed to comply with this requirement:

[2] Analystical results must comply with relevant DCCW and Australia and New Zealand Environment and Conservation Council (ANZECC) standards for water quality.

a. appropriate covering techniques such as the use of plastic sheeting to cover excavation faces or stockpiles;

b. fine mist sprays;

c. hydrocarbon mitigating agent on the impacted areas/materials; and

d. adequate maintenance of equipment and machinery to minimise exhaust emissions.

C17 Records of volatile emissions and odours generated by volatile or semi-volatile compounds must be logged, kept on site and made available to Council officers on request.

C18 Discharges from soil vapour extraction systems must be regularly monitored in order to determine the mass of hydrocarbons being discharged. Contingency measures for the collection and treatment of hydrocarbon off gas must be put in place prior to the commissioning of soil vapour extraction systems.

C19 All discharge vents from soil vapour extraction systems shall be located a minimum of 50m from any residential property boundary, road or recreational area. No material is to be burnt on site.

Storage of chemicals

C20 Storage and handling of hydrocarbon products must be conducted in accordance with the relevant Australian Standard (Australian Standard AS 1940-1993 - The storage and handling of flammable and combustible liquid).

C21 Sufficient supplies of absorbent materials are to be kept on site to recover any liquid spillage. Liquid spills must be cleaned up using dry methods by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Spilt materials must be disposed of in an odour free manner that does not pollute waters.

Groundwater

C22 A license must be obtained from the relevant authority (NSW Office of Water) for approval to extract groundwater under the provisions of Part V of the *Water Act, 1912.*

C23 Groundwater must be analysed for pH and any contaminants of concern identified during the preliminary stages of detailed site investigation, prior to the discharge to the stormwater system. The analytical results must comply with relevant DECCW and ANZECC standards for water quality.

C24 Alternatives for the disposal of groundwater include disposal to the sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Transport

C25 All haulage routes for trucks transporting soil, materials, equipment or machinery to and from a site must be selected to:

a. minimise odour to adjacent premises;

b. utilise State roads; and

c. minimise use of local roads. Applicants may consult Council prior to selecting the most suitable transport route. Remediation work must ensure all site vehicles:

i. conduct deliveries of soil, materials, equipment or machinery during the hours of remediation identified in Part C Section 1.8.16 – Development controls for remediation works;

ii. have securely covered loads to prevent any dust or odour emissions during transportation; and

iii. do not track soil, mud or sediment onto the road.

Hazardous materials

C26 Hazardous or intractable wastes arising from the remediation work must be removed and disposed of in accordance with the requirements of:

a. DECCW;

b. WorkCover;

c. Schedule 1 Hazardous Waste (as prescribed by the *Protection of the Environment Operation Act 1997 (PEO Act);* and

d. all relevant regulations.

Disposal of contaminated soil

C27 The disposal of contaminated soil must be carried out in accordance with any applicable legislation, guidelines and regulations including the *Protection of the Environment Operation Act 1997.*

Containment/capping of contaminated soil

C28 Contaminated soil, containing concentrations of contaminants above the soil investigation levels for urban development sites in NSW (for the range of land uses permissible on the subject site) must not be encapsulated or capped on the site. For example, a site zoned commercial/industrial must not encapsulate or cap soil containing concentrations or contaminants above the 'commercial or industrial NEHFF health based investigation levels as contained in the Environmental Protection Agency 1999 publication *Guidelines for the NSW Site Auditor Scheme.*

Importation of fill

C29 All fill imported on to the site must be validated to ensure it is suitable for the proposed land use from a contamination perspective. Imported fill must also be compatible with the existing soil characteristics for site drainage purposes.

C30 Details of the appropriate validation of imported fill material are to be submitted with any development application for the site. All material imported onto the site must be validated by either one or both of the following methods during remediation works:

a. imported fill must be accompanied by documentation to certify that the material is not contaminated (based on analysis of the material or the known past history of the site where the material is obtained); and/or

b. sampling and analysis of the fill material must be conducted in accordance with the relevant guidelines.

Site signage and contact numbers

C31 A sign displaying the contact details of the remediation contractor (and site facilitator if different to remediation contractor), must be displayed on the site adjacent to the site access throughout the duration of the remediation works.

Community consultation

C32 Owners and/or occupants of adjoining properties must be notified, in writing, at least seven days prior to the commencement of remediation works.

Site security

C33 The site must be secured, by the installation of appropriate fencing, against unauthorised access.

Occupational health and safety

C34 It is the employer's responsibility to ensure site remediation works comply with all Occupational Health and Safety and Construction Safety Regulations of WorkCover.

C35 Safety monitoring for hydrocarbon emissions must be undertaken in accordance with any applicable guidelines and WorkCover requirements which includes writing to the Chief Inspector of Dangerous Goods and complying with the conditions imposed.

Removal of underground storage tanks

C36 Removal of underground Storage Tanks must be conducted in accordance with the Australian Institute of Petroleum's Code of Practice the Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1194). In the event of conflict between the Code of Practice and WorkCover requirements, the latter shall prevail.

Heritage Items & Heritage Conservation Areas

C37 Remediation work must not be undertaken on land containing a Heritage Item or Heritage Conservation Area unless development consent has been obtained.

C1.9 SAFETY BY DESIGN

Background

Inner West Council is committed to creating a safe, sustainable and connected community in the Local Government Area (LGA). This section of the Development Control Plan provides guidance on the principles of Crime Prevention Through Environmental Design (CPTED) in order to assist in preventing crime, reducing the fear of crime and to assist in creating safer public spaces within the Inner West.

All new residential and non-residential development as well as significant alterations and additions to either residential or non-residential development will be assessed against CPTED.

This section identifies development types that require the submission of a Plan of Management (POM) with a development application.

Information regarding CPTED can be found at the following site:

http://www.police.nsw.gov.au/community_issues/crime_prevention/safer_by_design

Partnership between Inner West Council and the NSW Police

Inner West Council is dedicated to fostering effective partnerships with other community authorities and organisations in order to create safer and welcoming environments for the community. Council is partnering with the NSW Police through their "Safer by Design" strategy as a means of implementing the principles of CPTED, and consults with the Local Area Command's (LAC's) on particular development's proposals that are identified as having a greater potential of risk to community safety.

Under the "Safer by Design" strategy, police officers have been trained in CPTED principles and appointed as Crime Prevention Officers (CPO's) to liaise with councils and local communities on crime prevention and community safety issues. Council may refer the developments to the LAC for feedback.

Objectives

O1 To support the provisions of the *Inner West LEP 2022* with respect to community safety.

O2 To encourage safe and secure environments for occupants and visitors.

O3 To minimise opportunities for criminal and anti-social behaviour within the public domain.

O4 To encourage the application of Crime Prevention through Design (CPTED) principles in development to:

a. reduce opportunities for crime;

b. promote a physically and socially safe community;

c. reduce the opportunity for crimes to be committed;

d. maximise the potential for passive surveillance by designing adequate sight lines into public spaces;

e. consider community safety at the early stages of the design process to avoid retrofitting or renovation of infrastructure;

f. create spaces which are well lit, well utilised and feel safe; and

g. attract the community to public spaces.

Controls

C1 All development applications must demonstrate an understanding of the potential crime risk of the proposed development and apply CPTED treatments (i.e. Territorial re-enforcement, surveillance, access control and space/activity management) that correspond with the proposed levels of risk associated with the development.

Development shall demonstrate regard to the:

a. **surveillance** of the site, and ensure:

i. main building frontages shall be orientated towards the street;

ii. “blind spots” are to be avoided;

iii. ground floors of non-residential buildings, the non-residential component of mixed-use developments, and the foyer areas of residential buildings, are designed to enable surveillance from the public domain to the inside of the building at night;

iv. buildings are designed to provide surveillance of paths and laneways which are not located along a primary street frontage;

v. entrances are visible to and from the street;

vi. window and door openings that have frontage to the street or are adjacent to public open spaces use external window coverings made from non-solid, permeable materials;

vii. security grilles and security doors are used and materials permit casual surveillance;

viii. appropriate lighting is included within the design;

ix. landscaping does not provide concealment opportunities, but maximises sight lines; and

x. public facilities (e.g. automatic teller machines (ATM’s), public telephones and bicycle racks) are located in high pedestrian traffic areas and incorporate security features in their design.

b. **legibility** of the site, and ensure:

i. spaces are designed with regard to man-made or natural landmarks;

ii. signage and ‘way finding’ is legible, appropriately located, includes relevant directional information or assistance numbers and utilises internationally recognised symbology where necessary;

iii. building entries are clearly visible, unobstructed and easily identifiable from the main street frontage, other public areas and other development; where practicable, lift lobbies, stairwells and hallways should be visible from the public domain;

iv. dwelling units have individual main entries directly from a public space or communal area, and the entry is to include a clearly defined transitional space between public and private areas;

v. street numbers are clearly displayed at the front of the development or on the front fence of the development;

vi. internal numbers for multiple occupancy developments are clearly displayed on each individual dwelling; and

vii. each building entry must clearly state the unit numbers accessed from that entry.

c. **territoriality** of the site, and ensure:

i. boundaries of private and public spaces are clearly defined through measures such as permeable fencing, change in paving materials, public art, directional signage, good maintenance and landscaping, before formal measures such as do-not-enter signs, walls and security guards are considered.

d. **vandalism management** of the site, and ensure:

i. potential opportunities for crime are reduced by using sturdy materials and fittings in the design to minimise potential for undue maintenance without detracting from the amenity of the development;

ii. systems for reporting and repair of safety risks or damaged and worn physical aspects of spaces and places are implemented;

iii. graffiti vandalism is reduced through measures such as:

- avoiding “blank canvasses” – utilising design aspects such as non-continuous fencing, rough render on walls, or mural or mosaic finishes;
- utilising “green screens” – planting fast-growing, long lasting and low maintenance vines and shrubs to limit access to vulnerable walls;
- prompt clean-up of new graffiti;
- use of protective coatings and “graffiti resistant” design materials; and
- ensuring areas vulnerable to graffiti are well-lit to promote natural surveillance.

e. **reducing vulnerability** of the site, and ensure:

i. pathways are straight where practicable and blind corners avoided (including on stairs, in hallways or in other situations where movement can be predicted. If blind corners cannot be avoided in the development, then they are to be designed to the satisfaction of Council; and

ii. external lighting is provided at the main pedestrian and bicycle entranceway to a building and all communal areas.

C2 A Plan of Management (POM) detailing security arrangements must be submitted for the following development types:

a. twenty-four hour operation of commercial or industrial premises;

b. service stations or convenience stores;

c. multi-dwelling housing (12 or more dwellings);

d. mixed use development with 10 or more dwellings;

e. tourist and visitor's accommodation and boarding houses capable of accommodating 12 or more residents;

f. new or proposed upgrading of a commercial or retail development (including shopping centres and cinemas);

g. new or proposed upgrading of an industrial or warehouse development;

h. new or proposed upgrading of educational establishments;

i. transport interchanges;

j. recreation facilities or community facilities;

k. licensed premises such as clubs, hotels or small bars;

l. hospitals;

m. restricted premises and sex services premises including brothels;

n. other uses that normally attract large numbers of people, such as a public place of worship, a place of assembly or a public building;

o. premises which are either open late, or open early in the morning and where Council considers there may be potential for disturbance associated with the land use; and

p. any other land use which in Council's opinion must demonstrate a suitable security arrangement.

Note: Council may exercise discretion in respect to the requirement for a POM, where Council considers the development type is minor (and security risk is low) or when development is for alterations and/or additions to businesses which may already have a POM.

C1.10 EQUITY OF ACCESS AND MOBILITY

Background

Inner West Council is strongly committed to the provision of equal access and creating an accessible environment for all. Inner West Council is dedicated to creating a community where people with disabilities or impairments are afforded the same opportunities as the broader community. Council recognises that maximising access in the built environment benefits ageing people with mobility difficulties, parents and/or carers with strollers and prams, and any persons with temporary or permanent mobility difficulties.

Improving accessibility enhances the quality of life for the whole community. A focus on access leads to well-designed public places, improved pedestrian safety, better quality service, and participation by a broader range of residents.

With many buildings constructed in the late 1800's and early 1900's, for some people, many parts of the Inner West Local Government Area (LGA) are relatively inaccessible. New buildings and spaces, or existing buildings and spaces being altered or used in a new way, or upgraded must be made accessible to all, where possible, with consideration for the heritage significance.

The Disability Discrimination Act 1992 (Cwth) (DDA) makes it unlawful to discriminate against a person with a disability in regards to the provision of access to and the use of premises. *The Building Code of Australia (BCA)* and associated Australian Standards set technical requirements in regards to the accessibility of buildings and provision of adaptable housing (e.g. AS1428 Design for access and mobility, AS4299 Adaptable housing).

Federally, legislation has been introduced under the *Disability (Access to Premises – Buildings) Standards 2010*, which ensures consistency between the requirements of the BCA and Access Code provisions within the Premises Standard. The Premises Standards is applicable for new buildings and upgrades of existing buildings depending on their BCA classification.

Council supports the adoption of sustainable housing practices such as development of adaptable housing and urban design which enhances the sustainability and adaptability of the community by creating homes that are capable of adapting to the changing needs of occupants across their lifetime.

This section of the Development Control Plan aims to facilitate equitable and dignified access for all people living in, working in or visiting Inner West Local Government Area, including people with a disability, by providing a continuous accessible path of travel through the built environment, where possible.

Objectives

General

O1 To promote at the initial planning stages, consideration of accessibility to and within developments;

O2 To protect existing accessible features within the public domain, residential development and non-residential development;

O3 To provide controls to facilitate equity of access to:

a. proposed new buildings;

b. proposed changes to existing buildings or their uses; and

c. the proposed development or upgrading of outdoor areas.

O4 To significantly increase the supply of adaptable housing.

O5 To support the provisions of the *Disability Discrimination Act 1992 (Cwth) (DDA)*, *Disability (Access to Premises – Building) Standards 2010*, the *Building Code of Australia (BCA)* and associated Australian Standards.

O6 To provide dignified and equitable access to all persons.

O7 To ensure the safe access and egress of all persons.

Heritage

O8 To facilitate access to heritage items without impacting upon their heritage significance or the amenity of the streetscape.

Adaptable Housing

O9 To facilitate provision of sufficient adaptable housing.

Parking

O10 To facilitate provision of sufficient accessible car parking.

Controls

C1 Development is to be fully compliant with the provisions of the *Disability Discrimination Act 1992 (Cwth) (DDA)*, the *Building Code of Australia (BCA)* and associated Australian Standards.

C2 Access arrangements are to be integrated into the overall building and landscape design. Unless where it may have an adverse impact on the heritage significance of a place, access arrangements are not to appear to be of secondary importance or an “add-on”.

C3 Access routes are to be as direct as possible and provide a continuous accessible path of travel through the built environment.

C4 Car parking for people with a disability is to be provided for all new residential developments in accordance with Part C Section 1.11 of this Development Control Plan and the *Building Code of Australia*.

C5 Required egress routes in residential developments are to be designed to enable safe escape for persons with limited mobility.

C6 Development is to have minimal impact to the significant fabric and setting of Heritage Items and buildings within Heritage Conservation Areas and where possible be reversible.

C7 Where heritage impact is used as a reason for non-provision of access, evidence is to be provided that suitable alternatives are not available. An Access Management Plan is to be provided identifying options for access.

C8 For multi-dwelling developments, adaptable dwellings are to be distributed in accordance with the provisions of Part C Section 3.14 – Adaptable Housing within this Plan.

C9 For new residential developments, applicants are to demonstrate consideration of the principles of the *Liveable Housing Design Guidelines 2010*, prepared by the Australian Government.

C1.11 PARKING

Background

For the foreseeable future the Inner West will have significant car parking demands. The location, design and treatment of these areas have a major impact on the streetscape and will need to be carefully considered.

General Objectives

Reduce Car Dependency

O1 In order to reduce reliance on the car, residents and workers should be within walking distance of facilities and public transport.

O2 Priority is to be given to the needs of pedestrians, disabled people and cyclists above the needs of the car. This must be taken into consideration in the location and design of any parking facilities.

O3 To set and provide acceptable levels of on-site vehicle and bicycle parking spaces.

O4 To integrate bicycle parking & facilities (such as showers and lockers) into developments so that cycling is a viable transport alternative.

O5 To implement best practice management of parking and promote walkable, cycle-able mixed use neighbourhoods.

Urban Design

O6 To accommodate on-site parking that is safe, accessible, well laid out and appropriately lit.

O7 To provide parking that can meet the needs of building or facility users for all modes of transport.

O8 The impact of car parking areas on the urban fabric of the neighbourhood should be minimised.

O9 To design parking for all appropriate transport modes on private properties so that it will reinforce the quality and integrity of streetscapes, the layout, siting and use of neighbouring buildings, as well as the subject site and building design and will not detract from the amenity of adjoining areas.

O10 To ensure the design and construction of vehicle parking, service and delivery areas and loading facilities minimises visual and amenity impacts that can be caused by traffic movements and parked vehicles.

O11 To provide on-site parking for a range of vehicles, including very small cars, hybrid cars and fully electric cars in multi space car parks. Spaces allocated to environmental vehicles should be marked and managed according to the specific vehicle type targeted.

Residential Development will also consider the following:

O12 Vehicle access, manoeuvring and parking will:

a. achieve a balance between encouraging public transport, pedestrians and cycling and catering for the needs of on-site residents and their visitors;

b. not visually dominate the building façade or streetscape;

c. integrate with overall site and building design;

d. provide for a high level of residential amenity for the site and protect existing residential amenity of adjoining sites; and

e. enable the safe, convenient and efficient movement of vehicles, pedestrians and cyclists.

Special Events Traffic and Parking Management will also consider the following:

O13 To ensure the safe movement of people and vehicles involved with the temporary use of land for special events.

O14 To ensure provision of adequate and safe parking for patrons of special events.

General Controls

C1 Approval for any new off-street parking space will be subject to meeting the requirements of Australian Standard AS 2890.1 Parking facilities and any relevant clauses outlined within this Development Control Plan.

Layout, Design and Legibility

C2 The layout and design of parking areas shall:

a. be sensitively located so that it does not dominate the street scene;

b. minimise visual impacts to the building and street;

c. maximise accessibility;

d. provide clear, safe, direct, legible and well-lit pedestrian and cycling routes through the parking area to adjacent access points and main building entry points; and

e. be situated away from the front of buildings and positioned at the rear, side or beneath the building.

C3 In the event that established parking areas located at the front of a property are proposed to be altered, or in the instance that new parking areas are sought to be located at the front, consideration will be given to the reasonableness of the parking location based on the general pattern of development within the streetscape, the constraints of the site, the desired future character of the neighbourhood and if:

a. the design is of high quality;

b. the development proposes quality materials;

c. the development includes tree planting; and

d. the development includes lighting and appropriate boundary treatments to reinforce the legibility of the area.

Note: For residential development, refer below to heading Residential Development within this section of the Development Control Plan for further controls

C4 On-site parking areas must be designed and constructed to ensure that the movements of pedestrians and cyclists are properly accommodated, and that the safety and accessibility of disabled people is not compromised.

C5 In any instance where Council permits a new vehicle cross over, only one (1) single width vehicle crossover will be permitted for individual dwellings. In some circumstances, with regard to the desired future character, or heritage significance of an area, vehicle crossings will not be supported.

Note: Exceptions will be considered in certain circumstances for residential flat buildings or for commercial/industrial situations, following consideration of the urban character of the neighbourhood.

C6 Double width crossovers will only be permitted in accordance with Australian Standard AS 2890.1 Parking Facilities and consideration of the urban character of the neighbourhood.

Note: Single residential properties will not be permitted double width crossovers.

Headroom

C7 The vehicular access and structures above must be compliant with Australian Standard AS 2890.1 Parking Facilities and be designed to achieve safe and practical clearance over the vehicles using the parking facilities.

Note: Headroom must be measured to the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors, taking into account the roller door housing, where applicable.

Landscaping

C8 Street trees represent an important Council and environmental asset. Removal of street tree(s) for the purpose of accommodating a vehicle crossover is generally not supported.

C9 All new vehicle crossings should be clear of any tree trunk to ensure safe sightlines and reduction of potential root damage to the existing tree.

Note: Council will assess the likely impacts to the trees affected by the development proposal and the reasonableness of the proposal.

Manoeuvring

C10 At a minimum, turning areas to enable forward entering and exiting, must be provided, off-street, in the following instances:

a. vehicular access onto a State or Regional road;

Note: vehicular access onto a State or Regional Road is prohibited when access can be provided from an alternative roadway. NSW Roads and Maritime Services concurrence will also be required for any access onto a State Road.

b. where the vehicular access crosses a footpath with high pedestrian traffic, such as commercial precincts;

c. where the parking space is serviced by a battle-axe handle or long driveway (generally in excess of 12 metres).

Note: Where a turning area is required, manoeuvring must comply with the swept path of an 85th percentile (B85) vehicle as specified in Australian Standard AS 2890.1 Parking Facilities

C11 Developments with access to a classified road shall refer the requirements of Clause 101 of *State Environmental Planning Policy (Infrastructure) 2007*.

Overland Flow

C12 Off-street parking spaces must be designed to accommodate overland flow of water. Where the parking space extends across an overland flowpath, it must be limited to an open parking space or carport.

General Parking Rates

C13 Off-street parking spaces are to be provided in accordance with Table C4: General Vehicle Parking Rates.

C14 Developments and land uses, which are not specifically listed in Table C4: General Vehicle Parking Rates, will be assessed on their merit in accordance with the following criteria to determine the required parking provision:

a. parking requirements established by survey of comparable establishments;

b. the person capacity of the premises;

c. the proportion of visitors, staff or patrons likely to arrive by car;

d. the characteristics of the use and whether persons are likely to arrive in concentrated groups and the consistency of such arrivals/departures;

e. the availability and level of service of public transport;

f. details provided in a Site Specific "Travel Plan". Refer to 'Travel Plans' within Section C1.11 (refer to Control 26); and

g. the proportion of trips induced by the development that could be taken by bicycle

C15 In accordance with Table C4: General Vehicle Parking Rates, specific uses are provided with a parking provision exemption for the first 50m^2 of floor space, subject to the location being:

a. located within the mapped area of a recognised shopping strip (refer to C1.11.7 Recognised shopping streets)

Note: This control is to encourage vitality in the Inner West in recognised shopping areas that are zoned B2 Local Centre. These areas are within walkable neighbourhoods and have access to public transport. The reduced rate of provision is provided to encourage evening activity particularly to cater for the needs of local residents and is applied to attract activities which encourage the local workforce to remain after "close of business" to dilute PM peak period travel demand.

Accessible Parking Rates

C16 Accessible car parking spaces for people with mobility impairment are to be provided in accordance with Table C5: Accessible car parking space rates.

C17 Accessible car parking spaces for people with mobility impairment are to be:

a. 5.4 m length and 2.4 m width for angle parking spaces or 3.2 m width for parallel parking spaces and include the provision of adjacent shared areas in accordance with Australian Standard AS2890.6 Off-street parking for individuals with a disability;

b. located where unimpeded access can be provided between the car parking space and an adjoining accessible walkway compliant with the Building Code of Australia and Australian Standard AS2890.6 Off-street parking for individuals with a disability;

c. located close to wheelchair accessible entrances or lifts;

d. well-lit, clearly line marked with non-slip or textured paint on the ground;

e. identified by a sign displaying the International Symbol of Access;

f. readily visible from a vehicle at the car park entrance or by guide signs which indicate the direction of the designated parking spaces; and

g. on a level surface with a grade (parallel to or at 90 degrees to the angle of parking) no greater than 1 in 40 unless the parking space is an outdoor bitumen area where a grade of 1 in 33 may be permissible.

Bicycle Parking Rates

C18 Bicycle parking spaces are to be provided in accordance with *Table C6: Bicycle parking provision rates.*

C19 Bicycle parking facilities are to be provided in accordance with Australian Standard AS 2890.2-1993 Parking facilities – Bicycle Parking Facilities as follows:

a. class 1 Bicycle lockers – for occupants of residential buildings;

b. class 2 Bicycle lockers – for staff/employees of any land use;

c. class 3 Bicycle rails – for visitors of any land use.

C20 Residential apartment buildings are to include a lockable bicycle storeroom with adequate space and bicycle stands or hooks to accommodate the number of bicycles required by the provisions of Table C6: Bicycle parking provision rates.

C21 Non-residential land uses and buildings used for non-residential purposes are to incorporate bicycle parking facilities as follows:

a. one (1) personal locker for each bicycle parking space;

b. one (1) shower/change cubicle for 1 up to 10 bicycle parking spaces;

c. two (2) shower/change cubicles where 11 to 20 or more bicycle parking spaces are provided;

d. two (2) additional showers/cubicles for each additional 20 bicycle parking spaces or part thereof.

C22 Bicycle storage facilities which are to be incorporated into any retail or commercial area are to be located prominently in or immediately adjacent to the edge of the main shopping area. The pedestrian route between the bicycle storage facility and the land use it serves is to be

designed and constructed in accordance with the Safety by Design principles and guidelines outlined in Part C Section 1.9 – Safety by Design of this Development Control Plan.

Motor Bike Parking Facilities

C23 Motor bike parking is to be provided at a rate of one (1) space for developments that require between 1 to 10 vehicle spaces and 5% of the required vehicle parking thereafter. The rate of total parking provision required is established by Table C4: (General Vehicle Parking Rates) for the land use.

C24 Motor bike parking spaces are:

a. to be located away from car reversing or manoeuvring areas;

b. to be located on flat and even surfaces where the gradient does not exceed 1 in 20 (5%) either parallel to or at 90 degrees to the angle of parking;

c. to be 2.5m x 1.2m in dimension; and

d. to be clearly marked and where located adjacent to car parking bays delineated by landscaped areas, bollards or other protective barriers.

On-Site Car Share Facilities

C25 Car share parking spaces are to be provided for new multi-dwelling residential buildings and other commercial development as follows:

a. residential development – a minimum of one (1) car share space is to be provided for any residential development containing more than 50 residential units;

b. office, business or retail premises – a minimum of one (1) car share space per 50 car spaces provided;

c. written evidence, in the form of a letter of commitment, from an established car share operator must be provided with the development application demonstrating the operator's intentions and method of management of the space(s).

C26 Car share spaces are to be conveniently located and appropriately sign posted.

Travel Plans

A travel plan is a set of measures designed to reduce private car dependency for a development by encouraging use of more sustainable transport modes. Such a plan should contain a series of complementary measures which will act in unison to discourage private car dependency. Travel plans can be developed for both residential and non-residential developments and may include:

a. provision of on-site car share spaces or car share membership for building occupants;

b. facilities for charging electrical vehicles;

c. establishment of self-managed car pool systems;

d. "welcome packs" for new building occupants, which provide information on sustainable transport choices including bus stops, light rail stops, cycleways and public transport timetables;

e. site-specific bike share facilities;

f. management initiatives for employees including subsidised public transport. Provision of peak period shuttle buses, locality-based relocation allowances, subsidised bicycle purchase and flexible working hours; and

g. sustainable transport web-portal, on-site displays, or digital apps, as information for both building occupants and visitors.

C27 A travel plan must be submitted for:

a. any residential developments containing more than 50 residential units; and

b. any office, business or retail developments which exceeds 3000sqm of gross floor space or accommodates more than 50 employees.

C28 A travel plan must include:

a. targets – including reductions in single occupancy car trips and increased mode share for sustainable transport;

b. travel data – baseline travel demand and mode share estimates derived from experience with comparable developments;

c. action plan – which outlines the measures to be implemented as part of the travel plan, associated promotional, information and education initiatives, and management mechanisms to be introduced as part of the travel plan;

d. commitment – to the on-going maintenance and adaptation of the action plan to ensure its long term success. If the future occupants of the building are known there should be a letter of commitment, to the travel plan, provided by the future occupants of the development. There should also be a management mechanism introduced which will bind future owners or lessees of the development to the travel plan; and

e. monitoring and review – shall be conducted in consultation with Council officers.

Service and Loading Facilities

C29 Service and delivery areas and loading facilities in new developments are to be provided in accordance with the current RMS "Guide to Traffic Generating Developments", Australian Standard AS 2890.2 Parking Facilities and Table C4 – General Vehicle Parking Rates.

C30 Service and delivery areas and loading facilities in new developments are to be designed in accordance with the following:

a. be congruent to the location and layout of service and loading operations relevant to the development and not be used for any other purpose such as the storage of goods and equipment or as parking areas;

b. be physically separate from areas used for car, pedestrian and bicycle movements;

c. be located in a manner that will not visually impact on the development, streetscape or adjacent premises;

d. all vehicles must enter and leave the property in a forward direction; and

e. access driveways, internal circulation roadways and service areas are to be designed for the largest vehicle anticipated to use the site in accordance with Clause C29 above.

Note: Retail uses are not permitted to receive deliveries from vehicles which cannot be accommodated at the on-site loading facility unless an existing 'Loading Zone/Truck Zone' is provided on-street outside the property. Such uses are to arrange deliveries to be made by appropriate size vehicles.

C31 Service and delivery areas and loading facilities are to be designed to accommodate the largest vehicle anticipated to use the site.

For commercial vehicles, the access driveways, circulation roadways and service areas are to be designed to comply with the relevant requirements of AS 2890.2 Parking Facilities - Off-street commercial vehicle facilities.

For smaller vehicles, including station wagons, utilities, vans and other light commercial vehicles, the design of the access driveways, circulation roadways and service areas are to meet the requirements of a 99th percentile (B99) vehicle as specified in AS 2890.1 Parking facilities – Off-street car parking. A minimum headroom clearance of 2500mm is to be provided within the service area and along the vehicular path of travel to or from the service area. The loading bays are to be a minimum of 0.5m wider than a standard parking space and a minimum of 2.0m longer. The added width may be shared with a footway, parking aisle or other adjacent unobstructed area.

Note: In some instances development will be approved subject to conditions limiting the size of service vehicles and number of trips for delivery vehicles. Care must be taken to ensure the initial design does not limit the use of the building.

Bus/Coach Facilities

C32 The potential impacts on the amenity, traffic management and vehicle parking provision in the vicinity of the bus/coach set down and parking areas will be a matter for consideration in assessing any application for bus/coach set down or parking areas.

C33 Bus/coach set down areas and parking spaces are to be provided in accordance with Table C3: Bus and coach parking rates where private buses or coaches are used to transport people to or from the premises.

Table C3: Bus and coach parking rates

Type of development	Minimum requirements
Clubs, Drive-in Takeaway with seating	One (1) bus/coach space per 100 seats up to 200 seats, then one (1) space per 200 seats
Reception premises	One (1) bus/coach space per 200 sqm GFA up to 200 sqm then one (1) space per 400 sqm GFA

Basement / Underground Car Parking Facilities

C34 The design (including materials, locations, scale and relationship to built and landscape elements)of car park access and egress is to:

a. be integrated into the overall design of the site and building; and

b. minimise the visual impact of the driveway, car park access/egress doors and any associated structures.

c. Address all relevant requirements of Australian Standard AS 2890.1 Parking facilities – off-street car parking relating to location, width, gradient, headroom and sight distance to vehicular traffic and pedestrians.

C35 Basements within close vicinity to the road reserve or adjoining properties must be designed in accordance with the following criteria:

a. all elements of the basement walls, including the subsoil drainage system and structural elements, shall be fully contained within the property boundaries;

b. the existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;

c. the basement walls must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment; and

d. include recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property.

Notes:

1. Any basement proposal must be supported by an Integrated Structural and Geotechnical Engineering report prepared by a practising Civil or Structural Engineer.

2. Reference should also be made to the requirements of Part E – Section 1 (Sustainable Water and Risk Management) of this Development Control Plan.

3. Any excavation proposed adjacent to a State Road requires the developer to submit detailed geotechnical reports relating to the exaction of the site and support structures to RMS for approval.

Mechanical Devices

C36 Car lifts, stackers and turntables will only be permitted where there is no viable alternative to accommodate an additional off-street parking space and where provision is made for vehicles to independently enter and exit the device.

C37 Car lifts and car stackers must have a clear internal width of 3000mm to allow for disembarking from all doors of the parked vehicle. The facilities must be located at least 1000mm inside the property boundary to allow for unloading at the rear of the vehicle from within the property boundary

Special Events - Traffic and Parking Management

C38 The applicant is to submit a Traffic, Parking and Transport Arrangements Plan incorporating Traffic Control Plans with the relevant application. The Plan is to outline the following:

a. the local traffic networks and existing parking arrangements, and an assessment as to how they will cope with the increased demand generated by the event;

b. additional parking (in accordance with Australian Standard AS1742:11 Parking Controls);

c. the proposed main access route;

d. a Traffic Control Plan that conforms to the RMS Traffic Control at Worksites Manual which can be accessed online at:

   http://www.rta.nsw.gov.au/doingbusinesswithus/downloads/technicalmanuals/tcwsv4_dl1.html;

e. a contingency plan for things such as, but not limited to wet weather, an accident or greater than anticipated attendance;

f. provisions for the advertisement of traffic changes, for a minimum period of seven days prior to the event;

g. the detailed location of traffic marshals and traffic controllers e.g. at temporary pedestrian road crossing location;

h. transport arrangements to and from the event, promoting public transport or group private transport (e.g. car-pooling, event tickets which are inclusive of public transport) where possible;

i. a Marketing and Promotion Plan which includes promotion of sustainable transport options for the event and information on "best routes", "best modes" and "best times" to access and egress the site;

j. access for local residents and emergency vehicles, to be maintained at all times;

k. heavy vehicle alternate route for the arrival and departure of coaches and equipment trucks;

l. pedestrian and cycle access and safety provisions; and

m. loading zones.

C39 Class 1, 2 and 3 special events under the *Roads Act 1993* will first be referred to the Leichhardt Traffic Committee for their consideration and recommendations prior to determination by Council.

C40 Suitably qualified traffic marshals (e.g. RMS Accredited Traffic Controllers Certificate) in safety attire are, as a minimum, to be situated at the entrance and exit locations.

C41 Bus parking and set down areas for passengers are to be provided in a location away from the traffic stream, where safe access and egress can be achieved, and queuing minimised.

C42 The parking areas are to be laid out and designated in accordance with Australian Standard AS 2890.1 - Parking Facilities, Part 1: Off-street car parking.

C43 An area of parking in the closest proximity to the venue is to be set aside for disabled parking and appropriately reserved by temporary signage.

C44 Use of public transport and car-pooling schemes are to be promoted where appropriate.

Existing Parking Spaces

C43 Depending on the nature and extent of the proposal Council may require existing vehicle access and/or parking facilities that do not meet the minimum requirements of Australian Standard AS 2890.1 – Parking facilities, Part 1 Off street car parking to be modified, depending on the degree of non-compliance.

Redundant vehicle crossings

C44 Depending on the nature and extent of the proposal Council may require existing vehicle crossings within the property's street frontage, which no longer service an off-street parking space, to be closed and replaced with kerb, gutter and footpath.

Residential Development

Background

These controls apply to all alterations and additions as well as new development and all types of residential development.

Visual Impact

C45 Development is to be consistent with the suburb profiles and desired future character statements within the Distinctive Neighbourhood controls within Part C Section 2: Urban Character of this Development Control Plan.

C46 Where a site has access to a rear lane/road, vehicle parking is to be provided from that rear lane/road only. Access from the primary street frontage will not be supported.

C47 Swept path diagrams indicating vehicle manoeuvring in and out of the off-street parking area under the existing on-street parking arrangements (on public road) must be provided.

C48 Where no rear lane or secondary road access is available, vehicle parking may be provided from the primary street frontage when:

a. it is located wholly behind the front wall of the main building of the dwelling;

b. has a single width parking space only;

c. has one access point per dwelling;

d. has a maximum vehicle crossing and parking space width less than 50% of the width of the front elevation of the main building on the site; and

e. is subordinate to the main building.

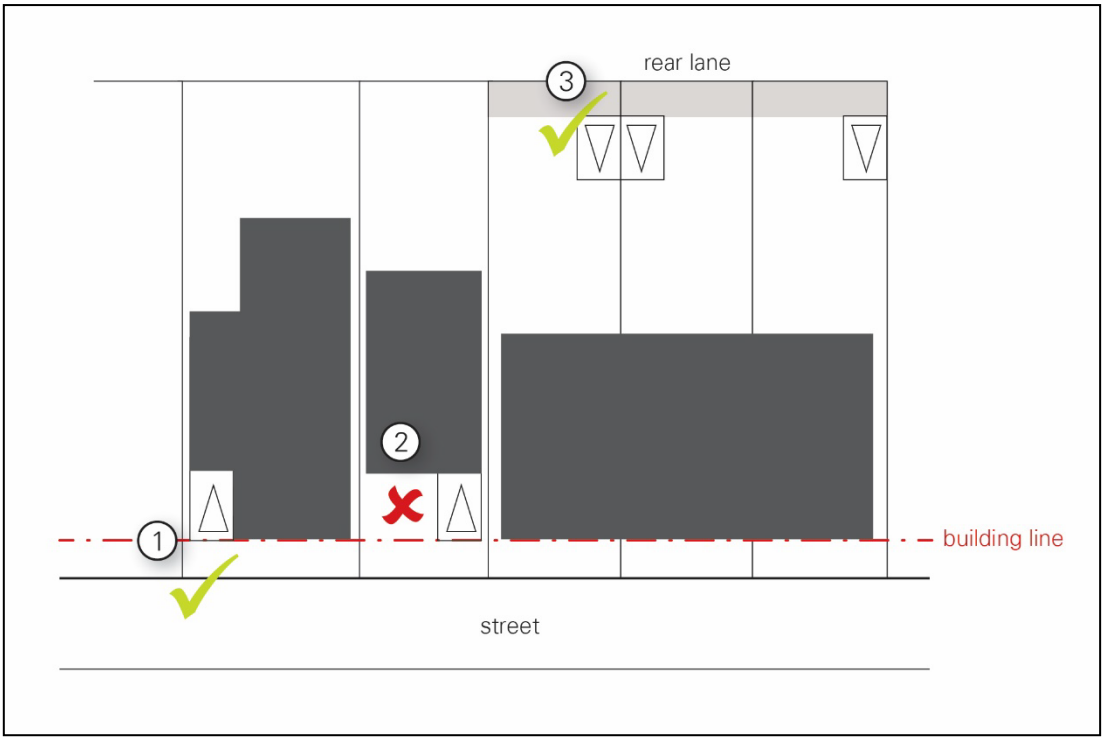

Figure C3: Location of on-site car parking

1. **Car parking is recessed behind the main street fronting building wall**
2. **Car parking should not be located in front of the main street fronting building wall**
3. **Car parking is located at the rear of the site with access from a rear lane**

Landscaped open space and on-street parking

C49 Vehicle crossovers do not significantly adversely impact street trees, or on-street parking capacity of the street/lane.

Materials

C50 Vehicle access, manoeuvring and parking should be finished in high quality, durable materials that integrate with the building and streetscape. Materials such as porous or open block paving should be considered where appropriate.

Residential Amenity

C51 Driveways and garages should be, where possible, located away from doors and windows to bedrooms in adjacent properties.

C52 Where a driveway or parking is to be provided along a side boundary, a landscaped strip with a minimum width of 500mm is to be planted between the side boundary and the vehicle access and/or manoeuvring areas. Where a landscape strip cannot be provided, the design must incorporate landscaping within the front setback that endeavours to soften the impacts of the parking space on the streetscape.

Safety

C53 The design of the vehicle access must provide for clear sight-lines to vehicular traffic and pedestrians when entering and exiting the site.

C54 The design of the vehicle access, manoeuvring and parking must provide for gradients that enable safe universal pedestrian and cycling access.

Residential Flat Buildings and Mixed Use Development

C55 Vehicle parking for residential flat buildings and mixed use developments shall be provided underground, unless:

a. the development meets the objectives of Part C1.11 – Parking and Part C1.0 – General Provisions within this Development Control Plan;

b. vehicle crossovers and driveways minimise any adverse visual impacts of the vehicle entrance from the streetscape and desired future character of the neighbourhood.

C56 Underground parking should be designed to ensure:

a. the maximum height of the vehicle parking area that protrudes above ground level (existing) is 500mm;

Note: Minimal above ground protrusion is particularly important where the end walls are situated on or close to property boundaries or street frontages.

b. landscaped areas provided above underground vehicle parking provides for a minimum 600mm soil depth for trees and shrub planting and 300mm for ground cover planting; and

c. maintains and enhances pedestrian safety.

C1.11.1 General Vehicle Parking Rates

*Note: When calculating the total number of parking spaces (including car parking spaces required for people with disabilities and bicycle and motor cycle parking spaces) - if the result is not a whole number, it must be rounded **UP or DOWN** to the nearest whole number. For example –*

2.5 spaces = 3 spaces required

4.4 Spaces = 4 spaces required

Table C4: General vehicle parking rates

Parking Rates				
Land Use	Residents		Visitors	
	Minimum	Maximum	Minimum	Maximum
Residential				
Single dwelling house	Nil	2 spaces per dwelling house	Nil	Nil
Bed-sit / Studio	Nil	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
1 bedroom unit	1 space per 3 dwellings	0.5 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
2 bedroom unit	1 space per 2 dwellings	1 space per dwelling	1 space per 11 dwellings	0.125 spaces per dwelling
3+ bedrooms unit	1 space per dwelling	1.2 spaces per dwelling	1 space per 11 dwellings	0.125 spaces dwelling
Boarding Houses	1 space per resident employee and 0.5 space per boarding room			
Land Use	Staff		Visitors	
	Minimum	Maximum	Minimum	Maximum
Amusement centre	Nil	0.4 spaces per staff	Nil	0.2 spaces per machine plus 1 space per pool/snooker table
Hotel or motel accommodation	1 space per 5 staff	1 space per 4 staff	1 space per 5 bedrooms	1 space per 4 bedrooms
Service station	1 space per 4 vehicle repair bays for staff	1 space per 3 vehicle repair bays	1 space per 80 sqm for ancillary retail	1 space per 50 sqm for ancillary retail
Land Use	Pick up/ drop off (minimum)	Loading zone / visitors (minimum)	Staff parking (minimum)	
Child care centre (Refer to Note 1)	2 spaces (Refer to Note 2)	1 space	1 space per 30 children	
Land Use	Staff & Visitors Combined			

	Minimum	Maximum
Bulky goods premises	1 space per 125 sqm	1 space per 100 sqm
Business premises	1 space per 100 sqm	1 space per 60 sqm
Office premises	1 space per 100 sqm	1 space per 80 sqm
Health consulting rooms	2 spaces per 3 consulting rooms	2 parking spaces for every consulting room
Medical centre	2 spaces per 3 consulting rooms	2 parking spaces for every consulting room
Licensed Hotel, Pub or registered club	1 space per 6 staff and 1 space per 30 patrons	1 space per 3 staff and 1 space per 10 patrons
Industry	1 space per 250 sqm Note: Retailing associated with industrial developments will be assessed at the same rate as “shops” (i.e. 1 space per 50 sqm (min) and 1 space per 50 sqm (max))	1 space per 150 sqm
Vehicle sales or hire premises	1 spaces per 300 sqm site area	1 space per 200 sqm site area
Place of public worship	1 space per 50 sqm	1 space per 40 sqm
Small Bars, Restaurants or cafes	1 space per 80 sqm. If the premises are located on a “Recognised Shopping Street” the first 50 sqm are exempt from parking provision. (Refer to note 3)	1 space per 50 sqm
Educational establishment (non-tertiary)	1 space per 4 staff and pickup/drop off facility for parents/carers	1 space per 2 staff and pickup/drop off facility for parents/carers
Educational establishment (tertiary)	1 space per 4 staff for staff + 1 space per 25 full-time students for students	1 space per staff + 1 space per 15 full-time students
Shops / supermarkets	1 space per 50 sqm If the premises are located on a “Recognised Shopping Street” the first 50 sqm are exempt from parking provision (Refer to Note 3)	1 space per 50 sqm

Take away food or drink premises	1 space per 100 sqm If the premises are located on a "Recognised Shopping Street" the first 50 sqm are exempt from parking provision (Refer to Note 3)	1 space per 100 sqm
Warehouse or distribution centre	1 space per 300 sqm	1 space per 250 sqm
Entertainment facility	Car parking will be calculated on the specific characteristics of the facility/venue and hours of operation.	

Notes in relation to Table C4: General vehicle parking rates

1. *A parking study is required when more or less parking spaces (than the minimum required number) are proposed;*
2. *Drop-off/pick up facilities for Child Care Centres may be located kerbside subject to appropriately satisfying the following:*
   a. *suitable kerbside availability at times relevant to the child care centre;*
   b. *being located immediately adjacent to the child care centre and on the same side of the street as the centre;*
   c. *a suitable safe footpath is available between the spaces and the centre;*
   d. *traffic activity on the subject street does not create an unsafe environment for drop-off/pick-up activity;*
   e. *the spaces represent best practice in parking design and placement including reference to Safety by Design principles including sightlines, accessibility and opportunities for passive surveillance.*
   f. *spaces may be timed (i.e. 15 minute parking) at peak movement times of the day.*
3. *Several specific land uses within* recognised shopping streets *have an exemption applied for the first 50 m^2 in the "minimum" category. The exemption is based on an assumption that 50 m^2 represents a minimum basic space in a main street premise, such as a shop or café, and is aimed at recognising the walk-up potential of the locations. Refer to section C1.11.7 within this section of the Development Control Plan.*

   ("Recognised shopping streets" are: Norton and Marion Streets Leichhardt, Darling Street and Balmain Road Rozelle, Darling Street Balmain, Johnston and Booth Streets Annandale, Parramatta Road Leichhardt and Annandale).
4. *The 'maximum' parking rates are provided in Table C4 to provide limits as a move towards reducing private car dependency.*
5. *Occupants of new developments in existing Parking Permit Areas will not be eligible for resident or business parking permits.*
6. *Floor space is calculated as Gross Floor Area (GFA) unless otherwise specified.*
7. *Control C23 above requires 5% of the above requirements to be provided as motor bike parking.*

C1.11.2 Accessible Car Parking Rates

Table C5: Accessible car parking space rates

Building Class to which the car park or car parking area is associated	Accessible Parking Spaces
Class 3 (a) Boarding house, guest house, hostel, lodging housing, backpackers accommodation, or the residential part of a hotel or motel	To be calculated by multiplying the total number of car parking spaces by the – i) percentage of accessible sole-occupancy units to the total number of sole-occupancy units; or ii) percentage of beds to which access for people with disabilities is provided to the total number of beds provided. The calculated number to be taken to the next whole figure.
Class 3 (b) Residential part of a school, accommodation for the aged, disabled or children, residential part of a health –care building which accommodates members of staff or the residential part of a detention centre.	1 space for every 100 parking spaces or part thereof.
Class 5, 7, 8 and 9c	1 space for every 100 car parking spaces or part thereof
Class 6 (a) up to 1000 car parking spaces; and (b) for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces.	(a) 1 space for every 50 car parking spaces or part thereof. (b) 1 space
Class 9a (a) a hospital (non-outpatient area)	1 space for every 100 car parking spaces or part thereof.
Class 9a (b) Hospital (outpatient area) (i) up to 1000 car parking spaces; and (ii) for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces	(i) 1 space for every 50 car parking spaces or part thereof. (ii) 1 space
Class 9a (c) Nursing home	1 space for every 100 car parking spaces or part thereof.
(d) clinic or day surgery not forming part of a hospital	1 space for every 100 car parking spaces of part thereof.
Class 9b (a) school	1 space for every 100 car parking spaces or part thereof.
(b) other assembly building (i) up to 1000 car parking spaces; and (ii) for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces.	(i) 1 space for every 50 car parking spaces or part thereof. (ii) 1 space

C1.11.3 Bicycle Parking Rates and Facilities

Table C6: Bicycle parking provision rates

Land use	Residents/staff	Customers/Visitors
Apartments	1 space per 2 dwellings	1 space per 10 dwellings
Backpackers accommodation	1 space per 4 staff	1 space per 10 beds
Group homes/student accommodation	1 space per 6 rooms	1 space per 6 rooms
Home occupation/home industry	1 space per dwelling	1 space per dwelling
Seniors Housing	1 space per 10 staff and 1 per 20 self-contained dwelling units	1 space per 30 dwellings
Serviced apartments	1 space per 10 staff	1 space per 20 rooms
Amusement centre	1 space per 10 staff	2 spaces per centre
Bulky goods Retail	1 space per 10 staff	Nil
Child Care facility	1 space per 10 staff	2 spaces per centre
Clubs	1 space per 10 staff	1 space per 140 sqm GFA
Commercial	1 space per 10 staff	1 space per 400 sqm GFA
Hotels/motels	1 space per 10 staff	1 space per 20 rooms
Industry	1 space per 10 staff	Nil
Motor and retail showrooms	1 space per 10 staff	1 space per 200 sqm GFA
Professional consulting rooms	1 space per 10 staff	1 space per 200 sqm GFA
Restaurants	1 space per 10 staff	2 spaces plus 1 space per 100 sqm over 100sqm GFA
Recreation facility (indoor, outdoor and major)	2 spaces, plus 1 space per 10 staff	2 spaces, plus 1 space per 100 sqm GFA
Service stations	1 space per 10 staff	2 spaces per service station
Shops	1 space per 10 staff	2 spaces, plus 1 space per 100 sqm over 100 sqm GFA
Warehouse	1 space per 10 staff	Nil

C1.11.4 Minimum Car Parking Dimensions

The minimum dimensions for a garage or enclosed parking space must be as follows:

Table C7: Minimum car parking dimensions

Single		Double		Tandem	
Length	Width	Length	Width	Length	Width
6.0m	3.0m	6.0m	5.4m	11.4m	3.0m

Notes:

1. *For open parking spaces or carports, the above dimensions can be reduced by 300mm for any open side, front or back of the parking space. For example, for a carport with the rear and one side open, the minimum dimensions will be reduced to 5.7 metres by 2.7 metres.*
2. *Where the parking space is accessed via a narrow roadway, the width of the parking space may need to be increased so that a wider access door can be provided, to allow for manoeuvring in accordance with the following section.*
3. *Where the parking space is located adjacent to the path of travel to the main pedestrian entry to the building, only 300mm of unobstructed width of a compliant parking space can be allocated to the width of the pedestrian access.*

C1.11.5 Garage Door Widths

Table C8: Garage door widths

Width (metres)	Minimum dimensions in metres*			
	Single Garage			Double Garage
	Doorway Width	Doorway Setback from boundary	Opening Width at boundary	Doorway Width
> 7.0	2.8	-	-	5.0
6.0	3.0	-	-	5.3
5.0	3.3	-	-	5.6
4.0	4.2	-	-	-
3.5	4.2	0.5**	5.2**	-
3.0	4.2	1.0**	6.5**	-

* For apron widths other than those specified, or for other than right angled access, detailed plans must be prepared showing the swept path for the B85 vehicle inclusive of 300mm manoeuvring clearances.

** Where the apron width is less than 3.5 metres, the doorway must be set back from the boundary and the driveway widened to the property boundary to the extent of the opening widths specified.

C1.11.6 Bike Parking Dimensions

The minimum dimensions for envelope clearances for bike parking must be as follows.

Table C9: Minimum bicycle parking dimensions

Storage dimensions	
Standard bicycle dimensions	
Handlebar height	750mm-1100mm
Handlebar width	Up to 750mm
Bicycle length	1500mm-1800mm
Minimum storage dimensions	
One standard bicycle	1200mm
Height	1200mm
Depth	2000mm
Door Aperture	780mm
Two standard bicycles	
Height	1200mm
Width	1500mm
Depth	2000mm
Door Aperture	780mm

C1.11.7 Recognised shopping streets

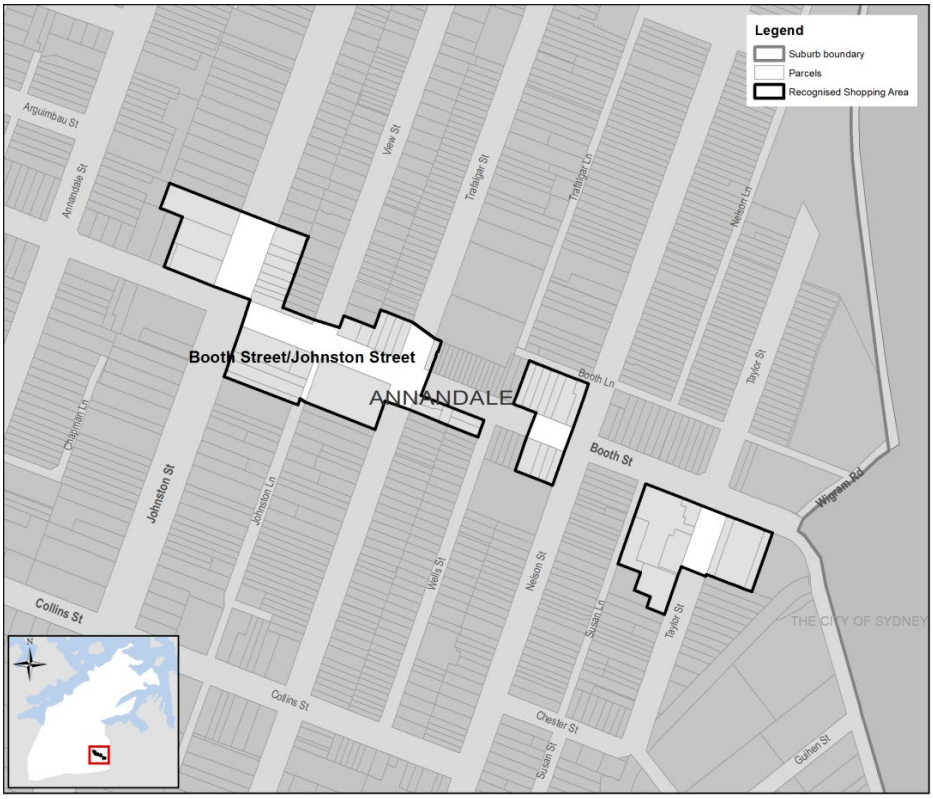

Figure C4: Booth Street / Johnston Street recognised shopping street

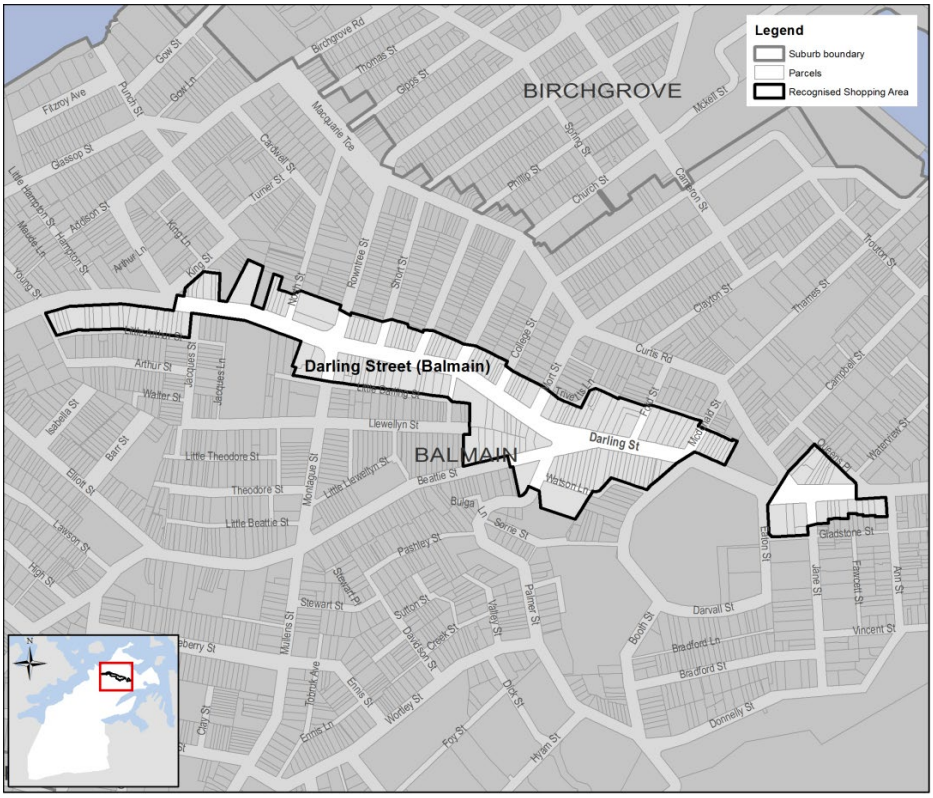

Figure C5: Darling Street Balmain recognised shopping street

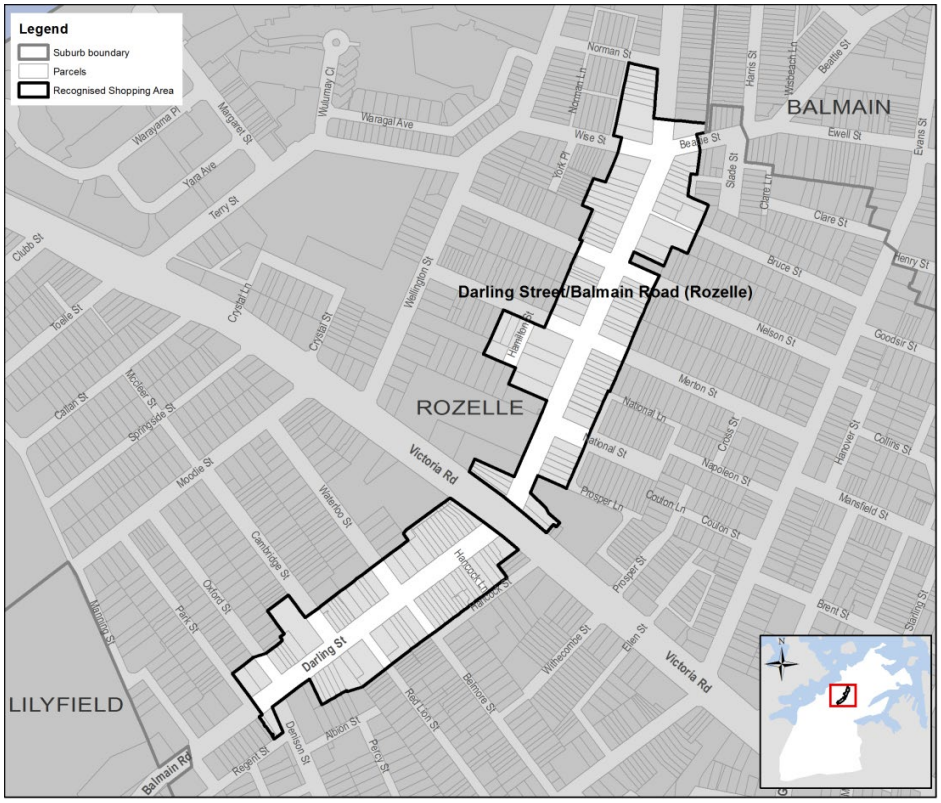

Figure C6: Balmain Road / Darling Street Rozelle recognised shopping street

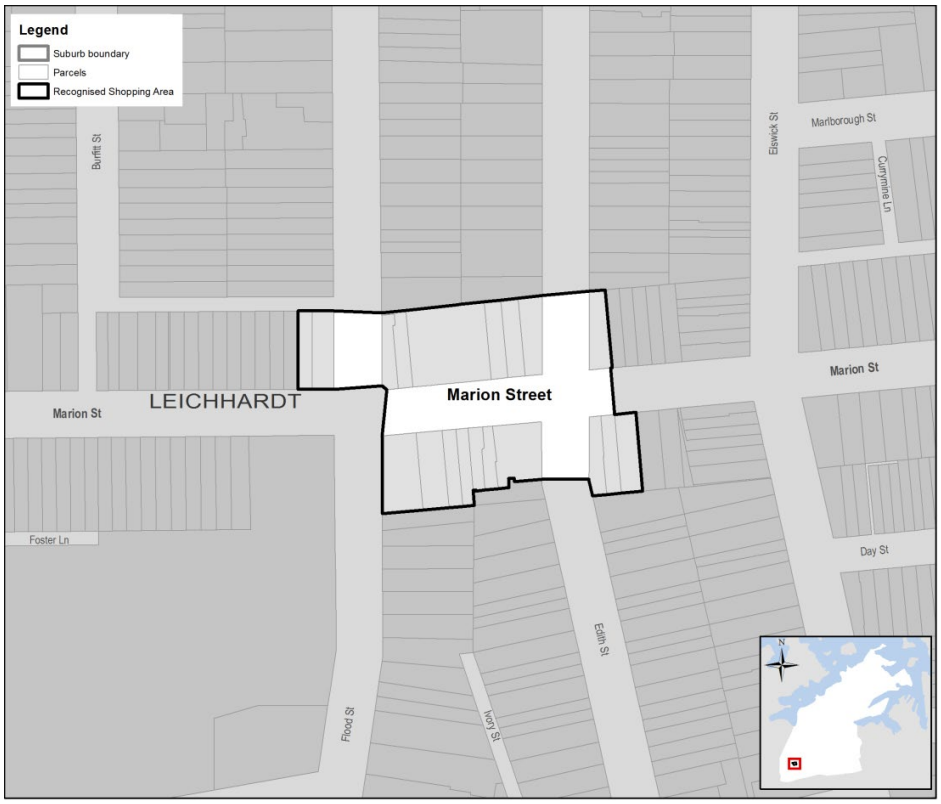

Figure C7: Marion Street recognised shopping street

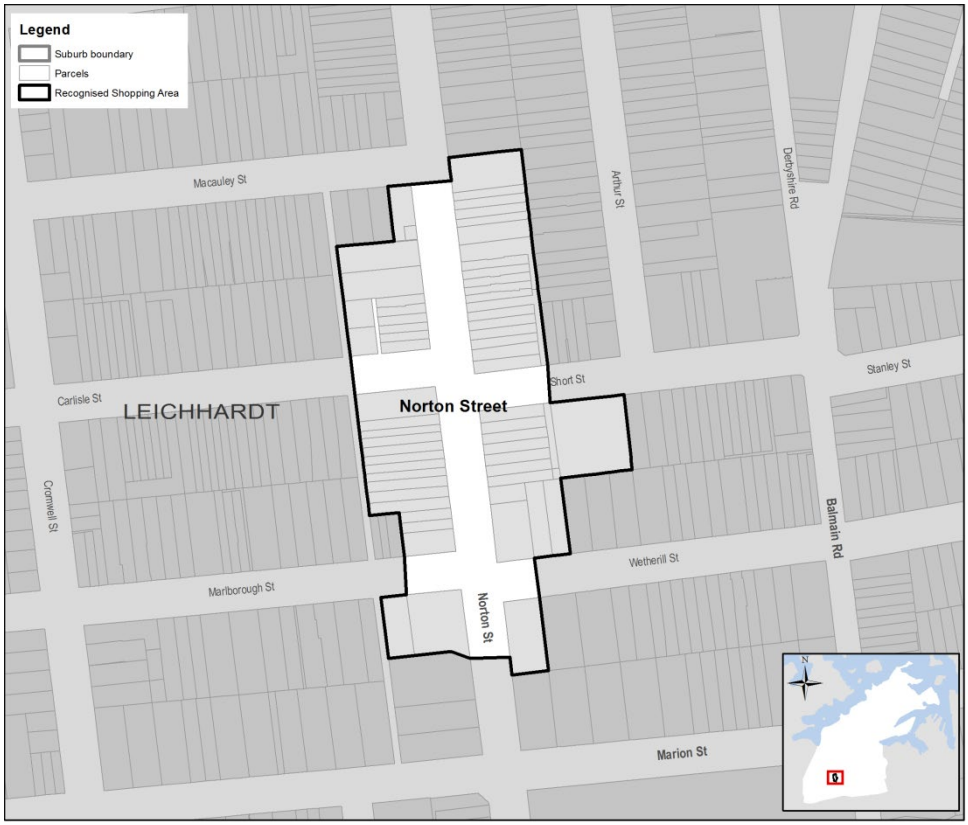

Figure C8: Norton Street recognised shopping street

Figure C9: Norton Street and Parramatta Road recognised shopping street

C1.12 LANDSCAPING

Background

Landscaping performs a number of important functions, including enhancing environmental performance through microclimate modification, enhancing the character of a streetscape and its neighbourhood as well as the visual appeal of a development and the Inner West.

Due to the variety of settings in which non-residential development is located in Inner West, landscaping needs to be context appropriate. For example, in industrial areas where contemporary development occurs, the landscaping response may include a landscaped setback and the planting of trees that will grow to large heights to soften the visual impact of the development when viewed from the street. However, in traditional main streets, landscaping may be used to provide increased amenity and visual interest to the use, such as in rear courtyards.

In residential developments landscaping is used to; shade private open space, grow food, assist in providing privacy, recreation, keep domestic animals and increase native fauna and flora.

Landscaping includes both 'soft' landscaping in the form of planted and grassed areas and 'hard' landscaping in the form of paving, outdoor furniture and similar constructed elements. To achieve a high level of environmental performance, 'soft' landscaping is preferred in most situations.

Objectives

Residential Development

O1 Development includes on-site landscaped open space that:

a. enhances the visual setting of buildings;

b. contributes to the distinct landscape character within the neighbourhoods and preserves, retains and encourages vegetation and wildlife that is indigenous to the Inner West and Sydney;

c. preserves or retains natural features such as rock outcrops that contribute to the landscape of the area;

d. conserves water resources by reducing the need for irrigation;

e. maximises vegetation to regulate and increase rainwater infiltration, thereby increasing nutrient recycling and reducing surface runoff;

f. is compatible with the heritage significance of the place;

g. contributes to the amenity of the residents and visitors;

h. where involving new plantings, benefit the building's energy efficiency;

i. protects and retains existing trees on the subject and surrounding sites, including the street verge; and

j. is designed to encourage the retention and enhancement of green corridors.

Non-Residential Development

O2 To ensure that landscaping:

a. complements the character of the surrounding area and reinforces local character;

b. ensures a high level of visual attractiveness when viewed from the street;

c. softens the visual impact of development, particularly on adjoining and nearby residential uses;

d. contributes to the amenity of the residents and visitors;

e. provides adequate on-site recreation space for workers; and

f. increases the environmental performance of a development.

O3 To encourage green roofs and green walls particularly for large scale developments.

Controls

Documentation (Residential and Non Residential)

C1 A landscape plan prepared by a suitably qualified and experienced professional is submitted for:

a. all new dwelling house, semi-attached, attached houses, multi-unit and Residential Flat Buildings; or

b. all non-residential development that provides landscaped open space; and

c. all mixed use development;

C2 The landscape plan must include information as required by Council's specifications for development application documentation and demonstrate the achievement of appropriate objectives and controls. Landscape plans must take into consideration sight lines for vehicle egress and access.

Residential Controls

C3 Trees that contribute to the character and quality of the area are retained and protected and additional trees compatible with the existing character are provided.

C4 Provide for the retention of existing and/or planting of additional canopy trees.

C5 A minimum of 85% of plantings for new residential areas are indigenous to the local or Sydney area.

C6 Natural rocky outcrops shall be preserved in their existing form and integrated into site landscaping.

C7 Existing trees on the site and on adjoining sites are protected from root damage and substantial canopy pruning.

C8 Structures are to be designed to accommodate existing and future root growth.

C9 Semi-mature trees and vegetation that are capable of contributing to landscape amenity are provided in open space along boundaries adjacent to neighbouring open space.

C10 New dwellings, single or multi-unit, shall be planted with tree(s) capable of achieving a mature height and form appropriate to the setting of the site and the proposed development.

Note: Council will assess the reasonableness of the mature height of trees in conjunction with the development proposal. Tree selection and landscape design should be undertaken with site characteristics and environmental outcomes in mind.

C11 Landscaping does not include toxic plants.

C12 Properties that exceed 300sqm shall have a minimum of two (2) trees. The trees will be capable of achieving a mature height and form appropriate for the setting and the development.

Note: Council will assess the reasonableness of the mature height of the tree in conjunction with the development proposal.

C13 Front gardens/setbacks are of soft landscaping with the exception of pathways.

C14 Landscaping shall be provided between a swimming pool and the property boundary, where the landscape area is capable of contributing to the landscape amenity of the subject and adjoining properties.

Secondary dwellings

C15 A minimum 4m wide landscaped area must be provided between the detached secondary dwelling and the principal dwelling house when they are located in tandem style.

C16 A minimum 1.8m wide landscaped area must be provided between the detached secondary dwelling and the principal dwelling house where the detached secondary dwelling is located beside the principal dwelling house.

Landscaped areas over podiums or basement car parking areas (Residential, Non-Residential and Mixed use development)

C17 Where landscaping over the roof of underground parking areas is proposed, it must support soil of sufficient depth, contain appropriate irrigation devices and have drainage connected to the stormwater system that supports the growth of medium sized plants species (up to 2m) with details shown on the landscaping plan.

Non-Residential Controls

C18 The design of a landscaped area must consider:

a. existing buildings and any proposed developments;

b. the requirement to landscape sections of the site not built upon with trees, shrubs and ground cover;

c. how site landscaping can complement and reinforce the locality in terms of plant selection or choice of materials by accounting for the role of the street, solar access, soils and existing services;

d. where a strong landscape theme exists, the need to complement and reinforce any existing theme;

e. how to reduce the visual impact of development, both to the street and to adjoining development;

f. making paved areas:

i. semi-porous to maximise on-site infiltration of stormwater;

ii. complementary materials and colours; and

iii. with non-slip finishes and with gradients and dimensions suitable for use by people with disabilities; and

g. varying the alignment of paved areas and driveways to create opportunities for landscaping.

C19 Landscaped areas at suitable locations shall be integrated in the design of the site to improve the aesthetic amenity of the site and streetscape and the extent of pervious surfaces.

C20 Landscaping will be provided between the front building line and the street frontage where this is consistent with the existing streetscape or the desired future streetscape.

C21 Landscaping reflects the dominant character of trees and vegetation in the surrounding neighbourhood, including height, spread and type.

C22 Plants will be chosen which are predominantly native to the local area and Sydney.

C23 Landscaping will be predominantly soft landscaping to maximise rainwater infiltration.

C24 Stormwater from the site is directed to landscaping areas that include stormwater quality management devices such as drainage swales.

Safety (residential and non-residential development)

C25 All proposed landscaping must demonstrate consistency with the provisions within Part C1.9 Safety by Design of this Development Control Plan.

Tree Removal (residential and non-residential development)

C26 An arborist report is to be submitted where the proposed development is within the Tree Protection Zone (TPZ - as defined in Australian Standard AS 4970 – *'Protection of trees on development sites'*) of a tree on an adjacent site.

Notes:

1. *Proposed excavation or fill, retaining walls or landscape structures must also be shown on the architectural plans.*
2. *Reference should be made to Section C1.14 – Tree Management of this Development Control Plan in regard to matters relating to exempt species, or standalone pruning and removal controls.*
3. *Information relating to the required content of Landscape Plans and Arborist Reports is available in Council's Specifications for DA Documentation and Tree Management Technical Manual – Trees on Private Property.*

C1.13 OPEN SPACE DESIGN WITHIN THE PUBLIC DOMAIN

Background

The public domain includes all areas of open space that are publicly accessible, including parks, plazas, forecourts, streets and footpaths. The public domain provides a range of community benefits, including enhancing community cohesiveness by providing places for informal community gathering and interaction and promoting the economic vibrancy of centres.

Objectives

O1 To ensure that open space within the public domain:

a. has a high standard of urban and landscape design;

b. is visually attractive and enhances the character of the neighbourhood;

c. integrates with other parts of the public domain and links pedestrian and cyclist networks;

d. facilitates the comfortable gathering and movement of people;

e. integrates with parklands where applicable;

f. is provided and constructed in a timely manner;

g. is accessible; and

h. prioritises sustainable transport modes.

O2 To ensure that environmental performance measures including water sensitive urban design initiatives are integrated into the space.

O3 To ensure that indigenous vegetation species are used.

O4 To facilitate the use of Safety by Design principles and visual surveillance measures into the space.

O5 To encourage public art to be incorporated into the space.

O6 To encourage the integration of safe, stimulating and educational playgrounds into residential and business areas.

O7 Open space within the public domain is open to the general public, shall not be gated or used exclusively by local residents.

Controls

General - Open space design within the public domain

C1 The location, layout and design of open space within the public domain is to maximise:

a. solar access;

b. protection from wind;

c. protection from traffic noise;

d. useability;

e. accessibility;

f. connections to and within the movement network and other areas of existing or planned open space including those specifically identified in Council's Developer Contributions Plan No 1 Open Space;

g. security and surveillance of the site through the implementation of Crime Prevention Through Environmental Design (CPTED) principles;

h. retention of existing elements of the natural environment including vegetation and water flows;

i. enhancing recreation opportunities for the community; and

j. sustainable transport.

C2 Open space is to be located where its use will not be constrained by contaminated land restrictions.

C3 Open space is generally to be of a regular square or rectangular shape to allow for a range of recreational opportunities.

C4 When the open space is proposed to function as a link to unite two larger areas of open spaces within the public domain, the linear park will have a minimum width of 10m and include provision for both walking and cycling.

Playgrounds

C5 Playgrounds shall comply with Safety by Design principles as outlined within Part C1.9 Safety by Design of this Development Control Plan.

C6 Design and construction of all playground equipment must comply with Australian Standard 1924.2-81 (Playground Equipment for Parks, Schools and Domestic Use - Design and Construction - Safety Aspects) as amended.

C7 Playground equipment shall comply with the NSW Standards and licencing requirements.

For sites in the B1 Neighbourhood Centre Zone and B2 Local Centre Zone that are less than 3000sqm in area

C8 Development shall make a positive contribution to existing public domain by providing:

a. a pathway of adequate width to accommodate comfortable pedestrian movement;

b. street frontage landscaping, including paving and lighting, compatible with the character of the neighbourhood that enhances the functional and visual quality of the street; and

c. awnings and/or other shelter.

For sites in the B1 Neighbourhood Centre Zone and B2 Local Centre Zone that are 3000sqm in area or greater:

C9 Development shall provide a new area of public domain that:

a. has a minimum area of 10% of the site and a minimum dimension of 10m;

b. includes trees, seating, lighting and shelter;

c. is lined with active commercial uses;

d. has an entry that is highly visible and directly accessible from an existing street;

e. is public accessible for 24 hours a day;

f. is universally accessible; and

g. is open to the sky for a minimum of 80% of its area.

For development in the RE1 Public Recreation Zone

C10 Development shall be of a scale, form, material, use and colour that maintains and enhances the function of the public open space and minimises visual impact on the natural landscape.

Foreshore reserve sites

C11 Where a development application is made in relation to a property which is:

a. located adjacent to the foreshore; and

b. where it is proposed to generate new residents or new employees.

Council may seek dedication of part of a development application site adjacent to the foreshore if the proposed development could achieve any of the *Inner West LEP 2022* Clause 6.7(1) and / or to reflect Clause C.4 of Council's Developer Contributions Plan No. 1 Open Space.

C12 The width of the foreshore reserve that is required to be dedicated to Council will vary depending on the subject site. In determining the extent of the foreshore reserve Council will have regard to the following:

a. nature of the topography;

b. potential for inundation and erosion;

c. cultural, heritage, environmental and landscape significance;

d. area required to practically implement foreshore access for pedestrians and cyclists and maintenance requirements; and

e. linkages and connectivity to other areas of open space and/or cycle pedestrian links.

Development proposed adjacent to open space within the public domain

C13 The layout and design of any development adjacent to open space is to maximise accessibility, implementation of Safety by Design principles and visual surveillance of the space.

C14 Open space that is provided as part of a Masterplan development or any other development that requires the provision of open space is to have a street or approved shared zone on at least 75% of its perimeter, and the development shall:

a. make provision for a street or approved shared zone adjacent to the public open space; and

b. ensure building frontages address the street and the public open space.

C15 Where a street or approved shared zone will not be located adjacent to open space, a shared path is to be provided at the interface of the development and the open space.

Development adjacent to the GreenWay

C16 Where development is proposed adjacent to the GreenWay, the development shall complement and contribute to the environmental and social qualities of the GreenWay by way of:

a. ensuring that buildings are oriented towards the GreenWay, and are stepped back to avoid having an overbearing effect on the GreenWay;

b. providing active links between the development and the pedestrian and cycle pathways of the GreenWay;

c. maximising additional, permanent, publicly accessible cycling and walking links between the GreenWay and surrounding areas;

d. utilising Safety by Design principles and visual surveillance of the space (e.g.: through establishing new view corridors);

e. ensuring accessibility at all times between the development site, the GreenWay and the light rail stops;

f. including attractive, durable and safe street furniture, public art, lighting and landscaping which is compatible with the visual, social and environmental qualities of the GreenWay;

g. vegetating the spaces with indigenous plant species, with reference to the most recent GreenWay Revegetation and Bushcare Plan(s);

h. incorporating best practice water sensitive urban design and flood mitigation; and

i. maximising opportunities for native fauna to safely move to and from the GreenWay from adjacent areas (e.g. via native vegetation links, appropriate swales and the like).

C1.14 TREE MANAGEMENT

General Provisions

Purpose

This Tree Management Development Control Plan has been made in accordance with the *State Environmental Planning Policy* (*Biodiversity and Conservation*) *2021* and prescribes the vegetation to which the SEPP applies and the applicable consent process.

The vegetation described in this Development Control Plan is vegetation to which Chapter 1 and 2 of the vegetation SEPP applies as amended from time to time.

Council has adopted canopy targets for the Inner West Local Government Area (LGA) based on the zoning of the land. Those canopy targets are derived from the Premiers Priorities 2017- Greening our city and Greening public places, Greater Sydney Commission - District Plans and Greener Places - Urban Tree Canopy Guide and are as follows:

Zone	Canopy Target
R1 General Residential	40%
R2 Low Density Residential	
R3 Medium Density Residential	25%
R4 High Density Residential	
B1 Neighbourhood Centre	25%
B2 Local Centre	
B4 Mixed Use	15%
B5 Business Development	
B6 Enterprise Corridor	
B7 Business Park	
IN1 General Industrial	25%
IN2 Light Industrial	

Objectives

The following objectives guide the protection and management of trees within the Inner West LGA:

O1 To establish a coordinated approach to the assessment and management of trees.

O2 To consider the safety of the community, private property, and public infrastructure assets.

O3 To protect trees within and adjacent to development sites and to ensure that all new development provides an opportunity for existing and new trees to grow.

O4 To manage the urban landscape so trees continue to make a significant contribution to its quality, character, and amenity.

O5 To maintain and enhance the amenity of the Inner West Local Government Area through the preservation of appropriate trees and vegetation.

O6 Ensure private property owners' plant new trees and replace trees in order to meet Council's tree canopy targets.

Outline of the Processes for Tree Removal or Pruning

- No consent is required for some works (see Control C6 and C7)
- Development Consent is required for pruning more than 10% of the canopy or removal of trees on properties with heritage significance (see Control C4)
- A Tree Works Permit is required for all other works (see Control C5)

Controls

C1 Council consent is required before any clearing of vegetation (removal or pruning of prescribed *tree*/s) is carried out unless the work complies with C6 of this DCP.

C2 For the purposes of this DCP, a ***prescribed tree*** is:

i. any tree with a height equal to or greater than 4 metres above ground level (existing) or

ii. any tree that is under 4 metres in height that has a trunk diameter of more than 150mm at Diameter at Breast Height (DBH at 1.4m) or

iii. any tree with a canopy spread equal to or greater than 2 metres or any palm tree or tree fern with a clean stem length equal to or greater than 4 metres above ground level (existing).

C3 Applications for consent to remove or prune a tree/s will be assessed and determined via a:

i. Development Application (as set out in Control C4) or

ii. Tree Works Permit Application (as set out in Control C5).

C4 Submit a development application for pruning of more than 10% of a tree/s canopy or removal of a prescribed tree/s located on a property which is a heritage item, forms part of a heritage item, is listed in the heritage trees list, is located in a heritage conservation area or where the tree forms part of an Aboriginal object or is located within an Aboriginal place of heritage significance.

C5 Submit a Tree Works Permit for the following activities:

i. Prune a prescribed tree by more than 10% of the canopy;

ii. Tree root pruning;

iii. Remove or prune a prescribed tree except where Control C4 requires a development application to be submitted or Control C6 where tree works can occur without prior approval.

Note: A Tree Works Permit may be submitted to remove a *prescribed tree* to facilitate a Complying Development Certificate.

C6 The following works do not require Council consent (unless the criteria outlined in Control C7 are relevant to the subject tree), provided the work is carried out in accordance with AS 4373 -2007 Pruning of amenity trees and the Safe Work Australia Code of Practice Guide to Managing Risks of Tree Trimming and Removal Work 2016:

C6.1 Canopy lifting to 2.5 metres above ground level;

C6.2 Pruning of branches with a diameter of less than 100mm to a maximum of 10% of the canopy annually;

C6.3 The pruning of deadwood that does not have hollows or provide habitat for native fauna;

C6.4 Works to trees owned by, or under the care, control and management of Inner West Council and undertaken by delegated Council staff or their authorised contractors;

Note: Controls C6.1 to C6.4 apply to all properties within Inner West whereas Controls C6.5 and C6.6 do not apply to trees listed in the heritage trees list, or located on a property that is a heritage item, or located in a heritage conservation area.

C6.5 Removal of a tree, including a prescribed tree, located within 1 metre of the wall of a residential dwelling located on the same lot. The 1 metre distance is measured from the centre of the tree at breast height (DBH 1.4m) to the wall of the residential dwelling;

C6.6 The trees on the exempt species list below are not deemed to be prescribed trees unless such trees are located in a Heritage Conservation Area or are listed as part of a Heritage Item within the Council's Local Environmental Plan.

Species Name	**Common Name**
Acer negundo	Box Elder
Ailanthus altissima	Tree of Heaven
Alnus jorrullensis	Evergreen Alder
Bambusa spp. Phyllostachys spp.	Bamboo species
Cotoneaster spp.	Cotoneaster
Erythrina x sykesii	Coral Tree
Gleditsia triacanthos	Honey Locust
Lagunaria patersonia	Norfolk Island Hibiscus
Ligustrum lucidum	Broad Leaved Privet
Ligustrum sinense	Small Leaved Privet
Nerium oleander	Oleander
Robinia pseudoacacia	False Acacia/Black Locust
Salix spp.	Willow
Schefflera actinophylla	Umbrella Tree
Syagrus romanzoffianum	Cocos Palm
Tamarix aphylla	Athel Tree
Toxicodendron succedaneum	Rhus Tree
Department of Primary Industry Priority Weeds List of the Greater Sydney (Inner West)	see the NSW Weedwise website for list

C7 The exemptions in Control C6 do not apply to:

i. Tree/s that are required to be retained by a condition of development consent;

ii. Tree/s required to be planted as a condition of development consent or as a compensatory planting condition in a permit;

iii. Threatened species or land that contains native vegetation (including dead trees) which is habitat for threatened species, populations or ecological communities listed in Schedule 1 and 2 of the Biodiversity Conservation Act 2016 and other protected matters listed under the Commonwealth Environment Protection Biodiversity Conservation Act 1999;

iv. Land that is a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016;

v. Land declared critical habitat under Part 7A of the Fisheries Management Act 1994;

vi. Any native prescribed tree located within a wildlife corridor as shown on the Biodiversity Map in Part 2.13 - Biodiversity of Marrickville DCP 2011 – Appendix 3;

vii. Pruning more than 10% of the canopy, or proposed removal of a prescribed tree that is a heritage item, forms part of a heritage item, or is listed in the heritage trees list, or located in a heritage conservation area.

Neighbouring trees

Speak to your neighbour to get consent before you prune their trees.

Pruning consistent with AS4373—*Pruning of amenity trees* and Control C1 of this DCP does not need Council consent.

Council does not mediate works to neighbouring trees.

Application Assessment Criteria

Note: Section 4.15 of the *Environmental Planning and Assessment Act 1979* outlines the matters for consideration when determining a development application. These matters include but are not limited to the matters outlined in C8 below.

C8 The following matters will be considered when determining an application to remove or prune a prescribed tree:

i. Danger/Safety Risk Assessment

Danger is assessed based on a number of factors including;

- The potential/likelihood of a tree or tree part to fail
- A history of previous branch failure
- The size of the defective part of the tree
- The use and occupancy of the area that may be struck by a defective part

A high risk of danger will be given significant weight when determining an application, noting that dangerous tree assessments are be based on the safety risk posed by a tree in normal weather conditions;

ii. Property Damage

The likelihood of the tree causing property damage. This includes trees renowned for having extensive root systems, which cause damage to footings of houses or, trees that may cause blockages to domestic sewer and drainage lines;

iii. Condition / health of the tree

The structural integrity of the tree will be assessed for any visible signs of decay or deterioration; this is usually indicated by a lack of foliage, dead branches evident in the canopy, presence of fungal fruiting bodies, excessive sap being exuded from the trunk and/or evidence of insect attack, particularly borer damage;

iv. Tree species

The likelihood of branch failure / limb fall prevalent for the species. The species' susceptibility to environmental changes, which may affect the longevity of the species' survival in its current location. This would include changes in soil level, excessive root damage caused during construction works, changes in water availability, competition for other vegetation (particularly climbing vines), and compaction of soil (particularly in high usage areas such as car parking areas);

v. Significance within the Landscape and/or Streetscape

An assessment of the visual environment and the significance the specimen plays within the streetscape;

vi. Termites

Each case of termite infestation will be investigated on its merit;

vii. Other criteria

Other criteria would include if the tree is an endangered or rare species, is of historical significance or, the link the tree provides between bushland and reserves (the connectivity of habitat).

Trees that are considered an imminent risk to human life or property

If a tree on your property is suspected to be an imminent risk to human life or property you must first contact Council detailing why the tree is considered to be a risk based on industry risk assessment methodologies – Tree Risk Assessment Qualification (TRAQ) or Quantified Tree Risk Assessment (QTRA). Evidence must be provided to Council in writing by photographic evidence and written evidence by a Qualified Arborist (AQF5)

Council will issue expedited consent in writing to allow removal of an imminently dangerous tree under the provisions of Biodiversity and conservation SEPP 2021. If Council is not satisfied that the tree is a risk to human life or property you will be advised to lodge the relevant application.

C9 Tree removal is the final option where the impacts can be directly attributed to a tree and all other avenues to rectify the impact have been investigated. The following criteria are generally not considered justification for tree removal or pruning:

i. The dropping of leaves, flowers, fruit, sap, seeds or small elements of deadwood (or other natural processes);

ii. Insect/animal nuisance;

iii. Providing solar access for renewable energy system infrastructure (i.e. solar panels, solar hot water systems, wind turbines or data receivers);

iv. Increase general natural light or reduce shade created by a tree;

v. Enhance view corridors;

vi. Minor lifting of driveways, paths and paving or minor damage to outbuildings, garden structures, walls or landscape structures;

vii. Damage to underground services (such as sewer lines, water services) where there are feasible alternatives to mitigate or solve problems and retain the tree. Alternatives to tree removal include replacement of damaged pipes, relining, relocation or encasement of pipes;

viii. Pruning to reduce height, except pruning to reduce the height of hedge(s);

ix. To facilitate the construction of structures (such as a driveway, swimming pool, or dwelling) in the event other suitable locations are available (see Controls C13-C17 for controls relating to trees on development sites).

Procedural review
A request for procedural review of the process undertaken must be lodged within 28 days of the determination date (as per the *Local Government Act* 1993).

Tree Permits

An applicant for a tree permit may appeal to the NSW Land and Environment Court against a refusal by Council to grant the permit. The appeal must be made within three months of the date on the determination.

Development Applications

An applicant for a development application may seek an appeal in the following ways:

- Section 8.7 of the *Environmental Planning and Assessment Act 1979* (the Act) gives you the right to appeal to the Land and Environment Court in accordance with the timeframes set out in Section 8.10 of the Act.
- Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request Council to review the determination. Section 8.2 does not apply to, designated development, a determination made by Council under Section 4.2 in respect of Crown applications, or a decision that has already been the subject of a Section 8.2 review.

Tree Planting Requirements

C10 A replacement tree/s must be planted to replace any prescribed tree approved for removal. This will enable Council to effectively retain and maintain the urban forest canopy across the Inner West. Replacement trees are to be located on the same site as the tree removal, as determined by Council.

Note: there may be circumstances when Council determines that there is no suitable location on site. In such circumstances a financial contribution can be paid to support public tree planting in lieu of on-site replacement planting. Fees are set out in Council's fees and charges schedule.

C11 Replacement tree/s must be maintained in a healthy and vigorous condition until they meet the requirements of a prescribed tree and are protected in accordance with this DCP Chapter (Control C2).

Note: A person must not fail to plant, protect or care for a replacement tree which is required to be established as a condition of consent issued by Council.

C12 The following minimum tree planting requirements are required for any sites:

Property Size:	Number of trees to be planted
Less than 300m^2	minimum of one (1) tree.
exceed 300m^2	minimum of two (2) trees

Tree container size and mature tree height will be determined by Council and will generally be based on available land space and land zoning canopy targets, a preference is placed on advanced container sizes. The tree(s) must not be planted within 1 metre of a proposed building, swimming pool or property boundary.

Trees on Development Sites

C13 All development proposals must be designed to maintain or improve the urban forest values of the site by minimising the impact on tree/s and planting replacement tree/s for tree/s that are proposed for removal. This requirement applies to Council owned trees as well as trees on private or other property and adjoining land.

C14 The design of buildings or alterations and additions to buildings must provide sufficient distance from existing trees (whether on the site or on adjoining land), in accordance with AS4970-Protection of trees on development sites (AS4970), to ensure the tree/s' practical retention.

C15 Trees on public land must be protected during demolition, excavation, the erection of hoarding and construction works as set out in Section 4 of AS4970. Council will require the payment of a security deposit in relation to a tree on public land if:

- Development is proposed within the Tree Protection Zone of that tree or
- Council determines that the development may adversely affect the roots or crown of the tree

C16 Developments in zones other than R1 – General Residential or R2 – Low Density Residential must allow for any existing overhead electrical lines to be converted into aerial bundled cabling or redirected underground to reduce the impact upon surrounding trees.

C17 New awnings that encroach into public land must be designed to accommodate existing and proposed street trees.

Definitions

In this Part:

Amenity a desirable or useful feature, or facility of a building or place.

Clear Vegetation includes

a) cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation, or

b) lop or otherwise remove a substantial part of the vegetation (including roots).

Dead means no green cambium (tissue) and no green foliage and that the tree is no longer capable of performing any living functions.

Diameter at Breast Height (DBH). The diameter of a tree at 1.4 metres above the natural ground level.

Dying means a tree in a state of decline where it is unlikely to recover. Generally, this may be represented by only ≤ 20% live canopy.

Foreseeable future means the next 12 months.

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. Evidence must be provided to Council in writing by photographic evidence or written evidence by a Qualified Arborist (AQF5).

Risk to human life or property is where a tree presents an unacceptable level of risk to life or property as per an industry risk assessment methodologies -TRAQ or QTRA. Evidence must be provided to Council in writing by photographic evidence and written evidence by a Qualified Arborist (AQF5).

Tree means any perennial plant with at least one self-supporting woody, fibrous stem, whether native or exotic.

Priority Weed Species for the Greater Sydney Region means those species listed by NSW Department of Primary Industries on their website for the Inner West Council local government area. View at https://weeds.dpi.nsw.gov.au/WeedBiosecurities?AreaId=72

Project Arborist means the arborist appointed to monitor the vitality and condition, throughout the construction process, of trees being retained on the site (and any trees on adjoining private land and trees on public land where the development encroaches into the TPZ of those trees).

Residential Dwellings are buildings approved and defined as:

- ***dwelling house*** means a building containing only one dwelling.
- ***dual occupancy*** means a dual occupancy (attached) or a dual occupancy (detached).
- ***multi dwelling housing*** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.
- ***residential flat building*** means a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing.
  Note: this apply to the residential dwellings only not ancillary development such as detached garages, carports, swimming pools etc.

Tree Protection Zone (TPZ) means the area around a tree required to protect the tree's crown and roots during the construction process. The tree protection zone must be calculated in accordance with AS4970.

Urban Forest means all trees and vegetation (both naturally occurring and planted) that occur within or near urban areas.

C1.15 SIGNS AND OUTDOOR ADVERTISING

Background

Signs and outdoor advertising are important elements of vibrant urban places. They are part of the landscape, especially in commercial, mixed use and industrial settings. Signs can be important for communication and to convey messages that help us identify buildings, shops, products and services.

However, signs can easily dominate and clutter the landscape. This section encourages signs that are responsive to their setting and suitable to their location. Signs that are visually dominant or poorly located are discouraged.

Other planning documents and policies

a. *Inner West LEP 2022*;

Some signs do not require development consent. Check Schedule 2 of the *Inner West LEP 2022* for details, Division 2 – Advertising and Signage Exempt Development Code of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; and

b. *State Environmental Planning Policy 64 – Advertising and Signage* contains additional controls that may be relevant to applications for signs and outdoor advertising.

Objectives

Sign Types

Figure C10 Signs and advertising types

The expectations for signs vary depending on the site context and surrounding land uses. Table C10 below gives an indication of the expectations for different areas on land where this DCP applies.

Note that *State Environmental Planning Policy 64 – Advertising and Signage* prohibits all signs other than business identification and building identification signs in residential areas and in Heritage Conservation Areas.

Table C10: Signs and advertising within varying land uses

Location	Description	Expectations
Residential zones	Surrounding land uses are residential and the street has a predominantly residential character.	Signs that relate to the use within the premises. Discrete signs that respect residential character and are not visually dominant in the streetscape. No internal illumination.
Business zones	Retail precincts, business areas and areas where surrounding land uses include shops and commercial uses. Locations where non-residential uses are within the vicinity of residential buildings.	Signs support the commercial activity and contribute to a lively character without cluttering or dominating. Signs respect building form and architectural features, and are compatible with adjoining and nearby buildings. Signs are related to the uses of the building or site and assist in wayfinding and locating premises.
Industrial zones	Surrounding land uses are industrial or include buildings/uses that are typical of an industrial location.	Signs contribute to the functioning and viability of businesses without detracting from visual amenity Signs assist in wayfinding and locating premises. Signs are coordinated across tenancies and multiple premises on the one site.
Open space and recreation	Public parks and recreational areas	Signs that are appropriate to the amenity and use of public space. Wayfinding and signs that satisfy a public benefit test.
Other land uses		Signs are ancillary to lawfully established uses Signs are appropriate to the setting/context and do not adversely affect nearby or adjoining land uses.
Heritage Items and Heritage Conservation Areas		Signs respect heritage significance by minimising interference with significant fabric and features. Signs are sensitively designed and sited, and are compatible with the setting and heritage significance of the Heritage Item or Heritage Conservation Area. Signs that use tones and colours appropriate to the Heritage Item or Heritage Conservation Area.

O1 Ensure that the design and siting of signs or advertising is compatible with the character of the area and the characteristics of the building or structure on which the sign or advertising is to be placed.

O2 Encourage appropriate use of outdoor advertising opportunities so that signs add to the urban and streetscape character and complement the architectural style and use of buildings.

O3 Avoid visual clutter and adverse amenity outcomes from proliferation of signs and advertising.

O4 Discourage poorly positioned signs, particularly signs placed above awnings, at the roof or parapet line or along walking or cycling routes.

O5 Protect Heritage Items, buildings within Heritage Conservation Areas and other visually or environmentally sensitive areas from inappropriate and visually intrusive signs.

Controls

Location, size and design

C1 The sign is to relate to an approved or lawful use of the building or site.

C2 The design, scale and siting of signs is to be visually interesting and relate to the building or structure on which the sign is to be located. The sign is to:

a. be compatible with the architectural style or period of the building;

b. fit within the opportunities of the façade as determined by the lines of awnings, windows, doors and parapet;

c. be compatible with, and not dominate, the setting of the building or site;

d. in the case of new buildings, be integrated into the façade design;

e. retain and not cover or otherwise obscure decorative features of façades;

f. not obscure pedestrian, cycling or vehicle sight lines, especially near intersections, traffic control devices or driveways;

g. not interfere with landscaping in the public or private domain;

h. respect the viewing rights of other advertisers;

i. not cause significant overshadowing;

j. have a minimal depth in size;

k. allow sufficient light and ventilation of the building; and

l. where located within the vicinity of a Heritage Conservation Area or Heritage Item, take into account the controls specified under the heading “Signs on Heritage Items and in Heritage Conservation Areas” of this section.

C3 The main facade of buildings above awning height is to remain free from signs and advertising, unless it can be demonstrated that the sign or advertising will have minimal impacts on the desired future character of the area and is appropriate for the building typology.

C4 Lettering, materials and colours are to complement the existing building and be compatible with surrounding buildings and the setting.

New technologies

C5 Innovative proposals for signs not envisaged by these controls will be considered on their merits taking into account the location, characteristics of adjoining and nearby land uses and the objectives of this section.

Illumination

C6 Illuminated signs will be considered taking into account potential impacts on amenity. Timing limitations for illuminated signs may be considered appropriate.

C7 Light spill from illumination is not to affect nearby residential properties.

Temporary signs and banners

C8 Temporary signs and banners are to provide details about community fairs and activities. Product images and corporate branding are not to exceed 5% of the sign's display area.

C9 The size of the banner is to be appropriate to the location and scale of activity proposed.

C10 Temporary banners and signs are subject to a limited consent period of three (3) months. The signs are to be located in the areas that have been designated for street banners:

a. Victoria Road amenities block, corner Darling Street, Rozelle;

b. Norton Plaza, Leichhardt;

c. Norton Street, Leichhardt between Wetherill and Short Streets;

d. Balmain Town Hall, Darling Street, Balmain.

Signs that are generally not supported on land where this DCP applies

C11 The following sign types are generally not supported on land where this DCP applies:

a. projecting roof signs and signs that protrude above the parapet or eaves;

b. illuminated signs in residential zones;

c. flashing and moving signs except in appropriate areas such as main roads;

d. above awning signs;

e. roof signs.

Signs in Residential Zones

C12 Only one business identification or building identification sign can be considered per property.

C13 New business identification and building identification signs are to be designed as a nameplate, discrete in size and designed and located to respect the residential setting.

Signs in Business Zones

C14 Signs are to be visually interesting and contribute to the character of the local centre.

C15 Signs are not to obscure shop fronts or cover more than 25% of the window surface. Elevations of proposed window signs are required with the application.

C16 Only one sign is normally permitted on the building façade of one tenancy, excluding suspended awning signs.

C17 The total combined area of signs is not to exceed $1m^2$ for each 4m or part thereof, of a frontage of that tenancy to the public road of the building. Where the site has a frontage to two streets the same factor will apply to the second frontage.

Signs in Industrial Zones

C18 Signs are to be visually interesting and contribute to the character of the locality.

C19 For multi-tenanted sites, one free standing sign or directory board can be located at or near the entrance. The sign is to be integrated into site landscaping.

C20 Directory Board signs are to be located within the property boundary away from any vehicular crossings, and not obstruct pedestrian paths, and the like.

Signs on Heritage Items and in Heritage Conservation Areas

C21 Signs are to be designed, sized and located to:

a. minimise interference with significant fabric and features of Heritage Items. The method of installation to the Heritage Item should not result in irreversible damage to significant fabric;

b. respect the heritage qualities of the Heritage Conservation Area including significant streetscape elements;

c. use compatible materials, colours, style and lettering to ensure compatibility with heritage significance;

d. not obscure any opening on a building;

e. not protrude above any parapet or eave of the building.

C22 In residential zones, signs are not to be internally illuminated or have audio components.

C23 Original signs and signs that are part of the history and heritage significance of the Heritage Item or Heritage Conservation Area are to be retained.

Controls for Particular Sign Types

C24 Projecting wall signs:

a. no more than one sign for each 3 metres of length of the premises;

b. not to protrude more than 300mm from the wall to which it is attached;

c. maximum size 2.5m x 0.5m;

d. must be at least 2.6m above the ground;

e. must be erected at a right angle to the wall of the building to which it is attached; and

f. not to add to visual clutter, particularly where there are other existing signs on the façade.

C25 Freestanding advertisements:

a. relate to the business on the property of which the sign is located;

b. limited to one sign per street frontage of the site;

c. to be considered on merit in accordance with Control C2; and

d. must not obstruct walking or cycling access ways

C26 Building wrap advertisements on scaffolding/hoardings:

a. advertisements on scaffolding are to be in association with the construction of an approved new building;

b. building wrap advertisements can only be considered where they contain a community message or an image (at scale) of the proposed works under construction or existing building; and

c. must not obstruct walking or cycling access ways

Figure C11: Building wrap sign

C1.16 STRUCTURES IN OR OVER THE PUBLIC DOMAIN: BALCONIES, VERANDAHS AND AWNINGS

Background

Distinctive elements in streets within Inner West are the balconies, verandahs and awnings at first floor level which are over the public footpath. Such built form makes a positive contribution to urban design as they assist in spatial definition of the area between the building frontage and the roadway, provide amenity for pedestrians and inhabitants of the adjacent buildings and create visual interest and diversity. Balconies, verandahs and awnings in the public domain on land where this DCP applies,:

- enhance public use and amenity, and private use and amenity of the occupants of the building to which the permanent protective structure is attached, including shade, shelter, comfort, egress and safety;
- enhance the appearance of the building and streetscape; and
- provide other benefits such as improved public open space or private commercial opportunities such as outdoor dining providing these do not compromise the public interest.

A first or higher floor balcony or verandah over the public footpath provides additional amenity and open space for the occupants of the adjacent building which opens to the balcony or verandah, as well as capital increase in the value of that building. The private land owner with the benefit of the public space should pay for the use of that public space.

Objectives

O1 To provide permanent protective structures such as balconies, verandahs or awnings in the public domain, including in Council airspace which promote:

a. urban design which is consistent with the desired future character statement for the neighbourhood;

b. streetscape amenity including shading and shelter;

c. management of Heritage Items and Heritage Conservation Areas through the following methods:

i. preservation; or

i. conservation; or

ii. restoration; or

iii. reconstruction.

d. enhanced environmental performance of buildings.

O2 To make provision for lease agreements under s.149 of the *Roads Act 1993,* between Council and the owner of a building, which provides for payment of rent and facilitates the use of Council airspace, where appropriate, for the purpose of a permanent protective structure which provides private useable space to the building owner or occupant (that is verandahs and balconies, but not awnings).

O3 To provide for maintenance and liability in respect of permanent protective structures.

Controls

C1 Buildings within a Business zone are, in most instances, required to incorporate a permanent protective structure in the form of a balcony, verandah or awning at first floor level.

C2 Exceptions to C1 may be granted where a balcony, verandah or awning would not be compatible with the heritage or urban design values of the building. Such buildings may include early churches, banks or civic buildings.

C3 The setback from the kerb of all permanent protective structures is to be a minimum of 300mm and may be up to 600mm to provide for vehicle movements within the road.

C4 Balconies, verandahs or awnings on existing buildings with frontage to a Business zone and which are listed as Heritage Items or are within a Heritage Conservation Area in the *Inner West LEP 2022* are to be preserved, conserved, restored or reconstructed as follows:

a. in accordance with the Principles of the Burra Charter;

b. preservation including the maintenance and retardation of further deterioration of the fabric of an existing balcony, verandah or awning should occur in the first instance;

c. restoration of the original form of any balcony, verandah or awning should be undertaken on the basis of known evidence, preferably photographic, and by an examination of the existing structure and surrounds which is to be researched, documented and certified by a heritage architect;

d. reconstruction may be considered where there is sufficient evidence that a balcony, verandah or awning previously existed or where the existing structure cannot be restored.

e. reconstruction should be based on details of photographic evidence, examination of the structure, comparable examples in terms of form, period and style **or** should adopt a simplified form and be designed by a suitably qualified heritage architect;

f. structural members of balconies, verandahs in the airspace over the public domain are, generally, to be unlined so that the underside of the upper floor and/or roof is exposed;

g. enclosure of a balcony, verandah or awning will not be supported

C5 Permanent protective structures for existing or new buildings in the public domain, which are not Heritage Items, but have frontage to a Business zone:

a. are to be complementary to the building and streetscape in terms of materials, detailing and form and may be one of the following:

   i. cantilevered awning;

   ii. cantilevered balcony;

   iii. posted single storey verandah;

   iv. posted multi-storey verandah; and

b. may be constructed of materials such as steel and other metals, or timber;

C6 A minimum of 50% of the vertical sides of first floor or above balconies or verandahs are to be open, including the balustrading and returns against the building.

C7 Above ground balconies and/or verandahs shall include balustrading and returns against the building which area at least 50% open or able to be opened.

C8 Side screens, which are required for privacy reasons, shall be made from durable materials, and have a maximum transparency of 30%.

C9 Post supported structures:

a. are to be certified by a Structural Engineer; and

b. must be designed and constructed to remain standing in the event of inadvertent removal of either one or both corner posts, with respect to a street corner.

C10 A Lease Agreement which sets out mutual responsibility must be executed by the building owner for all structures over public land which provides useable open space for the building occupants (e.g. balconies and verandahs) before a Construction Certificate can be issued (for other structures over roads and footpaths, obligations will be set out as on-going conditions of consent).

Figure C12: Protective awnings and structures in the public domain

C1.17 MINOR ARCHITECTURAL DETAILS

Background

The Inner West has a rich cultural heritage expressed in its architecture. Many existing buildings incorporate minor architectural features such as cornices, pediments, window sills and steps which encroach on or over roads, footpaths and lanes. In developing new places and spaces in the Inner West its heritage should inform and inspire expression of contemporary society. As such, Council may wish to support minor encroachments over public land where those minor architectural details will enhance the existing character of the streetscape.

Objectives

O1 To ensure that minor encroachments onto Council land (or airspace) do not result in any loss of public amenity or safety and do not compromise future plans for road realignment or footpaths and stormwater drainage.

O2 To enable new urban design to be responsive to the character of existing built forms and streetscapes, particularly where the character of the existing built form incorporates minor architectural details which encroach on Council airspace and where not enabling such encroachments would have an adverse impact on the surrounding area.

O3 To establish principles in relation to the assessment of a development application that proposes minor architectural details that will encroach onto Council land (including air space above a road).

O4 To ensure that where an encroachment is created that there is an appropriate condition of consent, lease or other agreement with Council to ensure that public liability issues are addressed.

Controls

C1 Minor encroachments by a minor architectural detail on Council roads or footways or in the airspace over Council roads and footways may be supported by Council where that minor encroachment:

a. is limited to a minor architectural detail;

b. is proposed as part of a restoration of an existing building which:

   i. is built to the property boundary; or

   ii. is a proposed building where Council considers it is not appropriate to set the building in from the boundary;

c. will be consistent with the urban character of the surrounding streetscape;

d. will make a positive contribution to the streetscape and public domain; and

e. is otherwise in the public interest.

C2 The following are not permitted:

a. encroachment onto Council roads or footways or in the airspace over Council roads and footways by features such as entry stairs, platforms, ramps and footings which are proposed as part of a new building or where those elements currently do not exist;

b. encroachments onto or in the airspace over any part of a road (or lane) which is or may be used as a thoroughfare by vehicles;

c. encroachments onto Council roads or footways or into the airspace over Council roads and footways by the wall of a building is not a minor encroachment and will not be supported; and

d. encroachments onto Council roads or into the airspace that increases the floor space of a building as a result of the construction, addition or reconstruction of a balcony, verandah, awning, window or upper level room. These are not minor encroachments and will be assessed in accordance with:

    i. Section C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings within this Development Control Plan; and

    ii. Section C4.20 Outdoor Dining Areas within this Development Control Plan.

C1.18 LANEWAYS

Background

This section applies to the portion of development that is immediately adjacent to a laneway boundary, or that is visible from, or within close proximity to a laneway.

Objectives

O1 Development:

a. respects the existing and desired future use, form and character of the laneway consistent with the laneway hierarchy as shown in Table C11 Laneway hierarchy*;*

b. achieves an appropriate level of amenity, access, security and landscaping; and

c. enhances the permeability of the neighbourhood by providing direct, safe and attractive pathways for vehicles, pedestrians and cyclists.

Controls

C1 If development is adjacent to a Pedestrian or Service Lane (refer to Table C11 Laneway hierarchy) which has a width of less than 2.5m or is a Narrow Lane (refer to Table C11 Laneway hierarchy) which has a width of 2.5 – 5m:

a. additional lane fronting dwellings are not permitted; and

b. the service function and character of the lane is to be protected and enhanced.

C2 If development is adjacent to a Medium Lane (refer to Table C11 Laneway hierarchy) which has a width of 5.1 – 8m:

a. additional lane fronting dwellings may be provided where other lane fronting dwellings are located within 15m of the boundaries of the proposed dwelling, and if safe pedestrian access can be provided; and

b. the service function and character of the lane is to be protected and enhanced.

C3 If development is adjacent to a Wide Lane (refer to Table C11 Laneway hierarchy), which has a width of 8.1m or greater, an additional dwelling fronting the laneway may be permitted.

Urban form

C4 Buildings adjacent to a laneway have a simple form and minimal façade detailing.

C5 Where fronting a Narrow Lane, (refer to Table C11 Laneway hierarchy) development shall comply with a laneway envelope that has:

a. a maximum side wall height of 3m;

b. a 45^0 building envelope taken from the top of the side wall; and

c. a maximum roof height of 5m (refer to Figure C14 Laneway envelope for development fronting a Narrow Lane).

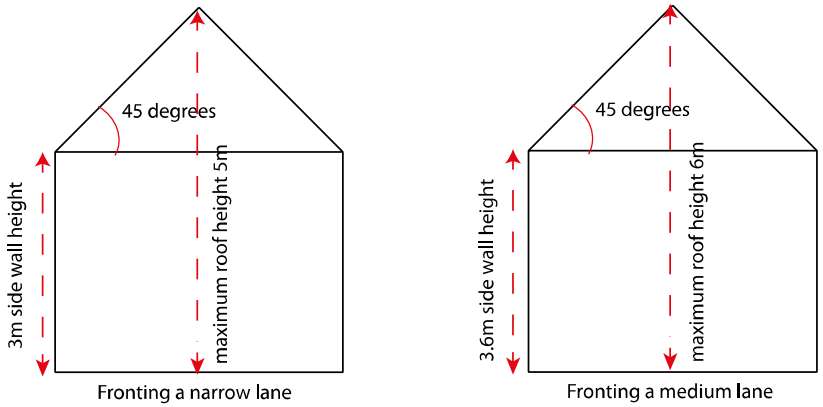

Figure C13: Laneway envelope for development fronting a Narrow Lane

C6 Where fronting a Medium Lane, (refer to Table C11 Laneway hierarchy) development shall comply with a laneway envelope that has:

a. a maximum side wall height of 3.6m;

b. a 45^0 building envelope taken from the top of the side wall; and

c. a maximum roof height of 6m.

C7 Where fronting a Wide Lane, (refer to Table C11 Laneway hierarchy) development shall comply with a laneway envelope that has:

a. height that is consistent with the prevailing height of existing development fronting the lane.

C8 Development is not visible from the primary street frontage.

C9 The bulk and scale of development does not significantly diminish the dominance of the primary building on the same lot.

C10 Buildings are generally built to the laneway alignment.

C11 Dwellings provide an active interface with the laneway.

C12 External walls are constructed in high quality materials and finishes which are compatible with fabric of the surrounding neighbourhood.

C13 Roof forms are either hipped roofs, gabled roofs pitched from the sides or skillion roofs located behind parapets where such development meets the laneway control envelope.

C14 Roofs materials are corrugated iron, slate or terracotta tile.

C15 Roof openings are flush to the roof.

Access / Parking

C16 Development does not result in increased laneway parking or remove on street parking.

Note: Swept path assessment is to be used to demonstrate that any on street parking has been retained and sufficient building offset has been provided to allow this manoeuvring.

C17 Sufficient on-site parking and manoeuvring space is provided without compromising the prevailing character, building form and setback of the laneway.

C18 The development is consistent with the provisions of Part C1.11 – Parking within this Development Control Plan

Pedestrian/Bicycle Access

C19 Where an additional lane fronting a dwelling is provided, a separate pedestrian door is provided directly from the lane and safe pedestrian and bicycle access is provided along the laneway on a footpath or kerb to a road or along a 10km/h shared zone if provided.

Security

C20 Entrances to dwellings are provided with overhead lighting within property boundaries.

C21 Windows from habitable rooms directly overlook the lane to enhance casual surveillance opportunities.

C22 The development is consistent with the provisions of Part C1.9 – Safety By Design within this Development Control Plan

Landscaping

C23 Trees more than 6m in height, natural rock outcrops and rock cuttings that make a significant contribution to the character of the laneway are retained.

Table C11: Laneway hierarchy

Type	Characteristics	Width of carriageway
Pedestrian / service	Pedestrian movement or service character	< 2.5m
Narrow lane	• Service character • Garages • Wide enough for a single car to drive through and access garages • No Parking • Garbage collection	2.5 – 5m
Medium lane	• Service character • Garages • Some dwellings • Parking to one side of the lane with one travel lane, or parking on both sides of the lane with one centre travel lane (subject to road width). • Garbage collection	5.1 – 8.1m
Wide lane	• Garages • Dwellings • Parking both sides • Two way traffic • Garbage collection	>8.1m

C1.19 ROCK FACES, ROCKY OUTCROPS, CLIFF FACES, STEEP SLOPES AND ROCK WALLS

Background

Rock faces, rocky outcrops, escarpments, cliff faces or steep slopes are important elements of the landscape as they contribute to the character of a place, are historical reminders of the natural landform and promote biodiversity and visual interest. Development in proximity to such elements needs to be sensitively planned and designed to ensure that the spatial, physical, environmental, visual context and character of the place is maintained and/or enhanced.

Objectives

O1 To conserve those parts of the landscape such as rocky outcrops, cliff faces, steep slopes, escarpments or rock walls which, because of their unique features contribute to the quality of the place, its setting, cultural significance and the functioning of the site in terms of water flow.

O2 To ensure that rock faces, rocky outcrops, escarpments, cliff faces and steep slopes are protected from inappropriate development.

Controls

C1 Development in proximity to rock faces, rocky outcrops, escarpments, cliff faces or steep slopes is to be sympathetic to those landscape elements and the setting in terms of colour, texture, materials, form and character and is to:

a. minimise on-site disturbance;

b. locate buildings where the rock features are not located;

c. utilise construction methods which limit impacts on rock features;

d. use materials that complement the sites' (or adjacent) rock features;

e. implement a Soil and Water Management Plan to limit impacts;

f. avoid filling the site in any way that would obscure the rock features; and

g. incorporate plant species that are endemic to the area to encourage fauna to utilise the rock features as habitat.

C2 The excavation of rock faces, rocky outcrops, escarpments, cliff faces or steep slopes may only be granted development consent in the following circumstances where:

a. other openings in the rock exist in close proximity to the proposal and the additional opening would not detract from the setting; or

b. excavation will not adversely affect the setting of the landscape element, including when viewed from the Harbour or from areas of the public domain such as public reserves and the street environment; or

c. the excavation is required for the ongoing maintenance or restoration of a rock face, rocky outcrop, escarpment, cliff face, steep slope or rock wall.

C3 Reconstruction of rock walls and openings in a rock face, outcrop, escarpment, cliff face or steep slope may be undertaken where the reconstruction is required to ensure safety and serviceability.

C1.20 FORESHORE LAND

Background

The foreshores of Sydney Harbour and Parramatta River constitute valuable natural and cultural resources. The foreshores provide significant natural scenic features, are important transport corridors, are culturally rich and vibrant places for people and are vital flora and fauna habitats. They are public assets and resources for existing and future generations.

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, and the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (The Sydney Harbour REP) requires that certain matters be considered when proposing any development on land within a 'foreshores and waterways area'. Land within this area is identified on maps contained in the *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005 (The Sydney Harbour Development Control Plan).*

Objectives

O1 Development shall:

a. ensure that assets of heritage significance are retained and maintained;

b. not lead to visual congestion of the foreshore;

c. be set within a landscape setting and be compatible with surrounding landscapes and streetscapes;

d. foster healthy sustainable environments on land and water;

e. be in the public interest for existing and future generations;

f. be of high quality and be ecologically sustainable;

g. ensure an effective transport corridor;

h. foster culturally rich and vibrant places for people;

i. ensure accessibility; and

j. ensure that the foreshore areas are recognised, protected, enhanced and maintained and rehabilitation is undertaken where necessary.

Controls

C1 Development shall be considered in accordance with Clause 6.7 – Development on the foreshore must ensure access within the *Inner West LEP 2022*.

C2 Development shall be considered in accordance with Clause 6.6 – Limited development on foreshore area within the *Inner West LEP 2022*.

C3 Development on land adjacent to the foreshore must be designed with regard to the provisions of *SREP (Sydney Harbour Catchment) 2005* and *Sydney Harbour Foreshores and Waterways Area DCP (2005)*.

C4 Buildings or structures must respect the topographical features of the site. Buildings are not cantilevering, but follow the topography.

C1.21 GREEN ROOFS AND GREEN LIVING WALLS

C1.21.1 Green Roofs

Background

A green roof is vegetation on a rooftop which includes a vegetated layer, a growing medium, and a waterproof membrane.

Objectives

O1 To maximise the opportunity for food production, improve building insulation and to increase sustainable fauna and flora microclimates.

O2 To minimise the buildings impact on the environment in an economically viable way.

O3 To ensure green roofs are not de-facto private open spaces, entertainment or recreation spaces, rooms or meeting places.

O4 To ensure the spaces are structurally sound and waterproof.

O5 To ensure high standards of finish and design, that is visually appealing for adjoining properties, without adversely impacting amenity.

O6 To ensure high standards of design so that the space is inviting for various species of flora and fauna.

O7 To protect the heritage significance of Heritage Items and Heritage Conservation Areas where proposed.

O8 To ensure the roof can be maintained.

Controls

C1 Green roofs are to be accessible from the building for maintenance purposes.

C2 A maintenance report will be submitted, prepared by a suitably qualified person, outlining the care and maintenance strategy for the first two (2) years of the green roof and will include (at a minimum) the following detail:

a. strategy for any leaks or weaknesses in the membrane;

b. watering in dry periods (if an irrigation system has not been connected to a water supply);

c. removal of weeds;

d. light fertilization with slow release complete fertilizers; and

e. the replacement of dead plants.

C3 Installers of green roofs will have experience with green roof systems.

C4 Must be structurally sound and able to be appropriately waterproofed. Evidence of this in documentation from a qualified Structural Engineer and waterproofing specialist may be requested by Council during assessment.

C5 Preferable materials will be hardy and long lasting in external environments so minimal upkeep is required, and materials should also be environmentally friendly with respect to the amount of energy and water consumed.

C6 Will not detract from the heritage significance of a building that is a Heritage Item or part of a Heritage Item.

C1.21.2 Green Living Walls

Background

A green wall is 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 its growing medium.

Objectives

O1 To provide for green facades, green walls or hybrid living walls for use of vertical urban agriculture (i.e. food production), increasing biodiversity and habitat and mitigate against urban heat island effects.

O2 To make a positive contribution to urban environments, including retention of stormwater, mitigation of the urban heat island effect, insulation of buildings and increases in habitat and biodiversity.

O3 To ensure that green living walls do not unduly reduce required solar access within the dwelling.

Controls

C1 A maintenance report will be submitted, prepared by a suitably qualified person, outlining the care and maintenance strategy for the first two (2) years of the green wall and will include (at a minimum) the following detail:

a. strategy for any leaks or weaknesses;

b. watering in dry periods (if an irrigation system has not been connected to a water supply);

c. removal of weeds;

d. light fertilization with slow release complete fertilizers; and

e. the replacement of dead plants.

C2 Installers will have experience with green/living walls systems.

C3 Must be structurally sound and meet *Building Code of Australia* requirements. Evidence of this in documentation from a qualified Structural Engineer may be requested by Council during assessment.

C4 Preferable materials will be hardy and long lasting in external environments so minimal upkeep is required, and materials should also be environmentally friendly with respect to the amount of energy and water consumed.

C5 Will not detract from the heritage significance of a building that is a Heritage Item or within a Heritage Conservation Area.

Notes:

a) Green façade: This type of living wall system has climbing plants or cascading ground covers supported on specially designed structures or cables. These plants are either grown in the ground or in elevated containers where they are watered and fertilised.

b) *Green wall: This type of system is constructed from modular pre-vegetated panels/boxes or planted blankets (vegetated mat wall) that are fixed to a structural framework or to a wall. These modular pre-vegetated panels have a growing medium of lightweight soil or inorganic recycled material. Water and fertiliser is delivered by drip irrigation to each module.*

c) *Hybrid living wall: This system has been developed for use on multi-storey building facades and as 1-2 storey high panels. It is a combination of green wall and green façade. The green wall section supports plant growth with climbers planted in the top of the green wall modules, allowing the climbers to spread over a green façade of wires or mesh to allow daylight to penetrate through the building windows. Water and fertiliser is delivered by drip irrigation. Current trials have shown that this hybrid system is the most water wise of living wall systems.*

PART C: PLACE

CONTENTS

LIST OF FIGURES

SECTION 2 – URBAN CHARACTER

C2.1 SUBURB PROFILES

Background

This section contains Suburb Profile Statements for each suburb within the land where this DCP applies. The statements are place-specific and draw on the unique qualities of each suburb.

Section C2.1.1 through to Section C2.1.5 includes Suburb Profile Statements and maps for all suburbs within land where this DCP applies. Each Suburb Profile Statement includes a map showing the boundaries of the locality as well as a brief outline of the historical elements that contribute to the existing character of each area.

The statements should be read in conjunction with the specific Distinctive Neighbourhood Statements within Section C2.2 Distinctive Neighbourhoods of this Development Control Plan.

The provisions of Section C2 – Urban Character of this Development Control Plan give guidance on how to facilitate development that gives effect to the aims of the *Inner West LEP 2022* and achieves the objectives of the R1 General Residential Zone.

C2.1.1 Annandale Suburb Profile

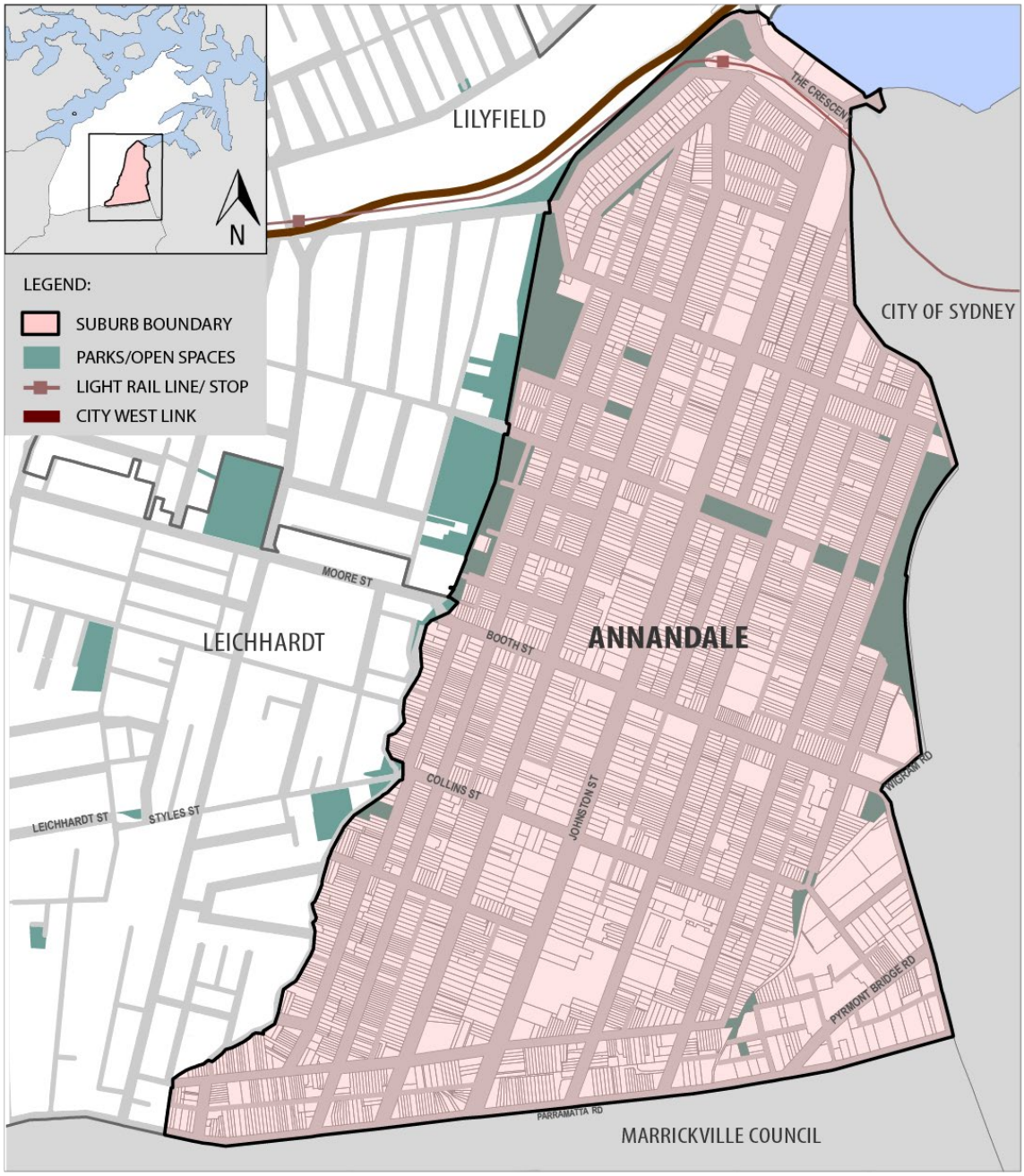

Figure C15: Suburb of Annandale

Introduction

The suburb of Annandale is located between the suburbs of Glebe and Leichhardt bounded by the City West Link to the north and Parramatta Road to the south.

Annandale is a small suburb with a very distinct character. This character is shaped by its unique street pattern, dominated by a series of wide, north/south streets, and large terraces and cottages mostly oriented to the east and west.

Although strongly defined by its topography and street pattern, incremental development over several decades has resulted in a considerable variety of building forms, style and size. Higher and grander buildings are located on the Johnston Street ridge, reducing in scale towards the creek lines.

The physical and social hierarchy is clearly expressed in the contrast between substantial housing on the ridge, more modest terraces on the ridge and semi-detached cottages on the slopes. The built form reinforces the topography and allows views out to the valleys and adjoining ridges.

History of development in Annandale

Annandale's subdivision began in 1876, being promoted as a middle class suburb with Johnston Street marketed as "the finest street in the colony". The suburb was set out with a generous street grid, with major streets running north-south and most buildings orientated east/west. The cross streets allow views east across the Glebe ridge to the city, and west across to Leichhardt and Lilyfield. This westerly aspect denotes it locally as the 'sunset suburb'.

Annandale is significant for being a planned suburb, with the street pattern following the topography formed by the main Annandale ridge. The historical subdivision pattern and collection of late Victorian dwellings emphasises the historical significance of Annandale and as such the suburb is within a Heritage Conservation Area. Early development was Victorian Italianate in style. This occurred at the south end towards Parramatta Road, in response to tram access. Additionally some pockets of workers cottages occurred in the valleys which probably related to adjoining industry.

A development hierarchy is prominent in Annandale, with grander scaled dwellings dominating the ridgeline and more modest dwellings and workers cottages located on the lower slopes and around the creek lines. Some areas along the western and eastern side of the suburb have been modified in terms of streetscape and buildings, diminishing the heritage significance of the area and therefore are not within the Heritage Conservation Area.

Initial development produced a number of grand buildings, which form the landmarks of the Johnston Street ridge. These are; the Witches Houses and The Abbey marking the northern end, the Town Hall and the Hunter Baillie Church towards the centre, and the unified commercial façades of the Goodman's Buildings at Parramatta Road to the south. Off the main ridge, the land was subdivided for smaller houses and terraces.

Following the financial collapse in the 1890s, many holdings were re-subdivided to smaller lots with development predominantly occurring in the Federation Period. The original intention of creating a strongly urban, formal townscape was not carried through to completion.

However the architectural quality of buildings is high and a unity of design is apparent in Annandale Street and other minor streets. Avenue plantings reinforce the structure and formality of the north/south streets. High canopy trees enhance the streetscape, particularly on the eastern and western slopes. The greening of the valleys reinforces the open space network and peninsula character along Bicentennial Park to the north.

C2.1.2 Balmain/Balmain East and Birchgrove Suburb Profile

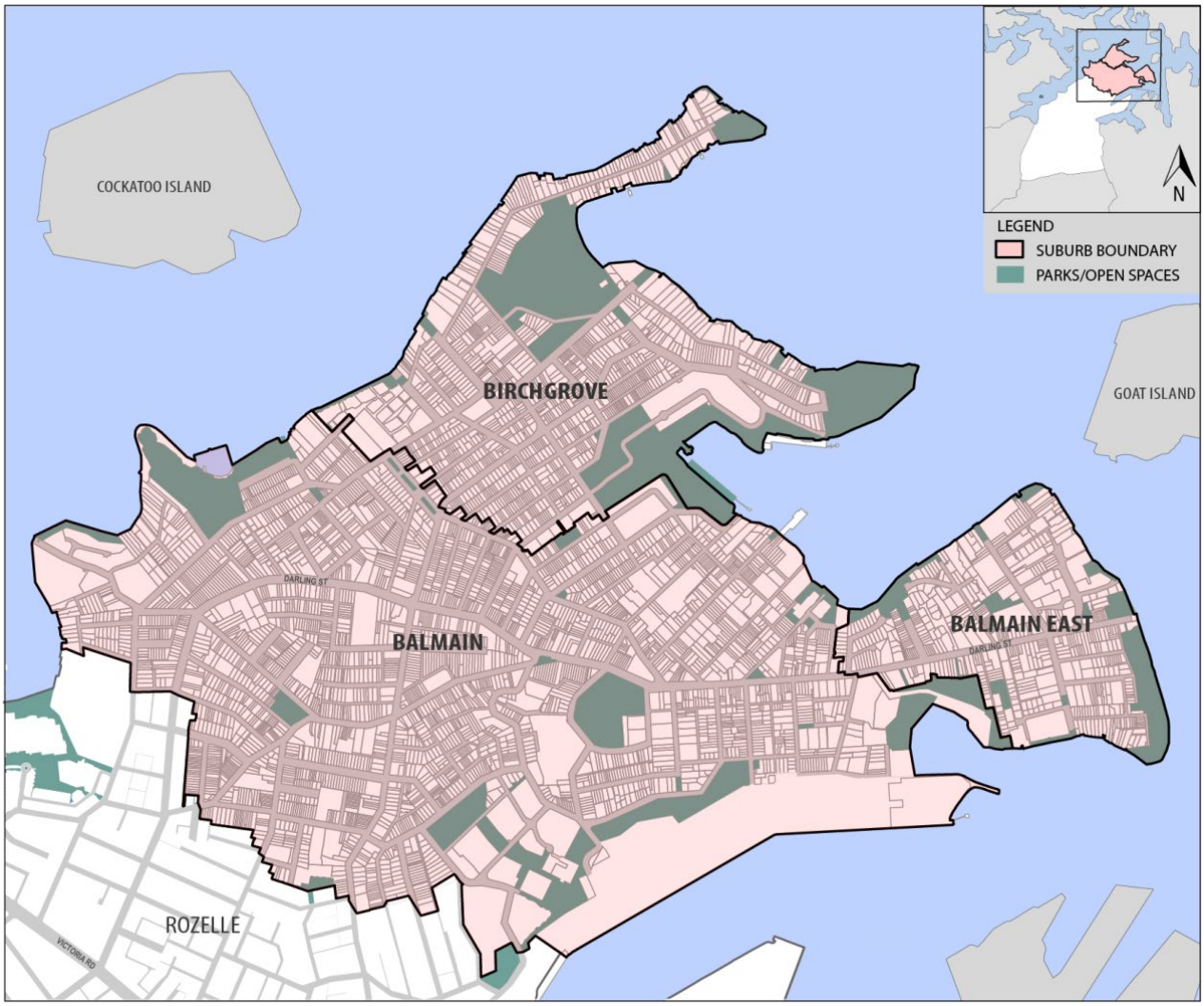

Figure C16: Suburbs of Balmain/Balmain East and Birchgrove

Introduction

Two main forces have been instrumental in the development of Balmain, Balmain East and Birchgrove: its geography and its industrial history. The rugged topography has largely determined the street and lot patterns, and the siting of buildings, related to slope and prospect.

The deep water edge provided both the opportunity for water transport and water based industry that was the mainstay of the economy until recent times, and the environmental advantages of views and climate make it an attractive residential location. The area's proximity to the City gave it locational advantage in the early days, with water access, and centrality in the modern City. Balmain's development began early in the life of Sydney, and has grown steadily and incrementally, hence its diversity reflects the many phases of its development.

The Balmain Suburb Profile includes the area of the Balmain Peninsula covering the suburbs of Balmain, Balmain East and Birchgrove. Located north of Rozelle, this suburb has an area of 237 hectares and approximately 8km of coastline. Rising approximately 40m above the waterline, this eroded and uplifted sandstone peninsula affords views over the harbour with the dramatic backdrop of the City to the east, in addition to views of Parramatta River and surrounding suburbs. The entire area of Balmain, Balmain East and Birchgrove is a Heritage Conservation Area.

History of development in Balmain / Balmain East / Birchgrove

The first phase of settlement of Balmain occurred between about 1830 and 1860. It commenced from the eastern end due to the proximity and visual connection to the City, and spread west. This consisted of gentlemen's residences sited on the bluffs and ridges for prominence, views, and ventilation, on larger lots. More modest housing was built on smaller lots closely aligned to convenient access roads and lanes, particularly the ridgeline road, Darling Street. This provided housing for tradesmen and service workers mainly employed in local industries. The local industries took advantage of the waterfront access, servicing the City and port. They used local resources such as stone and they developed shops and services for a small but isolated community. Development was spurred on by small entrepreneurial activity, both in terms of business and industrial activity and investment in land development and housing. Hence, the original Crown grants were quickly subdivided and sold off in convenient parcels for access to the spine of Darling Street. With subsequent subdivision, local access was provided by narrow streets and lanes running downhill from Darling Street to the water. These provided the characteristic Balmain pattern of jetties for water access and slot views to the water.

The Colonial economy boomed from 1850 with the combined push of the gold rush and pastoral growth. Capital and population growth led to the establishment of larger scale industry and commerce such as Morts Dock which encouraged the rapid growth of modest housing on the surrounding slopes. In parallel the commercial centre developed westwards from Gladstone Park with the civic core developing at Montague Street in the 1880s boom. Smaller industry set up ancillary to the dock, as well as wharfage and maritime industry. Many open paddocks within the area remained until the end of the 1800s.

By the 1880s, due to economic prosperity, increased pressure on land led to re-subdivision within the area. Terrace housing replaced single storey detached houses particularly on the more prominent sites. The newly affluent middle classes developed grander houses and enclaves in favoured locations such as the harbour edges of Birchgrove as well as Elkington Park, which were removed from local industry. Other prominent residential locations were developed along ridgelines setback from the waterline, such as Rowntree and Smith Streets.

While Balmain became a municipality in 1860, there was insufficient population to support grand civic buildings until the 1880s when the Town Hall was built. This was shortly followed by the Post Office and Courthouse which were constructed on the main crest of Darling Street in Balmain. By this stage, most of Darling Street was built up. Trams were introduced to improve access to the City, and the dependence on water access to the suburb declined.

Larger industries and multi-national companies moved into Balmain at the beginning of the 1900s, including Unilever and Colgate Palmolive. This led to further urban consolidation to house the workforce on the skirts of the new industries. The labour movement became a major facet in the suburb's social make-up.

The role of major industry was evident in the workforce within Balmain, Balmain East and Birchgrove. At the height of industrial use Mort's Dock employed 2,000 workers, Unilever and Colgate Palmolive employed some 800 and 300 people respectively.

During the 1900s, smaller houses were replaced, enlarged and re-clad, with some housing demolished for industrial expansion during the earlier part of the century. Some areas within the suburb were subject to 'slum clearance' following the Second World War, to make way for public housing. Sporadic private flat development also occurred during this time, encouraged by the Council in the spirit of modernisation.

From the 1970s, economic and technological shifts, together with rising land values in the inner city and rising appreciation of inner city locations led to de-industrialisation and retreat of maritime and port activities. A residential regeneration process began, and encouraged both the conservation of the character of the suburb, as well as redevelopment of former industrial sites. On waterfront sites this also yielded new waterfront parks.

C2.1.3 Leichhardt Suburb Profile

Figure C17: Suburb of Leichhardt

Introduction

The Leichhardt area is located on the gently undulating land immediately north of Parramatta Road, stretching northwards to the City West Link. Leichhardt Town Hall marks the high point of this region at the intersection of Marion and Norton Streets.

As the topography of Leichhardt is less rugged than nearby foreshore suburbs, its character is heavily influenced by the street pattern and built form. Leichhardt's elevation and long, gentle slopes enable views out to the east, across the ridge of Annandale to the City, Haberfield to the west, and the north shore to the north.

There is a predominant north/south street pattern extending from Parramatta Road. The east/west street pattern was broken up as land reclamation and bridging between the peninsulas came after the road layouts of the suburb had been established.

The wide carriageways and regular street pattern combined with gentle slopes and a predominance of single storey detached housing, gives Leichhardt a more open character in contrast to the more enclosed urban townscapes such as those in Balmain or Annandale. Leichhardt was developed after these suburbs, and is a reflection of the changing preferences toward detached and single storey dwelling types on larger lots rather than attached and terraced forms.

History of Development in Leichhardt

Leichhardt was first developed as large rural estates granted to early prominent settlers and military men, between 1794 and 1819. In the early days, it was commonly known as 'Piperstown' or 'Piperston' after one of the larger land grants to Captain John Piper.

Houses were sited on the higher slopes to maximise views. By the 1840s, the major estate in the area was Elswick, with an imposing house (Elswick House) located on the westerly slope to Haberfield on what is now Thornley Street. This land was sold to James Norton, one of Sydney's leading solicitors, in 1834.

In 1849, the area was renamed 'Leichhardt Township' by Walter Beames, a prominent Sydney businessman who at that time owned the majority of the Piperston Estate and would later become the municipality's first Town Clerk. The new name was in honour of Friedrich Wilhelm Ludwig Leichhardt.

Following Norton's death in 1862, the Elswick Estate was subdivided into five sections. The section containing Elswick House and fronting onto Parramatta Road was bought in 1868 by John Wetherill. He was a member of the first Leichhardt Council and was the second Mayor from 1874 to 1877. He sold the Elswick House land in 1880 to the Excelsior Company, which subdivided it into small residential lots predominantly for people of modest means.

In 1871, Leichhardt, (including both Leichhardt and Annandale), was officially incorporated as a municipality. By 1891, the population of Leichhardt had significantly grown as a result of the subdivision of Excelsior between 1881 and 1891. Other large estates, such as Whaleyborough (subdivided in 1878), and Helsarmel (subdivided in 1884 and 1889) were also developed at this time but did not reach the intensity of development or the density of the Excelsior subdivision. A major attraction of Leichhardt as a place of residence at this time was the arrival of the tram in the 1880s. In addition, Petersham railway station was within easy walking distance.

By 1912 Leichhardt slowly began to expand with the reclamation of the Hawthorne Canal. This led to further development in the early 1900s. 1888 brought the opening of the town hall located on the corner of Norton and Marion Street. This Victorian Free Classic style building was considered ‘the best municipal building outside of Sydney’, and was an obvious source of great civic pride. In 1941, the old Balmain Cemetery was dedicated as a park to the Leichhardt Municipality. The public park became known as Pioneer’s Memorial Park in memory of the pioneers of Leichhardt. Given the history of the site, restrictions apply to this site.

The 1950s and 1960s were the main decades of Italian migration to Australia. The bulk of Italian immigrants into NSW were offered assistance by the Capuchin Brothers based at St. Fiacres Church in Catherine Street. As a result, many people initially settled close to the Church and to Leichhardt, working and establishing businesses in the area. Leichhardt eventually became the main centre for Italian-Australian business, leisure and cultural pursuits.

C2.1.4 Lilyfield Suburb Profile

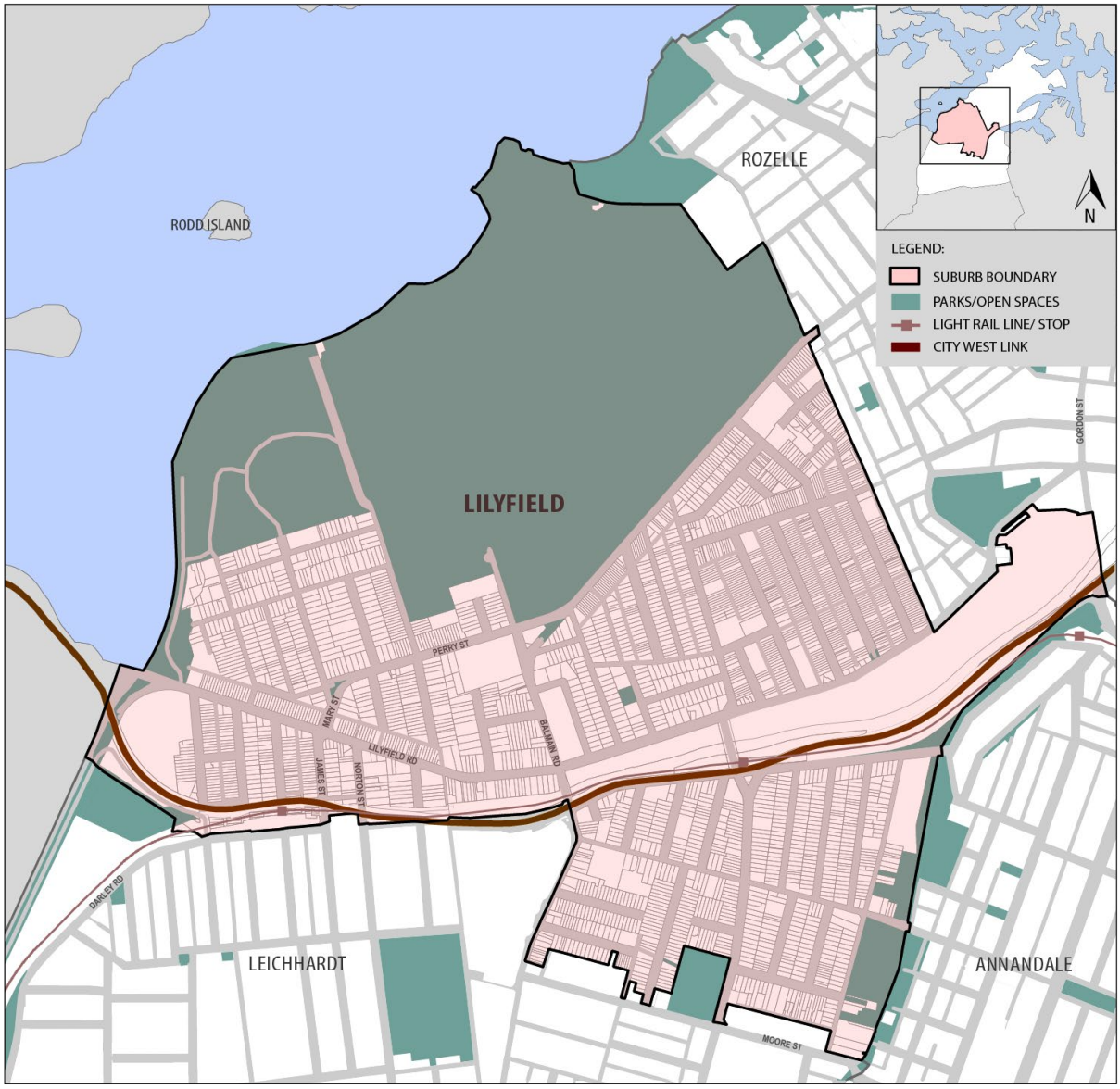

Figure C18: Suburb of Lilyfield

Introduction

The suburb of Lilyfield is located in the geographic heart of the Leichhardt Local Government Area. The main community focus in the suburb is located near the Orange Grove Plaza and Orange Grove School. The suburb is bisected by the City West Link, the light rail line, and dominated by Callan Park to the north. Most of Lilyfield has a character which is marked by the consistency of style, form and materials of its residential building stock.

Contemporary developments are scattered throughout the suburb. Lilyfield displays an overwhelmingly small scale, domestic quality in its residential streets. There is a prevailing grid pattern of streets which are perpendicular to the contour and which follow the slope down to Lilyfield Road.

The southern part of Lilyfield, which is located south of the City West Link, is known as the 'Catherine Street Distinctive Neighbourhood'. The landform is this area is gently undulating and falls, gradually, towards Whites Creek to the east and towards the City West Link to the north.

North of the City West Link are the 'Nanny Goat Hill', 'Leichhardt Park' and 'Iron Cove Parklands' Distinctive Neighbourhoods through which the Balmain Road ridgeline occurs. The landform rises steeply to that ridgeline from the Iron Cove foreshore which is located to the north-west. Due to the steep topography and location there are several areas in Lilyfield which benefit from water and/or distant City skyline views.

History of Development in Lilyfield

Lilyfield was initially developed as rural estates with water views and located along the main ridgeline between Leichhardt and Balmain and accessed via Balmain Road. The Garry Owen Estate was the largest in the Lilyfield area and was sold to John Gordon in 1865, who renamed the space 'Callan Park'.

However, in 1873 the Callan Park Estate was purchased for use as a hospital as the Gladesville Hospital was subject to complaints of overcrowding and squalid conditions for staff. The sale of the land may have depressed residential expansion in Lilyfield compared to adjoining suburbs, although it did provide housing for hospital staff. It was opposed by residents at that time, particularly those in the rapidly expanding suburb of Balmain.

The Callan Park hospital was completed in the early 1880s and included 33 buildings and a chapel set in 4.5 hectares of land. It was described in the Sydney Illustrated News of 24 October 1885 as "a magnificent pile of buildings, forming a conspicuous object of locality and visible for many miles around". Aboriginal, natural and cultural landscapes and heritage buildings remain on the site, which are listed as Heritage Items in *Inner West LEP 2022*.

Broughton House which was built in the mid-1840s was renamed Broughton Hall and then Rivendel. It was used from 1915, as a home for returning soldiers and in 1918 it was acquired by the Commonwealth Government and became part of the Callan Park hospital.

The 'Nanny Goat Hill' Distinctive Neighbourhood which formed part of the Gary Owen Estate was subdivided in the 1880s and the Leichhardt Park area was subdivided at the end of WWI.

South of Lilyfield Road, the area making up the 'Catherine Street' Distinctive Neighbourhood was subdivided following the suburban expansion of Leichhardt during the early 1900s. Around the same time the Rozelle Goods line was excavated and divided the Lilyfield area. This division has been exacerbated by the construction of the City West Link. The area to the south of the City West Link is now more commonly identified as part of Leichhardt than as part of Lilyfield.

Catherine Street was originally known as Abattoir Road as it was constructed parallel to Balmain Road as a stock route to provide access to the Glebe Island Abattoirs.

C2.1.5 Rozelle Suburb Profile

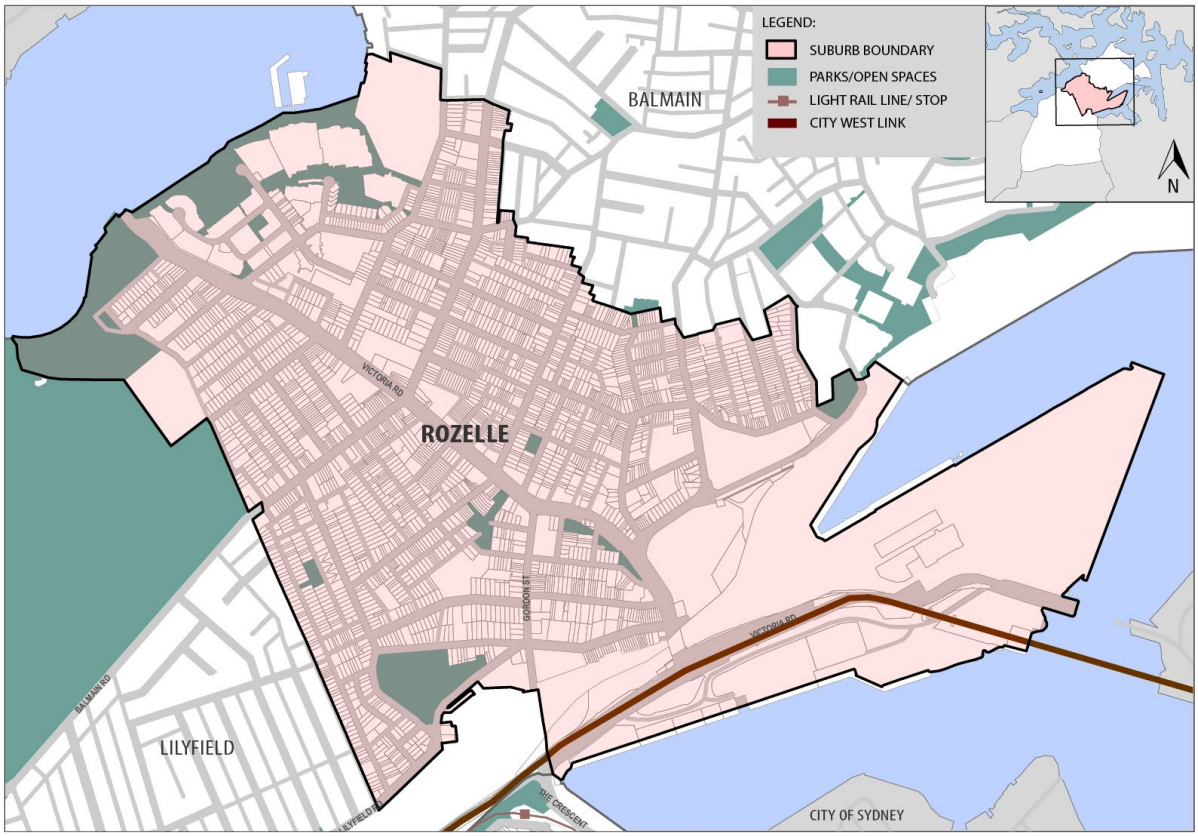

Figure C19: Suburb of Rozelle

Introduction

Rozelle is located between the suburbs of Balmain and Lilyfield within the Leichardt Local Government Area. Rozelle is bisected by Victoria Road, Darling Street and Balmain Road. Straddling these main roads, the suburb has numerous built forms, ranging from disused heavy industry, new medium density housing, historical commercial/retail and low density housing. Rozelle is bordered by the Rozelle Goods Yard to the south-east, Foucart Street to the south-west, Iron Cove in the north-west and at the northern end is defined by the postcode boundary with Balmain.

Part of Rozelle forms part of the Balmain Peninsula and is constructed on typical Sydney sandstone. The ridges within Rozelle are approximately 45m AHD above sea level. The landform is a combination of ridges and valleys, including wetlands (now filled) and rock faces below the ridges, which provide extensive views over Iron Cove, Rozelle Hospital (Callan Park), other suburbs and the Sydney CBD.

The road pattern of the suburb is based around Victoria Road and Darling Street/Balmain Road. Minor roads, following the Victorian tradition make little reference to the topography and cross the contours of the area. Main transport links through the suburb include water-based, heavy rail, road and tram also shape the character of Rozelle.

The character of development in the suburb has been defined by industrial development along the shore and commercial development above, on the ridge. Residential development covers the majority of the area between the ridge and the harbour. The suburb is characterised by its diversity in style and form. Unity in the residential form is achieved by small lot subdivision and small-scale

development, usually not more than two storeys, tight enclosed streetscapes and repetition of verandahs and pitched roof forms.

History of development in Rozelle

Rozelle was part of an original land grant of 550 acres made to William Balmain in 1800. Referred to as Balmain West, development in this area was geared towards housing for tradesmen while the eastern end of Balmain catered to the wealthier residents.

The location of the government abattoir on Glebe Island had substantial influence on the way in which Balmain West was developed. The combination of the abattoir, other animal based noxious trades and refuse dumping on the foreshores of White Bay and Rozelle Bay resulted in lower bids for subdivision and the sale of smaller blocks at substantially lower prices to working men.

Between 1867 and 1880, Alfred Hancock a migrant from London, began purchasing large blocks of land in Balmain West for subdivision and sale. A number of speculators joined his ventures in initiating the 'Homes for the People' scheme that enabled many people of limited means to own their own property. The scheme was advertised to attract mechanics and tradesmen to the area, offering housing close to work, which involved building Callan Park and the Iron Cove Bridge.

The Character of Rozelle

The built environment of the suburb includes residential uses from all eras as well as commercial and industrial development. The residential component of the suburb comprises examples of Edwardian, Victorian, Federation and various interwar bungalow styles. Housing ranges from grand residences in prominent locations to humble rows of workers cottages. More recent housing includes converted industrial buildings and infill within existing housing stock. Notable characteristics in the area are small lots, tree lined streets and former retail streets now used for residential uses.

Another major feature of the area is the axis formed by Victoria Road and Darling Street. Victoria Road is a main arterial road and has a character unlike other parts of the suburb. The sites around the Balmain power station and the Elliot Brothers Chemical works on Iron Cove have been redeveloped for medium density housing while the White Bay power station has been included in the Sydney Regional Environmental Plan 26 precinct for future redevelopment by the NSW State Government. Lands covered under *State Environmental Planning Policy No. 26* have not been included in the text of this suburb profile. These former industrial sites represent a significant increase in land available for urban release and add a new dimension to the character of the suburb.

The changing nature of the built environment has further highlighted the need to preserve and encourage employment generating development in the area. This has been addressed in the commercial and industrial neighbourhoods of the Rozelle Suburb Profile.

C2.2 DISTINCTIVE NEIGHBOURHOODS

C2.2.1 Annandale Distinctive Neighbourhoods

The following areas within Annandale are identified as Distinctive Neighbourhoods by virtue of topography, estate and street pattern or building form.

The Sub Areas identified within some of the Distinctive Neighbourhoods are areas which have unique characteristics with specific objectives and controls.

Development is required to be consistent with the Desired Future Character objectives and controls within the Distinctive Neighbourhood and any Sub Area within the locality, in addition to the requirements within other sections of this Development Control Plan.

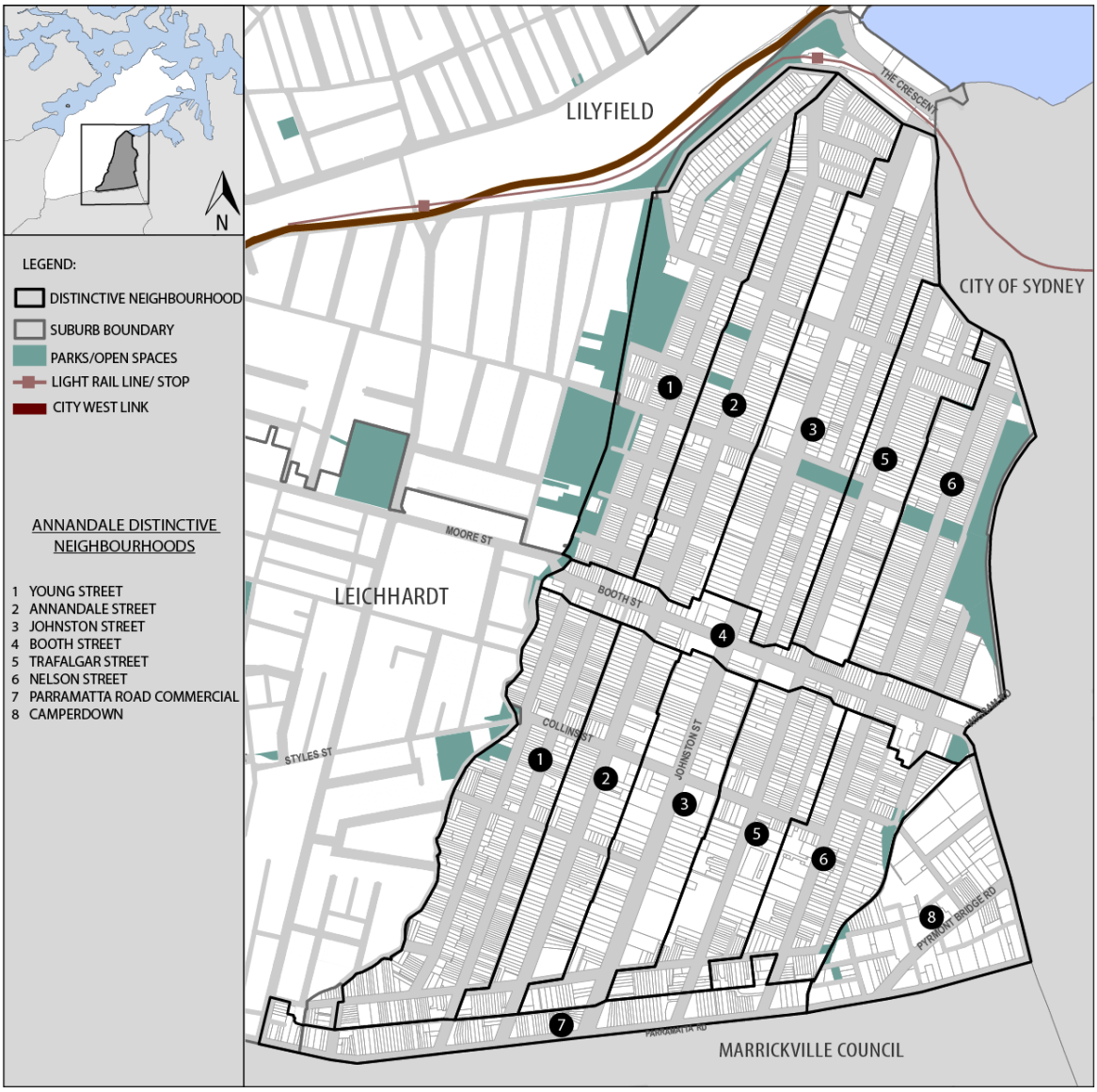

Figure C20: Annandale Distinctive Neighbourhoods

C2.2.1.1 Young Street Distinctive Neighbourhood

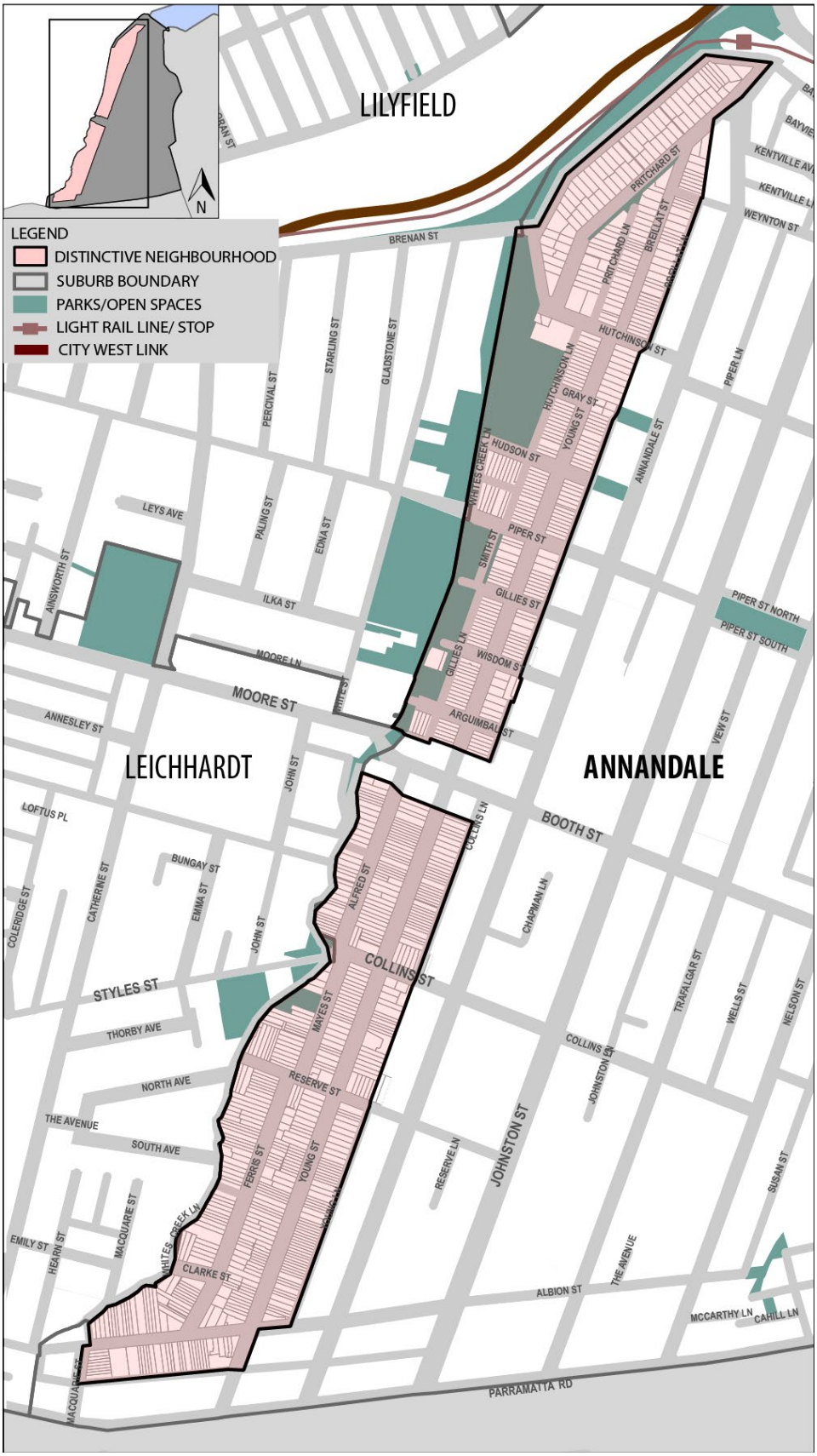

Figure C21: Young Street Distinctive Neighbourhood

Outline

This neighbourhood has two discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. The Crescent Sub Area - Section C2.2.1.1(a); and

b. Young Street Laneways Sub Area – Section C2.2.1.1(b).

Landform

The Young Street Distinctive Neighbourhood is positioned adjacent to Whites Creek Valley on the western side, slopes steeply down towards the light rail line at the northern end, is bounded by The Parramatta Road Commercial Distinctive Neighbourhood to the south and the Annandale Street Distinctive Neighbourhood, and is dissected by the Booth Street Distinctive Neighbourhood.

Young Street is positioned on a north-south axis within the Distinctive Neighbourhood, and is bisected by several cross streets and laneways that run east-west across it. Part of the neighbourhood is within a Heritage Conservation Area.

Existing Character

The Young Street Distinctive Neighbourhood has a very mixed character created by the range of architectural styles and building heights. In contrast to the larger and grander housing found along Johnston Street and Annandale Street, Young Street typically contained smaller scale dwellings.

Typical dwellings within the neighbourhood include modest scale detached and semi-detached single storey dwellings from the late 1800s and early 1900s. The neighbourhood also includes some post-war development.

The housing style is predominantly low scale Victorian workers cottages, such as those found along Young Street between Collins Street and Reserve Street, mixed with single storey Californian bungalows, weatherboard cottages and fibro cottages. Larger dwellings consisting of two storey terraces and two storey detached houses are located towards the northern and southern ends of the neighbourhood.

Despite the mixed variety in architectural styles, the Young Street Distinctive Neighbourhood maintains a typical grid pattern of wide streets and a relatively consistent subdivision pattern, which runs in a south-east and north-west direction, following the contours of the land.

The carriageways within the Young Street Distinctive Neighbourhood are relatively wide, (approximately 20m in width), with parking along either side of the road and footpaths between 2.5m to 3m wide.

Fences within the neighbourhood are also relatively consistent in height, with the materials used being iron, timber picket and masonry plinth with iron palisades, depending on the architectural style of the dwellings.

The Sydney Water Viaduct is positioned towards the northern end of the neighbourhood and acts as a barrier to vehicular traffic along Young Street. Just north of the Viaduct is Cohen Park, a recreational area.

A particularly significant attribute of the Young Street Distinctive Neighbourhood is the prevalence of mature street trees and established front gardens and landscaped yards. The abundance of mature trees, in both the public and private domain, creates vegetative corridors that contribute to the

neighbourhood's amenity. Pedestrian amenity is further enhanced throughout the residential area by continuous footpaths uninterrupted by driveways.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain and enhance the diversity of dwelling style found throughout the neighbourhood, such as Federation and Victorian dwellings, Californian bungalows and weatherboard cottages.

C2 Maintain the character and consistency in architectural detail of continuous rows of attached dwellings.

C3 Allow for contemporary development, which is complementary to the existing streetscape.

C4 Preserve and maintain the historic subdivision pattern of Young Street Distinctive Neighbourhood.

C5 Contain upper floors within the roof form, so as not to be visible from the street frontage.

C6 Improve the environmental amenity and interest for pedestrians accessing the area.

C7 Maintain the harmony/character of the neighbourhood by ensuring development is complementary in form and materials, and reflects the cohesiveness of the streetscape.

C8 Preserve and integrate natural rocky outcrops into the landscaping of the area, particularly where visible from public places.

C9 Maintain the prevalence of street trees in addition to mature and visually significant trees on private land.

C10 Promote the establishment and enhancement of existing front gardens and landscaping on private property.

C11 The development to a primary street frontage shall have a maximum building wall height of 3.6m unless:

a. the relevant wall will adjoin a two storey or higher building in which case the 3.6m wall height may be varied where the new roof forms relate to existing adjacent forms and will not exceed the higher ridge height of the adjoining building;

b. the development is on a corner site in which case a 6m building wall height may be used, if all amenity and streetscape issues have been addressed to the satisfaction of Council.

C12 New driveway crossings are to be avoided. Existing driveway crossings are to be minimised and a maximum width of a single crossing.

C13 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.1.1(a) The Crescent Sub Area

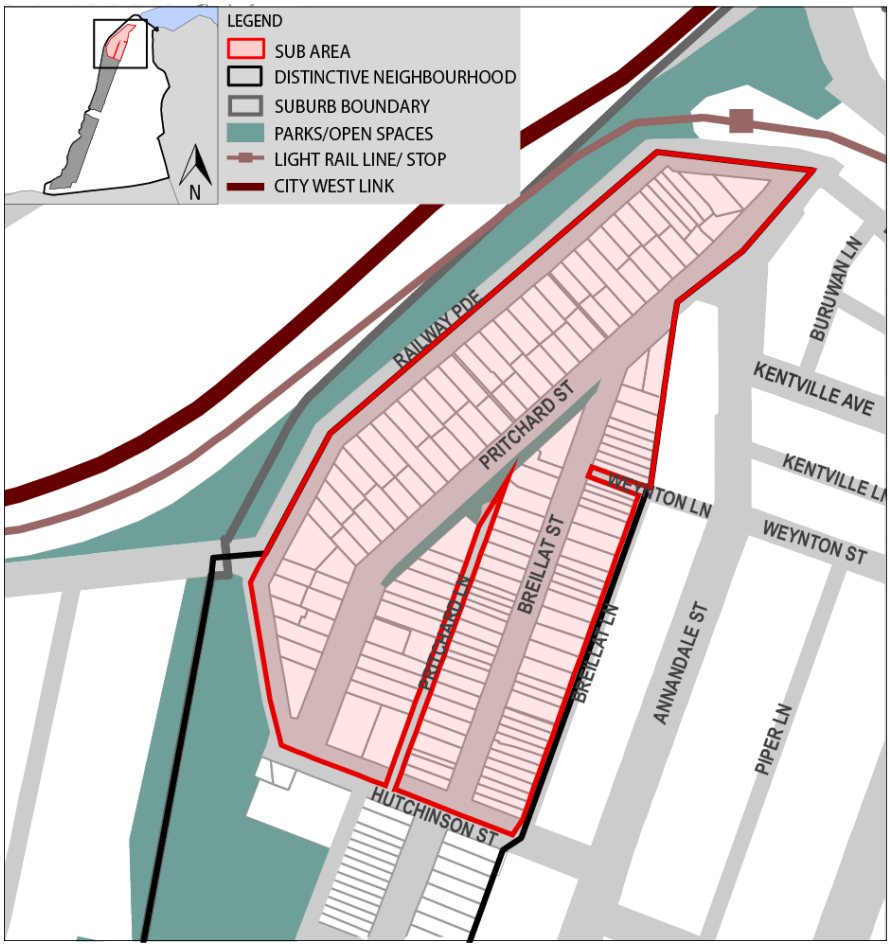

Figure C22: The Crescent Sub Area

The Crescent Sub Area is located within the Young Street Distinctive Neighbourhood, and is located at the northern end of the Distinctive Neighbourhood along Breillat Street, Pritchard Street, part of Bayview Crescent and Railway Parade.

The area is accentuated by the abundance of mature trees and well established front gardens, along with grander scale dwellings, which include two storey detached houses and terraces, mixed with original single storey cottages. The street trees along Railway Parade have been identified as significant attributes of the Annandale suburb and are listed as Landscape Conservation Items.

The streetscape is varied in terms of architectural styles as well as setbacks and dwelling heights. There is a great diversity of Victorian and Federation cottages and terraces throughout The Crescent Sub Area.

The steep slopes in the area expose attractive sandstone outcrops, which are rare features in an urban context. The slopes also allow for significant views overlooking the railway yards to the west, Rozelle Bay to the north, and the City to east.

The variation in dwelling height is due to the topography of the area. The contrast is most noticeable along Railway Parade and Pritchard Street. Dwellings along Pritchard Street are built on the ridge, providing a single storey frontage to the streetscape. However, the dwellings to the rear step down the ridge allowing for another storey, which is not visible from the street.

Alternatively the dwellings along Railway Parade give the appearance of being two storeys, but are often single storey dwellings built on sloping sites.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Keep future development and/or additions consistent with the predominant built character of The Crescent in relation to height, built form and siting, typically low scale domestic character.

C2 Enhance the aesthetics of the streetscape and neighbourhood by discouraging excessively large garages and fences.

C3 Conserve and enhance the existing residential townscape by preserving views out.

C4 Promote the establishment and enhancement of existing front gardens on private property.

C5 Changes to the front façade of dwellings in this area shall be kept to a minimum with additions to the rear of dwellings preferred.

C6 Excessively large garages and fences are discouraged.

C7 Development is to be consistent with any relevant objectives and controls within the Young Street Distinctive Neighbourhood.

C2.2.1.1(b) Young Street Laneways Sub Area

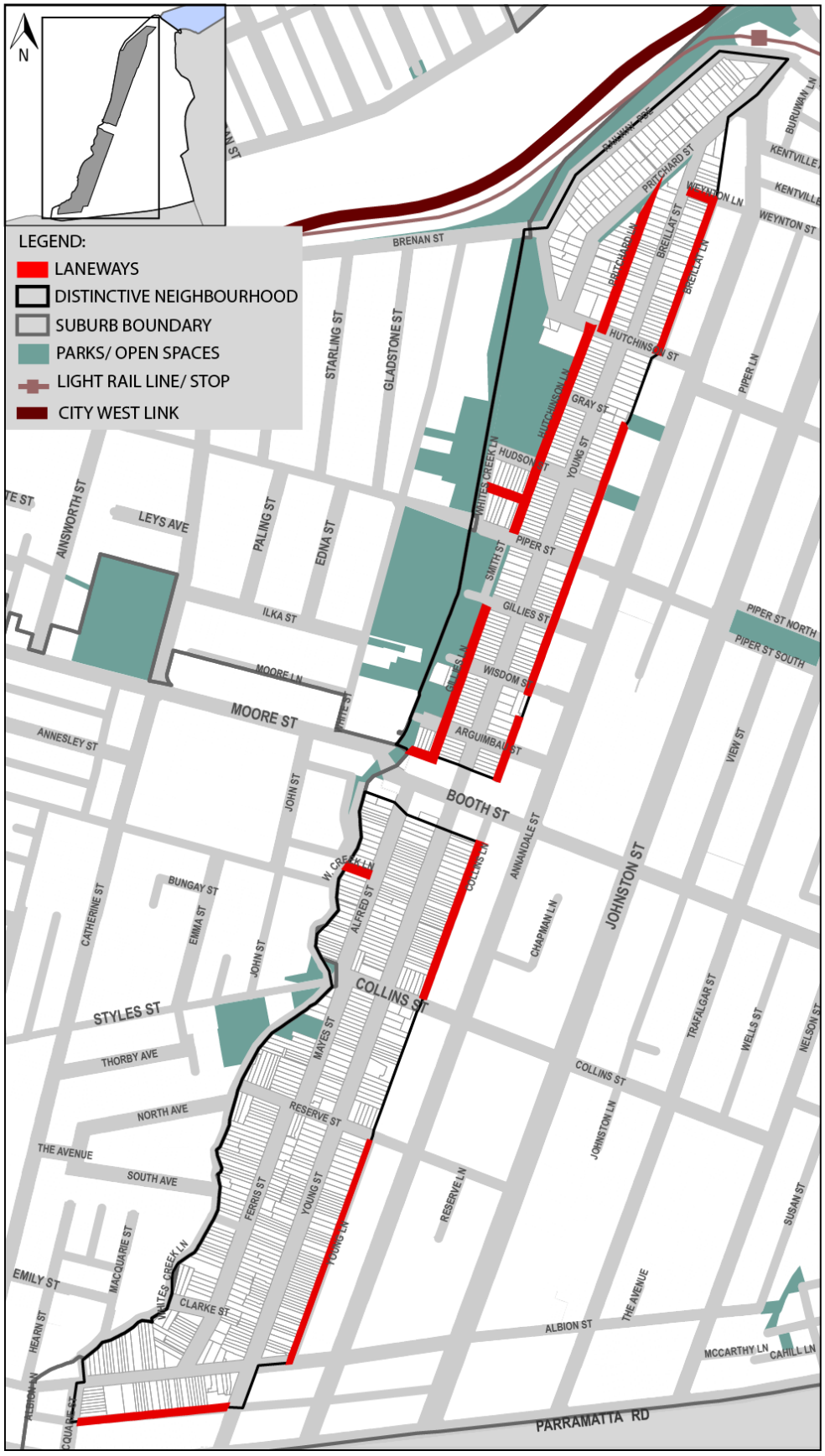

Figure C23: Young Street Laneways Sub Area

The Young Street Laneways Sub Area is located within the Young Street Distinctive Neighbourhood.

Laneways within this area are relatively narrow (approximately 6m in width), with the exception of Whites Creek Lane, which varies in width from 6.5m to 12m as it follows the creek line down to Parramatta Road. The rear lanes maintain a low scale service character and are mainly used for accessing the rear of properties through garages and carports. Several of the lanes are dead end and only service three or four allotments on each side.

Few lanes within the area have dwellings fronting onto them. Unless dwellings fronting onto lanes already exist, priority will be given to maintaining the original service character of the laneways and the preservation of the vegetative corridors created by planting in rear yards.

Whites Creek Lane forms the western boundary of the area and has developed along the natural pathway of Whites Creek, winding south from the City West Link to Macquarie Street.

The character of Whites Creek Lane differs to that of other lanes within the Young Street Distinctive Neighbourhood, as it presents as both a primary road and service lane in character. There is on-street parking and footpaths along the laneway in those sections where the carriageway has sufficient width.

As a result, various forms of development have occurred along Whites Creek Lane, including multi-unit development and single detached dwellings. The developments are typically two storeys and contribute to a higher density streetscape. In addition to these developments, there are many examples of typical laneway development, where the rear fence and/or garage of a property align with the lane carriageway.

Although lane development on the Young Street Distinctive Neighbourhood side of Whites Creek Lane is not as predominant as that in the Piperston Distinctive Neighbourhood side, future dwellings may be appropriate if it relates to the streetscape and adjoining development and other controls within this Development Control Plan. This will need to be determined on a property by property basis given that the lane reverts to its secondary service character at several points along its length.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the predominant service and access character of rear lanes where dwellings are not suitable.

C2 Maintain and enhance the prevalence of vegetative corridors created by significant planting in rear yards.

C3 Allow for small scale residential dwellings, such as studios or single storey dwellings, fronting onto rear lanes where development is suitable.

C4 Ensure that future development on lanes does not unreasonably impact upon the amenity (including views) of adjacent properties and the ‘lanescape’.

C5 Ensure that the unique character of Whites Creek Lane is retained by ensuring that future development is compatible with adjoining development and laneway width.

C6 Development is to be consistent with any relevant objectives and controls within the Young Street Distinctive Neighbourhood.

C2.2.1.2 Annandale Street Distinctive Neighbourhood

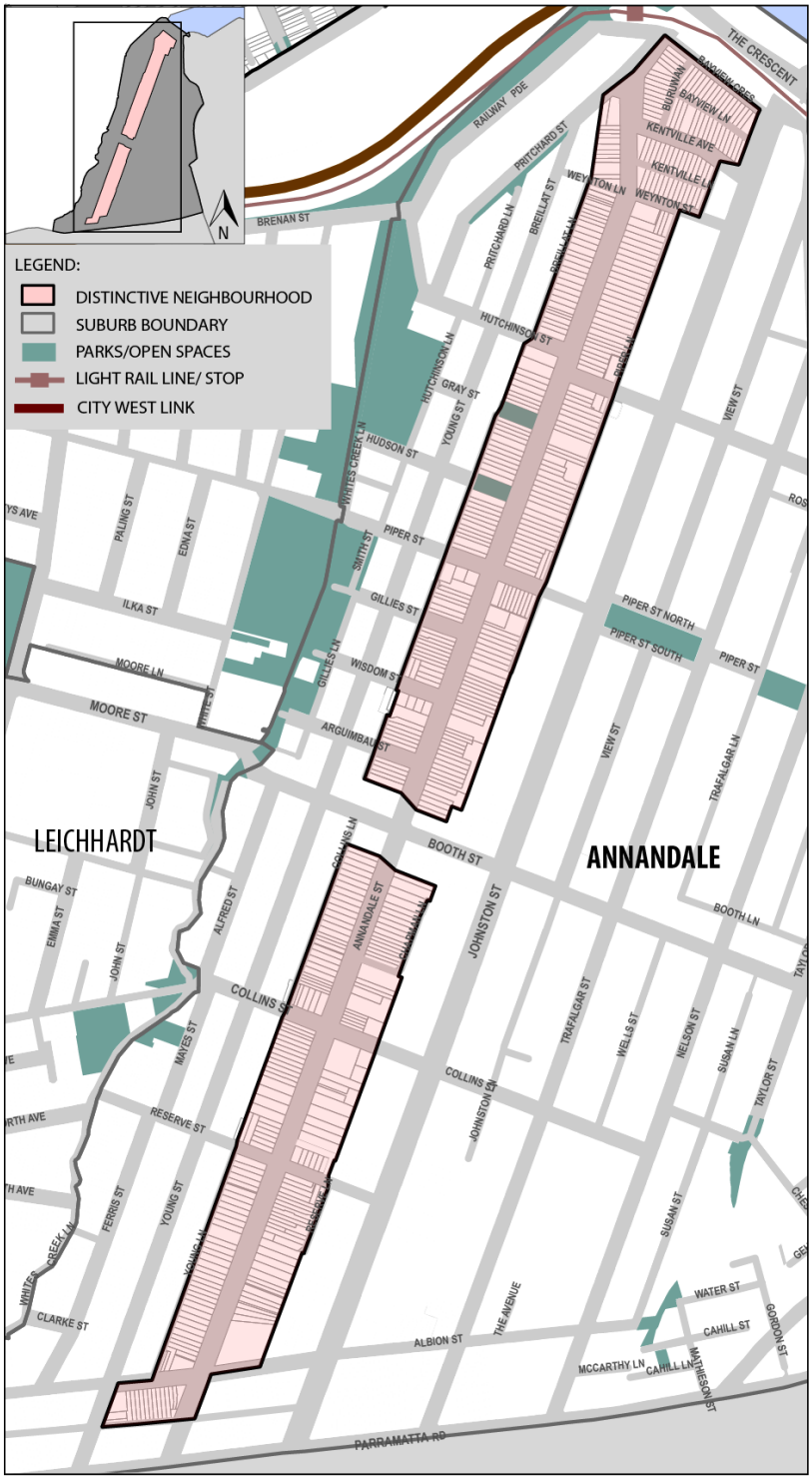

Figure C24: Annandale Street Distinctive Neighbourhood

Outline

This neighbourhood has two discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Kentville Estate Sub Area – Section C2.2.1.2(a); and

b. Annandale Street Laneways Sub Area – Section C2.2.1.2(b).

Land Form

The Annandale Street Distinctive Neighbourhood runs parallel to Young Street Distinctive Neighbourhood and Johnston Street Distinctive Neighbourhood. It lies on the western slope of the Annandale ridge and slopes down towards Young Street and Whites Creek Lane to the west, and the City West Link to the north.

The neighbourhood is comprised of most of Annandale Street, from its junction with Albion Lane in the south, to its intersection with Pritchard Street in the north. It also includes sections of all cross streets bisecting its length, with the exception of Booth Street. It also includes all of Kentville Avenue and Weynton Street.

The boundary of the neighbourhood is defined by the rear property line of dwellings fronting Annandale Street on both sides of the street. The southern boundary is formed by Albion Lane between Young Street and Annandale Street and the northern boundary is marked by Pritchard Street, Bayview Crescent, Weynton Street and Johnston Street.

Existing Character

Annandale Street was developed adjacent to Johnston Street in an 'avenue' style and is characterised by detached and semi-detached single storey dwellings from the late 1800s and early 1900s. To the south of Booth Street there are numerous two storey Victorian terraces and low scale workers cottages, villas and bungalows interspersed along the street. To the north of Booth Street there is a predominance of Federation style dwellings.

Development along the eastern side of Annandale Street is generally raised, however is predominately single storey in height. The raised height is balanced by a scattering of two storey terraces and dwellings on the western side. The elevated nature of the northern section of the Annandale Street Distinctive Neighbourhood provides many dwellings with access to views over Rozelle Bay and the City.

There is a mixed variety of dwelling styles and forms within the neighbourhood and front setbacks can vary considerably between adjacent properties, depending on the type of dwelling. The dwelling styles vary between Victorian, Federation and some Californian bungalows. While many of the dwellings are substantially intact in terms of architectural style, there are numerous examples of inappropriate alterations and additions, including oversized and poorly designed dormer windows (especially those on Victorian terraces), filled in balconies and verandahs, and imposing second storey additions.

Annandale Street is relatively wide and has a carriageway width of approximately 12m to 14m, and a footpath width of approximately 2.5m to 3m. Allotments within Annandale Street Distinctive Neighbourhood are relatively large in comparison to other distinctive neighbourhoods within the municipality; they typically vary between 50m to 54m in length and 5.5m to 7.5m in width north of Booth Street and south of Booth Street they typically vary between 40m to 45.5m in length and 4.5m to 8.5m in width.

Fences within the neighbourhood are generally consistent in height and materials, vary between iron, timber picket and masonry plinth with iron palisades.

The whole of Annandale Street is lined with continuous rows of mature native street trees, which due to their height create a natural avenue which is relatively unbroken along its length. The importance of these street trees has been recognised; therefore the street trees and landscaping within Annandale Street (stretching from Parramatta Road in the south to Piper Street in the north) are listed

as heritage items. In addition, some private landscaping also adds to the significance of the overall landscaping within the neighbourhood.

The neighbourhood is characterised by the commercial buildings fronting Annandale Street including corner shops, such as the original style 'General Store' on the corner of Rose Street. There are also several large redeveloped commercial buildings including two buildings on the corner of Piper Street and a converted shop on the corner of Kentville Avenue.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote land uses and urban design that enhances and contributes to the character and identity of the neighbourhood, whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C2 Maintain and enhance the scale and character of existing dwellings, consisting of mostly single storey Federation-style dwellings and two storey Victorian terraces.

C3 Ensure that the predominant subdivision pattern and size is maintained.

C4 Promote a rhythm within the streetscape created by regular allotment sizes, predominance of detached and semi-detached dwellings and prevalence of hipped and gabled roof forms.

C5 Preserve and enhance views created by stepping buildings with the contours along Annandale Street.

C6 Preserve and integrate natural rocky outcrops into the landscape of the area, particularly where visible from public places;

C7 Maintain the prevalence of mature, regularly spaced street trees as well as mature and visually significant trees on private land.

C8 Maintain the harmony/character of the neighbourhood by ensuring development is complementary in form and materials, and reflects the cohesiveness of the streetscape.

C9 Promote the continued use of existing 'corner shops'.

C10 The development to a primary street frontage shall have a maximum building wall height of 3.6m unless:

a. the relevant wall will adjoin a two storey or higher building in which case the 3.6m wall height may be varied where the new roof forms relate to existing adjacent forms and will not exceed the higher ridge height of the adjoining building;

b. the development is on a corner site in which case a 6m building wall height may be used, if all amenity and streetscape issues have been addressed to the satisfaction of Council.

C11 New development is to reinforce the street's north/south orientation and the topography of the ridge.

C12 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.1.2(a) Kentville Estate Sub Area

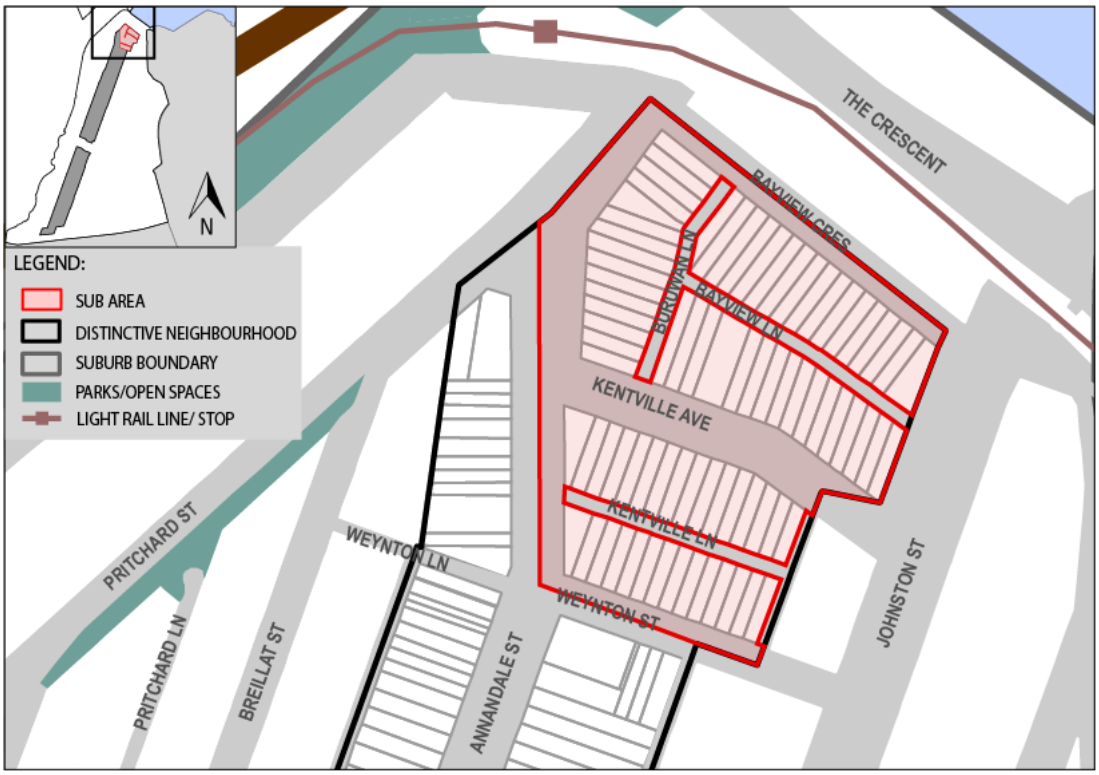

Figure C25: Kentville Estate Sub Area

The Kentville Estate Sub Area is located within the Annandale Street Distinctive Neighbourhood. It is situated in the northern section of the neighbourhood and was originally part of the Kentville Estate.

The estate was owned by Mr John Young. The land was later subdivided with a pattern of wide straight streets, with a variety of lot sizes.

The Sub Area today retains a distinct and unique quality of single storey Victorian and Federation cottages with the occasional two storey terrace and occasional grander dwellings.

Significant views are available to the city skyline within the area and other features of the area include streets lined with mature trees and landscaping, which add to the amenity and character of the area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Conserve and enhance the low scale domestic character of the area.

C2 Preserve and enhance both public and private views out over Rozelle Bay, Annandale and the City skyline.

C3 Development is to be consistent with any relevant objectives and controls within the Annandale Street Distinctive Neighbourhood.

C2.2.1.2(b) Annandale Street Laneways Sub Area

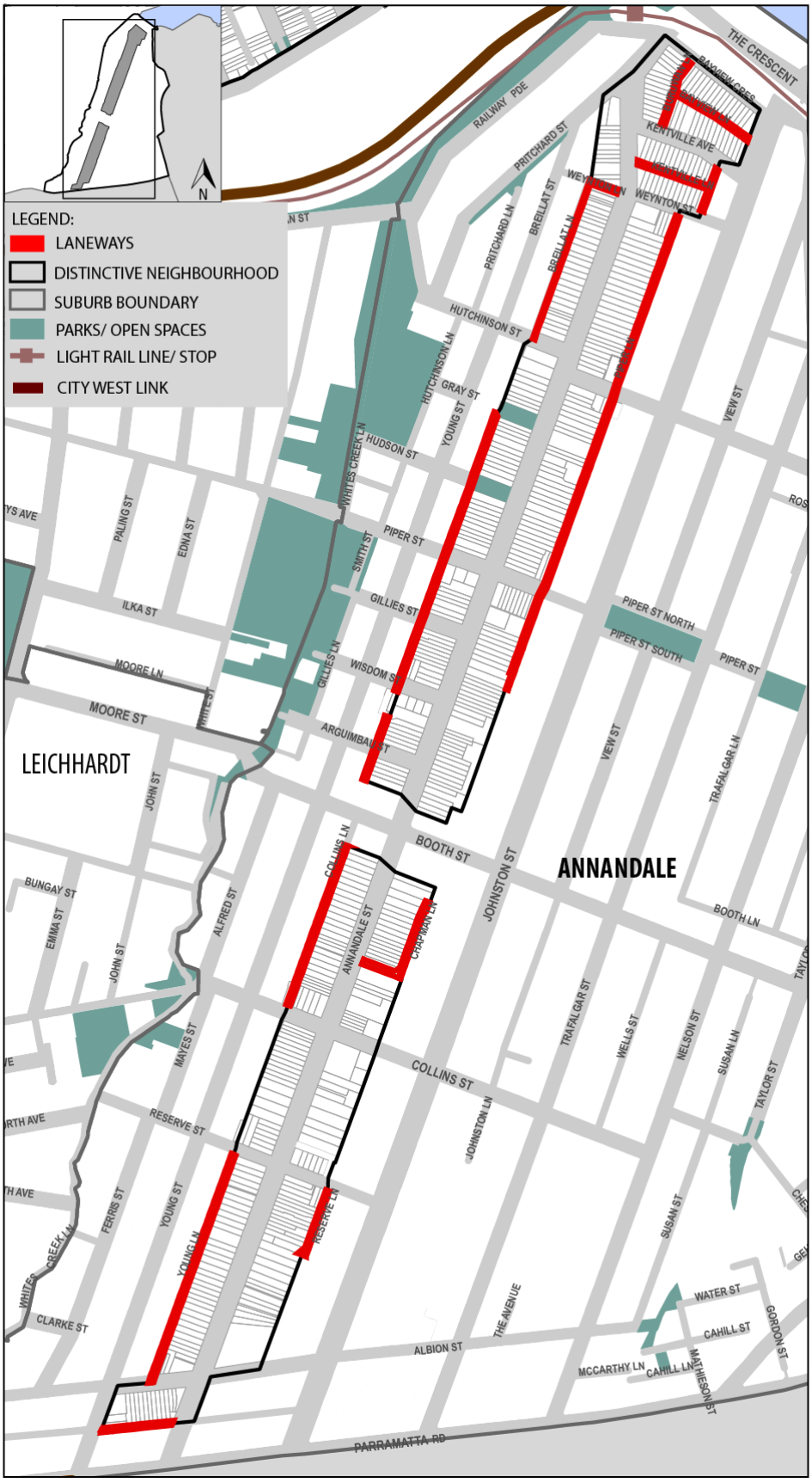

Figure C26: Annandale Street Laneways Sub Area

The Annandale Street Laneways Sub Area is located within the Annandale Street Distinctive Neighbourhood.

The Annandale laneways have a predominantly low-scale service character, and vary in width from 5.5m to 6.5m. The Annandale laneways are mainly used for accessing garages and carports and for providing pedestrian access to the rear of properties however there are a few examples of dwellings fronting onto rear lanes.

Many of the properties adjoining the Annandale laneways retain significantly mature rear gardens, which contribute to the vegetative corridors of the rear lanes.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the predominant service and access character of rear lanes where dwellings are not suitable.

C2 Maintain and enhance the prevalence of vegetative corridors created by significant planting in rear yards.

C3 Allow for small scale residential dwellings, such as studios or single storey dwellings, fronting onto rear lanes where development is suitable.

C4 Ensure that future development on lanes does not unreasonably impact upon the amenity (including views) of adjacent properties and the ‘landscape’.

C5 Development is to be consistent with any relevant objectives and controls within the Annandale Street Distinctive Neighbourhood.

C2.2.1.3 Johnston Street Distinctive Neighbourhood

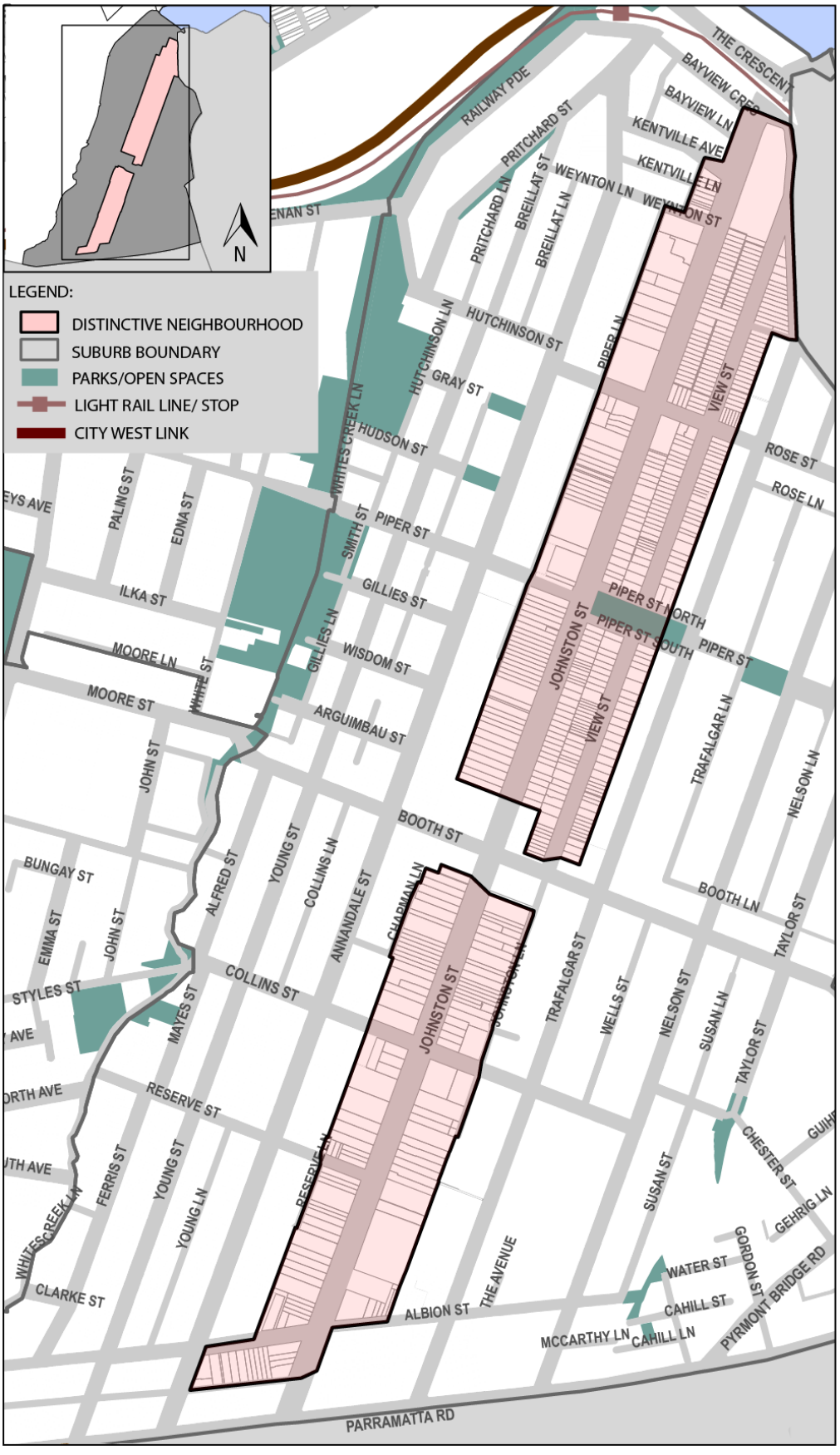

Figure C27: Johnston Street Distinctive Neighbourhood

Outline

This neighbourhood has one discrete Sub Area which has unique characteristics and additional objectives and controls:

a. Johnston Street Laneways Sub Area – Section C2.2.1.3(a); and

b. Witches Houses Sub Area – Section C2.2.1.3(b).

Landform

Johnston Street is the major street within the distinctive neighbourhood and runs in a north-south direction from Parramatta Road in the south to The Crescent and the light rail line in the north. The neighbourhood runs along the crest of the Annandale ridge until Piper Street, where it continues down the slope to Rozelle Bay. The neighbourhood also encompasses several cross streets through Johnston Street which are aligned on an east-west axis, as well as View Street and several laneways.

The topography of the northern section of the neighbourhood changes considerably in comparison to the southern section. The western side of Johnston Street is elevated upon a cliff line, which drops significantly on the eastern side, falling away to The Crescent.

The neighbourhood maintains a typical grid network of wide streets and a relatively consistent subdivision pattern, which runs in a north-south and east-west direction, following the contours of the land.

The boundary of the Johnston Street Distinctive Neighbourhood is defined by the Annandale Street Laneways Sub Area and the rear alignment of properties fronting onto Johnston Street (and the rear alignment of properties fronting onto View Street). Albion Lane between Annandale Street and Johnston Street forms the neighbourhood's southern border and The Crescent between Trafalgar Street and Johnston Street forms the northern border.

Existing Character

Development throughout the Johnston Street Distinctive Neighbourhood varies from single storey Federation dwellings and grander scaled Victorian-style buildings, to post war civic and commercial buildings.

Original buildings currently existing within the neighbourhood such as the Hunter-Baillie Church, The Abbey, the 'Witches' Houses', Annandale North Public School and the Town Hall enhance the character of the streetscape and emphasise the original plans for Johnston Street to be 'the finest street in the Colony'.

The neighbourhood has resulted in a mixed character created by the range of architectural styles and building heights. Typical buildings within the neighbourhood include: modest scale single storey dwellings from the Federation period and later post-war detached house forms; larger dwellings consisting of mansions and two storey terraces; and semi-detached and detached dwellings are the predominant trend within the area.

Although lot sizes do vary, the area is characterised by relatively large lot sizes for both single storey developments and large mansion style dwellings. Lot sizes north of Booth Street are typically 51m in length and generally not less than 6m in width along the west side. Lot sizes along the east side are approximately 25m in length and generally not less than 7m in width. South of Booth Street the lot sizes are larger, ranging from 54m in length and 5m in width to more substantial sized lots of 58m in length and 30m in width.

The front building setbacks vary greatly throughout the neighbourhood ranging from 1m to 8m with front yards often containing well-established gardens. Street planting is regular and well-spaced and the footpaths are approximately 2m in width, with 1m wide grassed verges which are predominately uninterrupted by driveways. The mature street trees and established plants within front yards situated along Johnston Street assist in minimising the impact of noise from traffic on Johnston Street.

Fencing within the neighbourhood is generally complementary to the dwellings; however materials vary between iron, timber picket, and masonry plinth with iron palisades, as a result of the diversity of architectural styles.

There are some examples of multi-unit development along Johnston Street which incorporate garages on the ground floor. These multi-unit developments have generally taken reference from the existing building envelope, dwelling heights, siting, materials and fencing found along Johnston Street.

In comparison, contemporary development is relatively scarce within the northern section of the neighbourhood (north of Booth Street) although there have been many alterations and additions to existing original buildings.

Johnston Street itself is recognised for its landscape heritage and several dwellings within the neighbourhood are recognised for their architectural heritage.

Towards the northern end of the neighbourhood, there are several areas which have extensive views towards Sydney City, the Harbour Bridge and the Anzac Bridge. These views become even more significant at the intersection with The Crescent.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote land uses and urban design that enhances and contributes to the character and identity of the neighbourhood, whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C2 Preserve and maintain the historic subdivision pattern of the Johnston Street Distinctive Neighbourhood.

C3 Retain and encourage lower scale development north of Booth Street, complementary to the existing streetscape.

C4 Allow for the re-development of the TAFE College site for residential use consistent with the existing scale in the northern section of the neighbourhood.

C5 Improve the environmental amenity and interest for pedestrians accessing the area.

C6 Preserve views over the City, Rozelle Bay, Leichhardt and Annandale.

C7 Retain the existing diversity and contrast of building scale and architectural style, ensuring future development is complementary to the streetscape and adjacent dwellings.

C8 Maintain the prevalence of mature, regularly spaced street trees as well as mature and visually significant trees on private land.

C9 Preserve and integrate natural rocky outcrops into the landscape of the area, particularly where visible from public places.

C10 Buildings south of Booth Street shall have a maximum building wall height of 6m.

C11 Buildings north of Booth Street shall have a maximum building wall height of 3m.

C12 Where a new development adjoins two storey or higher buildings the 3.6m building wall height may be varied provided new roof forms relate to those already existing and do not exceed the higher ridge height adjoining.

C13 New driveway crossings are to be avoided. Existing crossings should be minimised to single width crossovers.

C14 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.1.3(a) Johnston Street Laneways Sub Area

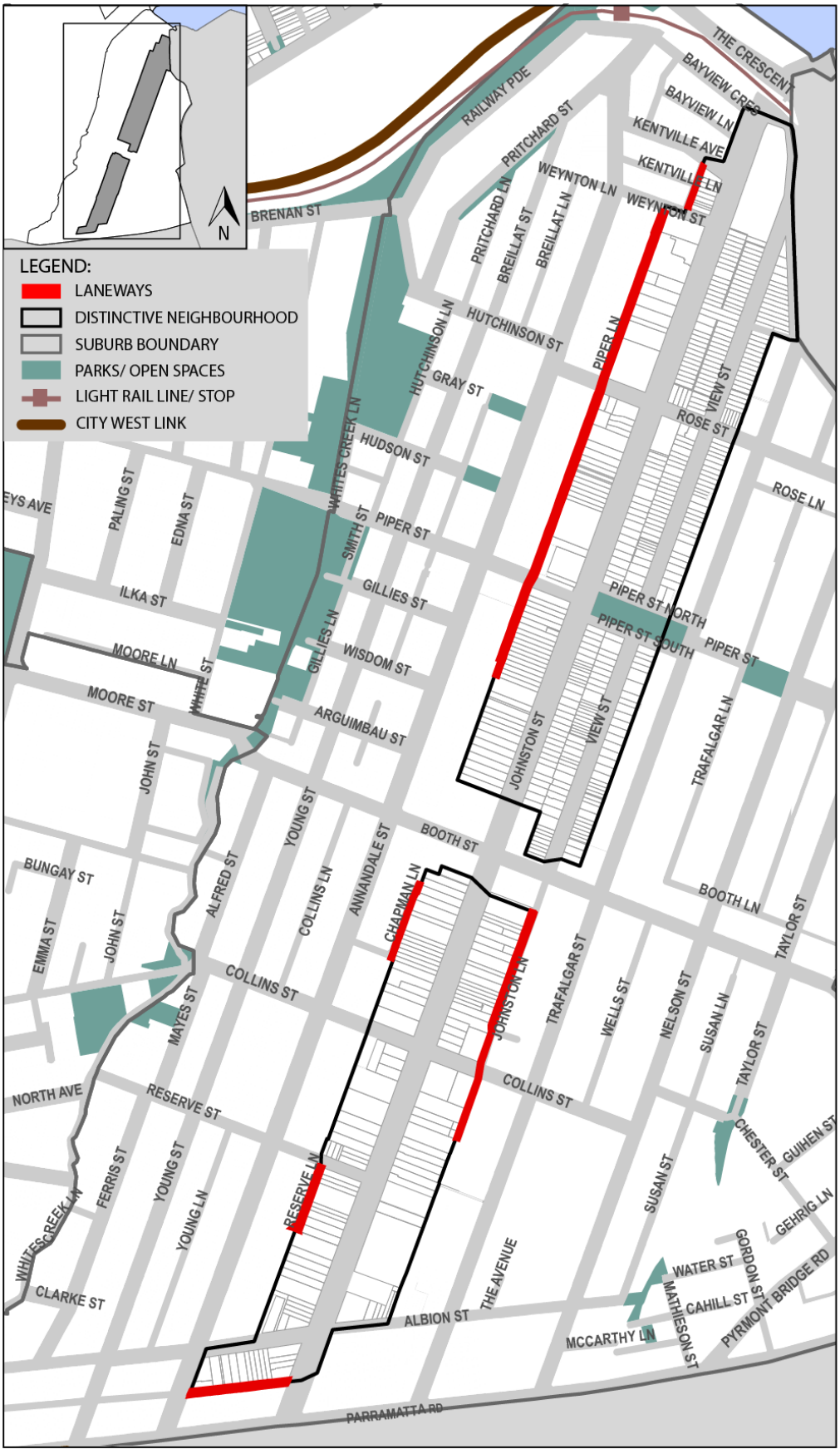

Figure C28: Johnston Street Laneways Sub Area

The Johnston Street Laneways Sub Area is located within the Johnston Street Distinctive Neighbourhood. With the exception of Johnston Lane and Piper Lane, the lanes within the Sub Area retain a low scale service character providing access to rear of properties with no dwellings fronting on to them. However, due to the large lot sizes along Johnston Lane and Piper Lane, several dwellings fronting onto the lane have occurred. The lanes vary in width from 6m to 9m.

Desired Future Character

Objectives

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the predominant service and access character of rear lanes where dwellings are not suitable.

C2 Maintain and enhance the prevalence of vegetative corridors created by significant planting in rear yards.

C3 Allow for small scale residential dwellings, such as studios or single storey dwellings, fronting onto rear lanes where development is suitable.

C4 Ensure that future development on lanes does not unreasonably impact upon the amenity (including views) of adjacent properties and the ‘lanescape’.

C5 Development is to be consistent with any relevant objectives and controls within the Johnston Street Distinctive Neighbourhood.

C2.2.1.3(b) Witches Houses Sub Area

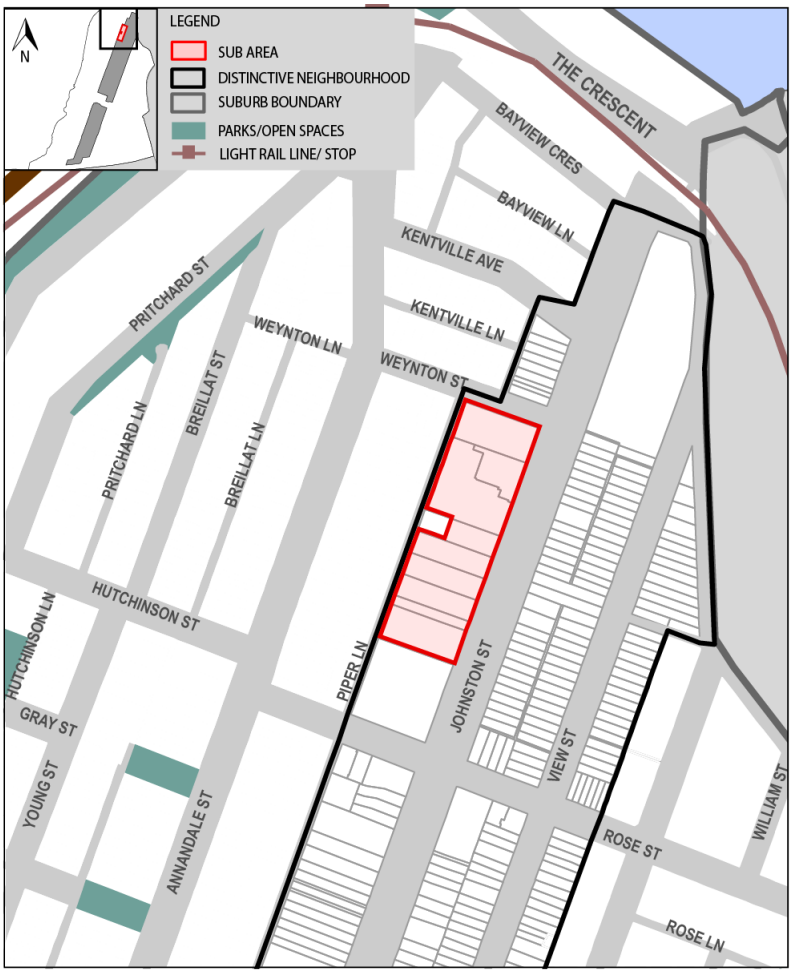

Figure C29: Witches Houses Sub Area

Background

The properties which make up the group known as 'The Witches Houses' are as follows:

- 'Kenilworth' 260 Johnston Street, Annandale;
- 'Highroyd' 262 Johnston Street, Annandale;
- 'Hockingdon' 264 Johnston Street, Annandale;
- 'Creba' 266 Johnston Street, Annandale;
- 'Oybin' 270 Johnston Street, Annandale;
- 'The Abbey' 272 Johnston Street, Annandale; and
- Sandstone wall and gateways along property frontage from 258-272 Johnston Street, Annandale.

The 'Witches Houses' are located in an area originally part of the North Annandale Estate, first subdivided in 1874. In 1877 John Young, Mayor of Leichhardt (1879-80 and 1884-86) and a prominent building contractor from the late 1800s, consolidated 280 acres and transferred it to the Sydney Freehold Land, Building and Investment Company Ltd which he formed in 1878 and which proceeded to subdivide and sell residential allotments over the next 30 years. Annandale was to be a

“model township”. Young created the 100ft wide boulevard along the main ridge, Johnston Street, which was intended to be the finest street in the Colony and encouraged the symmetrical street grid pattern.

John Young also left a lasting imprint on the area in the form of a group of buildings centred around ‘The Abbey’ (No. 272 Johnston Street) now known as the Witches Houses. The Abbey appears to have been constructed by Young between 1881 and 1882 with the intention to be his own home, however he never resided there. It is thought that he used the house for Masonic meetings as the building is rich in Masonic symbolism and laid out similar to a Masonic lodge. It was also used as a showpiece of his work. ‘Oybin’ (No. 270 Johnston Street) adjoining ‘The Abbey’, was constructed for the architect CHA Blackman. Two of the so called Witches’ Houses, ‘Hockingdon’ and ‘Highroyd’ (Nos. 264 and 262 Johnston Street) were constructed to provide an income for his daughters and ‘Kenilworth’ (No. 260 Johnston Street) and Claremont (258 Johnston Street, now demolished) were also constructed by Young for leasing.

The group known as ‘The Witches’ Houses’ is an outstanding and unique collection of late Victorian, high quality dwellings that are considered to be worthy of State heritage significance.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the distinctive neighbourhood.

Controls

C1 The group is an outstanding and unique collection of late Victorian, high quality dwellings which shall be protected and maintained.

C2 The identified elements of historic, aesthetic, technological and social significance of the dwellings should be conserved and maintained.

C3 Ensure that future neighbouring developments do not negatively affect the aspect to and from the group.

C4 The stone wall and associated openings, which enhance and accentuate the recognised character and presentation of the group, shall be protected and maintained.

C5 Architectural elements that contribute to the character of the building as presents to Johnston Street shall be retained including:

a. the form, height and scale of the main section of the building;

b. the tower and spire;

c. roof form, ridge and associated elements including gables, gablets and

d. chimneys;

e. open verandahs, balconies and associated ironwork and tiling; and

f. the pattern of openings on the front façade.

C6 The existing curtilage of all buildings shall be retained.

C7 The existing front and side setbacks of all buildings shall be retained.

C8 Additions should be restricted to the rear.

C9 Works shall be in accordance with a Conservation Management Plan prepared for the development site.

'Kenilworth' (260 Johnston Street, Annandale)

C10 Adaptation or replacement of the rear wing, pool and associated elements is permissible provided that any works do not detract from the front portion of the house and significant elements as viewed from Johnston Street.

'Highroyd' (262 Johnston Street, Annandale) and 'Hockingdon' (264 Johnston Street, Annandale)

C11 The long stair window on the southern façade and leaded glazing shall be retained.

'The Abbey' (272 Johnston Street, Annandale)

C12 The rear stable should be retained.

C13 The vines growing on the Weynton Street stone boundary wall and rear stone building should be removed.

'Sandstone wall and gateways' (258-272 Johnston Street, Annandale)

C14 The existing stone wall and associated features including gated openings, pediments, wrought iron palisade fencing, return stone walls and stone steps shall be retained and conserved.

C15 The existing height and length of the wall and gateways shall be retained.

C16 The stonework shall remain unpainted and face stone.

C17 Any repairs and repointing shall use a lime mortar mix and maintain the existing character of the wall. No cement mortar or brick infill shall be used.

C18 Adaptation and replacement of gates is permissible provided that they do not detract from the existing character or impact on the fabric of the fence.

C2.2.1.4 Booth Street Distinctive Neighbourhood

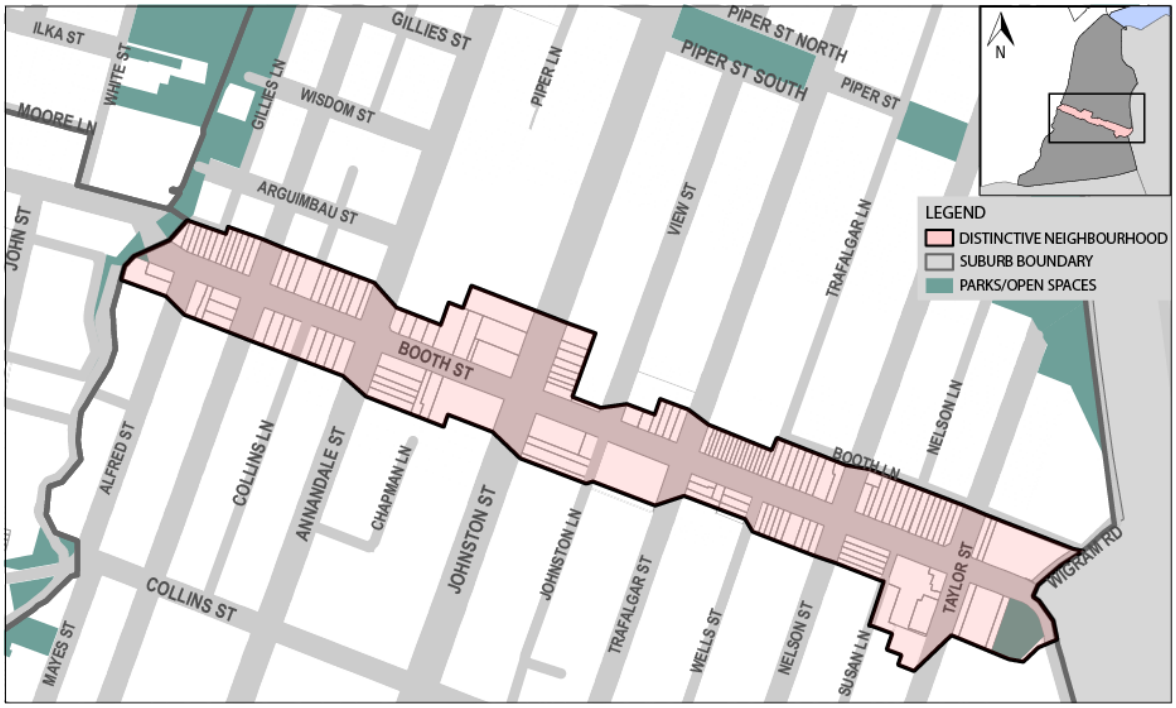

Figure C30: Booth Street Distinctive Neighbourhood

Outline

The Booth Street Distinctive Neighbourhood is located within Annandale. Development within this Distinctive Neighbourhood is required to be consistent with the objectives and controls listed below. In addition, development is required to be consistent with other relevant sections of this Development Control Plan.

Landform

The neighbourhood comprises the length of Booth Street, from Whites Creek to the west and Johnstons Creek to the east. Booth Street runs perpendicular to the Annandale ridge, with the intersection of Johnston and Booth Street forming the highest point along its length. From this point, the street slopes gradually down towards Whites Creek and more steeply down to Johnstons Creek providing views east towards Camperdown, Glebe and the City.

The boundary of the Booth Street Distinctive Neighbourhood is defined by the rear of properties fronting onto Booth Street, the zone B2 Local Centre, zone SP2 Infrastructure and zone R1 General Residential land between Annandale Street and Johnstons Creek and properties which front onto adjoining side streets.

Existing Character

Development along the western end of Booth Street, from Whites Creek to Annandale Street is primarily residential, interspersed with businesses. The predominant built character is single storey detached dwellings from the late 1800s with front setbacks between 1m to 3m. Several of the dwellings to the south are elevated at the street level, presenting two storey frontages. This section of Booth Street contains regularly spaced street trees which enhance the residential nature of this section and link with the amenity and vegetative corridor of Whites Creek.

East of Annandale Street, the character of the neighbourhood changes from residential to commercial. The intersection of Booth Street and Johnston Street is the focal point for commercial activities.

Johnston Street is the widest street in the suburb of Annandale and was designed as a grand boulevard. The intersection with Booth Street is also the highest point along the Annandale Ridge. The North Annandale Hotel, Village Church Annandale and the post office provide important visual elements as well as a significant focus for the local centre. From this junction, Booth Street slopes steeply down to the east, providing views across Annandale to Glebe and Camperdown.

The height of buildings in the commercial section of the neighbourhood is typically two storeys with parapet roof forms, taller buildings are typically located at intersections. The exception to the predominant building height is the old 'Kodak' building at No. 62 Booth Street. This six storey building incorporates commercial uses at ground level, with the next 5 floors used for residential purposes.

Other exceptions are the Trafalgar Terraces located east of Trafalgar Street, at No. 55-71 Booth Street. These dwellings are a consistent and intact row of 14 terraces. Initially presenting a low scale single storey height at street level, the buildings have a second storey below the footpath level. Being located adjacent to commercial uses, these properties are suited to home based employment.

Commercial buildings within the neighbourhood often incorporate mixed uses, with dwellings built above shops. Given that some of the allotment sizes are relatively large, between 25m to 60m in depth, additions and alterations to the rear of commercial buildings, incorporating residential components, are possible with access provided from rear lanes.

The shop fronts are primarily glass with signage predominantly under or on the awnings with a few examples of projecting signs located above awnings. Continued improvement of the streetscape with increased plantings (Jacarandas along Johnston Street), larger planting beds, improved paving and additional seating increases the amenity of the area and its attraction as a local neighbourhood centre. The accessibility of the area is also enhanced with regular city and cross regional STA bus services along Booth Street.

East of Nelson Street, the character of Booth Street returns to predominantly residential uses within a mixture of building styles of differing heights. Many of the residential buildings at this end of the neighbourhood are being used for commercial and mixed use purposes, which add to the vitality and viability of the neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage development of a local neighbourhood centre, utilising the existing mix of commercial and residential uses and taking full advantage of the proximity to public transport services and pedestrian and cycle links.

C2 Maintain and enhance the variety of building styles found in the neighbourhood.

C3 Maintain the predominant bulk, scale and siting of buildings and protect the heritage significance of the Heritage Conservation Area.

C4 Retain and enhance dwellings to be used for both residential and compatible commercial purposes.

C5 Promote mixed use development involving businesses on the ground floor and residential above and to the rear of commercial buildings in the neighbourhood.

C6 Protect and enhance the residential amenity of dwellings in and adjoining the neighbourhood.

C7 Improve the environmental amenity, interest, facilities, safety and ease of access for pedestrians and cyclists using the neighbourhood.

C8 Maintain the character of the area by keeping development complementary in architectural style, form and materials.

C9 Retain existing shop fronts, regardless of current or proposed use, to provide for future flexibility.

C10 Encourage appropriate signage consistent with the predominant signage type in the neighbourhood.

C11 Preserve existing street trees and promote further street trees using native species where appropriate.

C12 Extend the street improvement works throughout the commercial area of the neighbourhood.

C13 Promote the continuing development of a local neighbourhood centre and identify land uses and development that contribute to the economic well-being of the neighbourhood.

C14 Enhance and promote the viability and potential for neighbourhood and local provision shops.

C15 Buildings between Whites Creek and Annandale Street shall have a maximum building wall height of 3.6m.

C16 Buildings between Annandale Street and Wigram Road shall have a maximum building wall height of 6m. This excludes the Trafalgar Terraces (No. 55 - 81 Booth Street) that are subject to a 3.6m building wall height.

C17 For commercial development, a maximum building wall height of 8m applies to new development.

C18 Signage must complement the existing signage of the streetscape and signage above awnings will not be supported.

C19 New driveway crossings are to be avoided. Existing driveways shall be minimised.

C2.2.1.5 Trafalgar Street Distinctive Neighbourhood

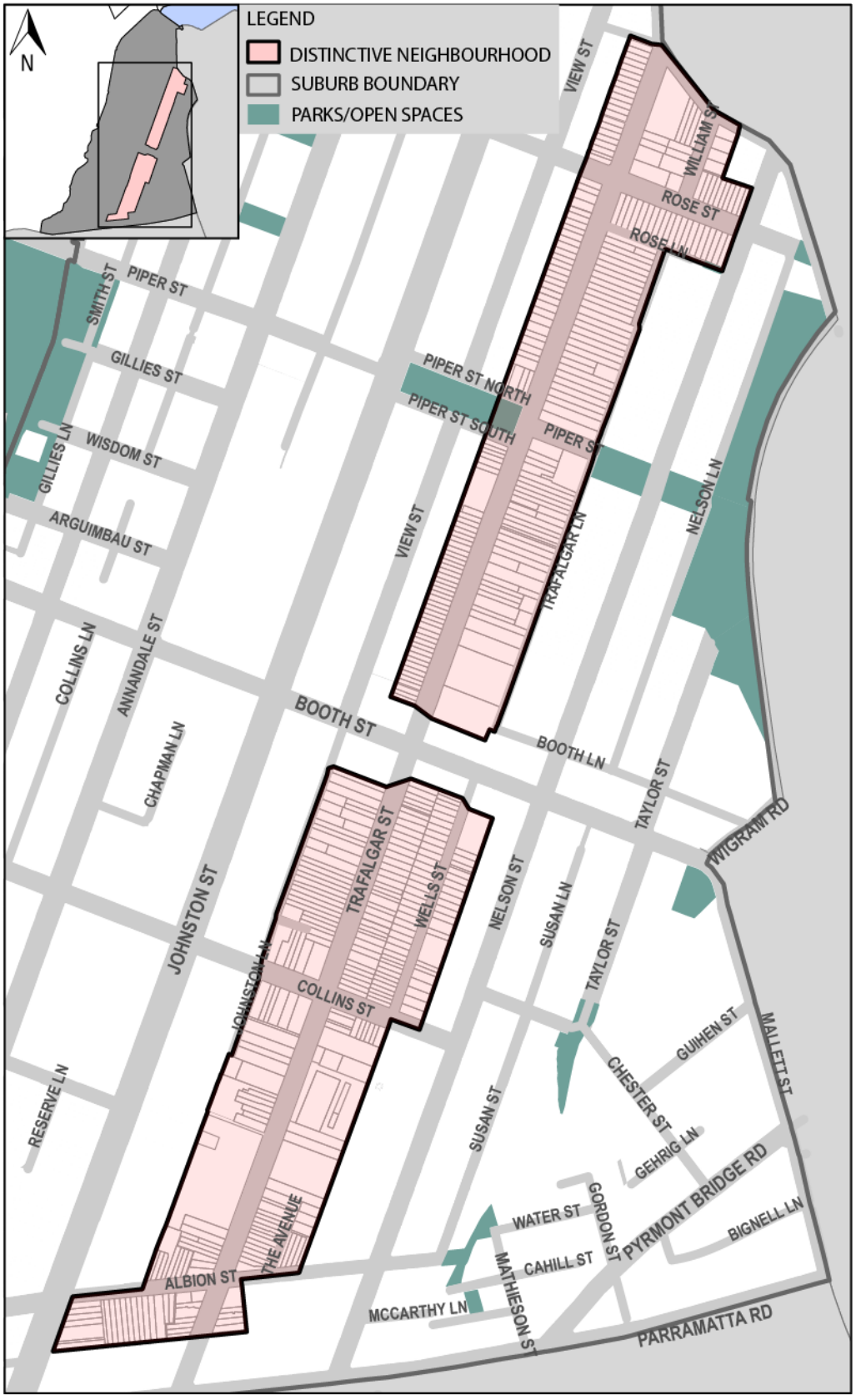

Figure C31: Trafalgar Street Distinctive Neighbourhood

Outline

This neighbourhood has one discrete Sub Area which has unique characteristics and additional objectives and controls:

a. Trafalgar Street Laneways Sub Area – Section C2.2.1.5(a).

Landform

The neighbourhood lies on the lower eastern slope of the Annandale ridge and slopes down towards Johnstons Creek providing views out over the City.

The neighbourhood is built in a relatively hilly area, which slopes steeply from the highest point along Trafalgar Street, just before Rose Street, down to The Crescent in the north and gradually down to Booth Street in the centre. At the intersection of Booth Street, the neighbourhood sharply rises and then gradually slopes down to Parramatta Road.

Following the historical subdivision pattern of Annandale, the neighbourhood runs parallel to the Annandale ridge and comprises Trafalgar Street, from its junction with Albion Street properties in the south, to its intersection with The Crescent in the north. It also includes sections of all of the cross streets bisecting its length, with the exception of Booth Street, as well as Wells Street, William Street and Trafalgar Lane.

The boundary of Trafalgar Street Distinctive Neighbourhood is defined by the rear property line of dwellings fronting Trafalgar Street, as well as all properties fronting onto Trafalgar Lane and those properties fronting onto Wells Street and William Street. The southern boundary is formed by properties fronting Albion Street between Johnston and Trafalgar Streets, and the northern boundary is marked by The Crescent.

Existing Character

The architectural style of dwellings found throughout the neighbourhood varies from single storey dwellings of the Federation period and grander scaled Victorian-style buildings to later post war dwellings on smaller lots. These dwellings reflect the established hierarchical characteristic of Annandale, with larger dwellings occurring at the higher elevations taking advantage of the views, with smaller cottages and terraces located on the lower slopes.

The architectural diversity reflects the change in style from high Victorian to Federation and eventually to more modern substantial developments and residential infill. This is particularly noticeable along Wells Street where the variation in dwelling style and height includes original Victorian terraces, Federation cottages and modern townhouse developments.

Some dwellings along the western side of Trafalgar Street are single storey and raised in elevation, presenting a two storey frontage. Along Rose Street, in the northern section of the neighbourhood, the steep decline down to The Crescent has resulted in dwellings which present a low scale single storey height at street level; however the dwellings often have a second or third storey below footpath level.

Another attribute within the neighbourhood is the prevalence of corner shops, most of which have been converted to residential use, whilst retaining their original commercial form.

Views overlooking Glebe, Rozelle Bay and the City are gained from high points on the north of Trafalgar Street and from just south of Booth Street.

Setbacks vary from 3m to 5m for larger dwellings, to 1m to 2m for more modest developments. Fencing is relatively consistent in height and complements the architectural style of the individual dwelling.

The regularly spaced street trees as well as established front gardens enhance the amenity of the neighbourhood. Footpaths are generally uninterrupted by driveways, adding to the pedestrian amenity of Trafalgar Street Distinctive Neighbourhood. Natural rocky outcrops occur in the northern section of the neighbourhood and sandstone retaining walls are used throughout.

The cohesive residential character throughout the neighbourhood is interrupted just south of Collins Street by larger scale developments such as St. Brendans School, Annandale Public School and the James North Building. There have also been several residential infill developments consisting of two storey townhouses and multi-unit developments on former industrial sites. Businesses are dispersed through the area and add to the fabric and the neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote land uses and urban design that enhances and contributes to the character and identity of the neighbourhood, whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C2 Maintain and enhance the scale and character of existing dwellings, consisting of mostly single storey Federation-style dwellings and two storey Victorian terraces.

C3 Promote the consistent rhythm within the streetscape created by the regular allotment sizes, predominance of detached and semi-detached dwellings and prevalence of hipped and gabled roof forms.

C4 Allow for contemporary development, which is complementary to the existing streetscape.

C5 Maintain the character and form of ‘corner shops’ converted to residential dwellings, through the prevention of unsympathetic alterations and additions.

C6 Preserve and enhance sandstone walls, used throughout the neighbourhood, by preventing sub-ground developments, such as garages.

C7 Improve the environmental amenity and interest for pedestrians accessing the area.

C8 Preserve and enhance views created by stepping buildings with the contours along Trafalgar Street.

C9 Maintain the character of the neighbourhood by ensuring development is complementary in form and materials, and reflects the cohesiveness of the streetscape.

C10 Preserve and integrate natural rocky outcrops into the landscape of the area, particularly where visible from public places.

C11 Maintain the prevalence of street trees in addition to mature and visually significant trees on private land.

C12 A range of maximum building wall heights apply to the Trafalgar Street Distinctive Neighbourhood:

a. 3.6m building wall heights apply north of Piper Street;

b. 6m building wall heights apply south of Piper Street.

C13 Where new development adjoins two storey or higher buildings such development may exceed the applicable building wall height control but should not exceed the higher ridge height adjoining.

C14 On sloping sites, new developments should step with the contours of the topography.

C15 New development is to reinforce the street's north/south orientation and the topography of the ridge.

C16 Significant sandstone walls shall be retained in their existing form and enhanced by integration into the landscape.

C17 New driveway crossings are to be avoided. Existing crossings should be minimised.

C18 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.1.5(a) Trafalgar Street Laneways Sub Area

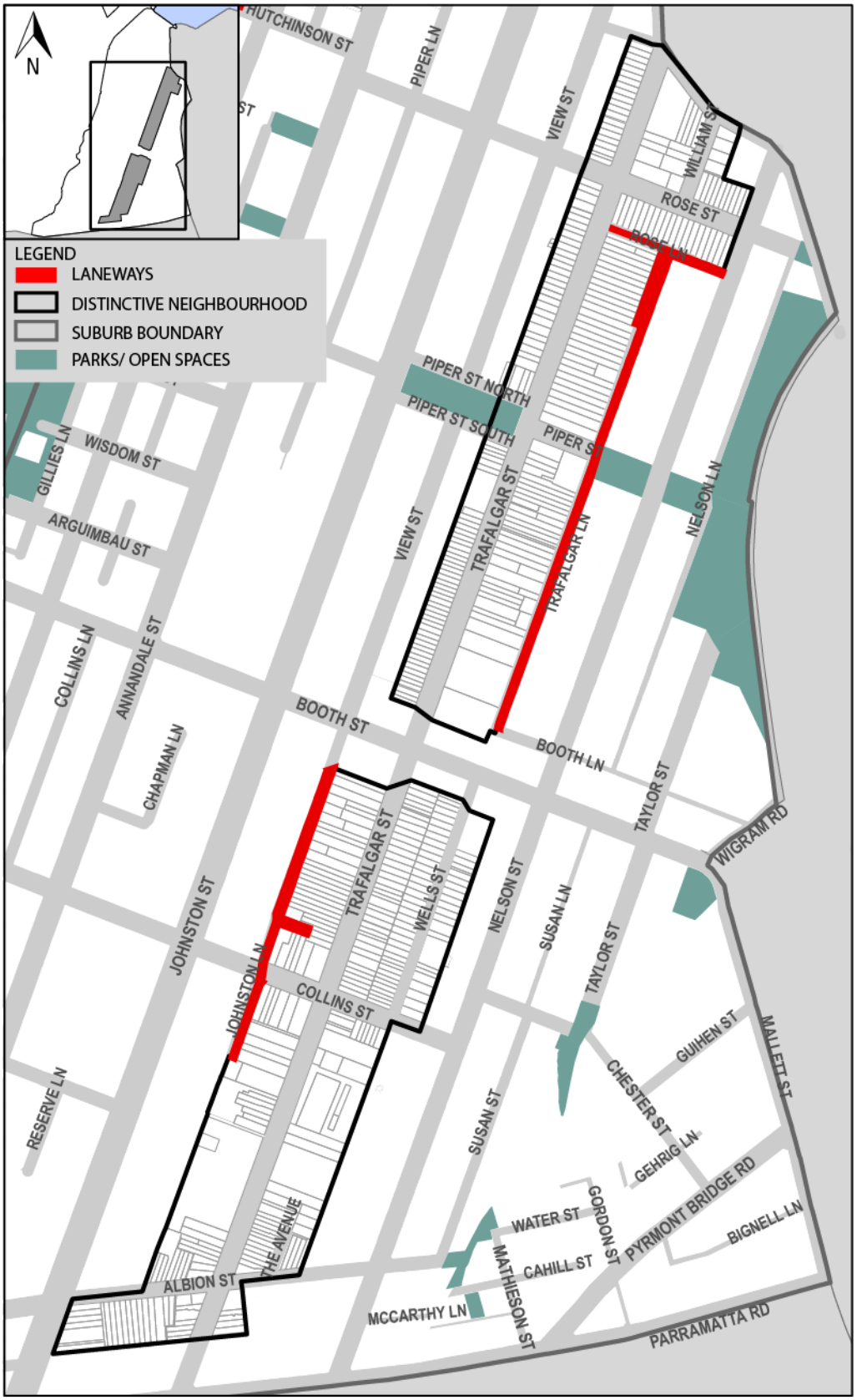

Figure C32: Trafalgar Street Laneways Sub Area

The Trafalgar Street Laneways Sub Area is located within the Trafalgar Street Distinctive Neighbourhood.

The laneways vary in width, ranging from 6m to 12.5m and provide vegetative corridors from mature gardens and trees in rear yards. Although the laneways are predominantly used for services, parking and access to the rear of dwellings, some laneways are wide enough to accommodate dwellings fronting onto them.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the predominant service and access character of rear lanes where dwellings are not suitable.

C2 Maintain and enhance the prevalence of vegetative corridors created by significant planting in rear yards.

C3 Allow for small scale residential dwellings, such as studios or single storey dwellings, fronting onto rear lanes where development is suitable.

C4 Ensure that future development on lanes does not unreasonably impact upon the amenity (including views) of adjacent properties and the ‘lanescape’.

C5 Development is to be consistent with any relevant objectives and controls within the Trafalgar Street Distinctive Neighbourhood.

C2.2.1.6 Nelson Street Distinctive Neighbourhood

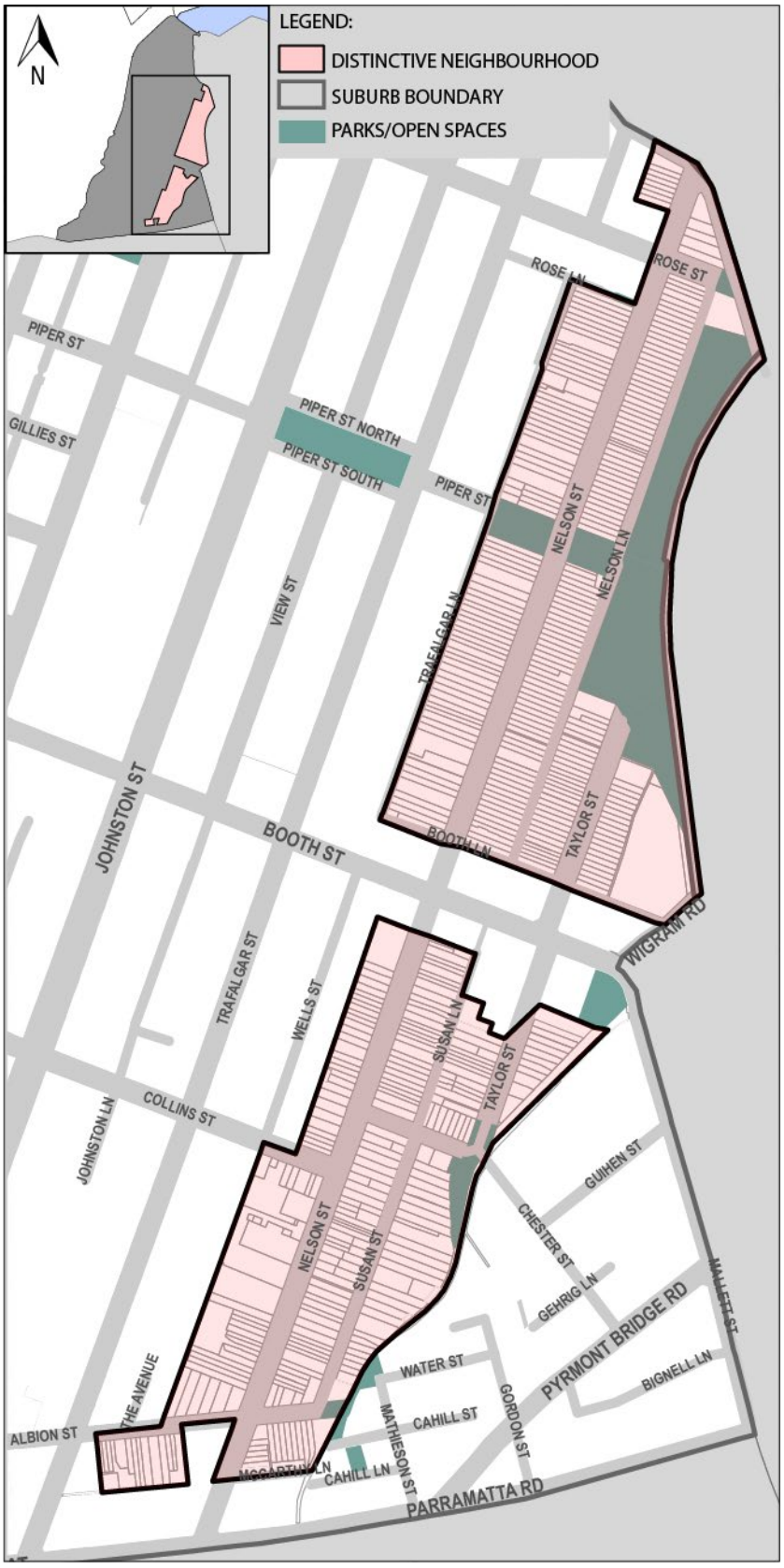

Figure C33: Nelson Street Distinctive Neighbourhood

Overview

This neighbourhood has two discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Nelson Street Laneways Sub Area – Section C2.2.1.6(a); and

b. Smith, Hogan and Spindlers Parks Sub Area – Section C2.2.1.6 (b).

In addition, development is required to be consistent with other relevant sections of this Development Control Plan.

Landform

The neighbourhood runs north-south along the lower east-facing slope of the Annandale ridge. The slope increases towards the north and runs from The Crescent down to Albion Street, enabling views out over Glebe, Forest Lodge as well as Johnstons Creek valley.

In the south the topography rises after Booth Lane until Chester Street, where the land gently slopes down to Parramatta Road.

Nelson Street Distinctive Neighbourhood is characterised by the historical subdivision pattern of Annandale's north/south streets. The neighbourhood comprises the majority of Nelson Street, and includes properties fronting onto Albion Street and McCarthy Lane in the south, to its intersection with The Crescent in the north. It also includes cross sections of streets bisecting its length, with the exception of Booth Street, and includes Susan Street, Taylor Street and several laneways.

Existing Character

The Nelson Street Distinctive Neighbourhood has a distinct residential character with a relatively consistent subdivision pattern north of Collins Street. South of Collins Street the subdivision pattern is less consistent with residential infill on former industrial sites.

Nelson Street is a relatively wide street with a carriage width of approximately 20m and is lined with mature street trees. Other streets in the neighbourhood vary between 12m to 20m in width and have relatively few street trees.

The architectural style found throughout the neighbourhood consists of Victorian and Federation style dwellings, with some contemporary development. Development along Nelson Street reflects the dwelling hierarchy of Annandale, with larger terraces and villas from the later Victorian period on the higher elevations and smaller developments and subdivisions located on the lower slopes. Because the lots within the neighbourhood were historically sold and developed individually, there is considerable diversity in architectural style, resulting in streetscapes which have varying building heights and setbacks of between 1m to 3m often with no front gardens.

Fencing within the neighbourhood is relatively consistent in height although materials vary depending on the architectural style of the dwellings. There are some examples of inappropriate fences (i.e. due to incompatible material and/or height), that are not complementary to the dwellings nor to the surrounding streetscape.

The footpaths in the neighbourhood are typically 2m to 3m in width, some containing mature street trees. The footpaths are generally uninterrupted by driveways, creating a pedestrian friendly neighbourhood.

A unique characteristic of the neighbourhood is that development along the eastern side of the streets tends to have a single storey frontage, however buildings commonly step down another two or three

floors in response to the topography. This is particularly evident along the eastern side of Susan Street, where there is a steep drop down to Johnstons Creek.

Development on the western side of streets is often elevated. Such development has occurred along Nelson Street where single storey dwellings are generally raised above sandstone walls with no front garages. This height is balanced by a scattering of two storey terraces and dwellings on the eastern side.

The elevated nature of the northern section of the neighbourhood provides many dwellings with access to views over Rozelle Bay and the City.

The cohesive residential character throughout the neighbourhood is interrupted just south of Collins Street by several infill developments consisting of two storey townhouses and multi-unit developments on former industrial sites. To the north of Albion Street is a small area of businesses which front onto Nelson Street, with parking access to the rear, accessed via Susan Street.

Desired Future Character

Objectives

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain and enhance the scale and character of existing dwellings, consisting of mostly single storey and two storey terraces from the late 1800s.

C2 Encourage more substantial developments south of Collins Street where residential infill has already occurred.

C3 Promote the rhythm within the streetscape created by the allotment sizes, predominance of detached and semi-detached dwellings and building size.

C4 Maintain the character and consistency in architectural detail of continuous rows of terraces.

C5 Improve the environmental amenity and interest for pedestrians accessing the area.

C6 Preserve and enhance the sandstone walls along Nelson Street as well as the character of the dwellings by preventing sub-ground developments, such as garages.

C7 Preserve and enhance views created by stepping buildings with the contours along Nelson, Taylor and Susan Streets.

C8 Preserve and integrate natural rocky outcrops into the landscape of the area, particularly where visible from public places.

C9 Preserve and enhance the mature gardens to the rear of dwellings along Johnstons Creek, which add to the amenity of the vegetative corridor.

C10 Maintain the prevalence of mature, regularly spaced street trees as well as mature and visually significant trees on private land.

C11 Maintain the harmony/character of the neighbourhood by ensuring development is complementary in form and materials, and reflects the cohesiveness of the streetscape.

C12 A range of building wall heights apply to the Nelson Street Distinctive Neighbourhood:

a. a maximum building wall height of 6m applies to the neighbourhood except in Taylor Street, Susan Street and Albion Street east of Nelson Street where a 3.6m wall height will apply;

b. where new development adjoins two storey or higher buildings it may exceed the applicable wall height control but should not exceed the higher ridge height adjoining;

c. on sloping sites new developments should step with the contours of the topography.

C13 Significant sandstone walls and rock outcrops shall be retained in their existing form and where appropriate, be integrated into the landscape.

C14 New driveway crossings are to be avoided. Existing crossings are to be minimised.

C15 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.1.6(a) Nelson Street Laneways Sub Area

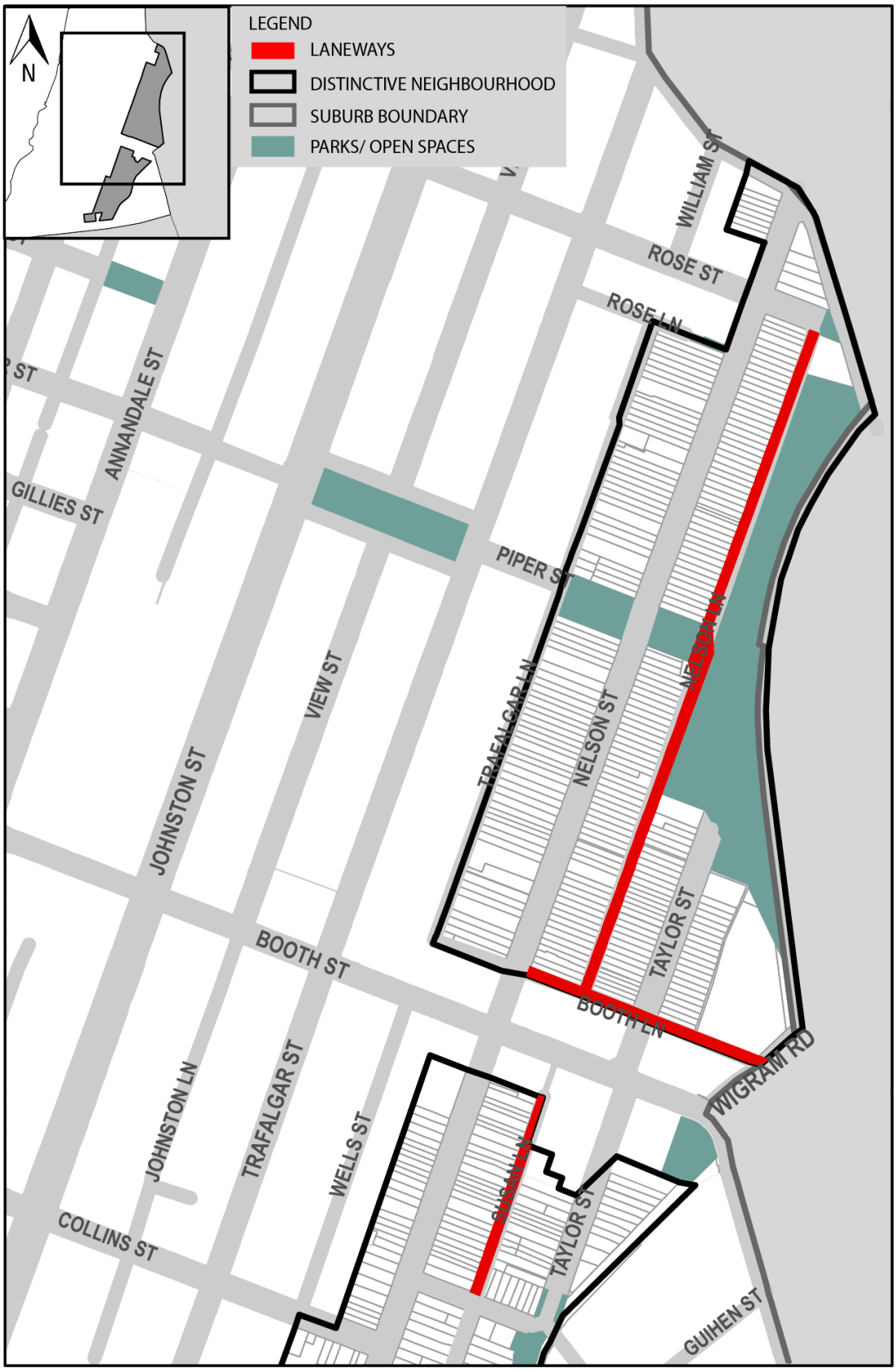

Figure C34: Nelson Street Laneways Sub Area

The Nelson Street Laneways Sub Area is located within the Nelson Street Distinctive Neighbourhood. The laneways generally provide access to the rear of properties and parking. There are several forms of residential development fronting onto the lanes, including single storey cottages, dwellings above garages and multi-unit developments. There are significant vegetated private gardens, which add to the amenity of the laneways and provide a link with the Johnstons Creek open space network. This network is identified in the "Sydney Green Web" documentation as being of significance by providing ecological linkages.

Desired Future Character

Objectives

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the predominant service and access character of Nelson Lane (between Booth Lane and Rose Street) and Booth Lane (between Nelson Street and Wigram Road)

C2 Maintain and enhance the prevalence of vegetative corridors created by significant planting in rear yards which contribute to the Sydney Green Web.

C3 Ensure that future development on lanes does not unreasonably impact upon the amenity (including views) of adjacent properties and the 'lanescape'.

C4 Residential development along Nelson Lane (between Booth Lane and Rose Street) and Booth Lane (between Nelson Street and Wigram Road) shall be discouraged.

C5 Development is to be consistent with any relevant objectives and controls within the Nelson Street Distinctive Neighbourhood.

C2.2.1.6(b) Smith, Hogan and Spindlers Parks Sub Area

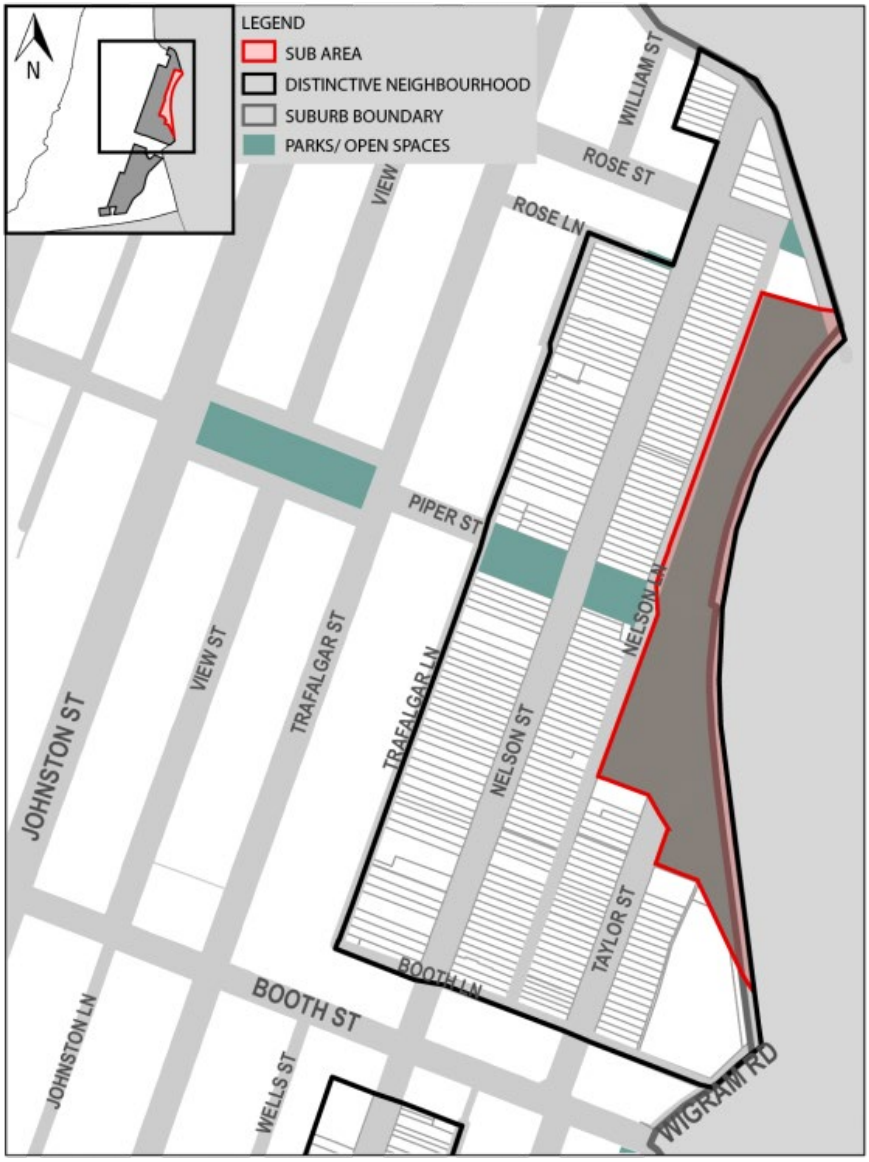

Figure C35: Smith, Hogan and Spindlers Parks Sub Area

The Smith, Hogan and Spindlers Parks Sub Area is located within the Nelson Street Distinctive Neighbourhood. The Sub Area abuts Johnstons Creek and provides a recreational reserve for cycling, walking and a play area for children. This area also provides natural habitat for a range of native flora and fauna, and has the potential for further habitat enhancement. These parks form part of the Johnstons Creek open space network that includes Federal Park and Bicentennial Park.

Residential developments in the lanes adjacent to the Parks do not significantly impact on the amenity of the area. However, there is development that is accessed from Taylor Street that directly abuts Hogan Park.

Desired Future Character

Objectives

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Ensure development adjacent to Hogan, Smith and Spindler Parks does not encroach upon the amenity of the park.

C2 A minimum building setback of 10m from the Park shall apply. This is measured from the common boundary of a site adjacent to Hogan Park and Smith Park to the nearest external wall of a building (excluding decking and pergolas).

C3 Properties with a side boundary to the parks shall maintain a minimum buffer of 2m between the residential development and the boundary line.

C4 Development is to be consistent with any relevant objectives and controls within the Nelson Street Distinctive Neighbourhood.

C2.2.1.7 Parramatta Road Commercial Distinctive Neighbourhood

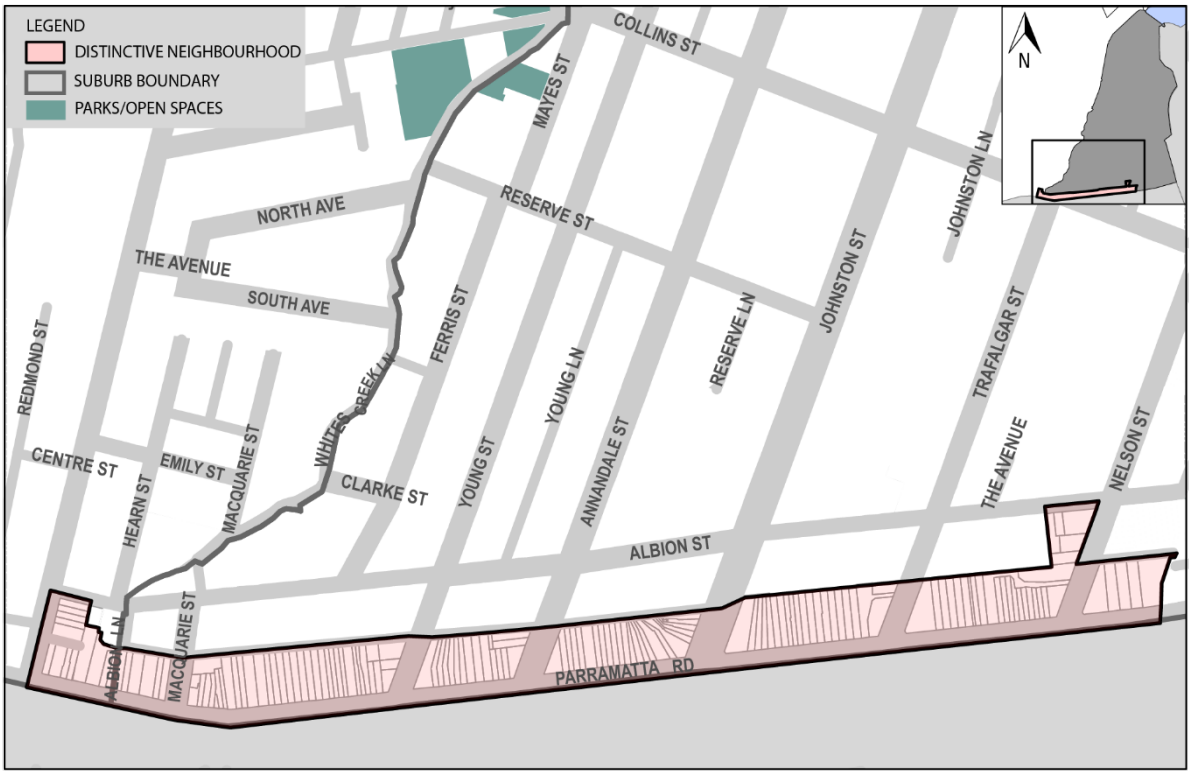

Figure C36: Parramatta Road Commercial Distinctive Neighbourhood

Outline

The Parramatta Road Commercial Distinctive Neighbourhood is located within Annandale. Development within this Distinctive Neighbourhood is required to be consistent with the objectives and controls listed below.

In addition, development is required to be consistent with other relevant sections of this Development Control Plan.

Landform

The neighbourhood comprises the northern side of Parramatta Road from Catherine Street in the west to Johnstons Creek to the east as well as some properties within Nelson Street.

Parramatta Road defines the southern boundary of Annandale suburb and gradually slopes in a west/east direction, perpendicular to the contours of Annandale suburb.

The boundary of the Parramatta Road Distinctive Neighbourhood is defined by the rear of properties fronting onto Parramatta Road and all Business zoned land between Catherine Street and Johnstons Creek and those fronting onto Albion Lane.

Existing Character

Parramatta Road is one of the main arterial roads that connect the Western Suburbs and the CBD. Parramatta Road is one of the oldest roads in Sydney being the original European land link between Sydney and Parramatta.

The architectural significance and use of the buildings along Parramatta Road within the Annandale area varies from late 1800s development to modern development and changes in use from Industrial to commercial.

This neighbourhood demonstrates the gradual change in architectural influence of the Victorian Italianate style over time. This historic significance of the area is typified by the retention of original commercial terraces.

However, the façades of many buildings have been altered to incorporate modern windows, shop fronts and entrances. There has also been a proliferation of unsympathetic signage that has detrimental impacts on the historic significance of the neighbourhood. The shop fronts along this section of Parramatta Road include the use of glass fronts and roller doors, with signage being mainly flush wall, hamper, fascia and window signs with the occasional use of painted and projecting wall signs above the awnings.

From Catherine Street to Johnston Street, the building height varies between single and two storey buildings with many buildings incorporating a parapet.

East of Johnston Street the building height is predominantly two storeys, with buildings incorporating parapets between Johnston and Trafalgar Streets. There are also rows of original two storey Victorian Italianate Terraces along this section with second storey balconies overlooking Parramatta Road.

Larger buildings such as the Goodman's Buildings, the Annandale Hotel, the ANZ Bank, Beaurepaires Auto Service Centre dominate the corners of intersections with Parramatta Road.

The variety of business uses along Parramatta Road includes music shops, small grocers, new and used furniture stores, banks, antique shops, butchers, cafés and solicitors.

Many of the allotments fronting onto Parramatta Road back onto Albion Lane, which has a predominant service and access character. The lane is approximately 5m in width and benefits from significant back yard planting.

Several of the commercial buildings backing onto the lane incorporate dwellings. As the lot sizes are relatively large (approximately 40m in depth) additions and alterations to the rear of commercial buildings that incorporate residential components have occurred. These developments include units and townhouse-style dwellings, which are not visible from Parramatta Road and are accessed from Albion Lane.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote urban design and land uses that maintain and protect the heritage significance of the Heritage Conservation Area.

C2 Encourage contemporary development that is complementary to the architectural style of the streetscape.

C3 Retain and enhance, through existing and new development, the traditional hard edge and scale of dwellings along Parramatta Road, to maintain the buffer between Parramatta Road and the residential area.

C4 Improve accessibility, pedestrian amenity and linkages.

C5 Improve the environmental quality of Albion Lane by:

a. reducing unsightly land uses and vehicular access ways,

b. encouraging landscaping of the laneway, and

c. maintaining reasonable levels of solar access to the laneway.

C6 Maintain the character of the area by keeping development complementary in architectural style, form and materials.

C7 Retain or restore original shopfronts, regardless of current or proposed use, to provide for future flexibility.

C8 Encourage the restoration of Victorian Italianate Terraces.

C9 Encourage appropriate signage consistent with the predominant signage type.

C10 Preserve existing street trees and promote further street trees, using native species when possible.

C11 Enhance and promote the continual development and ongoing viability of businesses uses on Parramatta Road.

C12 A maximum building wall height of 8m, taken from the street frontage, shall apply to buildings along Parramatta Road, however a total maximum building height of 11m may be achieved where a stepped setback of at least 3m from the building frontage above 8m is achieved.

C13 Commercial development should continue the traditional position of construction to the street alignment with buildings to be set at right angles to the front and side boundaries.

C14 Signage along Parramatta Road must complement the existing signage of the streetscape and signage above awnings will not be supported.

C15 Where possible, original buildings along Parramatta Road should be retained and/or restored.

C16 Where appropriate, façades shall be restored to their original form with respect to elements such as windows, balconies, ornaments, balustrading and urns on the parapets.

C17 Unsympathetic development, including excessive window glazing is discouraged.

C2.2.1.8 Camperdown Distinctive Neighbourhood

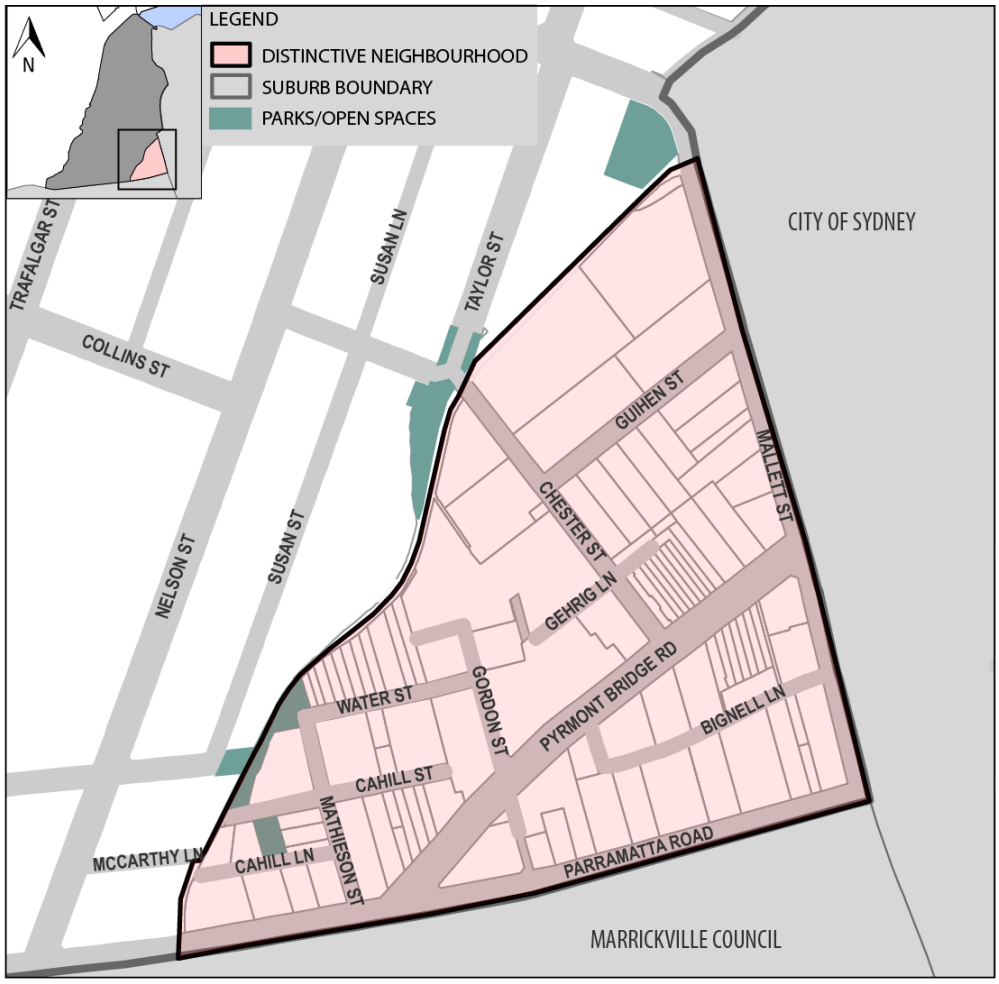

Figure C37: Camperdown Distinctive Neighbourhood

Outline

The Camperdown Distinctive Neighbourhood is located in the south-east corner of Annandale. Development within this Distinctive Neighbourhood is required to be consistent with the objectives and controls listed below.

In addition, development is required to be consistent with other relevant sections of this Development Control Plan.

Landform

The Camperdown Distinctive Neighbourhood is located in the south-eastern corner of the suburb of Annandale. The neighbourhood is bounded by Johnstons Creek to the west, Booth Street and Mallet Street to the east and Parramatta Road to the south.

Pyrmont Bridge Road, Parramatta Road and Booth Street are the predominant streets running through the neighbourhood. The southern section of the neighbourhood, encompassing Pyrmont Bridge Road and Parramatta Road has a relatively flat topography. To the north-west, the land slopes down to the Johnstons Creek line.

The open space area running along the Johnstons Creek line provides an effective buffer between the zone IN2 Light Industrial area and the adjoining zone R1 General Residential area to the north.

Existing Character

The Camperdown Distinctive Neighbourhood represents one of the few well defined and intact pockets of industrial land within land where this DCP applies. Whilst initially developed for residential uses during the late Victorian period, the area was redeveloped during the early 1900s for manufacturing. The area was suitable for industrial development due to the relatively flat topography, the buffer provided by Johnstons Creek and the proximity to the City of Sydney. Significant buildings, such as the Federation period warehouse on the corner of Booth Street and Pyrmont Bridge Road, are evidence of the earliest phase of industrial development within this area.

Over time, the manufacturing base has been replaced by the current mix of light industrial, service and warehousing uses which characterise the Camperdown Distinctive Neighbourhood. The demand for adequate facilities for light industrial uses adjacent to the city continues to be high, as demonstrated by the redevelopment of a number of the original manufacturing buildings for light industrial and warehousing uses.

Overall, the area retains a strong industrial character, with many of the original buildings having been adaptively reused to address more contemporary requirements and activities. The light industrial activities that take place within the neighbourhood are largely housed within the buildings themselves rather than taking place on street, ensuring that amenity impacts are kept to a minimum. Along Parramatta Road, a number of the buildings have been adaptively reused and now house home wares, furniture and antique showrooms. However, the built form is still clearly “industrial” in nature, with a predominance of low, horizontal buildings on large allotments, with symmetrical and articulated façades. The building height is two to three storeys, with parapet roofing and buildings constructed to the street alignment. The commercial development located at street level provides an active street frontage along Parramatta Road.

The industrial area along Pyrmont Bridge Road, which runs from Parramatta Road to Booth Street, contains contemporary industrial development interspersed with original factory buildings. The contemporary industrial development generally repeats the predominant characteristics of the original manufacturing buildings, with a two to three storey height, buildings aligned with the street, low horizontal lines, articulated façades and horizontal façade details such as windows. The consistent height of buildings and location on the street alignment provides a “hard building edge.”

Chester and Guihen Streets contain a mix of newer industrial “mews” style development, as well as large-scale service industry buildings (Australia Post Distribution Centre and Kennards Self Storage).

Unlike the industrial buildings along Pyrmont Bridge Road and Parramatta Road that have rear service lanes and are built to the street alignment, buildings within this northern section of the neighbourhood have varied setbacks and orientations, to accommodate on-site parking and deliveries. The mews developments are generally two storey in height, whilst the Distribution Centre and Self-Storage buildings have a 14m street wall height.

Between Gordon and Mathieson Street, there is a mix of contemporary industrial development located alongside original warehouse buildings. Again these are predominantly three storeys in height and are built to the street alignment.

Interspersed within the industrial development are small pockets of remnant residential development. Along the eastern section of Pyrmont Bridge Road, a row of two storey Victorian terraces sits alongside a corner store and Federation period warehouse, and a group of detached, single storey Federation dwellings are located to the rear of industrial development on Water Street, adjacent to Johnstons Creek.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Ensure the ongoing viability of industrial uses.

C2 Maintain the integrity of the area by minimising residential and commercial 'creep' into the area.

C3 Encourage adaptive reuse of original manufacturing buildings to retain the predominant character of the neighbourhood whilst allowing for a range of contemporary and compatible industrial uses.

C4 Preserve the existing industrial subdivision pattern which is characterised by large allotments.

C5 Allow for consolidation of smaller lots to facilitate the expansion of industrial activities within the neighbourhood.

C6 Industrial activities to be located within buildings to minimise noise and excessive street activity.

C7 Where there is rear lane access provided, ensure that industrial development is built to the street alignment to continue the prevalent setbacks and provide a "hard edge" along the street.

C8 Retain and enhance the existing heritage items within the neighbourhood.

C9 Protect and enhance the residential amenity of dwellings surrounding the neighbourhood.

C10 Ensure that new development is complementary to the existing scale and character of existing industrial development.

C11 Ensure that new development continues the symmetrical and articulated façades and predominant horizontal proportions that characterise existing industrial development.

C12 Ensure that original materials such as face brick, are retained and conserved.

C13 Ensure that new development incorporates materials on street façades that are compatible with existing development, such as face brick or rendered masonry.

C14 Ensure that any rendered or painted surfaces use heritage colour schemes that are complementary to adjoining development.

C15 Encourage appropriate signage consistent with the predominant signage within the neighbourhood.

C16 Where development is not built to the street alignment, ensure that the front setback and internal areas are landscaped to provide visual relief and a landscaped buffer to the street.

C17 Improve, extend and enhance the open space corridors adjacent to Johnstons Creek.

C18 Open up pedestrian links to the open space corridor of Johnstons Creek, through and around the industrial areas.

C19 Where appropriate, original buildings, building elements and materials shall be retained.

C20 Industrial uses must be predominantly located within the building area, to minimise noise and ensure that streetscape amenity is maintained.

C21 Future lot subdivision must be consistent with the prevailing industrial lot sizes within the locality.

C22 Where properties are serviced by a lane, vehicular access should be achieved via the lane and not from the primary street frontage.

C23 Appropriate off street servicing facilities (e.g. loading bays) should be provided. The limitations of street size should be considered in determining the size of service vehicles and facilities.

Parramatta Road

C24 Promote the viability of compatible industrial development (including showroom uses) at street level to provide an active street frontage.

C25 Encourage the retention of the parapet roof line of industrial buildings along Parramatta Road.

Guihen Street

C26 Maintain the existing large-scale service character of development on Guihen Street.

C2.2.2 Balmain Distinctive Neighbourhoods

The following areas within Balmain are identified as 'Distinctive Neighbourhoods' by virtue of topography, estate and street pattern or building form.

The Sub Areas identified within some of the Distinctive Neighbourhoods are areas which have unique characteristics, with specific objectives and controls.

Development is required to be consistent with the Desired Future Character objectives and controls within the Distinctive Neighbourhood and any Sub Area within the locality, in addition to the requirements within other sections of this Development Control Plan.

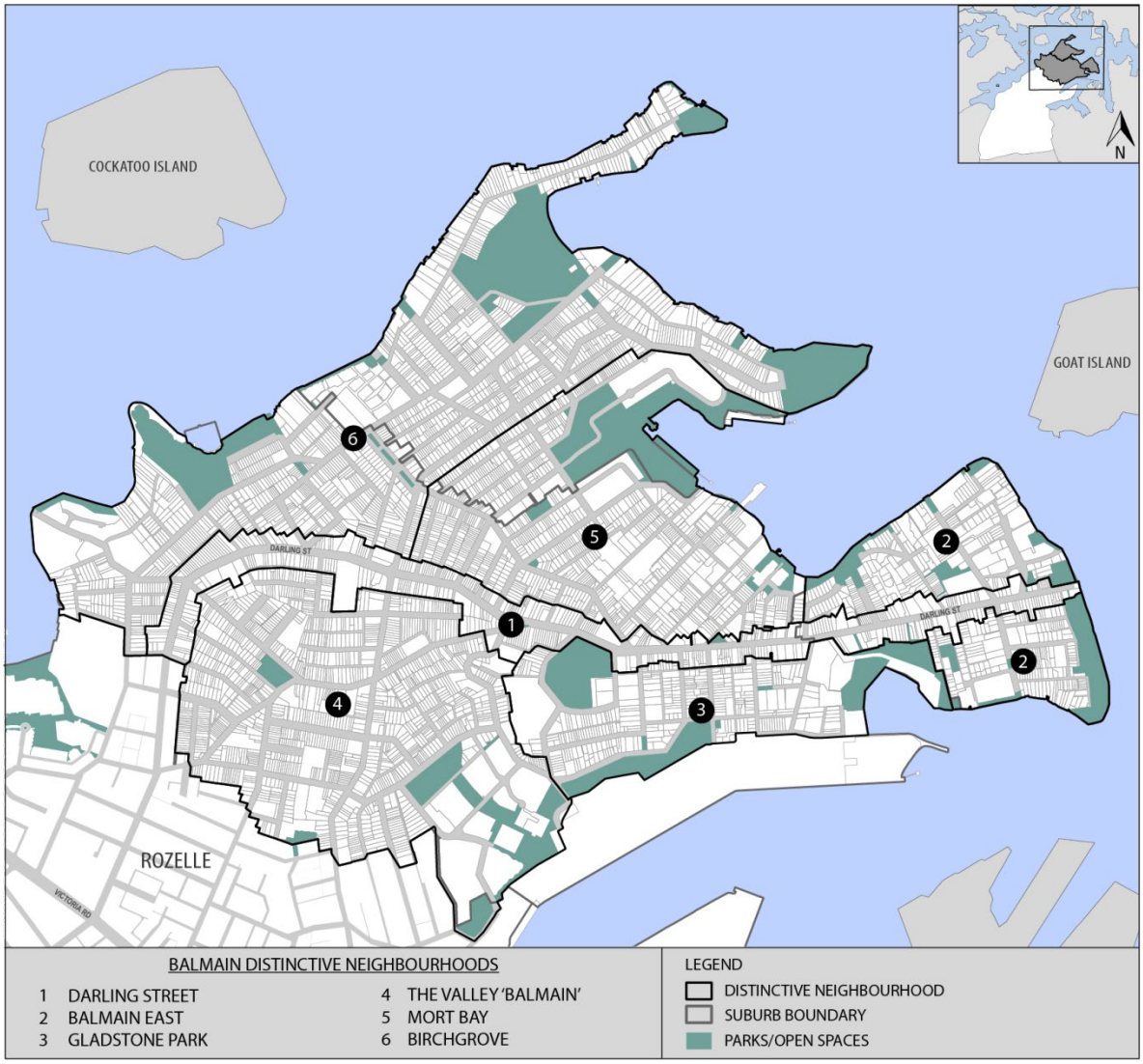

Figure C38: Balmain Distinctive Neighbourhoods

C2.2.2.1 Darling Street Distinctive Neighbourhood

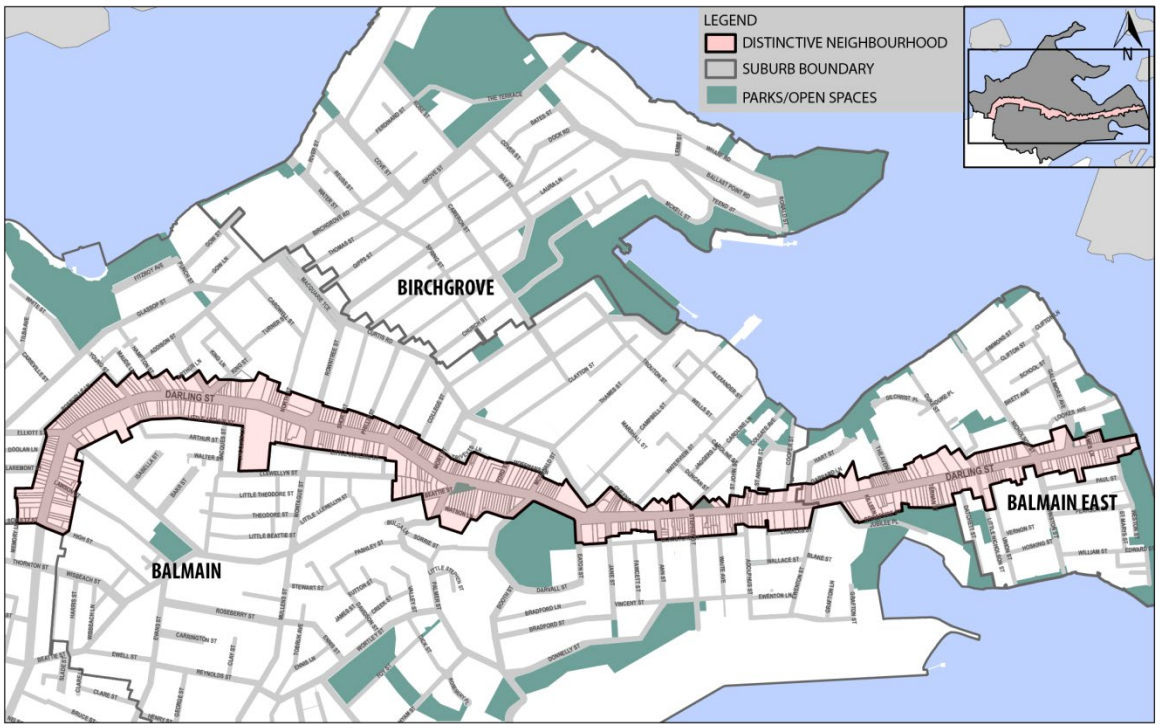

Figure C39: Darling Street Distinctive Neighbourhood

Outline

This neighbourhood has three discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Residential and Civic Precinct Sub Area – Section C2.2.2.1(a);

b. Balmain Village Sub Area – Section C2.2.2.1(b); and

c. Darling Street East Sub Area – Section C2.2.2.1(c).

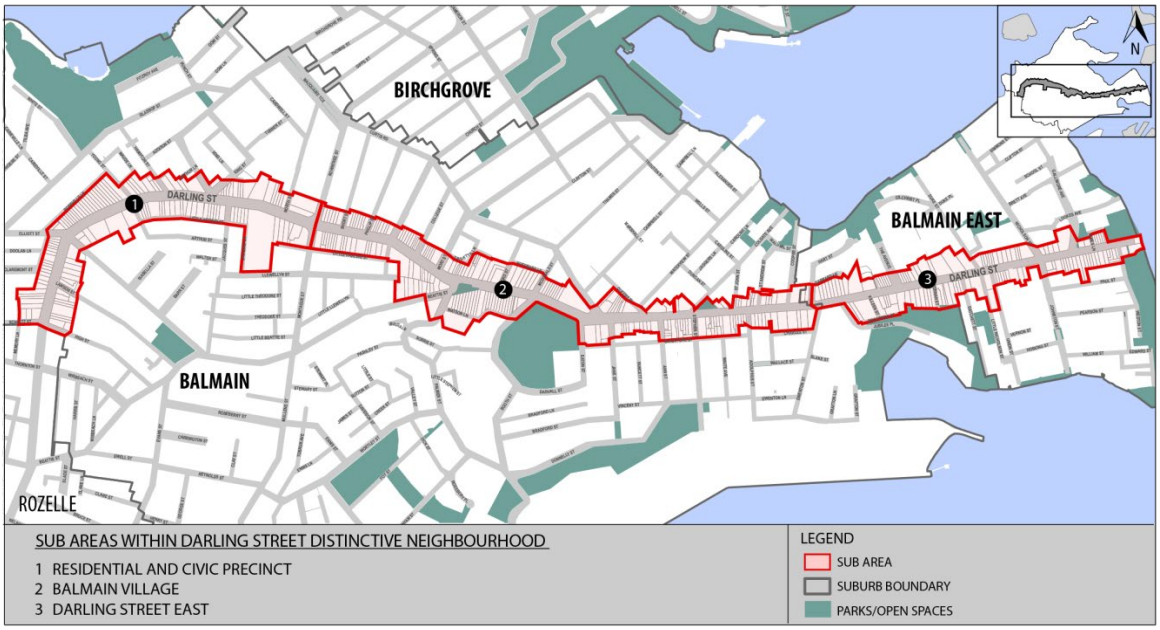

Figure C40: Sub Areas within Darling Street Distinctive Neighbourhood

Landform

The boundary of the Darling Street Distinctive Neighbourhood is defined by the rear of properties fronting onto Darling Street and comprises the length of Darling Street high street in the west to the ferry wharf at Balmain East.

Although primarily a commercial neighbourhood, the neighbourhood includes residential uses, civic buildings and open space.

Darling Street follows the main ridgeline of the Balmain peninsula. The street drops away dramatically after Gladstone Park, and then rises steeply to Balmain East, before again dropping steeply to the Darling Street Wharf.

The neighbourhood follows a sinuous line along the Balmain ridge, resulting in a sequence of vistas to a number of prominent structures along the road, such as the bank in Loyalty Square and the Town Hall. Many narrow side streets drop away from Darling Street to the waterline, providing glimpses to the waterways, the City skyline and bridges towards the east.

Existing Character – History

Darling Street was originally surveyed with a 50 foot alignment given the rugged topography of the peninsula and provided convenient access via water (from the east) and via land (from the west). Road access was via Balmain Road to Parramatta Road, and connected with the City.

Darling Street was periodically widened to its current width over a century, and now has a variable carriageway of approximately 20m wide.

The first businesses on Darling Street were established in what is now Balmain East and then spread west when population increased. In the 1830s and 1840s there were grocery shops and public houses serving the local community within Balmain East.

By the latter part of the 1800s Darling Street served a population of over 30,000 people. Many people were employed in such diverse industries as manufacturing, bridge building, abattoirs, timber milling, soap manufacturing, cartage and all facets of shipping.

Following World War II the retail function of Darling Street went into a decline due to rising affluence and growing car use within the city. Retained floor space was either underutilised or taken over for other uses such as residential and commercial, particularly on the periphery.

Due to regeneration in recent decades and the growth of personal services and restaurants, this trend has reversed but with the retail core remaining compact. In parallel, office use has expanded considerably.

The architectural character and scale of the street is primarily a Victorian style high street which is mainly two storeys high. However, the sequence of slope, elevation, and alignment of the road results in changes of scale and character and land-use along its length. Generally, the residential portions of street are made up of detached and semi-detached buildings, which are setback from the street with intervening trees. A variable mix of form, scale and materials are used on these buildings.

The commercial sections generally have continuous street walls, are two and three storeys in scale, include parapet fronts with balconies, verandahs and awnings projecting into the street space. The sequence from west to east is as follows:

a. Western end – Large two storey detached houses and terraces, with generous setbacks, but with a neighbourhood centre clustered around the Elliot Street junction.

b. A crest past the civic group and beginning of the commercial centre: then a gentle fall to Loyalty Square. The Civic Group marks the main crest, with a cluster of towers, as the main landmark of the suburb. The Town Hall forms the western bookend to the town centre.

c. The gentle slope towards Loyalty Square comprises the main retail core, with principally two storied parapet fronted terraced shops predominating. The sunny southern side sits higher and has visual dominance in the streetscape. The grander Victorian boom style buildings are also on this side. The northern side includes more infill built during the 1900s, with a consequently lower scale.

d. Loyalty Square – the cross roads junction is marked by the monumental former NSW Bank building in the approach from the west, and the Unity Hall Hotel from the east, with the centrepiece of the War Memorial.

e. Terraced shops continue in the sequence to Gladstone Park, again with the south side dominant over the north in terms of wall heights and embellishments.

f. The eastern end of the centre is dramatised by a crest open space. Gladstone Park is encircled by dramatic structures including the School, St Augustine's, the terraced shops on the northern side, and the punctuation of the gateway and gap to the east end, with St Andrews; hence, this is the eastern bookend to the main town centre.

g. The steep drop away to the east opens broad views across the leafy knoll of Balmain East to the City icons including the Harbour Bridge as well as the City skyline moving away to the south is the most dramatic view in the sequence. Buildings drop in scale and become a residential commercial mix. Most buildings are two storied and more modest in scale and style with pitched roofs rather than parapets, often stone, being the earliest buildings in the centre.

h. The saddle around Cooper Street is residential with lower scaled more modern development on former industrial sites to both sides, with more gaps in the street wall for views out and more vegetation.

i. The street then rises steeply up to the Balmain East centre between Duke and Nicholson/Johnston Streets. While the centre is tightly contained by the mix of stone and rendered buildings, they have the lower and more modest scale and simpler forms of earlier development, and the street is open to the long views out to the termination of Darling Street, to an oblique and dramatic view of the Harbour Bridge.

j. The street then falls steeply to the ferry wharf, contained principally by higher set housing, mainly attached and a generous two stories, on the south side, which opens views out to the north-east across the harbour to the north shore ridge. Early stone buildings cluster around the end of Darling Street as reminders of the beginnings of settlement on the peninsula. The Ferry Wharf marks the eastern end of Darling Street and serves as an interface and transport link between residents and the Harbour and CBD.

The identity and character of Darling Street changes substantially as it runs from Rozelle to Balmain East. This effectively separates it into three distinct areas; the Residential and Civic Precinct Sub Area, Balmain Village Sub Area, and Darling Street East Sub Area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the existing streetscape with special consideration for the remaining Colonial and Victorian buildings.

C2 Allow for contemporary redevelopment where it is complementary to the existing heritage streetscapes and character/scale of the neighbourhood.

C3 Preserve and enhance pedestrian links along Darling Street.

C4 The interface between Business zoned sites along Darling Street and adjacent Residential zoned land is to be carefully considered in light of issues relating to bulk, scale and residential amenity. In this regard the provisions of Part C4.5 – Interface Amenity within this Development Control Plan are to be considered in the assessment of development on business zoned land along the interface boundary between Residential and Business zoned land.

C5 The maximum building wall height is 6m for residential sites and 7.2m for commercial sites except as follows:

a. the maximum building wall height for the Balmain Village Precinct is to be 10m on the southern side and 7.2m on the northern side.

C6 Due to the diversity of building scale along Darling Street, the maximum building wall heights listed above should also be determined on the basis of the following:

a. the primary reference is the building scale in the immediate vicinity of the subject site, eg terrace houses, traditional Victorian shop top terraces and single storey dwellings. i.e. they should be in keeping with their neighbours;

b. the maximum building wall height in the commercial and eastern portion of the neighbourhood is generally 7m – 10m.

C7 Changes to the front façades of continuous rows of attached dwellings shall be avoided by requiring any additions to be located at the rear of dwellings.

C8 Rooftop additions higher than the building wall height, if permitted, are to be set back from the front of the building to preserve the traditional scale of development and streetscape.

C9 New commercial development shall maintain a sympathetic connection with the 1800s/early 1900s commercial streetscape of Darling Street. Contemporary buildings should not mimic the traditional architecture; but retain complementary scale and materials.

C10 Building elements should comply with the C1.16 – Structures in or over the Public Domain: Balconies, Verandahs and Awnings contained in this Development Control Plan.

C11 Significant sandstone walls and rocky outcrops shall be retained in their existing form and where appropriate, be integrated into the landscape or building fabric.

C12 Development adjacent to residentially zoned land is to be considered in light of Part C4.5 – Interface Amenity within this Development Control Plan. Such consideration is to apply only to the interface boundary and has the following objectives:

a. to preserve residential amenity, and

b. to ensure an appropriate transition in bulk and scale of development.

C13 Original detailing including façade finishes, roofing and guttering, windows and doors, fenestration, verandahs and posted balconies should be retained or restored where appropriate.

C14 Shopfronts for contemporary buildings should maintain the traditional rhythm and scale of the street. Shop fronts should preserve the proportions and openings of the established streetscape and should allow for disabled access in accordance with Part C1.10 - Design for Equity of Access and Mobility of this Development Control Plan.

C15 New driveway crossings are discouraged along Darling Street.

C16 Signage along Darling Street must complement the existing streetscape. Signage above awnings will not be supported. Signage is to be sympathetic with the bulk, scale and colours of the building covered by Part C1.15 Signs and Outdoor Advertising of this Development Control Plan.

C17 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.2.1(a) Residential and Civic Precinct Sub Area

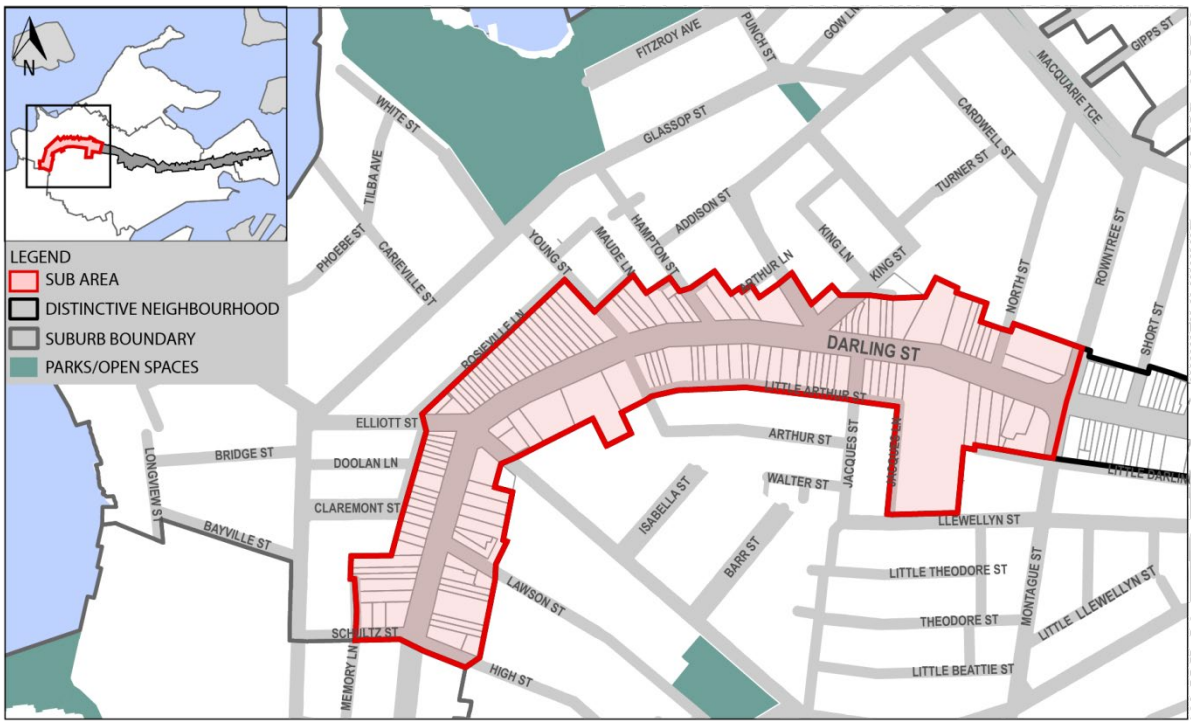

Figure C41: Residential and Civic Precinct Sub Area

The Residential and Civic Precinct Sub Area is a section of Darling Street that comprises the area linking Rozelle and the Balmain Village Centre. This is a mixed use precinct with residential uses, neighbourhood shops, the civic precinct and the start of the central Balmain commercial strip.

Located between Llewellyn and Montague Streets is the Balmain Civic Precinct. This area includes the Town Hall, Courthouse, and Police Station. These buildings are constructed in the grand Victorian style with the scale and style denoting the authority of the Imperial Crown.

This cluster of buildings is overseen by the clock tower attached to the Post Office. The civic buildings in this precinct are listed in the Town Plan as a combined heritage item, as is the mansion formerly inhabited by Edmund Blacket at 393 Darling Street. Residential flat buildings and newer dwellings along Darling Street have driveway crossings, however these are in the minority.

East of Arthur Street, all properties on the southern side have rear laneway access. Laneways in this area are between 3.5m and 5m wide, paved and have kerbing to control stormwater drainage. Most commercial properties are serviced by rear laneways.

Across Darling Street from the civic precinct are numerous shops denoting the beginning of the main Balmain commercial hub.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain differentiation between front setbacks in residential and commercial uses to permit landscaping in residential areas.

C2 Uses of public buildings within the civic precinct should respect the heritage values of the sites.

C3 Promote a civic and social focal point in the precinct.

C4 Development is to be consistent with any relevant objectives and controls within the Darling Street Distinctive Neighbourhood.

C2.2.2.1(b) Balmain Village Sub Area

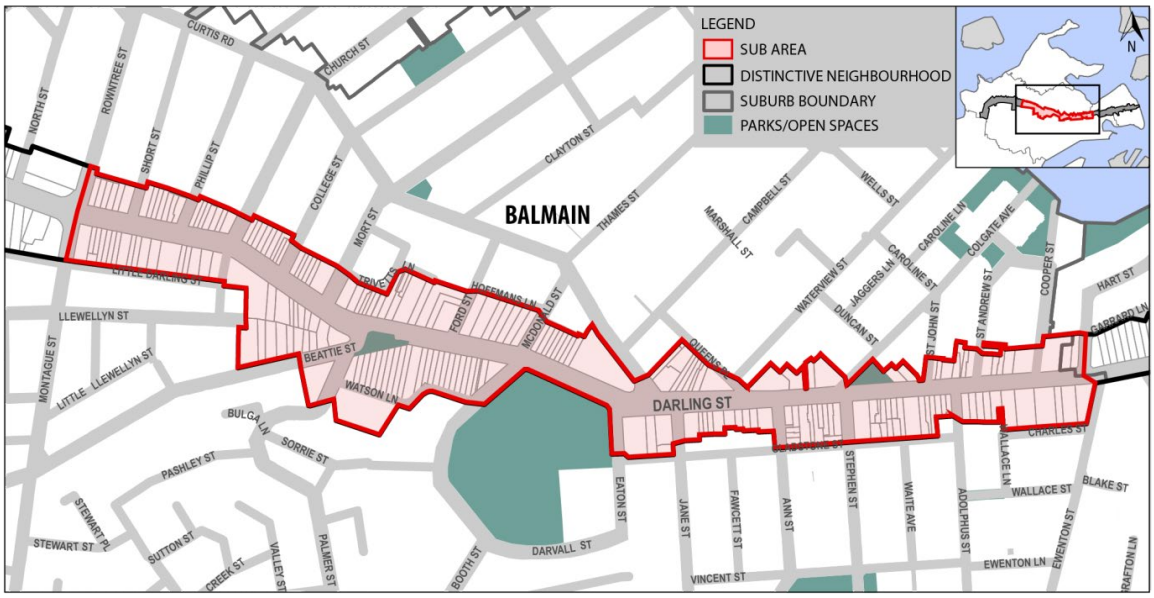

Figure C42: Balmain Village Sub Area

The Balmain Village Sub Area stretches from Montague Street to Gladstone Park and is the main commercial area within the Balmain Village.

The dominant building form is parapet fronted Victorian terraced shops with residences above. There are examples of other styles with architecture ranging from early Colonial, Mid Victorian, highly ornate late Victorian, Federation shopfronts, Art Deco style buildings and post-war styles. Residential components of these commercial buildings extend up to three storeys in height mostly on the southern side. Cantilevered awnings are a consistent feature of the commercial properties. In this neighbourhood the footpath width is variable and ranges between 3m and 4m.

Development on the northern side of Darling Street has resulted in buildings of one and two storeys. These buildings have lower floor to ceiling heights (and less bulky parapets) than development on the southern side of the street. Taller buildings with larger dimensions and higher parapets are positioned along the southern side of the street and this difference in scale is notable from the west along Darling Street.

The majority of the commercial premises on Darling Street were purpose built in the latter Victorian era as shops with residences above. The classically ornate parapets and façades incorporated in these buildings form a major visual element in the streetscape. Continuous suspended awnings over the footpath contribute a strong horizontal element to the streetscape. There are some contemporary copies of traditional posted balconies throughout the neighbourhood.

The few remaining two storey residential terraces in the commercial area are mainly used for commercial purposes. The most common finish is rendered masonry walls and timber framed windows. Some exposed stone walls from the pre 1860s are still visible. Skillion roofs are the most common form of roof design with iron roofing being most prevalent. Where terrace houses have been converted to commercial use the pitched slate roofs remain, as do the narrow balconies behind iron lace balustrades. Terrace houses in the heart of the commercial village tend to be set back 2m from the street frontage while all other commercial buildings are built on the boundary.

There are occasional examples of non-traditional building forms spread throughout the neighbourhood. These buildings have brick and glass plate walls and flat roofs with aluminium parapets.

At the heart of the Balmain village is Loyalty Square at the junction of Darling and Beattie Streets. This part of Darling Street has as a backdrop, the Sydney CBD. The centrepiece of the square is the war memorial, erected in 1916 and moved several metres to its current location in 1999. The square and surrounding built forms are a mix of styles, scales and materials. The square and several surrounding buildings are listed heritage items.

The shopfronts in the area range from traditional Victorian shop buildings (most of which have shopfronts from the early 1900s) to later mixed style shopfronts. In many instances, shopfronts from the early 1900s have been added to older buildings.

At the eastern end of the village centre are Gladstone Park and St Andrews Church (c.1853). The church is notable for its elegant stone construction and tower as well as for the saturday markets held there.

Gladstone Park marks a reduction in scale and a change to an older, 1860s era streetscape. Gladstone Park is surrounded by Booth, Darvall and Eaton Streets. With an area of 1.8 hectares, this park is the largest open space area along Darling Street.

The eastern end of the village precinct is marked by the low point on the peninsula around Ewenton Street. This part of Darling Street is notable for its older buildings with a texture distinct from the

central part of the Balmain Village. This is largely due to the prevalence of earlier buildings and due to the tapering off of the built scale, east of Gladstone Park to a mid-1800s scale. This part of Darling Street is characterised by numerous heritage items and the distinct texture of the unadorned stone and timber buildings.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 The provision of residences above street level commercial development is encouraged.

C2 Encourage varied uses of Loyalty Square which serve to promote social and economic activity in the village centre. Such uses should be sensitive to the memorial nature of the square.

C3 Maintain a maximum building wall height of 7.2m on the northern side of Darling Street and 10m on southern side of Darling Street.

C4 Development is to be consistent with any relevant objectives and controls within the Darling Street Distinctive Neighbourhood.

C2.2.2.1(c) Darling Street East Sub Area

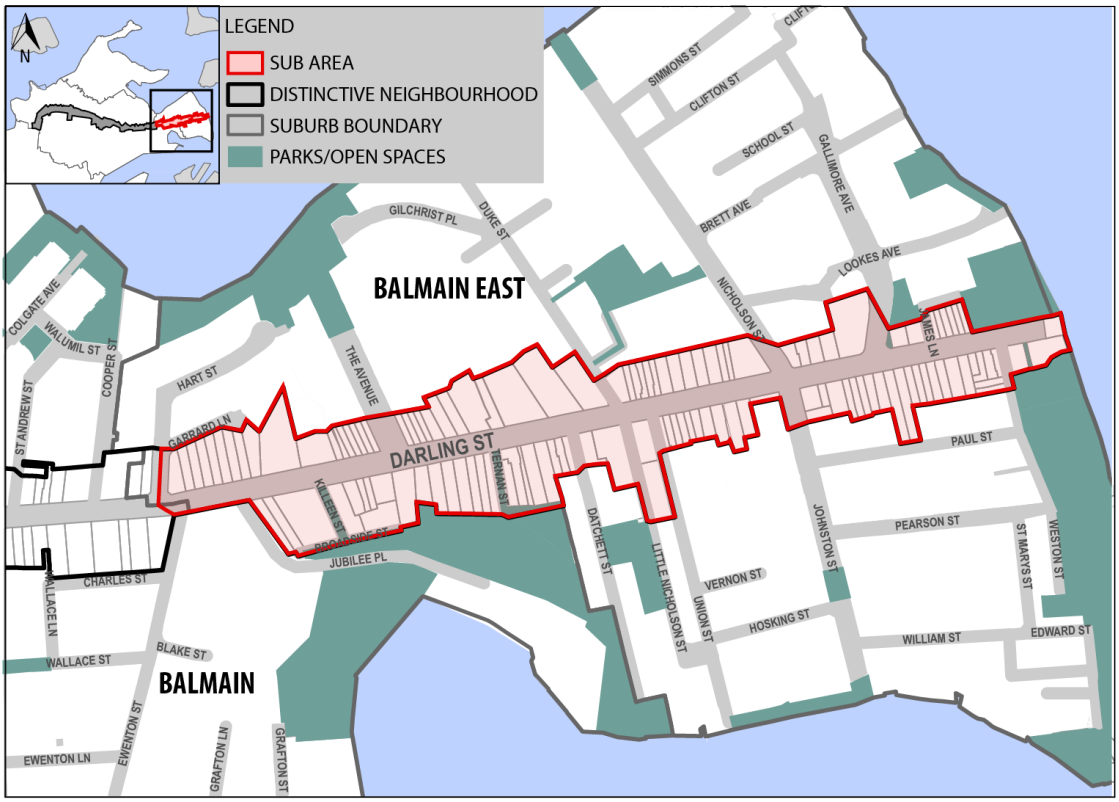

Figure C43: Darling Street East Sub Area

The Darling Street East Sub Area encompasses the land surrounding Darling Street, east of Curtis Road, to the Balmain East Wharf.

The eastern portion of Darling Street is primarily noted for the neighbourhood shops on the hill between Duke and Johnston Streets, as well as by the ferry wharf and bus terminus.

From the Balmain East shops, the road slopes down to the water at the Darling Street Wharf. The built form of Darling Street is interspersed with development from later eras; however, the architecture of the 1850s – 1870s is still readily visible in the materials, scale and built form. The area is notable for its solid Georgian and early Victorian architecture and stone construction. Other significant characteristics of this portion of Darling Street include; narrow footpaths (1.5m - 2m wide), traditional roof forms (pitched, hipped and skillion behind parapets for commercial buildings) and significant tree coverage.

Due to the proximity of the area to the population in Sydney City, this area is the site of some of the earliest commercial and residential development in Balmain.

Originally this area was devoted to the provisioning and servicing of ships. Early businesses along Darling Street included butchers, chandlers and providores of every description in addition to several pubs.

Darling Street in this precinct is characterised by dense single and double storey development built tightly up to the street frontage. The eastern end of Darling Street is now primarily a residential precinct with a small commercial area located between Duke and Nicholson Streets. Some of these buildings are of contemporary design with glass plate shop fronts. This area also comprises numerous residences turned into businesses as well as traditional shop-top housing.

East of Ann Street to Duke Street, Darling Street is primarily residential in character. Between Adolphus and Ewenton Streets on the southern side is the Balmain Bowling Club set behind a sandstone retaining wall. On the northern side of Darling Street is St Marys Anglican Church, which is a gothic style church and includes buttressed walls and stained glass windows. The church was designed by Edmund Blackett and completed in 1859. It replaced an earlier church on the site which dated from 1848. St Marys is a heritage item of State significance.

Also located along this portion of Darling Street are numerous terrace and freestanding houses listed as heritage items. These include stone houses near the ferry wharf and No’s 26-28 Darling Street (built in 1840 by Henry Davey).

On the northern side, the residential development along this strip includes mixed one and two storey post 1980 developments. The older dwellings along this strip are typically stone houses dating from the 1840s. Most of these older buildings have been restored, some with first and second floor additions.

In this area, there are several narrow laneways. These laneways serve as the only vehicle access to many properties on the southern side of Darling Street and are instrumental in maintaining the dense early 1800s atmosphere of the residential streetscape in the area.

Between Johnston Street and the Balmain East Wharf, Darling Street slopes steeply down from the shops to the harbour. This topography gives many sites access to harbour views. This area has numerous stone and timber houses as well as former shops. Adjacent to the wharf is Thornton Park. This park, along with Illoura Reserve, highlights the contrast in scale and amenity between Balmain and the Sydney CBD, with office towers located less than 400m away across Darling Harbour from the ferry wharf.

Notwithstanding the many contemporary and contrasting developments along the eastern end of Darling Street, the significant elements of the streetscape are as follows:

a. predominance of stone used in building and wall construction;

b. street trees and the contributing shade of trees on private land;

c. nil – 1m setbacks for housing;

d. iron picket fencing;

e. slate roofs for larger buildings and iron roofing for most;

f. lack of driveway crossings;

g. strong vertical proportions of window openings in older buildings as well as the lack of the elaborate ornamentation in line with Georgian and Colonial era architecture;

h. less ornate building styles compared to the ornamentation of the high Victorian and Federation periods; and

i. hipped and gable roofs are common.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the historic two storey scale of development.

C2 Encourage the continued use of existing architectural styles, and materials. Materials used should include unpainted stone, masonry, timber framed openings and slate roofs.

C3 Front fences should be low level iron pickets.

C4 Ensure the sharing of views by maintaining a built form which follows the topography of the land.

C5 Preserve the consistency of colonial and early Victorian architectural detail of dwellings.

C6 Maintain and encourage the characteristic materials and architectural elements of the area including rendered finishes, painted brick, timber framed windows and doors, as well as vertical proportions in building design elements.

C7 The reconstruction of posted verandahs is encouraged where consistent with the architectural style of the building and suitable evidence of original verandahs is on that property.

C8 New development or significant additions to buildings should respect the existing context of the streetscape in terms of scale, materials and sympathy to the existing built form.

C9 Discourage additional driveway crossings and prevent traffic conflict points associated with driveway crossings and poorly designed access/exits in order to maintain pedestrian and vehicle traffic flow.

C10 Encourage a broad range of social and community focused activity to serve as an anchor and attractor for the commercial and civic precinct.

C11 Maintain setbacks in the residential and civic precincts to allow vegetation along Darling Street.

C12 Maintain significant sandstone retaining walls and integrate natural rocky outcrops into the landscape of the area, particularly where visible from public places.

C13 Preserve the view lines to the water along the eastern end of Darling Street.

C14 Maintain the prevalence of street trees, as well as mature and visually significant trees on private land within the neighbourhood.

C15 Encourage street trees and private tree plantings which are appropriate species in terms of bulk and height.

C16 Retain existing local commercial development along Darling Street in the village area whilst ensuring that the west and eastern ends of the neighbourhood retain their largely residential focus.

C17 Development is to be consistent with any relevant objectives and controls within the Darling Street Distinctive Neighbourhood.

C2.2.2.2 Balmain East Distinctive Neighbourhood

Figure C44: Balmain East Distinctive Neighbourhood

Outline

This neighbourhood has three discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Eastern Waterfront Sub Area – Section C2.2.2.2(a);

b. North of Darling Street Sub Area – Section C2.2.2.2(b); and

c. South of Darling Street Sub Area – Section C2.2.2.2(c).

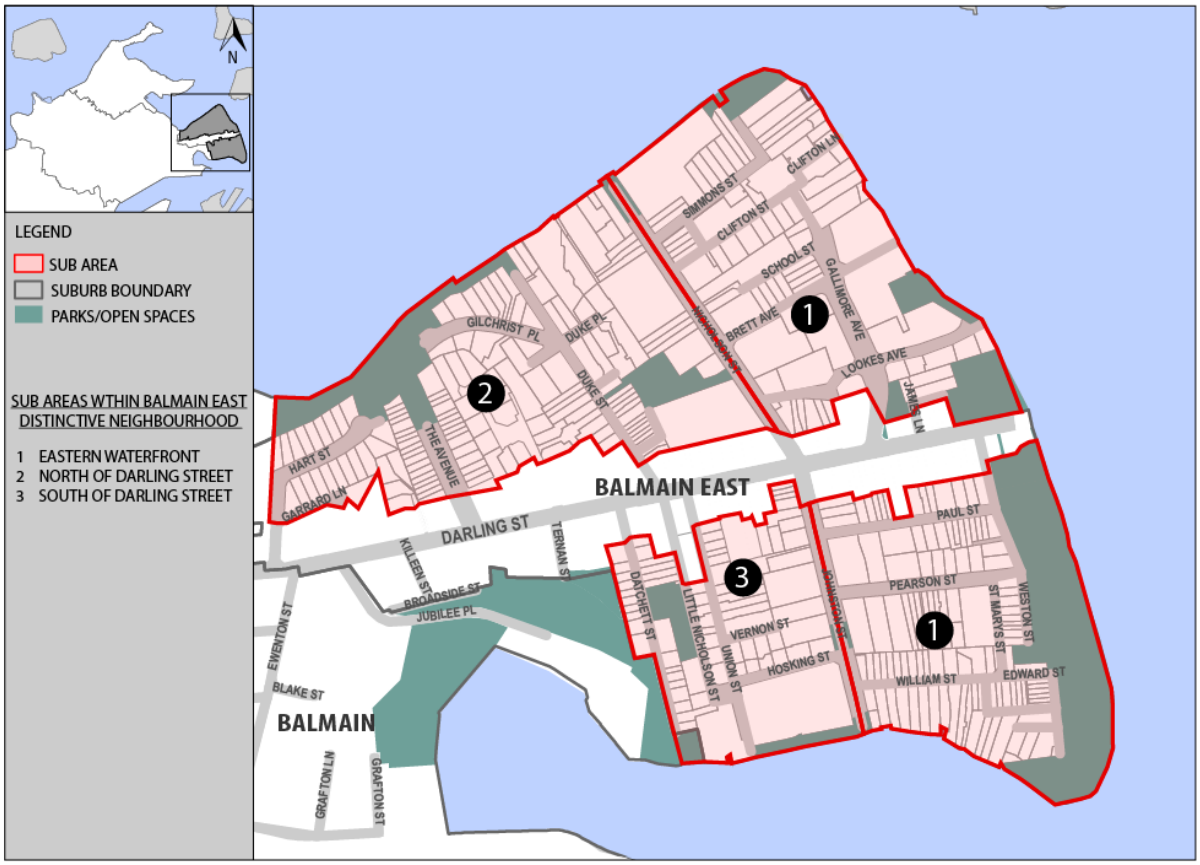

Figure C45: Sub Areas within Balmain East Distinctive Neighbourhood

Landform

The Balmain East Distinctive Neighbourhood is the area of the Balmain Peninsula east of Hart Street and Jubilee Street, excluding land in the Darling Street Distinctive Neighbourhood. All vehicular access to Balmain East is via Darling Street.

Balmain East is a distinct knoll or headland projecting easterly into the harbour. The knoll falls steeply on all sides to the water except for a narrow neck to the west connecting to Balmain proper.

Surface rock is apparent in road cuts as well as cliff lines in the view from the water. The headland has a hammerhead form. The east face of the headland is oriented towards the main harbour, framed by the Sydney Harbour Bridge; the northerly slopes fall down towards Mort Bay and southerly slopes fall down to Johnstons Bay and have an orientation to the City and port activities as well as Pyrmont and Ultimo.

When viewed from the City, Balmain East is seen prominently as part of the peninsula due to its natural form and rocky edges which fall into the harbour.

There have been extensive reclamations with narrow foreshore terraces behind stone sea walls in the area. Extensive landscaped edges and parks to the foreshores give a semblance of naturalness however this is largely a created landscape, with excavation and reclamation producing an altered topography and loss of native vegetation. Clearing of the original vegetation for grazing, roads, housing and industry and the excavation for industrial sites and docks have greatly changed the landform of the area.

Existing Character

Balmain East is characterised by its close links with maritime industry and with the harbour. The neighbourhood is currently characterised by its predominantly residential nature, however, until the 1960s the area had been a varied industrial, maritime and residential neighbourhood.

Presently, the neighbourhood has a small shopping strip at the crest of the Darling Street hill (which forms part of the Darling Street Distinctive Neighbourhood) and two remnant commercial/industrial sites on its northern shore. The remainder of the former industrial sites have been redeveloped, with much of the foreshore land having been converted to open space. Currently, more than half of the Balmain East foreshore is zoned for open space.

The steep headland form of this neighbourhood gives prominence to its built character, particularly roof form. The small scale of the older buildings and the foil of high canopy trees, closely models the landform. The low form of the neighbourhood is abruptly broken by blocky flat buildings particularly along the eastern edge taking advantage of the prime aspect, with some walk up flat blocks and one tower block on the Nicholson/Johnston Streets axis.

The local character of Balmain East Distinctive Neighbourhood is largely a product of the phases of development, as follows:

a. early buildings up to about 1860, being primarily dressed stone, with some timber, one and two storied, detached houses. The scale and form varies between large houses in generous gardens oriented for the views out, and modest houses for local workers, often speculatively built. The remaining structures from this period are either hotels, or housing;

b. consolidation continued through the Victorian period with terraced shops and housing of mostly rendered brick. Some industrial structures remain, including the stone Bells Store, and the timber and iron Adelaide Steamships buildings;

c. industry consolidated in utilitarian iron or brick sheds in the early 1900s, focussed on servicing maritime activities including recreational boating, such as Bretts, the sailmakers. However, these sites have mostly been redeveloped for residential purposes;

d. after World War II the modernisation phase led to residential flat development on foreshore and ridge top sites. These buildings form a sharp contrast to the earlier fabric. Some of the harsher brick blocks have been rendered and tree planting has also reduced the differentiation in scale and form;

e. from the 1970s increased value was placed on the historic pattern and new housing principally townhouses, was more complementary. As the location became increasingly prized, the small houses on generous lots for the area were enlarged or replaced. This has resulted in increasing pressure on the early heritage of the area. Upper storeys are often sought or the roof spaces converted to both gain more space and capture better views.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Development in the neighbourhood should step with the contour of the land.

C2 The rarity of the early Victorian, but Georgian in style, nucleus of buildings in Balmain East requires stricter controls than elsewhere on the peninsula. As a representation of early Sydney, it is of great importance to the history of the City as a whole, alongside other historic precincts such as the Rocks, and the Colonial precincts of Parramatta. While the later phases of buildings contribute to its character, and represent the phases of development, the earliest layer needs the most careful treatment. Accordingly, the scope for new development is limited and the task is largely conservation of the existing fabric while allowing complementary and incremental change.

C3 Maintain the individual patterns of architectural style along each street.

C4 Preserve view lines for existing development.

C5 The predominant scale of development is two storeys.

C6 Maintain the character of the area by keeping development consistent in architectural style, building form and materials.

C7 Prevent the disruption of footpaths by discouraging additional driveway crossings.

C8 All development is to be sympathetic to the historic and conservation values of the neighbourhood.

C9 Maintain mature trees on public and private land.

C10 Preserve the integrity of the escarpments. Development around escarpments is to avoid cutting, changing the topography or removing associated vegetation around the escarpment. Buildings and structures are to avoid dominating the escarpment.

C11 This area is sensitive to overshadowing and view loss. All development activity should avoid overshadowing and blocking views.

C12 New or altered buildings should be sympathetic to the conservation values of the area:

a. in this regard all structures built prior to 1850 are rare and should be conserved. No alterations shall be approved to significant buildings without detailed assessment and recording by a heritage specialist. Where visible from the public domain, visual access shall be retained. New structures shall follow Burra Charter Principles in terms of an interpretive response, and shall be deferential, but not imitative;

b. additional driveway crossings are discouraged;

c. new development is to step with the land contours and to respect the view lines of surrounding properties;

d. development visible from the water is to be designed to preserve the conservation values of the area when viewed from the water. Photomontage details of the proposal, as viewed from the water are to be submitted with development applications;

e. new development is to reflect the side setbacks established in the immediate vicinity of the site (e.g. freestanding or terrace form). This control seeks to encourage the provision of lines of sight and water views between buildings. This may require side gates to be of an open nature to permit the maintenance of side walls; and

f. front setbacks shall be generally 0 - 2m, except where the particular context requires a deeper setback. Narrow verandahs built to the street frontage are generally appropriate to narrow streets such as Datchett, Little Nicholson and Union Streets.

C13 Appropriate materials are shaped sandstone, painted timber, and rendered or bagged masonry. Steel roofing in a 'gull grey' is the appropriate roof material in most circumstances, with slate replacing slate otherwise.

C14 Fencing and balustrading shall be generally vertical metal or timber picket style, without ornamentation. Front fencing shall be open and not more than 1.2m high.

C15 Verandah and balcony structures shall be timber or metal or a mix of both, and not include masonry elements.

C16 Mature trees and other significant vegetation between development and the waterfront is to be preserved.

C17 Escarpments and stone walls are to be preserved. Construction on escarpments or cutting into stone walls (or into rock faces) is to be avoided.

C18 Development overlooking open space is to avoid taking visual 'ownership' of the public space. This is to be achieved by setting balconies (back) 2m from the relevant boundary and designing for the privacy considerations of open space users.

C19 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.2.2(a) Eastern Waterfront Sub Area

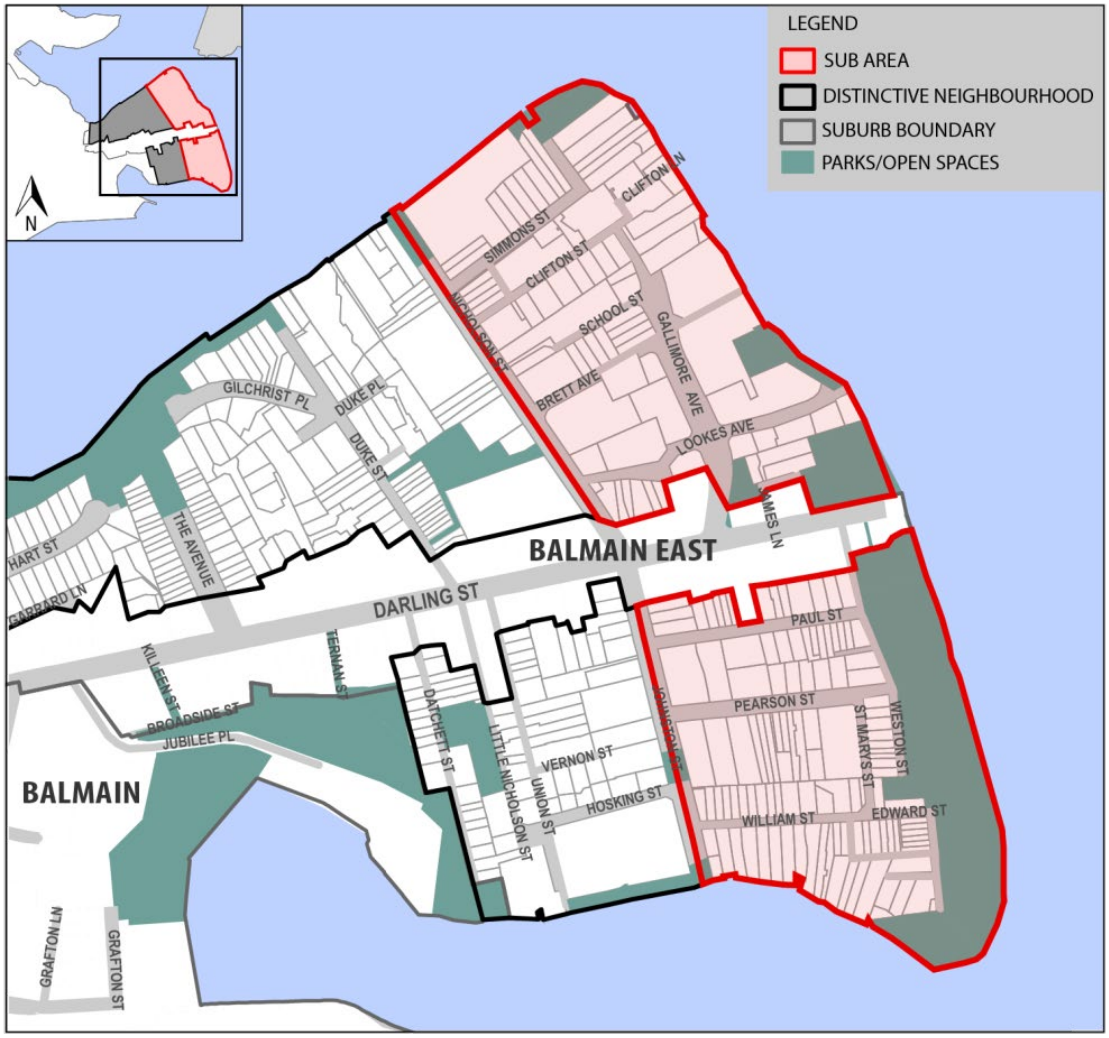

Figure C46: Eastern Waterfront Sub Area

The Eastern Waterfront Sub Area includes the foreshore east of Nicholson and Johnston Streets. This area includes numerous large waterfront houses and is characterised by freestanding dwellings which are predominantly two storey, many having views over the harbour to the CBD and the Sydney Harbour Bridge.

The built environment of the area is characterised by setbacks generally over 2.5m, mature front gardens, steeply pitched roofs and dense tree cover. Driveway crossings are relatively common north of Darling Street, where many houses date from the mid-1900s. Traditional materials used in the neighbourhood include render, stone, timber and slate roofs.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Development in this precinct is to respect the existing view lines of nearby properties.

C2 The appropriate scale of development for this area is two storeys.

C3 The maximum building wall height is 6m.

C4 The built form is freestanding single dwellings with render and masonry construction.

C5 Development is to be consistent with any relevant objectives and controls within the Balmain East Distinctive Neighbourhood.

C2.2.2.2(b) North of Darling Street Sub Area

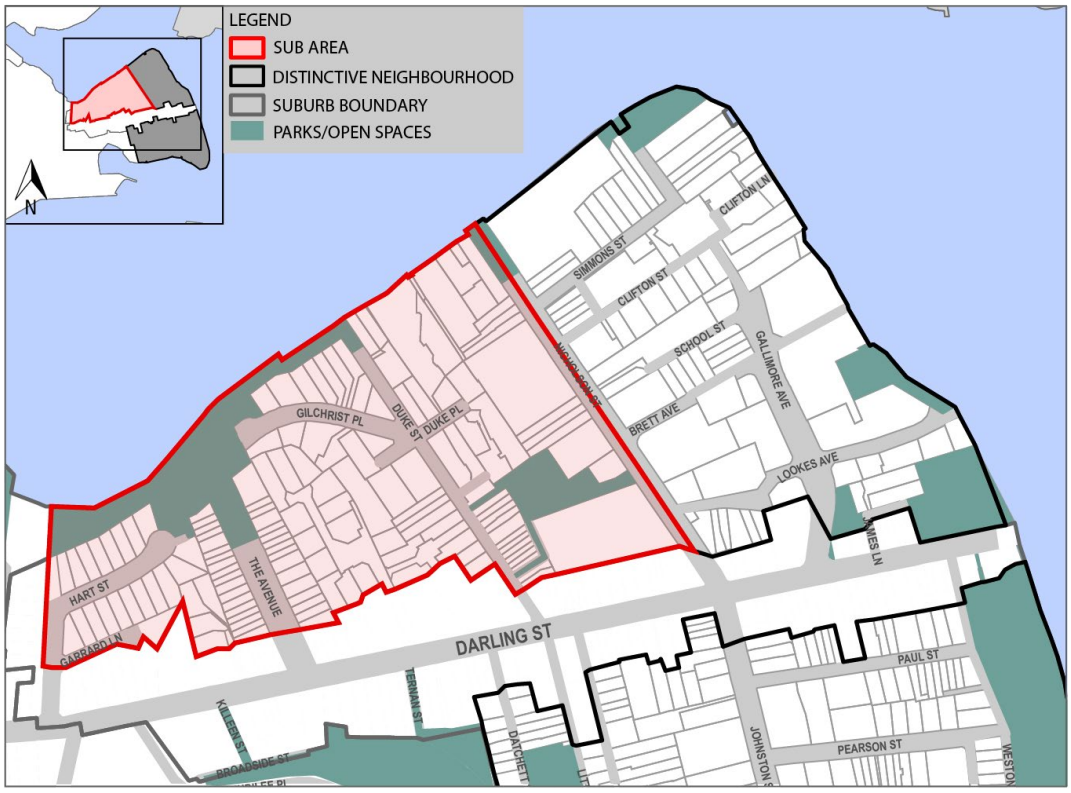

Figure C47: North of Darling Street Sub Area

The North of Darling Street Sub Area includes the northern portion of the Balmain East Distinctive Neighbourhood, being the area north of Darling Street and west of Nicholson Street. The area is leafy and characterised by residential development from the mid to late 1900s. The shallow slope and deeper clay/shale derived soils have allowed this area to grow a dense cover of trees. The scale of development here is generally low, with a mix of single and double storey dwellings.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 The appropriate scale of development for this area is two storeys.

C2 Development in this area is to preserve existing mature trees as they contribute significantly to the amenity of the area.

C3 The maximum building wall height in this area is 6m.

C4 The built form is generally freestanding single houses with side setbacks up to 1.5m.

C5 Mature landscaping is to be preserved especially where it forms a visual buffer between development and the waterfront.

C6 Development is to be consistent with any relevant objectives and controls within the Balmain East Distinctive Neighbourhood.

C2.2.2.2(c) South of Darling Street Sub Area

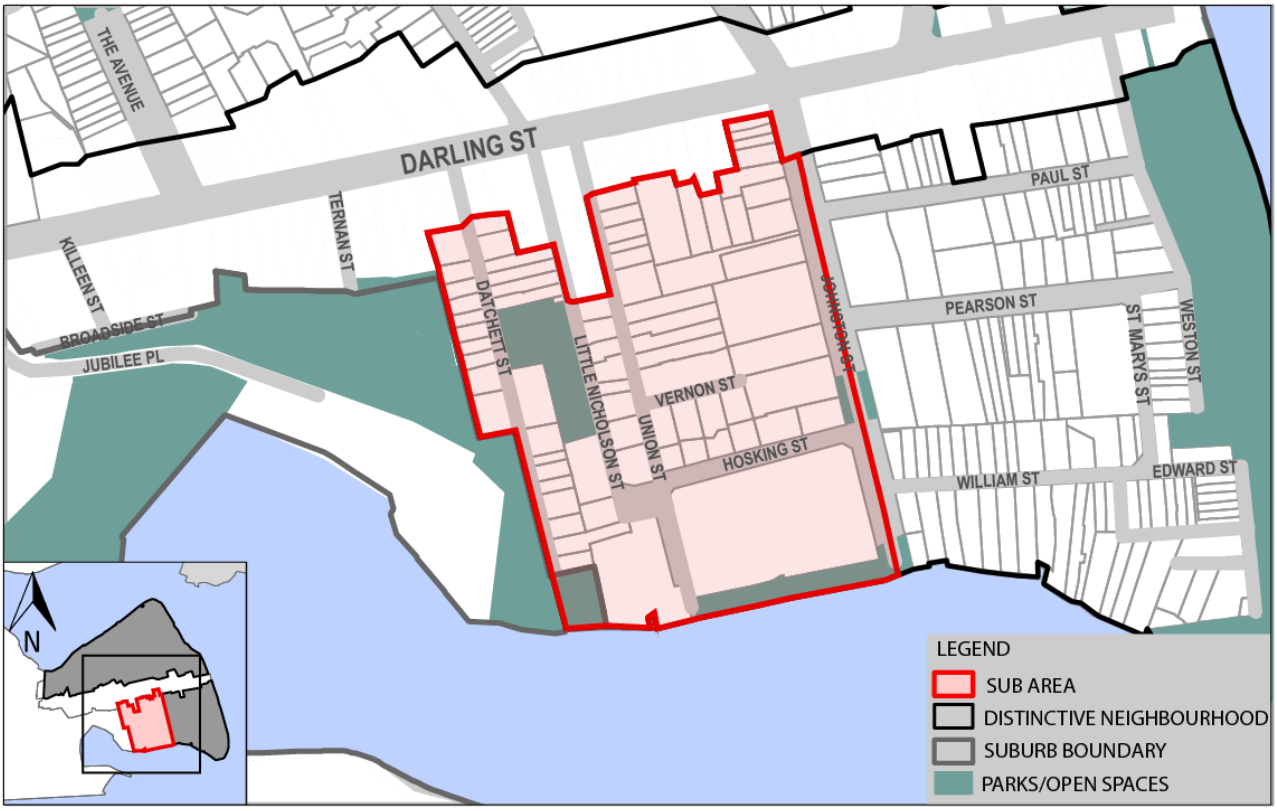

Figure C48: South of Darling Street Sub Area

The South of Darling Street Sub Area includes the part of the neighbourhood which is south of Darling Street and west of Johnston Street. This area is notably more modest with narrow dense built form, and includes many timber workers cottages with zero to 1m setbacks and pitched or gable roofs.

The streets in the vicinity of Union and Datchett Streets are very narrow, with widths varying between 2.1m and 4m and there are no footpaths along these streets. Due to the limitations relating to vehicle flow capacity and on-street parking opportunities, any development in this area should retain the low density (single dwelling per existing lot) character that is traditional in the area.

A notable feature of the area is the uniform rear building line along the eastern side of Union Street. This area of adjacent private open space, measuring approximately 80m x 30m forms a 'green corridor' and is significant in terms of the amenity it provides to the area.

Public consultation has revealed that the deep lots are highly valued by the local community for the aggregate open space and resulting amenity values that the strongly defined rear building line fosters.

The scale of development tends to follow the topography and the houses in this area are predominantly constructed from timber with some made of stone or brick. This area is also characterised by an escarpment of approximately 12m set back up to 65m from the southern foreshore. This exposed rock face has tended to isolate the lower section and eliminate through traffic.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the distinctive neighbourhood.

Controls

C1 Any development in this area is to respect the tight knit and modest urban fabric consisting primarily of timber cottages and narrow streets. Where the predominant scale of development is two storey, then new development is to maintain the existing scale.

C2 Recognise and preserve the amenity value for local residents of the green corridor formed by the rear yards in this area.

C3 Recognise the limitations on future development caused by narrow roads, extremely limited parking and inadequate turning circles for vehicles as well as the lack of footpaths in this area. Such limitations will render some otherwise acceptable developments unsuitable for this area.

C4 The maximum building wall height is 3.6m with pitched roofs allowing modest first floor additions within the roof form. Development is to step closely with the topography.

C5 On the lower slopes a maximum building wall height of 6m is permissible, where the existing scale is greater than single storey. All developments are subject to limitations based on obstructions to views.

C6 The established rear building line between 14B and 20 Union Street is 26m measured from the front boundary (+/- 1m). This setback forms part of the local building location zone (BLZ) and is to be maintained for future development. Any new development on surrounding lots is to respect this cumulative green area with regard to bulk, form, location, privacy and shading.

C7 Datchett, Little Nicholson, Union and Vernon Streets are very narrow and do not have footpaths. Consequently, the development potential for sites accessed by these streets is limited. Any development on these streets should maintain the existing number of dwellings on the affected street(s) or alternately will be required to demonstrate that any additional traffic will not add to existing congestion and pedestrian safety issues.

C8 Development is to be consistent with any relevant objectives and controls within the Balmain East Distinctive Neighbourhood.

C2.2.2.3 Gladstone Park Distinctive Neighbourhood

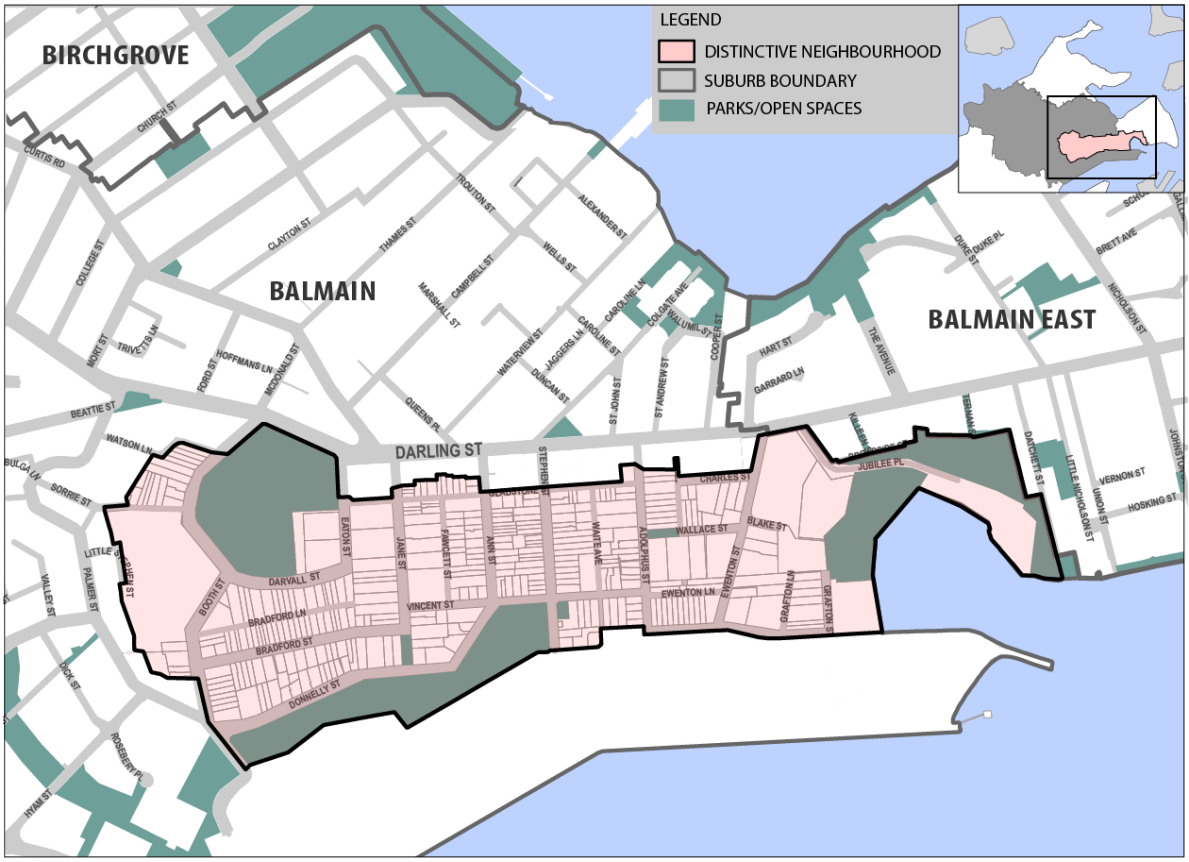

Figure C49: Gladstone Park Distinctive Neighbourhood

Outline

This neighbourhood has one discrete Sub Area which has unique characteristics and additional objectives and controls:

a. Jane Street Sub Area – Section C2.2.2.3(a).

Landform

The Gladstone Park Distinctive Neighbourhood is located on the southern side of Darling Street between Camerons Cove and Gladstone Park.

The neighbourhood takes its name from Gladstone Park which is the largest open space area in the vicinity. The neighbourhood is separated from White Bay by the Sydney Ports Corporation land and the White Bay Cruise Ship Terminal (subject to the controls of Sydney Regional Environmental Plan No. 26 – Port and Employment).

The Distinctive Neighbourhood is situated on the southern slope of the Balmain Peninsula and slopes south to White Bay and south east to Camerons Cove. The highest part of the neighbourhood is the hill crowned by Gladstone Park (40m AHD). The neighbourhood has wide views to Anzac Bridge, Pyrmont and the CBD.

The former steep shoreline of the neighbourhood has been deeply cut along White Bay with extensive reclamations for port functions. While most sites have been benched to allow development, surface stone and stone walls are a constant reminder of the landform and geology.

Existing Character

Gladstone Park Distinctive Neighbourhood is a relatively small neighbourhood with a rich architectural heritage, and has over 60 Heritage Items listed within the *Inner West LEP 2022*. With quiet shaded streets, stone houses and views over the City, Gladstone Park has many characteristics worthy of preservation.

The neighbourhood was first developed in the 1840s with commercial activity along Darling Street and industrial development along White Bay and Camerons Cove/Jubilee Bay. In addition to fishing, the industrial development that was established in White Bay consisted primarily of boat building, boiling down works, sawmills and abattoirs which were moving out of the increasingly congested central Sydney area.

Housing within the neighbourhood was developed on land not occupied by commerce or industry. In this regard, the area was initially developed for marine villas sited for views out over the City and with generous private grounds. Small houses on small lots hugging a network of narrow streets were developed with these villas. These were mainly stone and single storey, with hipped roofs. This area includes a number of stone villas designed by Robert Blake, including the Council owned Clontarf Cottage.

The local topography has meant that the residents of the neighbourhood were susceptible to the impacts of local industry including the Glebe Island abattoir and chemical plants. After 1945, the industrial base in the area began to decline. The recent construction of a Cruise Ship Terminal by Sydney Ports has improved views of the harbour for some properties and areas of public domain and improved public access to this part of the foreshore.

The existing road pattern generally follows the topography of the neighbourhood. The neighbourhood is served by laneways which act as service lanes and as primary property frontages. Streetscapes throughout the central and western portion of the neighbourhood are denser with properties having minimal setbacks.

Trees form a major visual element in the neighbourhood with a dense mix of mature trees. The neighbourhood is served by three parks; Ewenton, Birrung and Gladstone Parks. Birrung Park, above the site of the former Booth's saw mill, forms a heavily wooded buffer between the neighbourhood and the White Bay Cruise Ship Terminal. Ewenton Park overlooks Jubilee Bay/Camerons Cove that contains one of Balmain's grand waterfront houses and Ewenton Park which was named after the owner Ewenton Cameron, a principal of Morts Dock. Ewenton Cameron expanded a Robert Blake single storey villa to be a grand house in the Victorian boom period; however the property and the surrounds were subsumed in the 1900s by maritime industry and wharfage. The house has been restored as a private residence. The focus of the neighbourhood is the area around Gladstone Park and east of Balmain Hospital.

Balmain Hospital was originally housed in a cottage designed by Edmund Blackett (1887). This area is the highest point of the neighbourhood and so it was fitting that St Augustines Catholic Church was built adjacent to this area between Jane and Darvall Streets. The Arts and Crafts style tower with German Gothic influences stands as a landmark on the peninsula. The tower forms a major element of the Balmain skyline as viewed from around the harbour.

The existing scale of development is predominantly double storey, freestanding houses, interspersed by single storey cottages. A number of houses on the downhill slope comprise three levels. Around William and St Marys Streets a number of houses are set upon sandstone outcrops, above the roadway.

The neighbourhood has a varied residential character created by differing residential styles from different eras. Due to the early period of initial development, there are numerous houses from the early Victorian period, but Georgian in style. Later styles represented in the neighbourhood include Victorian terraces and Federation houses. Throughout the neighbourhood are scattered examples of the Arts and Crafts style, inter-war bungalows and timber workers cottages. The architecture in the neighbourhood is further characterised by recent restorations, additions and renovations. This has resulted in many houses having mixed architectural styles.

Other development patterns occurring in the neighbourhood include:

a. lot sizes tend to be smaller close to Darling Street;

b. setbacks are generally 0m – 3m;

c. mature trees on private land that contribute significantly to the streetscape;

d. continuous sandstone kerbs throughout the neighbourhood; and

e. occasional grand residences prominently sited to exploit views and status amongst more closely settled areas with smaller houses closer to Darling Street.

Housing in the neighbourhood has a mix of pitched, hipped and gabled roofing. Materials used in the neighbourhood for dwellings include sandstone block (both roughhewn and dressed), timber and some rendered painted brick. Iron and tile roofing is most common throughout. Front verandahs, which often extend to the front boundary, are narrow with widths of approximately 1m. Timber and iron picket fencing is prevalent throughout with many fences built on top of stone bases. Many properties have driveway crossings either at the rear (i.e. Ewenton Lane) or at the front (i.e. Wallace Street).

Sydney Regional Environmental Plan 26 – City West

The land to the south of the neighbourhood, including the White Bay Power Station, James Craig Road and Glebe Island is covered by Sydney Regional Environmental Plan No 26. This land is not under Leichhardt Council's planning control. The consent authority for development on this land is generally the NSW Minister for Planning.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 The main intent is to retain the current built response to the topography of the locality with small scaled buildings emphasising roof forms across the broad slope, and not challenging the major skyline elements, particularly St Augustines, at Gladstone Park and Ewenton House at Jubilee Bay/Camerons Cove.

C2 All structures built prior to 1860 are rare and should be conserved. No alterations will be supported without detailed assessment and recording by a heritage specialist. Where visible from the public domain, visual access shall be retained. New structures shall follow Burra Charter Principles in terms of an interpretive response, and should not imitate the existing structures.

C3 Preserve view lines to the south and east by stepping buildings with the prevailing topography.

C4 Preserve the rhythm of the neighbourhood by maintaining the lot sizes, housing style and prevalence of hipped and pitched roofs. Preserve the established setbacks for each street.

C5 Preserve the consistency and simplicity in built form, style and materials of the neighbourhood.

C6 Maintain the existing roof forms, setbacks and fencing styles prevalent in each street.

C7 Preserve stone cottages and stone walls throughout the neighbourhood.

C8 Maintain the established open low timber, iron picket front fences, solid stone and masonry fences, which form an integral part of the streetscape.

C9 Cutting into rockface for any purpose including driveway crossing is to be avoided.

C10 Maintain the tree cover on private land. A foil of high canopy trees, principally eucalypts as a backdrop, is very important to sustaining the character of this neighbourhood.

C11 The maximum building wall height applying to the neighbourhood is 3.6m, with emphasis on roof form. Bulk should be cut by reducing larger buildings into smaller elements with sub-roofs. In some locations where two storey terrace forms predominate, a maximum building wall height of 6m is appropriate.

C12 Front setbacks shall be generally 0m - 2m, except where the particular context requires a deeper setback. A zero setback is generally appropriate to narrow streets such as Gladstone and Ann Streets.

C13 Maintain roof forms, with pitched, gable or hipped roofs being typical of the neighbourhood.

C14 Generally cut stone, rendered or bagged masonry or painted timber walls, and custom orb, slate, and unglazed terra cotta roofs are appropriate materials depending on immediate context.

C15 Verandah and balcony structures shall be timber or metal or a mix of both, and not include masonry elements.

C16 Fencing and balustrading shall be generally vertical metal or timber picket style, without ornamentation. Front fencing shall be open and not more than 1.2m high.

C17 Where structures are proposed to be built on top of exposed rock face, they should be stone, timber or rendered masonry and should complement the sandstone.

C18 External building elements should comply with provisions within Structures in or over the public domain: Balconies, Verandahs and Awnings within Part C1.16 within this Development Control Plan.

C19 Significant sandstone walls and rocky outcrops shall be retained in their existing form and where appropriate, be integrated into the landscape or building fabric.

C20 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.2.3(a) Jane Street Sub Area

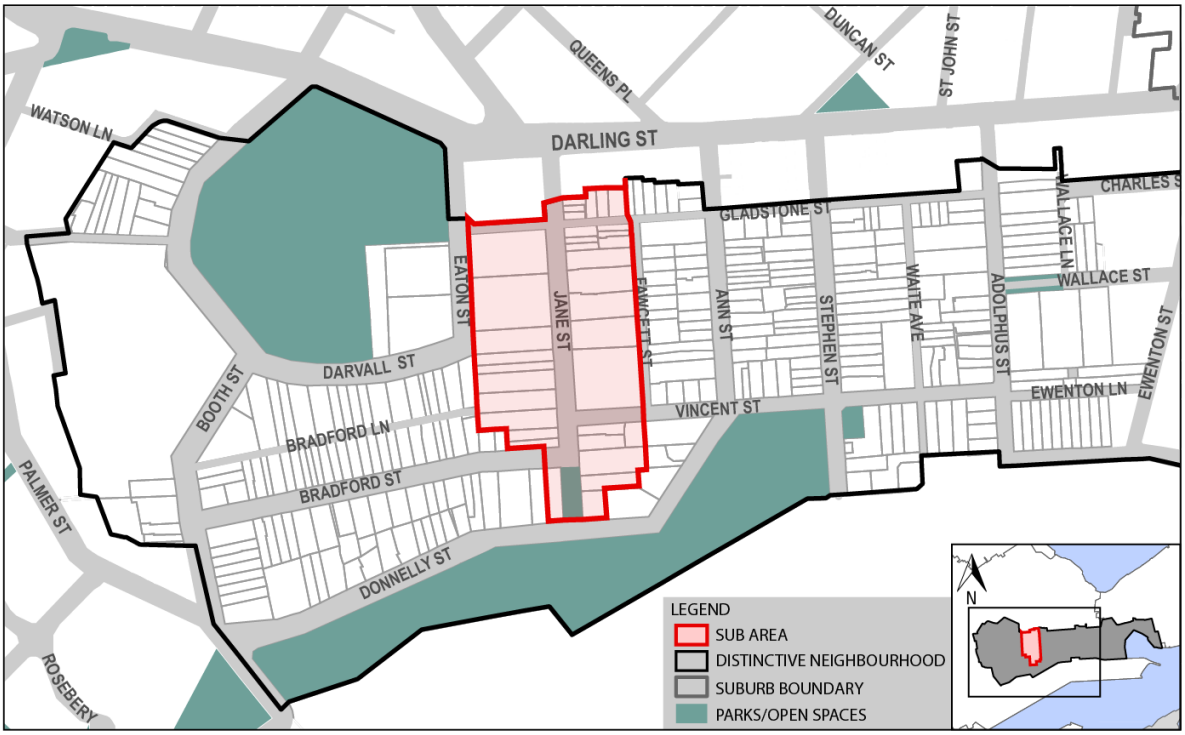

Figure C50: Jane Street Sub Area

Jane Street Sub Area applies to No. 14-18 Jane Street, Balmain; including the former Convent fronting Jane Street, Vincent Street and Fawcett Street.

The Catholic Church group started with the small stone church at No. 3 Jane Street and then the Convent was built opposite from about 1850. The construction of St Augustine's in Federation Gothic style commenced in 1906. The last building in this group was The Presbytery, built in 1922. This group marks the hilltop and is the major landmark for Balmain in views from the City approaches from the south and east. The hill town character is a major attribute forming the identity of the Sub Area.

The two parcels known as 16 and 18 Jane Street comprise the former School grounds bounded by Jane, Vincent, and Fawcett Street and the former Convent at 14 Jane Street. There is a steep cross fall from the north west to the south east on these sites. These sites are terraced with stone retaining walls to provide flat areas for playgrounds and courts. The sites are generally cut below the level of Jane St, and raised slightly above Vincent and Fawcett St but the land rises well above Fawcett to the north end behind the Convent.

The former Convent School site is defined by neutral edges of low stone and brick walls, of wire fencing, and dramatic tree planting.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 To protect and enhance the historic townscape of this precinct particularly with respect to the views from the east and south, to the focal point of St Augustines.

C2 Conversely protect and enhance the public and private views to the south down Jane Street and east across the development sites to the City skyline.

C3 To ensure development respects the historic patterns in terms of topography, scale, character, siting, materials, and the landscape of the precinct.

C4 To encourage restoration and conservation of the historic fabric of the former Convent with any new development being complementary.

C5 To conserve the shared landscape of mature trees.

C6 Jane Street - A 3.6m maximum building wall height is applicable. Development should step finely with slope, with a detached or semi-detached form and rhythms of roofs, hips or frontal gables, one storied above Jane Street only, at any point. Buildings should be closely aligned to the frontage, stepping back only where a curtilage for trees is required.

C7 Vincent Street - A 6m maximum building wall height is applicable, subject to solar access being sustained to the properties on the south side of the street. A two-storied terrace form, closely aligned except to avoid substantial trees is appropriate.

C8 Fawcett Street - The neutrality of this street/lane as a one sided street with a walled and treed edge opposite must be retained. The wall should be reinforced by continuation of a higher wall to Vincent Street in matching common brick. To maintain a low scale terracing with slope, requires a stepped form with a two storey maximum, with the upper floors stepped back, and flat or low roof lines.

C9 The view of the Balmain townscape focussed on St Augustine's tower, from the City, the waterways and the bridge approaches from the east and south should be maintained.

C10 Retention of a stepped stone wall to the street frontage is desirable. Parts shall be at sitting height, to provide seating opportunities for passers-by.

C11 It is not appropriate to use stone for the main wall claddings of any new buildings. Coloured rendered or bagged masonry, or painted timber is appropriate wall materials.

C12 An Interpretation Plan for conveying the history of the site by means such as signage, artworks in the pavements is to be incorporated in the development.

C13 The history and heritage of the site shall be interpreted to the Jane Street frontage by a plaque or work either wall mounted or inset into the pavement to explain the values of the context of the Church buildings.

C14 The exterior form as seen from the surrounding streets and the longer views from the Harbour is to be conserved and/or restored.

C15 If outdoor space is required in association with residential use, any new balconies to the eastern face may be external to the existing building and shall be light weight and transparent elements which must not obscure the existing building form as seen in the long views.

C16 The principal internal spaces shall be conserved and any partitioning or mezzanine floors added in light weight and reversible materials and methods of construction.

C17 Off street parking should be minimised in order to minimise the impacts of excavation and access requirements on the curtilage of the Convent and the amenity of the area.

C18 The existing hardstand parking off Jane Street shall be replaced with landscaping.

C19 Hard paving should be replaced with landscaping wherever possible.

C20 Development is to be consistent with any relevant objectives and controls within the Gladstone Park Distinctive Neighbourhood.

C2.2.2.4 The Valley 'Balmain' Distinctive Neighbourhood

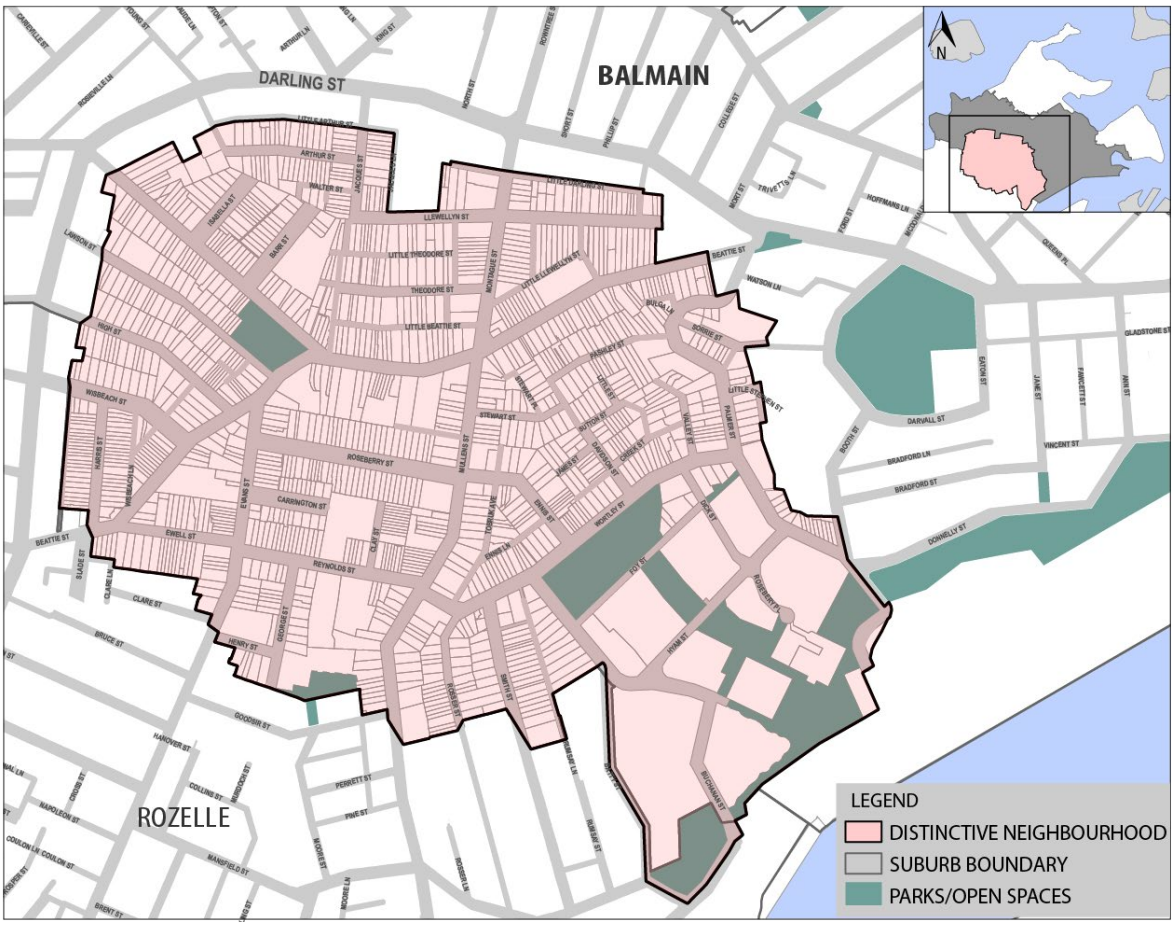

Figure C51: The Valley 'Balmain' Distinctive Neighbourhood

Outline

This neighbourhood has three discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Evans Street / Beattie Street Former Commercial Precinct Sub Area - Section C2.2.2.4(a);

b. Palmer Street Sub Area – Section C2.2.2.4(b); and

c. Smith Street Sub Area – Section C2.2.2.4(c).

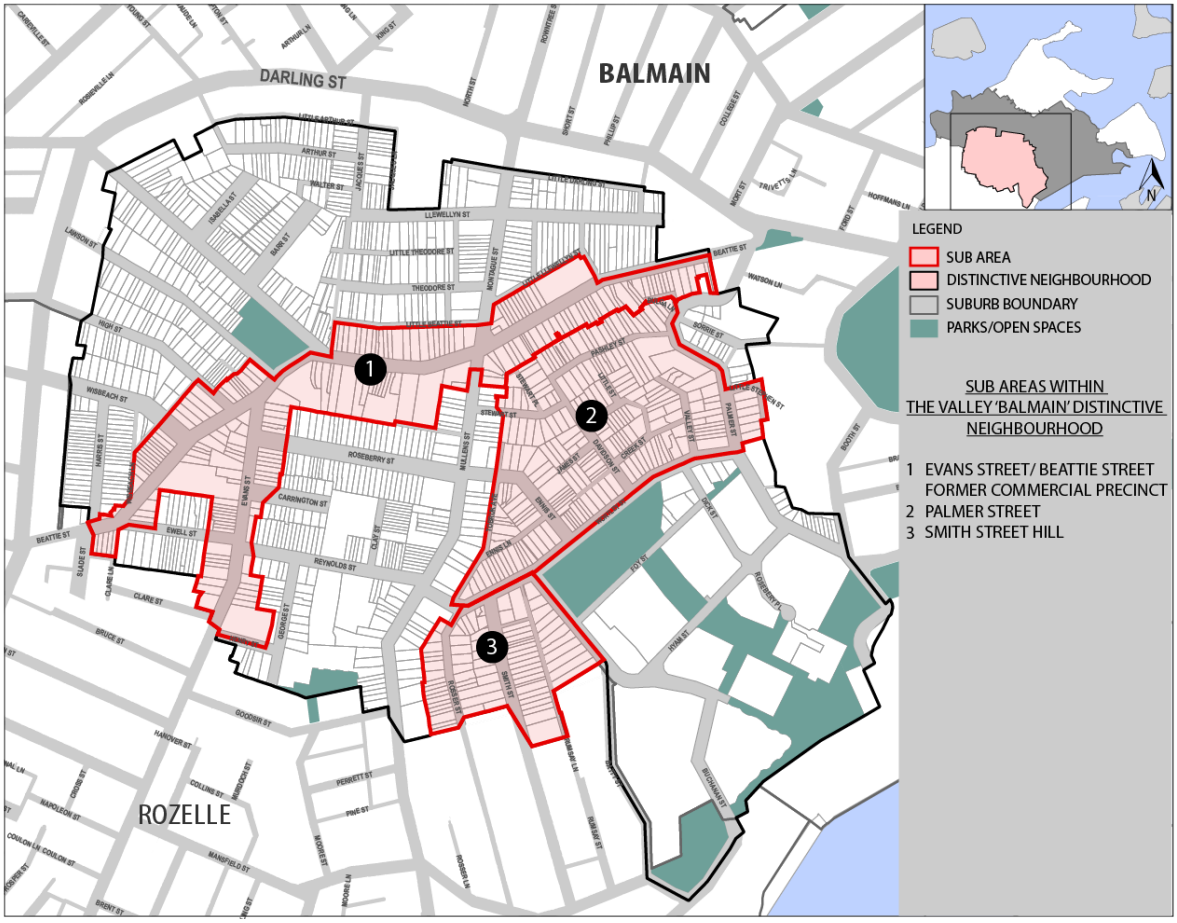

Figure C52: Sub Areas within The Valley 'Balmain' Distinctive Neighbourhood

Landform

The Valley 'Balmain' Distinctive Neighbourhood is an area of the Balmain Peninsula located between Palmer Street and Darling Street. This neighbourhood is formed in a valley looking south, overlooking the former White Bay Power Station. This steep sided valley falls from the main Balmain ridge to the west and north with the Smith Street spur to the east. The former creekline drains to the south and then turns east into an embayment of Rozelle Bay.

The nearby embayment is filled and occupied by the White Bay Power Station and about half of the valley falls within the suburb of Rozelle. Development generally steps with the slopes as the roads follow the contours and easy grades.

The valley is deep, shady and protected and would have been more densely wooded than other parts of Balmain. Deeper soils and less surface rock is evident compared to the more exposed edges of the peninsula. More recent tree planting in streets and backyards tends to emulate its original landscape character.

Existing Character

The Valley 'Balmain' Distinctive Neighbourhood consists of an urbanised environment dating from the 1850s and has layers of later architectural styles throughout the area.

Due to incremental growth and redevelopment over the last 150 years the area exhibits the diversity and layers of development, building style, form, materials and mixed land use that is characteristic of Balmain, particularly away from the foreshores. While the built form is similar to other slopes around

Balmain, particularly the southern slopes to Mort Bay, its character is very different, due to the enclosing landlocked landform, and the industrial reminders. Most of the former industrial sites have been redeveloped with town houses. Long views to the City skyline open up on the slopes above Evans Street.

The built environment consists mainly of housing with some commercial and industrial uses along Beattie Street and Mullens Street. The residential components of the neighbourhood are made up of many single storey mid-Victorian cottages with some late Victorian terraces. The main concentration of commercial activity is around the intersection of Beattie and Mullens Streets. This intersection contains most of the Heritage Items in the neighbourhood, including pubs, shops and a row of intact late Victorian shops with posted verandahs over the footpath.

Throughout the neighbourhood there are numerous former corner shops and other local commercial sites.

The road pattern in the neighbourhood is based around Darling, Mullens and Beattie Streets. All main traffic flows in the neighbourhood involve traffic leaving and entering the neighbourhood via Victoria Road. Mullens and Beattie Streets carry significant amounts of through traffic from other parts of the peninsula. Laneways are located adjacent to Mullens and Beattie Streets as well as around the steeper sites on the eastern side of the neighbourhood. Sandstone kerbing is still in place throughout the neighbourhood.

The Valley 'Balmain' Distinct Neighbourhood retains a varied and rich character reflecting its multi-layered pattern of development. With the exception of Beattie and Mullens Streets, there is a predominantly single storey scale and form in the neighbourhood. The original built form was single storey workers cottages interspersed with two storey Victorian terraces (such as the development along Wortley Street, across from Punch Park). Such two storey development is generally along main thoroughfares or where views are available. Additionally, more recent housing development has seen an increase in two storey development (or additions) replacing older timber cottages.

Currently, housing in the Valley consists of a mix of federation era workers cottages and Victorian Italianate dwellings. Dwelling forms are generally free standing with rows of terraced houses interspersed throughout. Houses in this area are characterised by 1m-3m setbacks, painted masonry, corrugated iron roofing and picket fencing. Roof forms tend to be pitched or hipped, with some notable examples of parapets with skillion roofs behind. Roof forms tend to follow the slope of the land and permit access to views for higher sites. Remnant stone buildings dating from the mid-1800s are also a feature of the neighbourhood. Examples of this can be seen on Palmer Street.

Larger, more elaborate houses can be found in prominent locations throughout the neighbourhood such as in Smith Street. Towards the lower slopes, the built form is more modest. Due to the drainage pattern of the valley, larger remnant sites were located in the centre of the valley between Roseberry and Goodsir Streets. These lots had traditionally been difficult to build on due to drainage issues. Later they were developed for industrial uses and some have more recently been re-developed for multi-unit residential uses.

Street trees and trees within front yards play an important part in the streetscape, especially around Llewellyn Street and within the Palmer Street Sub Area where a distinct cluster of large native trees (over 25m) add significantly to the amenity of the area.

There is a great diversity in the architecture and detail in the neighbourhood. A certain unity of built form is achieved by incorporating consistent scale, setbacks, materials and roof forms. Where housing stock has been replaced or houses have been upgraded, the essential scale, siting, materials and form have largely been maintained.

Mature landscaping, uniform low-scale development and a lack of driveway crossings as well as the absence of non-residential land uses gives the neighbourhood a strong residential and pedestrian oriented character.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the existing varied styles of housing with special regard to the modest timber cottages, and Victorian terraces. Maintain the scales and general built form as established on each street. The older buildings contribute to the local character and the collective heritage of the Balmain Conservation Area.

C2 Preserve the established streetscape with regard to setbacks, street trees and general lack of driveway crossings.

C3 Preserve view lines to the south and east by stepping buildings with the prevailing topography.

C4 Preserve the rhythm of the neighbourhood by maintaining the lot sizes, housing style and prevalence of hipped and pitched roofs. Preserve the established setbacks for each street.

C5 Where sloping land and road construction have resulted in houses being built lower than the road level, any new development must account for overshadowing and privacy issues.

C6 Preserve the consistency of modest and simple styles and materials of the neighbourhood.

C7 Preserve stone cottages and stone sub walls throughout the neighbourhood.

C8 Maintain the established open low timber and iron picket front fences.

C9 The reconstruction or restoration of hanging or posted balconies / verandahs is encouraged for buildings where such elements were original features.

C10 High walls and garages are considered intrusive to the character of the neighbourhood.

C11 Preserve and promote the establishment of trees in front gardens as these contribute significantly to streetscape amenity.

C12 Preserve and integrate natural rocky outcrops into the landscaping of the area, particularly where visible from public places. Cutting into rockface for any purposes including driveway crossings are to be avoided.

C13 The maximum building wall height applying to the neighbourhood is 3.6m.

C14 A maximum building wall height of 6m may be suitable where the local development pattern warrants it. Streets where the maximum building wall height standard may be appropriate are Evans, Mullens, Montague and Beattie Streets.

C15 Building setbacks within the neighbourhood are to be a minimum of 1m except where the prevailing setback in the immediate area (within 3 houses of the subject site) is different; the setback should reflect the established setbacks.

C16 New development should not mimic older architecture but should respect the scale and form of the traditional streetscape in the vicinity.

C17 Development in laneways is generally discouraged. However, where laneway development is suitable, it is to be limited to single storey.

C18 The use of traditional timber, stone or masonry finishes as well as corrugated iron roofing and timber windows are preferred.

C19 Driveway crossings are discouraged for single residential developments.

C20 Cutting into exposed rockface on property boundaries is discouraged.

C21 Where structures are proposed to be built on top of exposed rock face, they are to be rendered masonry and are to be coloured to complement the sandstone.

C22 Where redevelopment of, or additions to dwellings in this neighbourhood involve removal of sandstone walls or sub walls, such sandstone is to be incorporated into the new structures on the site.

C23 Maintain roof forms with pitched, gable or hipped roofs. Roof forms are to be designed to preserve view lines for adjoining properties.

C24 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.2.4(a) Evans Street / Beattie Street Former Commercial Precinct Sub Area

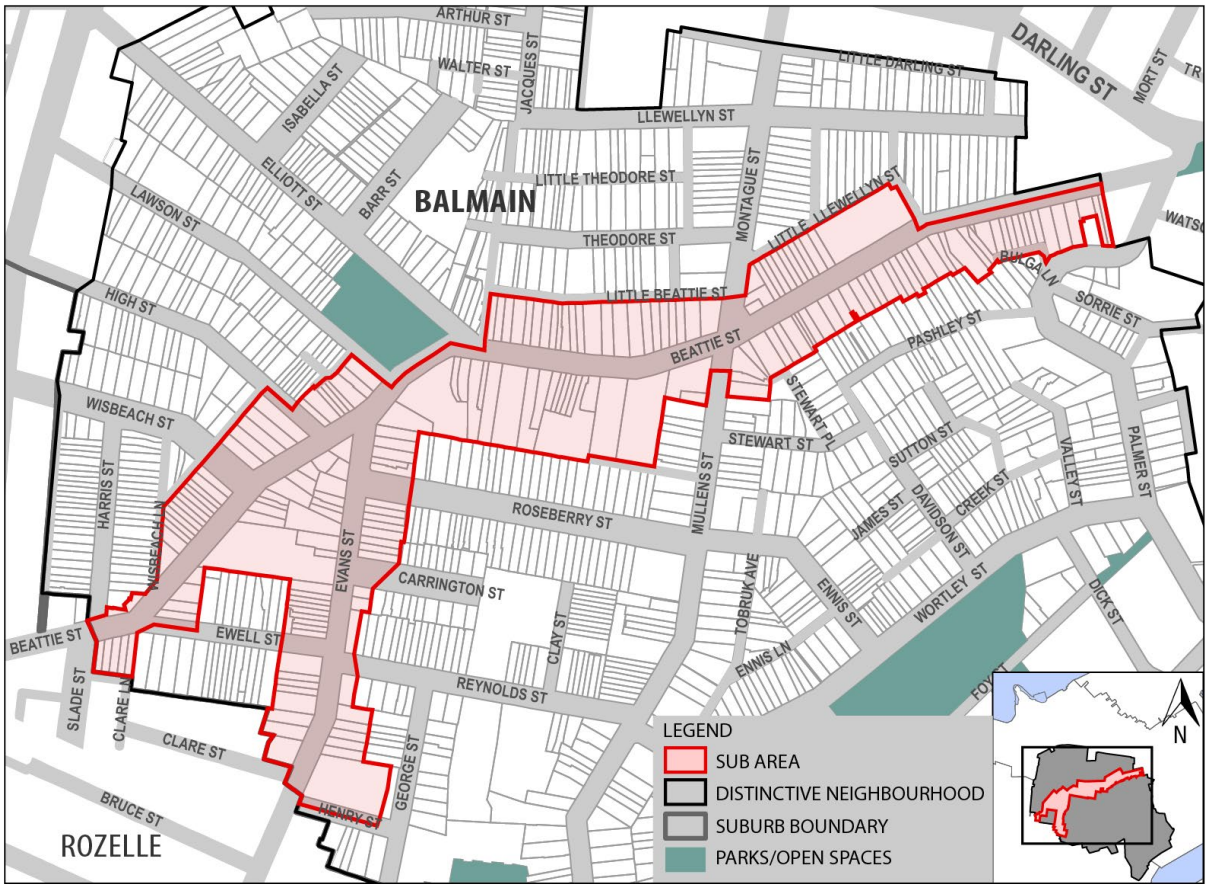

Figure C53: Evans Street / Beattie Street Former Commercial Precinct Sub Area

During the mid to late 1800s, Evans Street and Beattie Street competed with Darling Street as the primary commercial strip. Consequently, the street retains many commercial and retail buildings, most of which have been converted for residential use.

Along this strip from Victoria Road to Darling Street, nil setbacks are common, with many front walls above 6m in height, many with parapets and skillion roofs. Significant features of this streetscape are the many corner commercial buildings, balconies over the footpath and the use of stone or a rendered masonry finish. The focal point of this area is the intersection of Beattie Street and Montague/Mullens Street.

This hub is still a functioning commercial centre, with businesses operating on all four corners. The focal point is the three storey Victorian 'Exchange Hotel'. This building is a listed Heritage Item and is a local landmark.

Desired Future Character

Control

C1 Development is to be consistent with any relevant objectives and controls within The Valley 'Balmain' Distinctive Neighbourhood.

C2.2.2.4(b) Palmer Street Sub Area

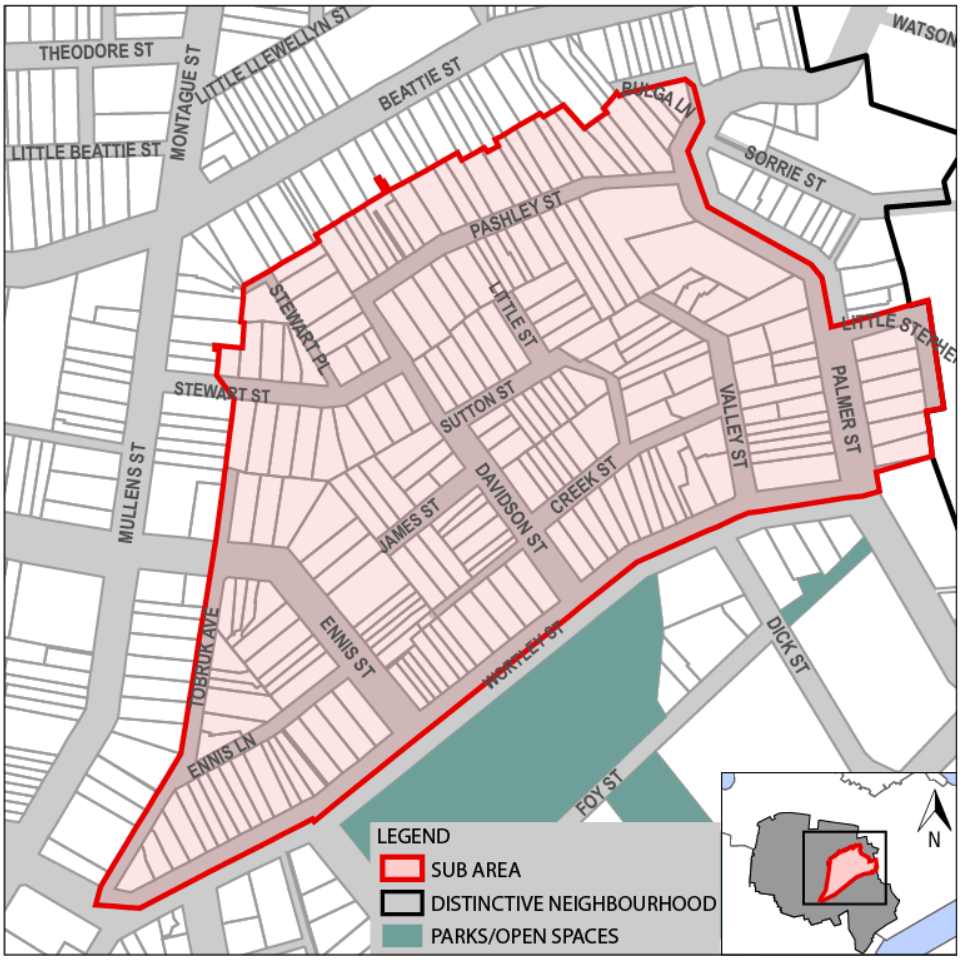

Figure C54: Palmer Street Sub Area

The Palmer Street Sub Area is distinct from the remainder of the neighbourhood primarily due to the steep topography of the area and the resulting tight, irregular road pattern.

The area is bounded by Punch Park and Beattie Street as well as Mullens and Palmer Streets. It is characterised by narrow winding streets, irregular lots, mature trees with dense foliage and a multitude of modest, mostly timber housing styles. As a result of the constraints of this area, the built form is generally tighter and denser with reduced setbacks. A strong unifying characteristic of the area is the closed feel of the topography coupled with the density of tree cover. Also of note in this area are the fine Victorian terraces and (former) corner shop on Wortley Street overlooking Punch Park.

South of Wortley and Palmer Streets the former Unilever site has been developed for residential purposes (with some commercial activity). The built form is generally two to four storeys. The redevelopment of this site occurred in the mid-1990s with contemporary styles of architecture using Georgian lines and pitched roofs.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the mature trees that form an integral part of the amenity of this area.

C2 Preserve and enhance the mature gardens to the rear of dwellings along laneways, which contribute to the amenity of the area.

C3 Development in this area is to avoid removal of or harm to any mature native trees.

C4 Any development that results in the removal of mature trees is to make provision for deep root planting of replacement trees. In this regard, the replacement trees should be similar in scale and canopy, and preferably be eucalyptus or other native species.

C5 Development is to be consistent with any relevant objectives and controls within The Valley ‘Balmain’ Distinctive Neighbourhood.

C2.2.2.4(c) Smith Street Hill Sub Area

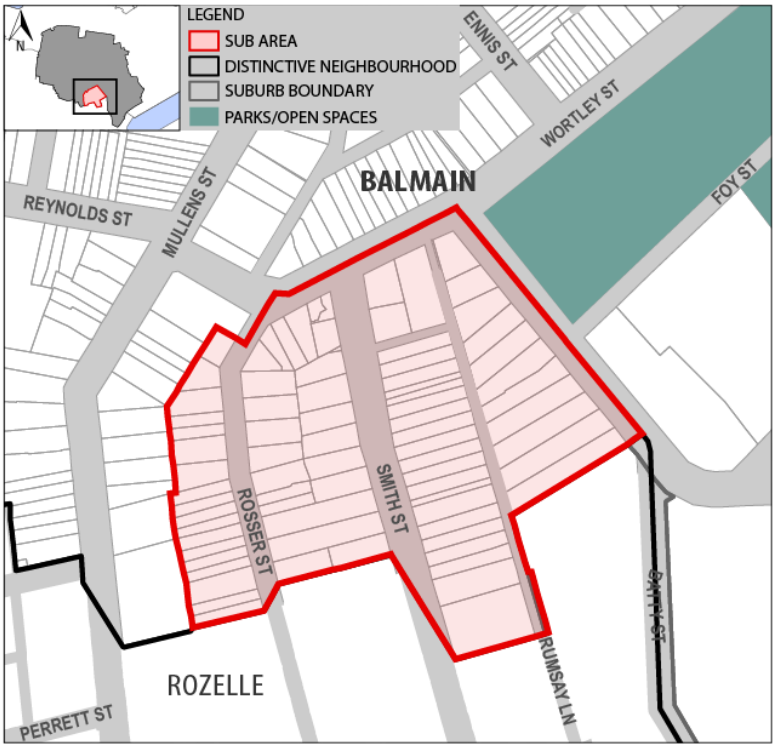

Figure C55: Smith Street Hill Sub Area

The Smith Street Hill Sub Area is defined by a small hill located between Reynolds, Mullens and Mansfield Streets. This hill rises approximately 20m above surrounding land and is notable for its steepness on the east and west sides, resulting in expansive views to the south and east.

This area was developed with several significant homes built at the top and on the eastern side and a number of these sites are now Heritage Items. One notable dwelling on the hill is Providence (c.1884), a large Victorian Gothic house with regional heritage significance.

The central focus of the hill is the former Smith Street Public School and prominent Fig trees located at the top of the hill between Smith and Rosser Streets. The hill area is significant for having spectacular views over the City to the east and north as well as forming the edge of the residential area where it meets the White Bay Port Facility.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve view lines from the hill to the south and east.

C2 Maintain the privacy of properties below the hill and avoid bulky development which overshadows lower sites.

C3 Development is to be consistent with any relevant objectives and controls within the Valley 'Balmain' Distinctive Neighbourhood.

C2.2.2.5 Mort Bay Distinctive Neighbourhood

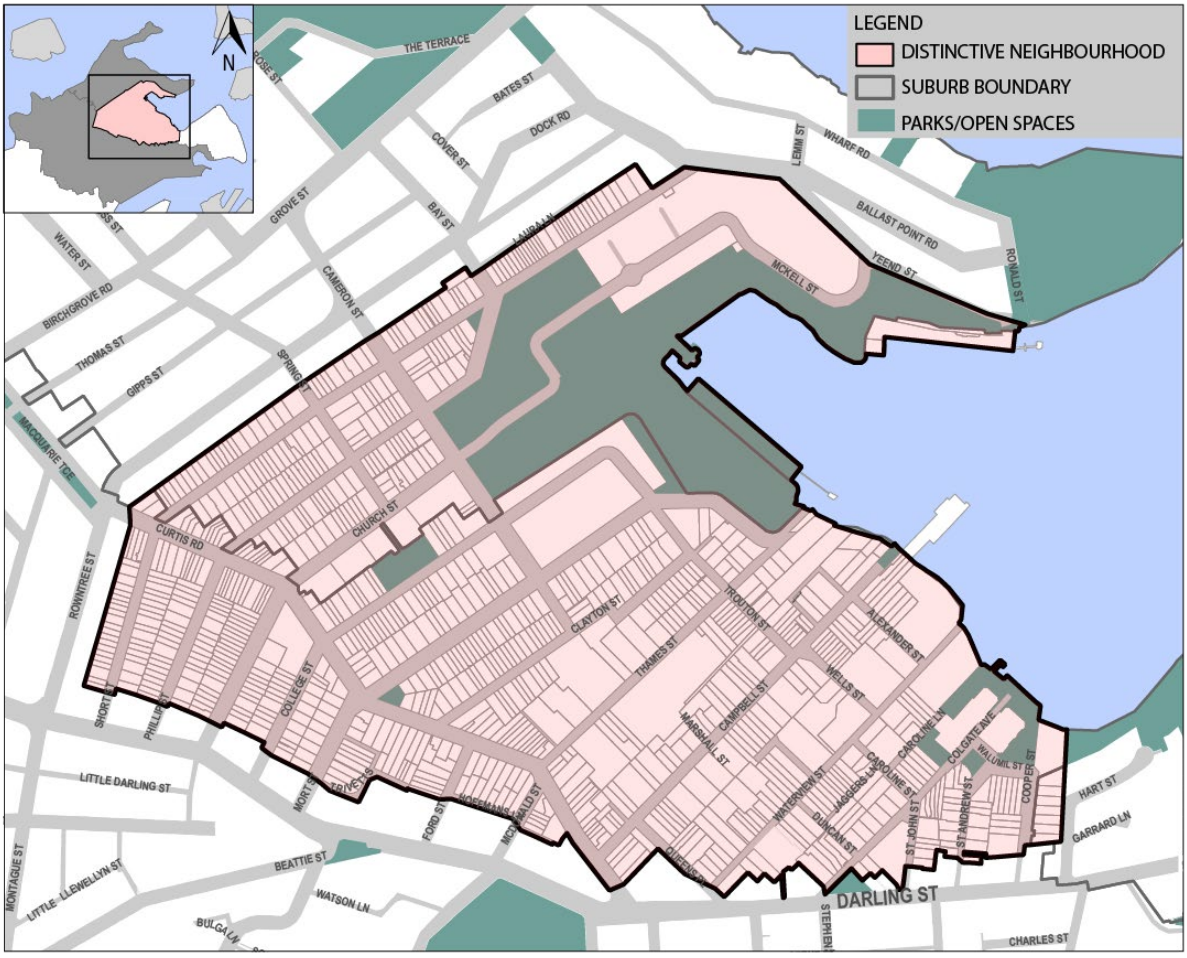

Figure C56: Mort Bay Distinctive Neighbourhood

Outline

This neighbourhood has three discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Lower Slopes Sub Area – Section C2.2.2.5(a);

b. Campbell Street Hill Sub Area – Section C2.2.2.5(b); and

c. Upper Slopes Sub Area – Section C2.2.2.5(c).

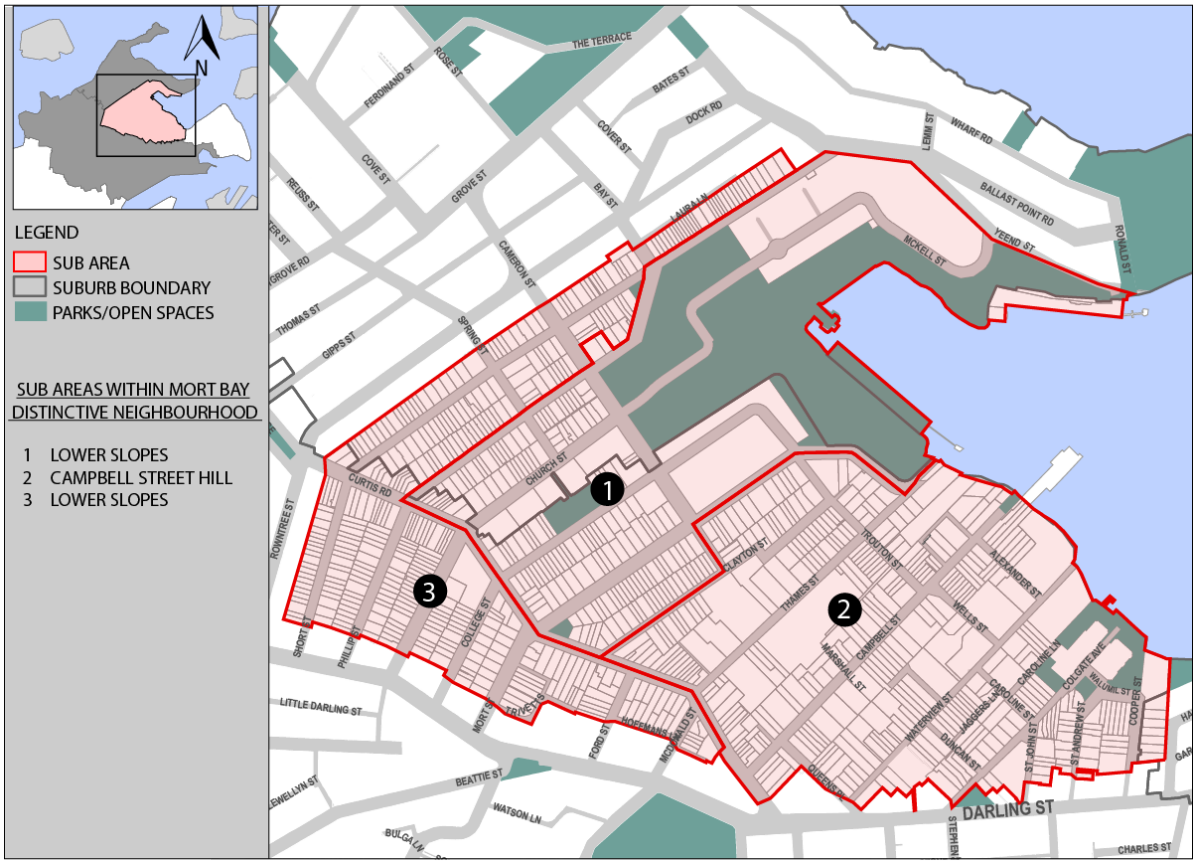

Figure C57: Sub Areas within Mort Bay Distinctive Neighbourhood

Landform

The Mort Bay Distinctive Neighbourhood is located on the north side of Darling Street between Balmain East and Birchgrove. The neighbourhood takes its name from Thomas Sutcliffe Mort who was the driving force (with Captain Thomas Rowntree) behind the establishment of Morts Dock in 1855. The dock and shipbuilding facility on the site of the present day Mort Bay Park was one of the main catalysts for the industrialisation and urbanisation of Balmain.

The neighbourhood is situated on the north-east facing slope bounded by Darling Street, Balmain East and Birchgrove. The Mort Bay Distinctive Neighbourhood stretches from Cooper Street in the east to Rowntree Street in the west.

The topography of the neighbourhood forms a natural basin around Mort Bay Park and a knoll around the top of Campbell Street.

The soils in the area are typical of the Balmain Peninsula with thin rocky soils along the upper slopes and some deeper, richer soils toward the bottom of the slope. The present day park at the site of Morts Dock was formed by backfilling after the dry dock was closed in 1965.

The orientation in the neighbourhood is across Mort Bay and Goat Island to the north/east providing views from the Sydney CBD to Chatswood.

The area was originally stripped of vegetation by timber getters and graziers, and trees for shade and amenity were reintroduced into the locality toward the end of the 1800s. Currently there is dense tree cover along the water's edge and mature trees throughout the neighbourhood. Due to the narrow streets, there are few trees along roads such as Waterview and Clayton Streets. On the wider streets

there is a consistent pattern of native street trees. These trees form a significant part of the streetscape.

The neighbourhood is served by six small parks as well as Mort Bay Park which has an area of 7.5 hectares. The policy of acquiring foreshore land for public open space in this neighbourhood has resulted in over 60% of foreshore land in the neighbourhood being dedicated public open space.

The Mort Bay Distinctive Neighbourhood is relatively small but has a rich architectural heritage dating primarily from post 1850. The neighbourhood has numerous individually listed Heritage Items, mostly located in the eastern half of the neighbourhood, between Clayton and Cooper Streets. Many houses date from the 1850s – 1870s. During this time Thomas Mort established the 'town of Waterview' overlooking the then Waterview Bay (now Mort Bay) to help fund the establishment of Morts Dock.

The historical development pattern of the late 1800s is preserved in the corner buildings with most of these buildings being two storeys, with shops below and housing above. These premises tend to have their front doors oriented to the corner and generally contain posted verandahs. Several examples of traditional corner shops remain. Corner buildings form the majority of the Heritage Items throughout the neighbourhood.

The original development pattern was based on maritime and other industries that crowded the shore around Mort Bay as well as the spread of development from the ridge top commercial precinct along Darling Street.

Mort Bay is one of the few remaining working bays in Sydney Harbour, with a number of marine businesses operating there. These include Sydney Ferries, the water taxi and the tug boat depots. These are in addition to the former Colgate – Palmolive site at the end of Colgate Avenue (now converted for residential use). These industries overlook Ballast Point and are representative of the industrial and maritime uses of Mort Bay over the past 150 years.

The road pattern generally follows the topography of the neighbourhood. Curtis and Cameron Streets follow the contours and all other streets cross the contours and extend down to the water's edge. In the vicinity of the Campbell Street hill and further east, the roads are generally narrow with average widths ranging from 5m to 6m. This area in the east of the neighbourhood is steeper and has a tighter built form. It is also served by a series of laneways. Laneways such as Campbell Lane are narrow (3.6m) and unformed. This small laneway, with its stone houses, evokes strong images of the harsh living conditions in Balmain during the late 1800s and early 1900s.

In the west of the neighbourhood, the road pattern becomes more regular, with uniform and regularly spaced roads angled gently down the slope towards Ballast Point. Roads between Mort Street and Rowntree Street are 10m wide or 15m wide. There are only a few scattered service lanes in the neighbourhood. Sandstone kerbs remain on most streets.

Mort Bay Park

A revised plan of management was developed for the long term management of Mort Bay Park in 2004.

Existing Character

Thomas Mort promised his workers' freehold title to small parcels of land (10m x 20m approx) upon completion of the dock. Additional land around the dock was subdivided and sold to pay for expansions of the dock in 1866 and 1875. These land sales established the subsequent development pattern in the neighbourhood.

In the Mort Bay Distinctive Neighbourhood the many layers of development, land uses and social history are all readily visible in the built form. In the neighbourhood are reminders of the industrial and working class character of the area. These reminders include the dry dock still visible in the park, traditional corner pubs, the Colgate Buildings (now converted to residential uses) and traditional saw tooth roof profile visible along Cameron Street.

The social history of the neighbourhood is evidenced by the many humble workers cottages and few substantial houses. The strong labour traditions of the neighbourhood are evident in the Christian Brothers Catholic School on Thames Street as well as in the Painters and Dockers Union Hall nearby.

The neighbourhood has changed dramatically in the past 30 years, however, the industrial roots of the Balmain area are evident around Mort Bay more than perhaps anywhere else on the peninsula.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the single storey scale and form over most of the slope from Darling Street to the bay, applying a 3.6m maximum building wall height, except on dominant corners, where 6m may be appropriate, particularly with parapet forms. Pitched roofs are appropriate, generally using custom orb profile steel. Timber buildings should generally be extended with light frame structures and cladding rather than masonry.

C2 Campbell Street and east of Campbell Street was developed earlier and has a character closer to that of Balmain East, and parts of Gladstone Park. Most buildings are attached and built to the street alignment, with many being unadorned. Two storeys are more common, where a maximum building wall height of 6m is appropriate. Pitched and complex roofs are appropriate.

C3 Conserve the remaining maritime service industries around the Mort Bay shoreline.

C4 Conserve existing varied styles of housing with special regard to the modest scale and simple, unadorned nature of the architecture.

C5 Conserve the stone buildings and other built fabric dating from the mid-1800s.

C6 Preserve view lines to the north and east over Mort Bay by stepping buildings with the prevailing topography.

C7 Conserve the rhythm of the neighbourhood by maintaining the lot sizes, housing style and prevalence of hipped and pitched roofs. Preserve the established setbacks for each street.

C8 Encourage adaptive reuse of non-residential buildings in the neighbourhood.

C9 Preserve the scale and form of corner buildings within the neighbourhood.

C10 Preserve the consistency and simplicity in built form, style and materials of the neighbourhood.

C11 Maintain the existing roof forms, setbacks and fencing styles prevalent in each street.

C12 Preserve stone cottages and stone walls throughout the neighbourhood.

C13 Maintain the established open low timber and iron picket front fences.

C14 Cutting into rock face for any purpose including driveway crossings is to be avoided.

C15 Maintain the dense native tree cover on public and private land. Replacement trees should be native species, with size and canopy suitable to maintain the amenity of the area.

C16 Setbacks of front walls and front verandahs within the neighbourhood are to be a minimum of 1m however, where the established setback in the immediate area (within 3 houses of the object site) is different, the setback for new development should be consistent with the prevailing setback.

C17 Maintain roof forms with pitched, gable or hipped roofs.

C18 The use of traditional timber, stone or render finishes, corrugated iron roofing (custom orb profile steel) and timber windows are encouraged.

C19 Posted verandahs over footpaths may be considered on corner sites where the established setback is nil and the established scale is two storeys.

C20 Where structures are proposed to be built on top of exposed rock face, they shall be stone, timber or rendered masonry and shall be coloured to complement the sandstone.

C21 Development visible from the water is to be designed to preserve the conservation values of the area when viewed from the water. Details of the proposal, as viewed from the water are to be supplied with relevant development applications.

C22 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.2.5(a) Lower Slopes Sub Area

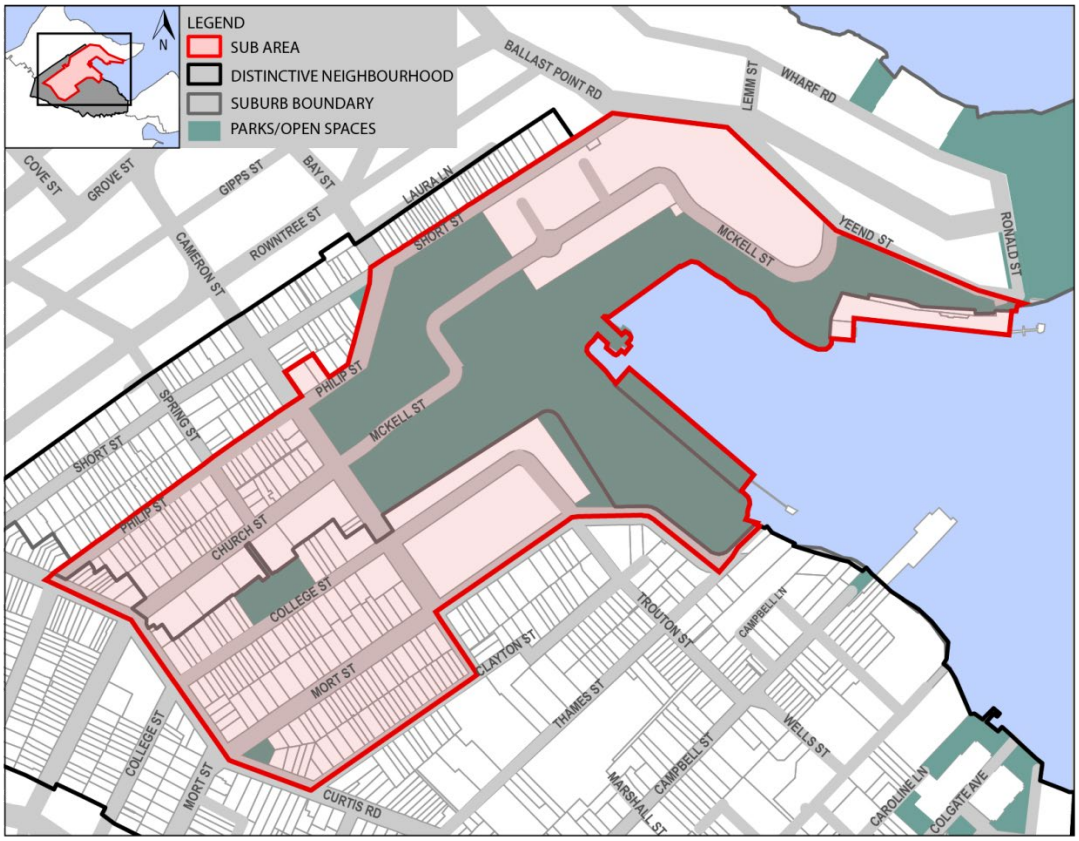

Figure C58: Lower Slopes Sub Area

Within the Lower Slopes Sub Area, the vast majority of housing on the lower and mid slopes are cottages that were formerly used by dock and factory workers. These cottages are primarily timber or rendered masonry, however, scattered throughout the neighbourhood are some stone houses. Two excellent examples of stone workers cottages are located on College Street near the playground. These cottages are among the earliest houses in the area.

The lower slopes of the neighbourhood are representative of the modest residential character in the neighbourhood. The existing and original scale of development is single storey freestanding cottages with two storey development on corner sites, and scattered amongst the older cottages. The scale of buildings varies from street to street; however, the form changes notably above Curtis Road. On many of the streets, the rows of single storey workers cottages are punctuated by first floor additions. In places, the first floor additions are modest while elsewhere, the additions to the cottages involve a complete reconstruction with new roof forms, cladding and dormers.

The lower slopes around Mort Bay Park are also the locations where successive generations of public housing have been constructed. The older of these are the 1940s walk up flats at the corner of Church Street and Curtis Road. The more recent housing is in the form of 1980s town house development located around Trouton and McKell Streets.

Desired Future Character

Control

C1 Development is to be consistent with any relevant objectives and controls within The Mort Bay Distinctive Neighbourhood.

C2.2.2.5(b) Campbell Street Hill Sub Area

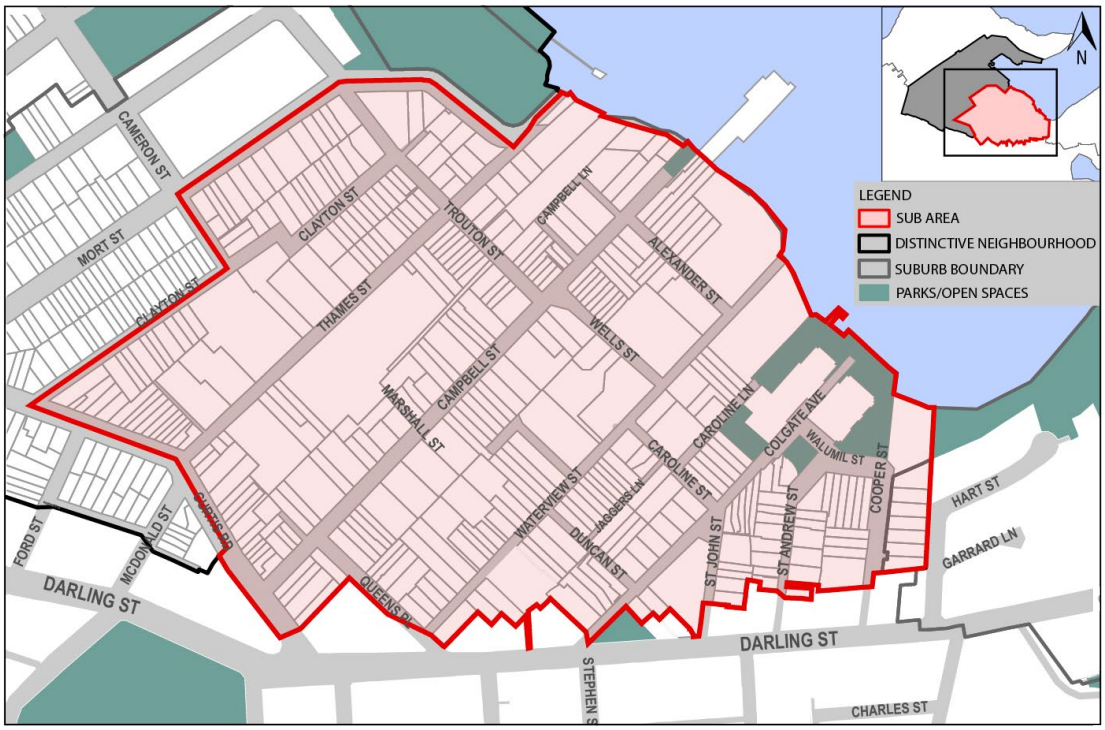

Figure C59: Campbell Street Hill Sub Area

This area has an imposing presence above the lower slopes with a 6m retaining wall rising abruptly above the eastern end of Cameron Street.

The hill is characterised by steep rises and numerous rock cuttings. The stepped nature of development accentuates the scale of the many large buildings rising from the hill. The development on and around the Campbell Street hill is an eclectic mix of uses. Among many historic buildings located in this area are the Christian Brothers school on Thames Street and the notable Georgian style Balmoral House on Waterview Street (originally a humble stone house dating from the 1830s), as well as the grand water front homes known as the Kinsale group of houses on Campbell Lane.

Contrasting to the grand houses around Campbell Street are the twin Colgate factory buildings on Colgate Avenue and the many active waterfront industries. There is a mix of housing styles within the area between Cooper Street and Waterview Street. These styles range from 1840s stone houses reflecting early Darling Street (Queens Place) through to Georgian and late Victorian terrace houses. Also located in this area are several blocks of walk up flats. This area has the majority of the Heritage Items in the neighbourhood.

Desired Future Character

Control

C1 Development is to be consistent with any relevant objectives and controls within the Mort Bay Distinctive Neighbourhood.

C2.2.2.5(c) Upper Slopes Sub Area

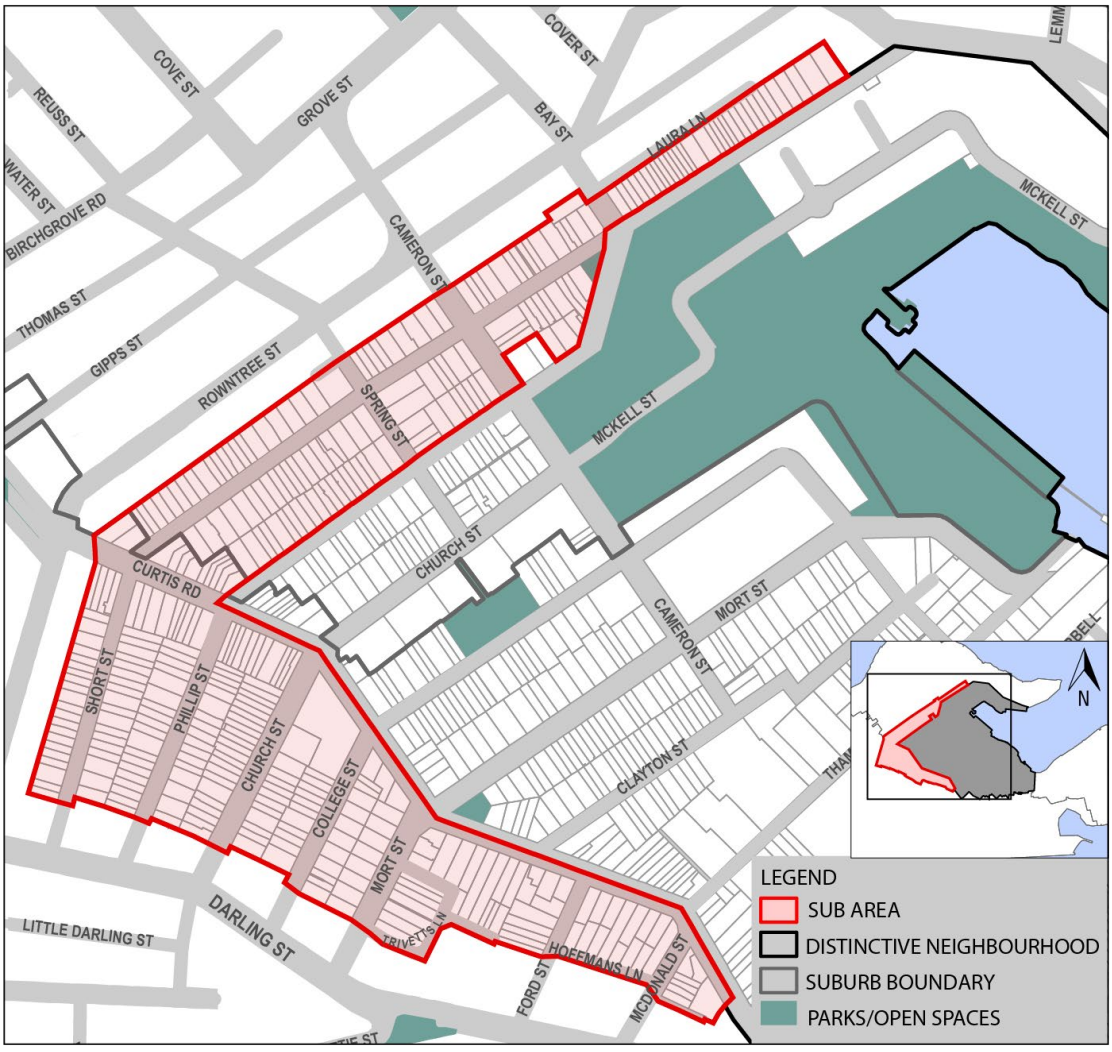

Figure C60: Upper Slopes Sub Area

The upper slopes of the neighbourhood around Darling Street south of Curtis Road and along Ballast Point Road tend to be reflective of the Victorian era development along Darling Street. The built form along these streets varies in scale from one to two storeys with generally larger dimensions than on the lower slopes adjacent to Mort Bay Park. The buildings are uniformly Victorian in style with traditional materials (render and iron), setbacks of 2m and iron picket fencing.

Desired Future Character

Control

C1 Development is to be consistent with any relevant objectives and controls within The Mort Bay Distinctive Neighbourhood.

C2.2.2.6 Birchgrove Distinctive Neighbourhood

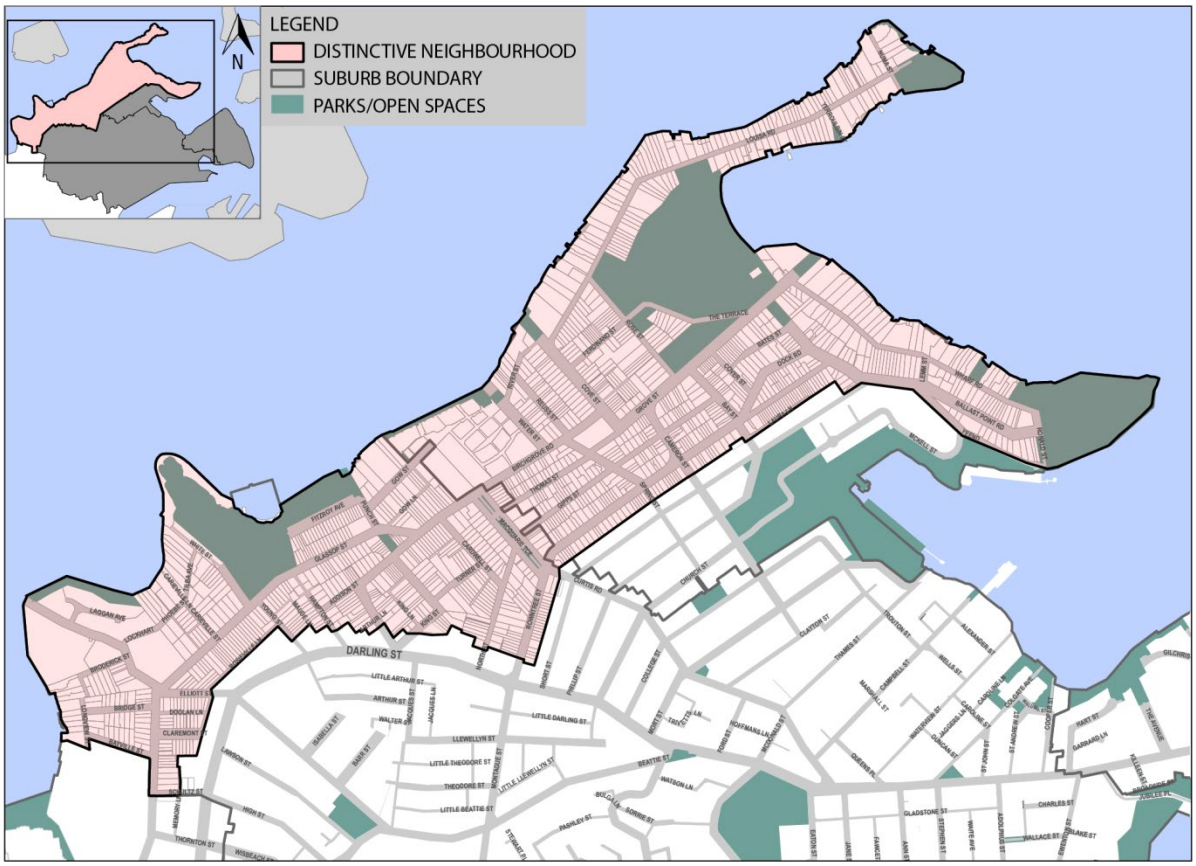

Figure C61: Birchgrove Distinctive Neighbourhood

Outline

This neighbourhood has one discrete Sub Area which has unique characteristics and additional objectives and controls:

a. Louisa Road Sub Area – Section C2.2.2.6(a).

Landform

The Birchgrove Distinctive Neighbourhood is primarily located on the north-west facing slope of the Balmain Peninsula overlooking the Parramatta River and includes Yurulbin, Long Nose and Ballast Points.

Generally the slopes of the neighbourhood fall from the main ridge of Darling Street and the spur of Rowntree Street. The relatively uniform slope down to the long waterfront provides for long views up the Parramatta River and its islands, with Cockatoo Island dominant in the foreground. As the topography flattens to the west the landscape becomes more open, in contrast to the closed landscape found elsewhere in Balmain.

There are narrow reclaimed foreshore terraces behind stone retaining walls for most of the Parramatta River frontage of this neighbourhood. Due to the north-west aspect it is very exposed to sunlight and tree cover is essential for moderating its impact. The primacy of views makes sustaining trees a problem. Nevertheless, there is reasonable tree cover and the contribution of ‘Elkington’, ‘Birchgrove’ and ‘Ballast Point’ parks, are valuable.

Existing Character

The traditional housing styles in the neighbourhood include grand houses in a variety of styles along the waterfront as well as smaller more modest housing away from the waters edge (most of the foreshores in Birchgrove were too steep for commerce and were thus available for housing). Housing in the south of the neighbourhood tended to reflect other housing in the vicinity of Darling Street, such as middle class housing to serve the needs of those involved in Darling Street commerce.

From the 1860s several waterfront businesses were established on the peninsula. These included coopers (barrel makers), boat builders and the Morrison and Sinclair ship builders. After building warships, Tasman ferries and ocean going yachts, the shipyard at Yurulbin Point was sold and converted to parkland (Yurulbin Park) in 1972.

The Birchgrove Distinctive Neighbourhood is now a residential area with scattered corner shops, schools and remnant maritime industry. In the decades since 1940, the variety of housing has increased to include blocks of walk-up flats, converted shops and townhouses. This is in addition to the majority of houses, which remain much as they were originally constructed in earlier periods of settlement.

Roads in the neighbourhood have been laid out to reflect the topography as well as the various stages of development in the late 1800s. Road widths vary considerably throughout the neighbourhood, ranging from laneways being approximately 2.5m wide to Cove Street with a 20m wide road reserve. Footpaths and sandstone kerbing is provided throughout the neighbourhood.

Major parks in the neighbourhood include Birchgrove Park (5.6 hectares in area) with its famous oval and dense tree canopy, as well as Elkington Park (3 hectares in area). As part of the redevelopment of the Howard Smith site which was adjacent to Birchgrove Public School, a strip of waterfront land has been dedicated as public open space. Elkington Park provides a pleasant shaded open space on the headland overlooking Cockatoo Island. This park also contains the Dawn Fraser Baths.

These major parks are supported by six waterfront pocket parks around the neighbourhood. These parks are mostly located where roads formerly serviced ferry wharfs and were created by Council over the last few decades.

On the upper slopes, south of Macquarie Terrace, the housing styles include single and double storey houses dating from the initial period of development around 1860. These houses are generally built in the Victorian style with rendered finish and slate or iron roofing. The front setbacks vary from 1m to 4m and many have mature trees in the front yards. Most trees in the area are mature exotic trees located on private land.

Subdivision patterns throughout the neighbourhood are typical of the Balmain area, with the preference for long narrow lots in the English tradition. Larger sites were created for waterfront industry or for larger houses. In recent years multi-unit housing has been built on several former industrial sites.

Many waterfront residential developments follow the slope of the land down to the water. This results in a number of residences with a single or double storey street frontage, having 4 or 5 levels visible from the water. The architecture facing the water is a mix of contemporary open plan, glass walled styles, Victorian houses with distinctive ‘widows walks’, and a few remaining iron and timber workers cottages mainly overlooking Iron Cove.

Other notable development styles in the neighbourhood include rows of terraces in Grove Street and a row of stone workers cottages with sunken lower floors and front light wells, in Rowntree Street.

In the southern portion of the neighbourhood there are a variety of housing styles without the diversity in size found in the northern portion of the neighbourhood. In the vicinity of Glassop and Cardwell Streets there is a range of housing styles including terraces and freestanding dwellings with the following predominant characteristics:

a. two storey in scale, front setbacks less than 2.5m;

b. open picket fence;

c. mature landscaping on private land and on most streets;

d. pitched or gabled roofs (although all styles of roof are in evidence to some degree);

e. no driveway crossings;

f. brick or render, timber and stone construction;

g. timber doors and windows as well as slate, tile or iron roofs.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Development should follow the topography of the area and maintain the single storey scale on the mid slopes and mixed one and two storey scales at the top and bottom of the slopes.

C2 Conserve and promote the consistent rhythm within the streetscape created by regular lot sizes, subdivision pattern and the predominance of detached and semi-detached houses with a prevalence of hipped, pitched and gable roof forms. Preserve the established setbacks for each street.

C3 Preserve and where practicable, enhance public and private views over Snails Bay and Parramatta River. Buildings on the waterfront should follow the slope and help preserve view lines by stepping down with the contours.

C4 Promote a balance of landscape to built form in the view of the neighbourhood when viewed from the water.

C5 Conserve the single and double storey, freestanding form, style and materials characteristic to each street.

C6 Where a consistent pattern of architectural style and form exists, preserve this consistency on each street.

C7 Retain stone cottages and stone walls where they occur throughout the neighbourhood.

C8 Maintain the diverse character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials.

C9 Former shops and corner shops should be preserved. Posted balconies and verandahs over the footpath should be reconstructed or restored, where they were an original feature of the building.

C10 Fences should be low open picket style with iron or timber pickets and with metal timber or stone posts.

C11 Ensure that any development does not overwhelm the capacity of adjacent laneways; any development utilising laneways should include provision for upgrading of laneways to current engineering standards.

C12 Conserve and complement the established streetscape with regard to setbacks, street trees and general lack of driveway crossings.

C13 Maintain sandstone outcrops and remnant stone wall footings.

C14 Retain and encourage street trees on the wider streets

C15 A maximum wall height of 6m applies to the neighbourhood.

C16 Changes to the front façades of existing dwellings shall be kept to a minimum with additions to the rear of dwellings preferred.

C17 New/expanded driveway crossings shall be discouraged. Driveway crossings will only be supported where they are servicing single width garages and they do not involve excavation of sandstone features such as gutters.

C18 New development shall maintain the use of hipped, pitched or gabled roof forms and designs shall be complementary to the existing unadorned built form. Flat roofs may be appropriate where the style of architecture is contemporary and view lines may be affected.

C19 Building materials used shall be consistent with the existing character of the streetscape, including rendered and painted surfaces and roof materials such as corrugated iron as well as timber windows.

C20 Retain existing stone houses and walls and exposed rock face.

C21 Development visible from the water is to be designed to preserve the conservation values of the area. When viewed from the water a balance between built form and landscape is to be achieved/maintained through side setbacks and landscaping. Additionally the rear elevation must be designed so it does not detract from the form, character and scale of the conservation area. The amount of glazing to solid ratio on the rear elevation must be sympathetic to the immediately surrounding development.

C22 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.2.6(a) Louisa Road Sub Area

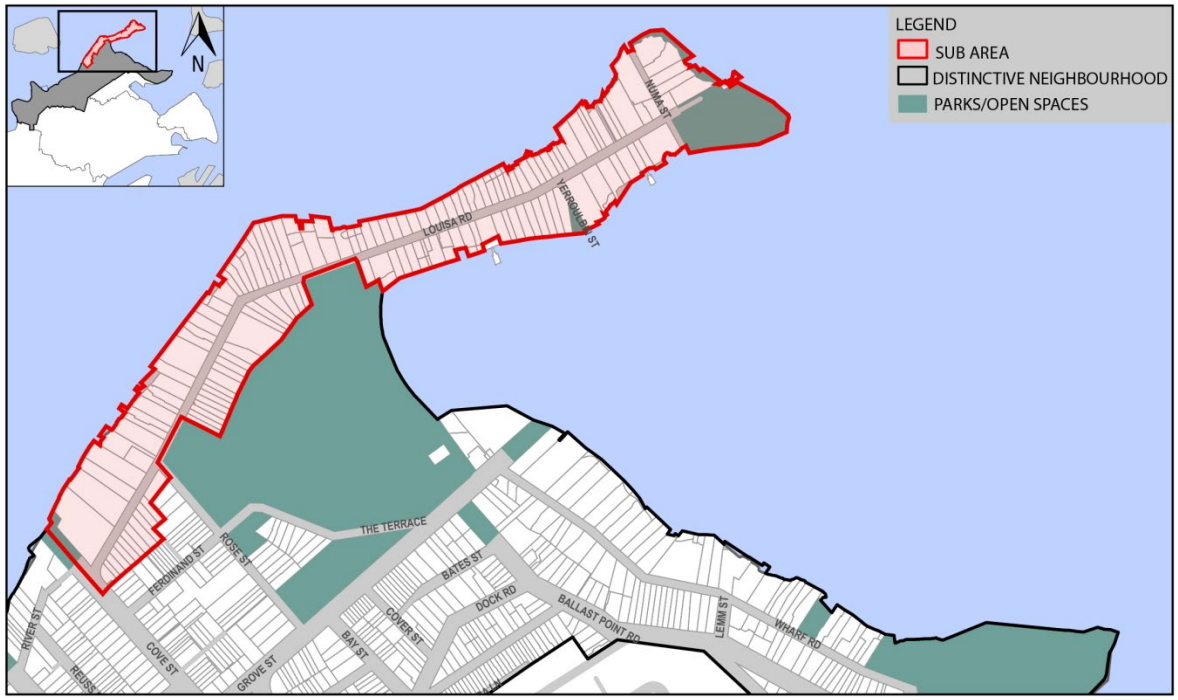

Figure C62: Louisa Road Sub Area

The Louisa Road Sub Area includes Yurulbin Point which extends approximately 500m into the harbour at the northern end of the Balmain Peninsula. This narrow spit of land (between 65m and 130m wide) is elevated up to 15m above sea level.

Louisa Road is characterised by spectacular views over the harbour and Parramatta River. The 10m cliff face with associated trees and rock ledge overlooking the Parramatta River is a highly visible and important natural feature of the spit. The built form in this locality is a mix of housing styles dating back to Victorian times. Most houses have been altered and remodelled over the last several decades. An exception is 'Raywell' at No. 144 Louisa Road. This sandstone house was built in the Victorian free classical style and is located on a small rise above the street. The house is significant for addressing the street where most original houses in this locality address the water.

Many houses along the street address the water generally as multistorey, glass walled contemporary styles stepping up with the topography to maximise the views across the width of their allotments.

There is limited off–street parking and pedestrian access along Louisa Road because most houses have driveway access and many have garages on their front property boundaries.

Desired Future Character

Control

C1 Development is to be consistent with any relevant objectives and controls within the Birchgrove Distinctive Neighbourhood.

C2.2.3 Leichhardt Distinctive Neighbourhoods

The following areas within Leichhardt are identified as 'Distinctive Neighbourhoods' by virtue of topography, estate and street pattern or building form. The Sub Areas identified within some of the Distinctive Neighbourhoods are areas which have unique characteristics, with specific objectives and controls.

Development is required to be consistent with the Desired Future Character objectives and controls within the Distinctive Neighbourhood and any Sub Area within the locality, in addition to the requirements within other sections of this Development Control Plan.

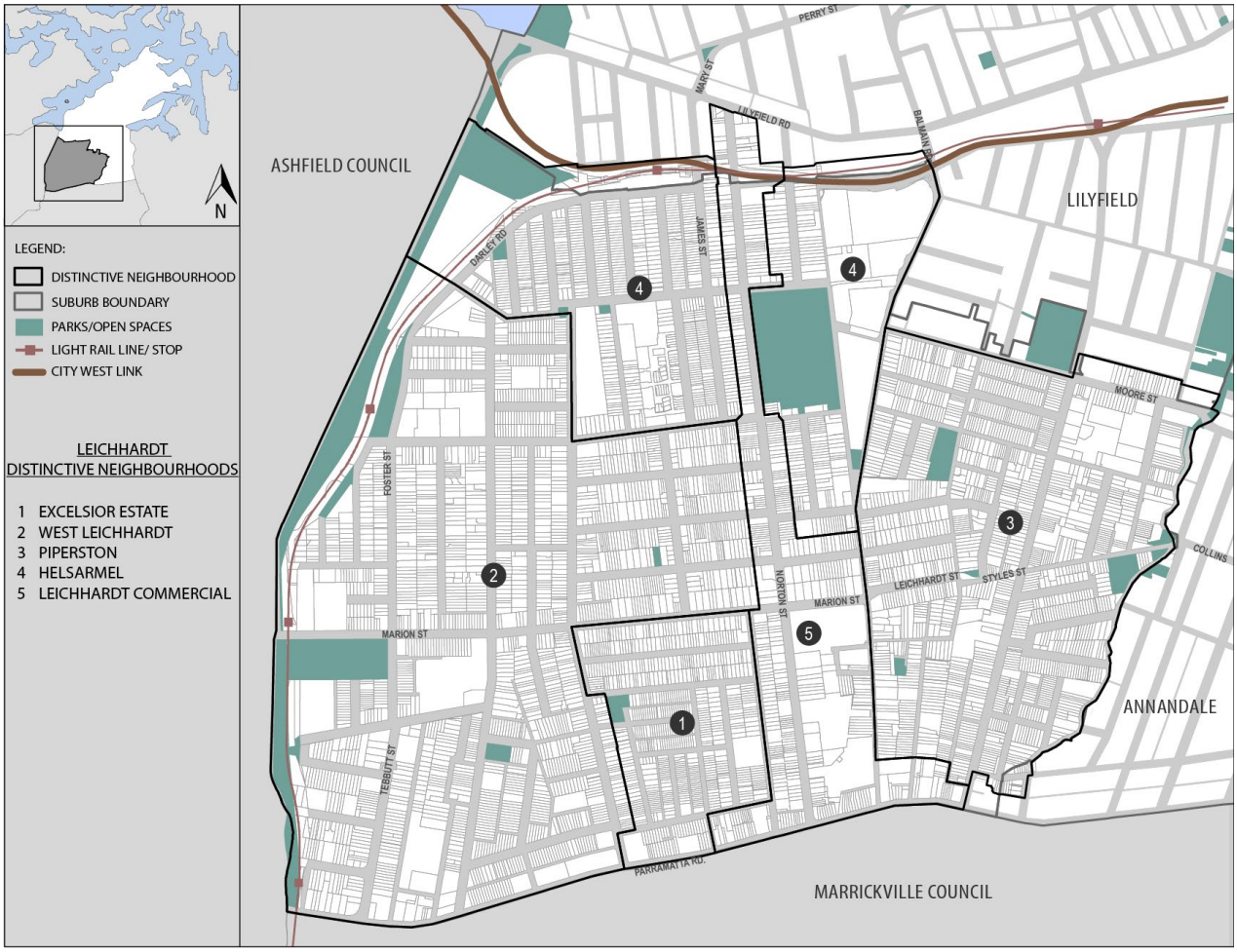

Figure C63: Leichhardt Distinctive Neighbourhoods

C2.2.3.1 Excelsior Estate Distinctive Neighbourhood

Figure C64: Excelsior Estate Distinctive Neighbourhood

Outline

This neighbourhood has three discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. The Core Sub Area – Section C2.2.3.1(a);

b. Parramatta Road/Jarrett Street Sub Area – Section C2.2.3.1(b); and

c. Thornley Sub Area - Section C2.2.3.1(c).

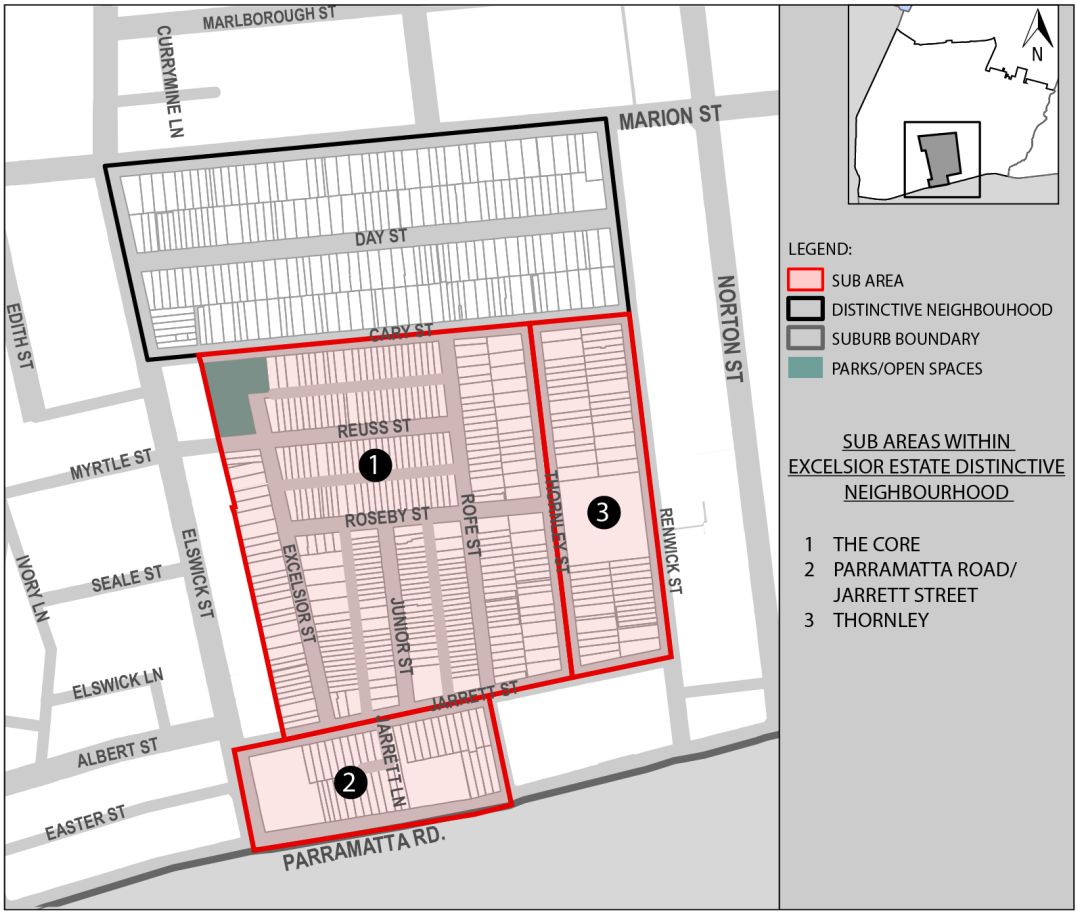

Figure C65: Sub Areas within Excelsior Estate Distinctive Neighbourhood

Landform

The boundary of The Excelsior Estate Distinctive Neighbourhood is defined by Marion Street, Elswick Street, Parramatta Road and the west side of Renwick Street.

Excelsior Estate Distinctive Neighbourhood is located on the south westerly slope of the main Leichhardt ridge. The junction of Norton and Marion Streets represent the highest point along the Leichhardt ridge and from here the land slopes gently westwards with views out towards Haberfield. The dominant street pattern is north-south, with a few roads and laneways running east-west.

Existing Character

The Excelsior Estate Distinctive Neighbourhood displays a dense pattern of settlement, particularly at its core. Most of the Estate was developed between 1881 and 1891 with house and land packages incorporating modest versions of grander semi-detached dwellings and terraces popular at the time. The original Excelsior street layout and subdivision pattern remains to this day.

There is considerable diversity in architectural style and form in the area with grander houses towards the upper slopes on Thornley, Renwick and Marion Streets. One such example is St. Marthas Girls Home, which is currently being used as the Catholic Education Centre, located on Thornley Street.

A major part of the character of Excelsior Estate is derived from its elevated topography, its rectilinear pattern of straight streets, some with rear lanes, small allotment sizes and its clear hierarchy in the varying scale of dwellings. Reuss, Excelsior, Cary, Roseby, Junior and Rofe Streets are narrower with smaller allotments serviced by rear lanes. The street layout has ensured that most of the residential streets do not provide a direct thoroughfare from Parramatta Road.

The only park within the neighbourhood is located at the northern end of Excelsior Street, and was not originally provided for in the 1880s. Despite the relative shortage of public open space and dense subdivision pattern, the neighbourhood has a relatively good tree canopy for a dense urban area. This is a result of extensive street tree planting and backyard vegetation.

The laneways within Excelsior Estate Distinctive Neighbourhood retain a historical low service character and are less than 5m in width with no residential development fronting onto them.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the consistency in built form, style and materials for the Victorian Italianate style where appropriate.

C2 Preserve the consistency in architectural detail of continuous rows of attached dwellings.

C3 Promote land uses and urban design that enhance and contribute to the character and identity of the neighbourhood whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C4 Preserve and maintain the predominant subdivision pattern of Excelsior Estate Distinctive Neighbourhood.

C5 Preserve and enhance the hierarchy of scale and character of dwellings, including the semi-detached and terraced dwellings with gabled and parapet roof forms.

C6 Preserve the character of rear lanes in the Excelsior Estate Distinctive Neighbourhood by discouraging residential development.

C7 Maintain the prevalence of street trees, in addition to mature and visually significant trees on private land.

C8 Enhance and promote the continual development and viability of shops along Parramatta Road.

C9 Building wall height is to be a maximum of 3.6m, unless an alternative building wall height is prescribed under the Sub Area controls.

C10 Council does not support residential development fronting onto lanes.

C11 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.3.1(a) The Core Sub Area

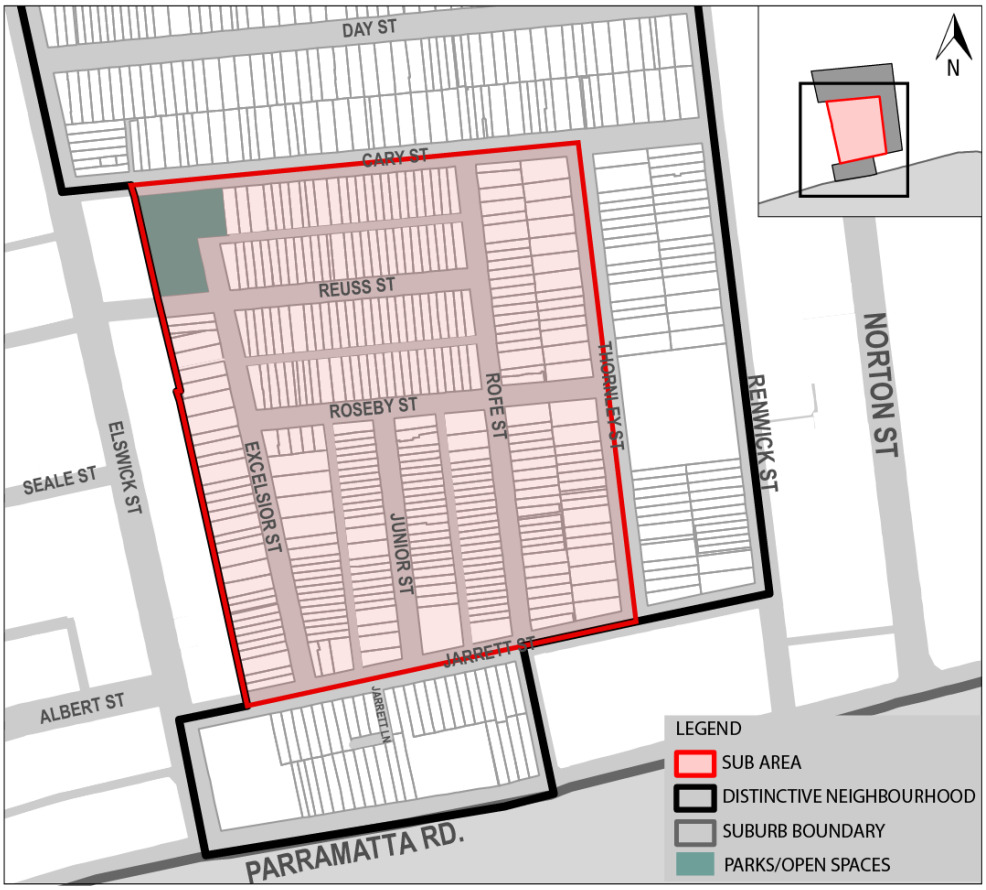

Figure C66: The Core Sub Area

The Core Sub Area within the Excelsior Estate Distinctive Neighbourhood is highly consistent in built form, comprising mainly attached dwellings, single storey semi-detached and two storey terraced dwellings. Dwellings in the Core Sub Area are mainly constructed with masonry walls with hipped corrugated iron roofs sloping to the street frontage. They are usually set back 2m to 3m from the street alignment.

The streetscape is cohesive by virtue of consistent allotment sizes, siting and the small scale of the dwellings. Allotment widths range between 4m and 5m with a depth typically between 25m and 30m.

Unsympathetic alterations, such as the use of inappropriately proportioned dormer windows, glazing of two storey terrace balconies, excessively high front fences made of solid materials, and changes to original windows and doors are often evident in this area. Dormer windows are usually not an original feature of these dwellings and many have been added to the dwellings in this area. Such changes have resulted in the interruption of the streetscape and the breaking up of the consistent rooflines.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and reinforce the established streetscape of The Core, consisting of predominantly single storey, attached, terrace-style Victorian 'workers' cottages'.

C2 Ensure that future development and/or additions are consistent with the predominant built character of the Core in relation to height, built form, style and materials and the use of dormer windows.

C3 Conserve and enhance the existing aesthetic quality of Marr Reserve, as well as its value as a public recreation space.

C4 A maximum building wall height of 2.4m applies to those streets containing small, single storey workers' cottages.

C5 Changes to the front façade of dwellings in this area shall be kept to a minimum.

C6 Front fences of any solid material over 1.2m shall not be constructed or replaced.

C7 Development is to be consistent with any relevant objectives and controls within the Excelsior Estate Distinctive Neighbourhood.

C2.2.3.1(b) Parramatta Road/Jarrett Street Sub Area

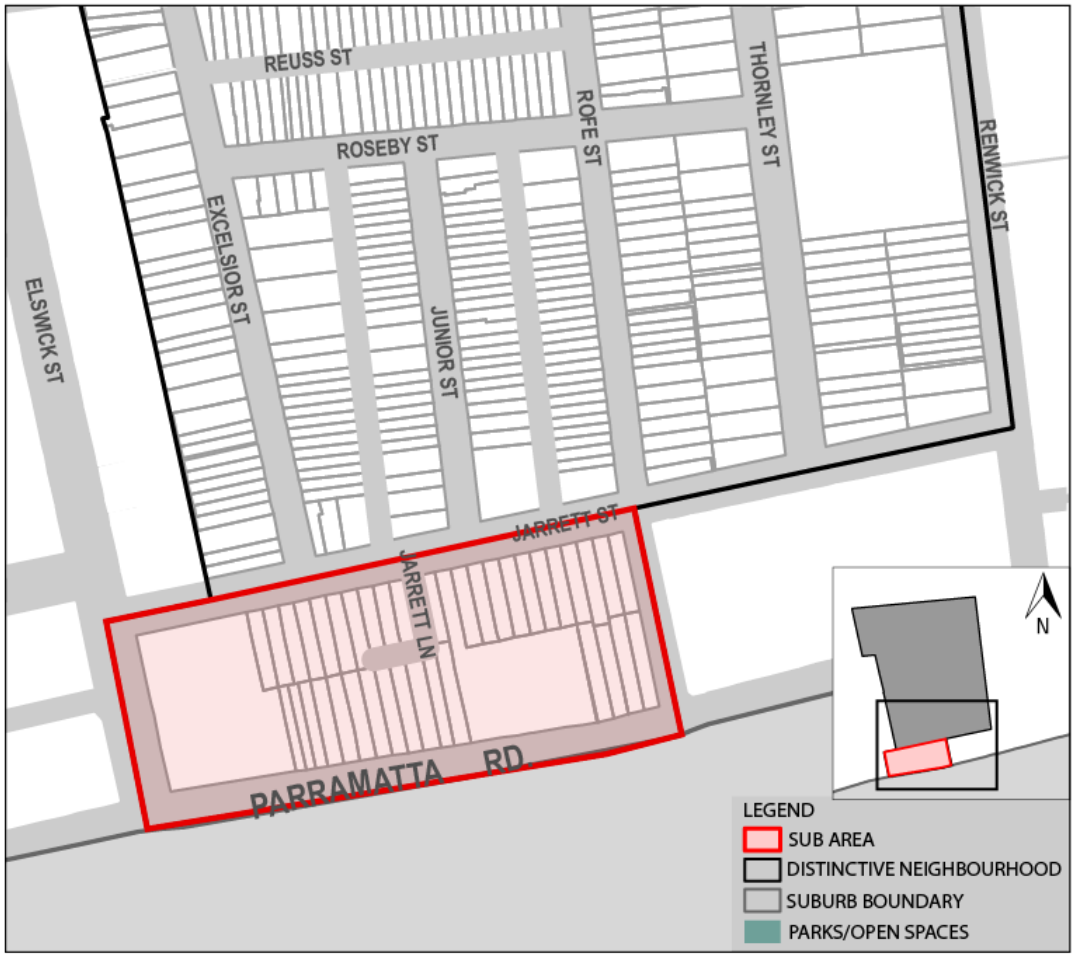

Figure C67: Parramatta Road / Jarrett Street Sub Area

The character of the Parramatta Road streetscape between Rofe and Catherine Streets is predominantly two storeys, parapet-fronted, Italianate styled façades from the late 1800s. There have been a few examples of unsympathetic modern developments along Parramatta Road, where no reference to the existing 1880's architectural style has been taken.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage the ongoing viability of businesses in the Parramatta Road/Jarrett Street local area.

C2 Promote the use of business, which does not require high levels of parking.

C3 Promote mixed-use commercial businesses incorporating a residential component above, dwellings along Jarrett Street and Parramatta Road and to the rear of businesses along Parramatta Road where permissible, provided that it does not have a significant impact on the viability of adjacent commercial sites.

C4 Ensure new residential or commercial development along Parramatta Road and Jarrett Street provides pedestrian access from Jarrett Street to Parramatta Road when possible.

C5 Retain the existing scale and traditional shopfront presentation of buildings along Parramatta Road and allow for contemporary development along Jarrett Street.

C6 Encourage appropriate signage consistent with the predominant signage type along Parramatta Road, mainly under awning, facia, window signs and hamper signs consistent with Part C1.15 Signs and Outdoor Advertising within this Development Control Plan.

C7 Signage above the awning shall be discouraged.

C8 Development is to be consistent with any relevant objectives and controls within the Excelsior Estate Distinctive Neighbourhood.

C2.2.3.1(c) Thornley Sub Area

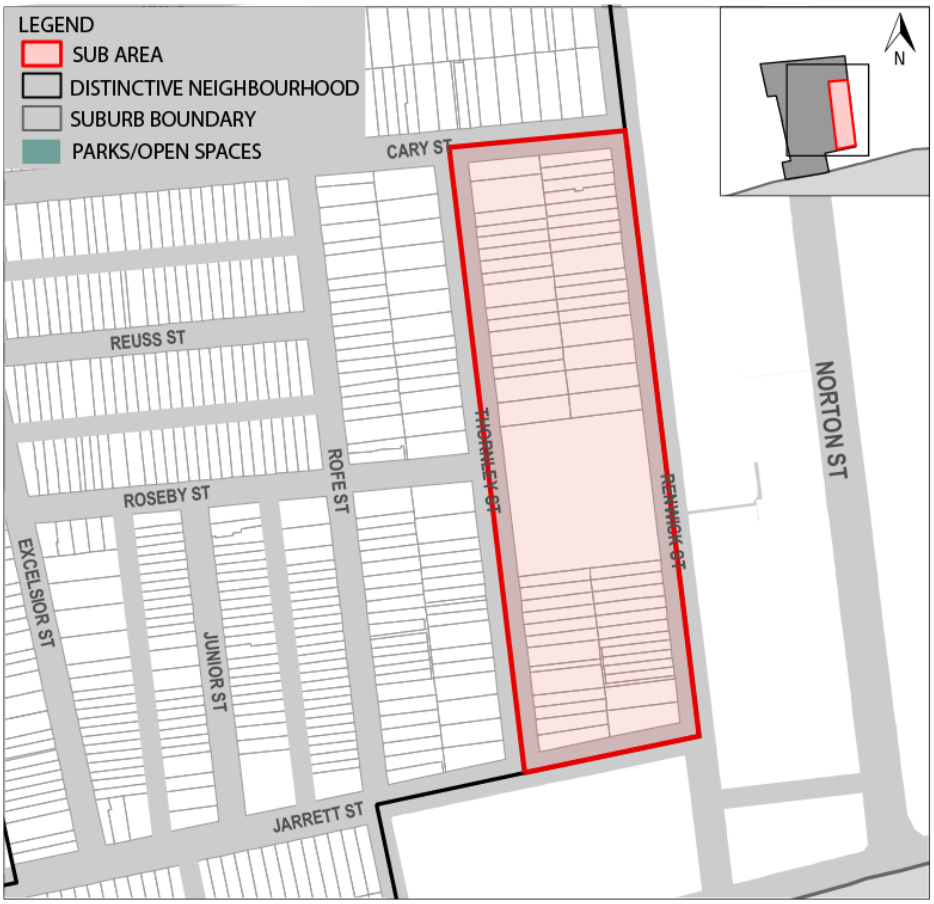

Figure C68: Thornley Sub Area

Thornley Sub Area is a small section of Heritage Conservation Area within the Excelsior Estate Distinctive Neighbourhood. The intact streetscape of grander dwellings on smaller lots has been identified as worthy of conservation.

The Thornley Sub Area is relatively consistent in built form, with a predominance of larger scale dwellings, typically two storey Victorian terraces. These larger proportioned dwellings take advantage of the views to the west, towards Haberfield from the higher slopes. The variation in lot sizes throughout this area allows for a variety of sizes and styles of two storey terraces, occurring in rows, pairs and free-standing.

Unsympathetic alterations are often evident within the Thornley Sub Area. These include the use of inappropriately proportioned dormer windows, the glazing or 'filling in' of balconies, high front brick fences over 1.2m and changes to original window and door locations and sizes without reference to their original configuration. Such alterations detract from the character of the area and diminish the architectural value of the streetscape.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the established grander scale character of dwellings and subdivision pattern of the area.

C2 Encourage the continual use of St. Martha's located between Thornley Street and Renwick Street for community and educational uses.

C3 A maximum building wall height of 6.0m – applies to those streets containing two storey terraces; namely: Thornley Street between Jarrett Street and Roseby Street, and Renwick Street.

C4 Development is to be consistent with any relevant objectives and controls within the Excelsior Estate Distinctive Neighbourhood.

C2.2.3.2 West Leichhardt Distinctive Neighbourhood

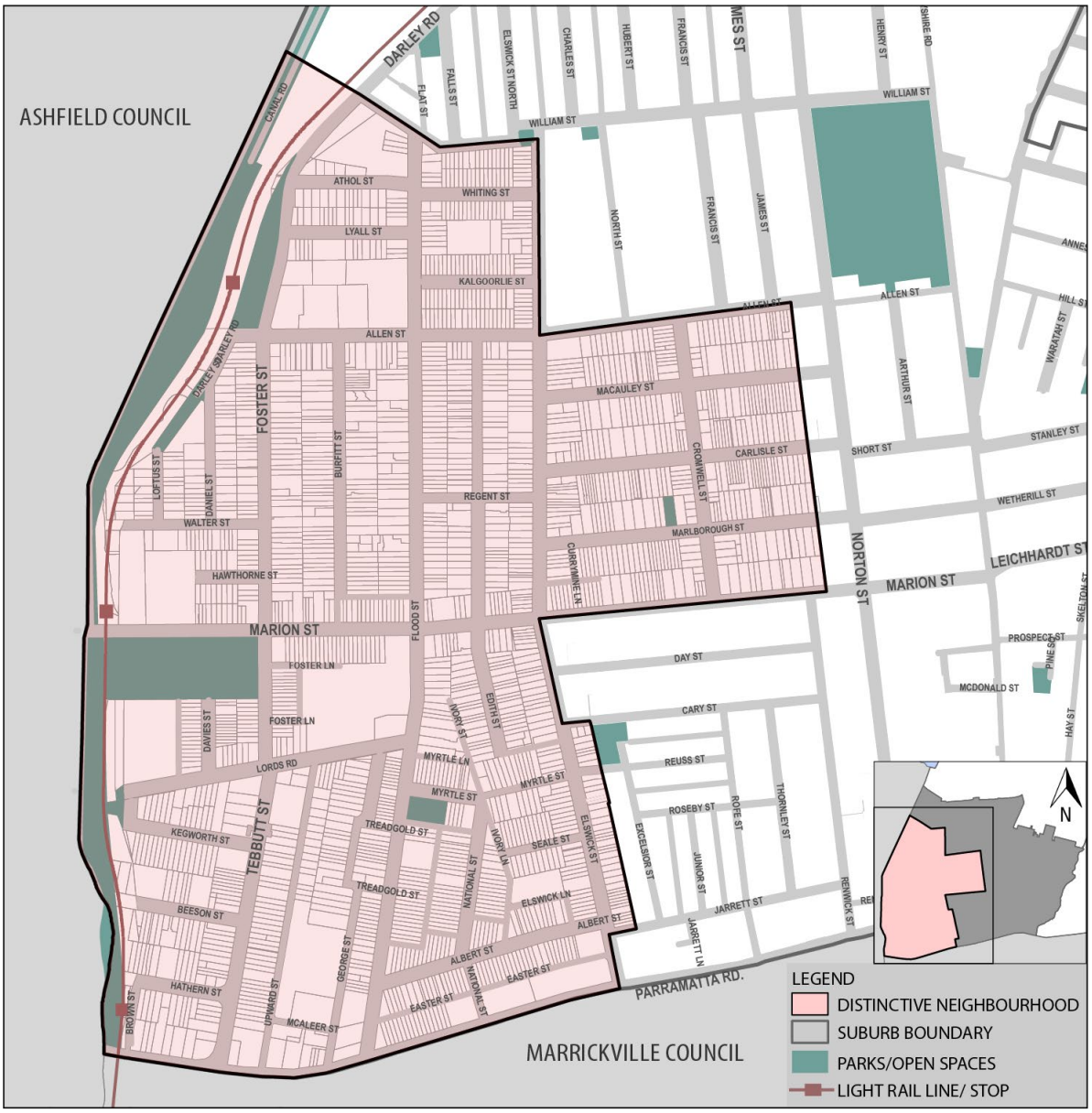

Figure C69: West Leichhardt Distinctive Neighbourhood

Outline

This neighbourhood has four discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Industrial/Business Sub Area – Section C2.2.3.2(a);

b. North Residential Sub Area – Section C2.2.3.2(b);

c. Macquarie Gift Sub Area – Section C2.2.3.2(c); and

d. Hampton Farm Sub Area – Section C2.2.3.2(d).

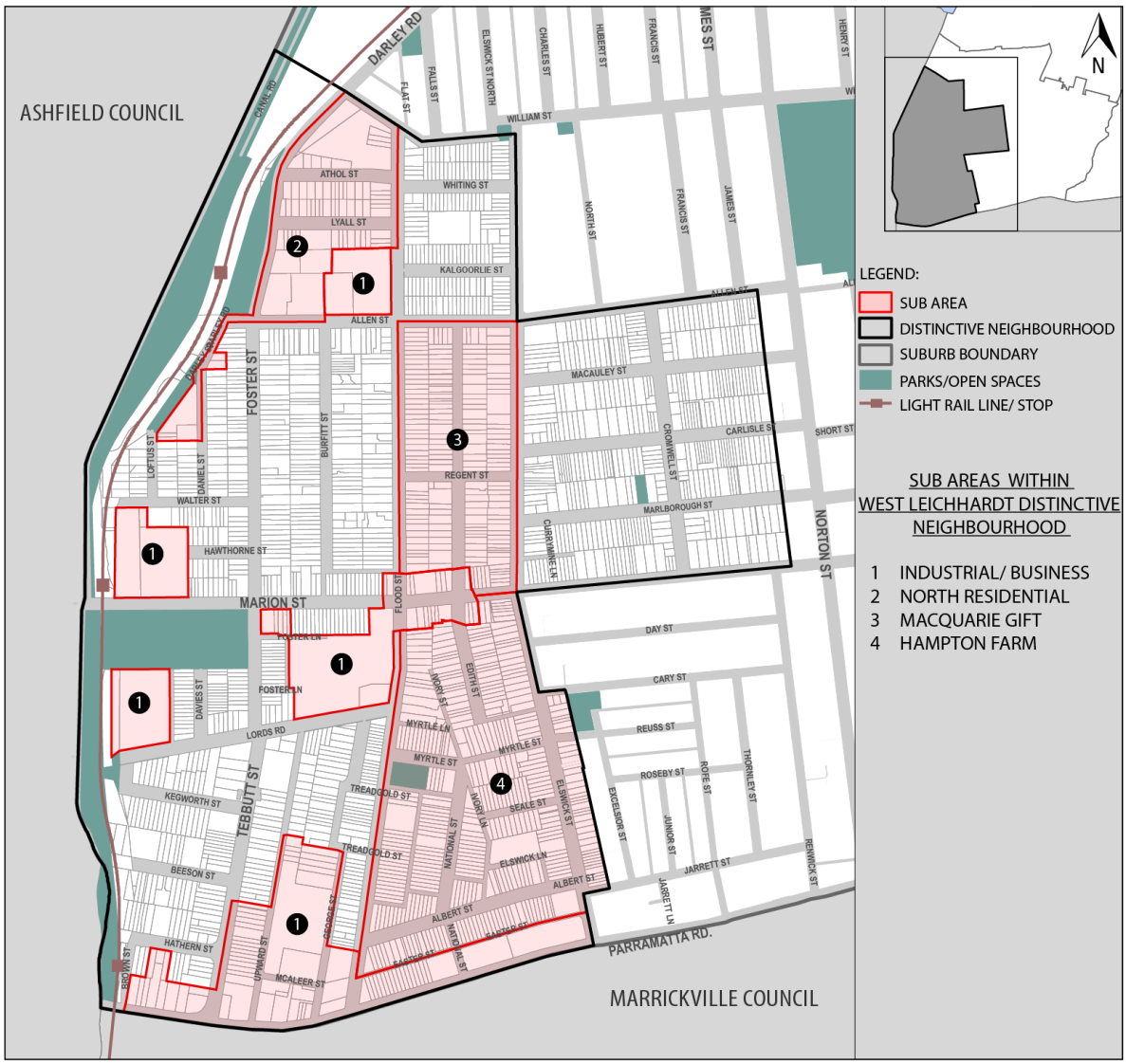

Figure C70: Sub Areas within West Leichhardt Distinctive Neighbourhood

Landform

The West Leichhardt Distinctive Neighbourhood is the largest distinctive neighbourhood within the suburb of Leichhardt. It is located on the westerly slopes of the main Leichhardt ridge, which peaks at the junction of Marion Street and Norton Street. The Hawthorn Canal defines the western boundary while Parramatta Road forms the southern boundary and William Street the northern boundary. Elswick Street, including the area bounded by Allen Street, the rear of properties fronting onto Norton Street and Marion Street mark the eastern boundary, with the exception of a small section of properties on the east side of Elswick Street located between Cary and Jarrett Streets.

Views north over Iron Cove are provided at the top of the West Leichhardt Distinctive Neighbourhood, while the gentle slope down to the Hawthorne Canal provides views west over Haberfield.

Existing Character

West Leichhardt Distinctive Neighbourhood comprises original land grants including: Hampton Farm granted in 1794; Macquarie Gift granted in 1811; and Kegworth granted in 1810. These land grants were subdivided and developed at different times, resulting in an irregular subdivision pattern and street layout seen throughout the neighbourhood. West Leichhardt has a mixed character with

varying residential lot sizes and a dominant trend of north/south oriented streets, generally following the contours. The east/west pattern is more fragmented allowing views to the west.

There is a predominant low-scale form in the residential building stock within the area. Dwellings on most streets are mainly detached or semi-detached, and generally single storey. Grander scale dwellings occur mainly on the upper slopes of the area north of Marion Street, although there is a random scattering of two storey dwellings throughout the entire Distinctive Neighbourhood.

The principal forms of architecture within the area are primarily late Victorian and Federation, with scattered examples of interwar period dwellings and intact weatherboard cottages. More contemporary development is also scattered throughout the neighbourhood, mainly in the form of residential flat buildings and townhouse style developments. Building materials in West Leichhardt are generally red or brown smooth face brick with terracotta roof tiles, or timber weatherboard with corrugated iron roofing. Roof forms are mainly hipped or gabled with a pitch of between 30° to 45°.

Front setbacks for single dwellings are generally consistent. A typical attribute in the West Leichhardt Distinctive Neighbourhood is the consistency in fencing material, style and height in relation to the architectural style of the dwellings. The use of predominantly matching low brick, low timber picket, or post and rail fencing, at a relatively consistent height of 1m to 1.2m, adds to the attractiveness of the streets.

The streets within the neighbourhood are mostly wide and tree-lined with a carriageway width between 12m and 20m as well as footpaths which are generally between 2-3m wide. Verges are approximately 1.5m to 2m in width. The verges and/or carriageway edges are often planted with native trees and shrubs such as Bottle Brush and Brush Box. There is also a predominance of mature and visually significant trees on private property, which contribute to the amenity of the neighbourhood.

The use of street trees, established front gardens, landscape pattern, consistent siting, orientation and setbacks of dwellings are particularly significant along Marlborough Street, Carlisle Street, Macauley Street and Cromwell Street, which reinforce the character of the neighbourhood. The homogenous townscape quality, comprising mainly of single storey cottages of the late 1800s and early 1900s in the area bounded by Marion Street, Cromwell Street, properties fronting onto Macauley Street and the rear of properties fronting onto Norton Street is part of the Whaleyborough Estate Heritage Conservation Area under *Inner West LEP 2022*

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain and encourage the predominant use of hipped and gabled roof forms.

C2 Promote land uses and urban design that enhance and contribute to the character and identity of the neighbourhood whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C3 Preserve and enhance the predominant scale and character of dwellings in this precinct, consisting of mostly single storey Victorian and Federation-style dwellings, with more dense development in appropriate areas.

C4 Provide for more significant development along Marion Street.

C5 Conserve and enhance the weatherboard cottages & the brick cottages found throughout the West Leichhardt Distinctive Neighbourhood.

C6 Allow for contemporary development, which is complementary to the existing streetscape.

C7 Preserve the consistency of the subdivision pattern in this area.

C8 Maintain existing views by stepping dwellings down contours along east/west streets.

C9 Maintain the prevalence of street trees in addition to mature and visually significant trees on private land.

C10 Building wall height is to be a maximum of 3.6m, unless an alternative maximum building wall height is prescribed in the applicable Sub Area.

C11 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.3.2(a) Industrial/Business Sub Areas

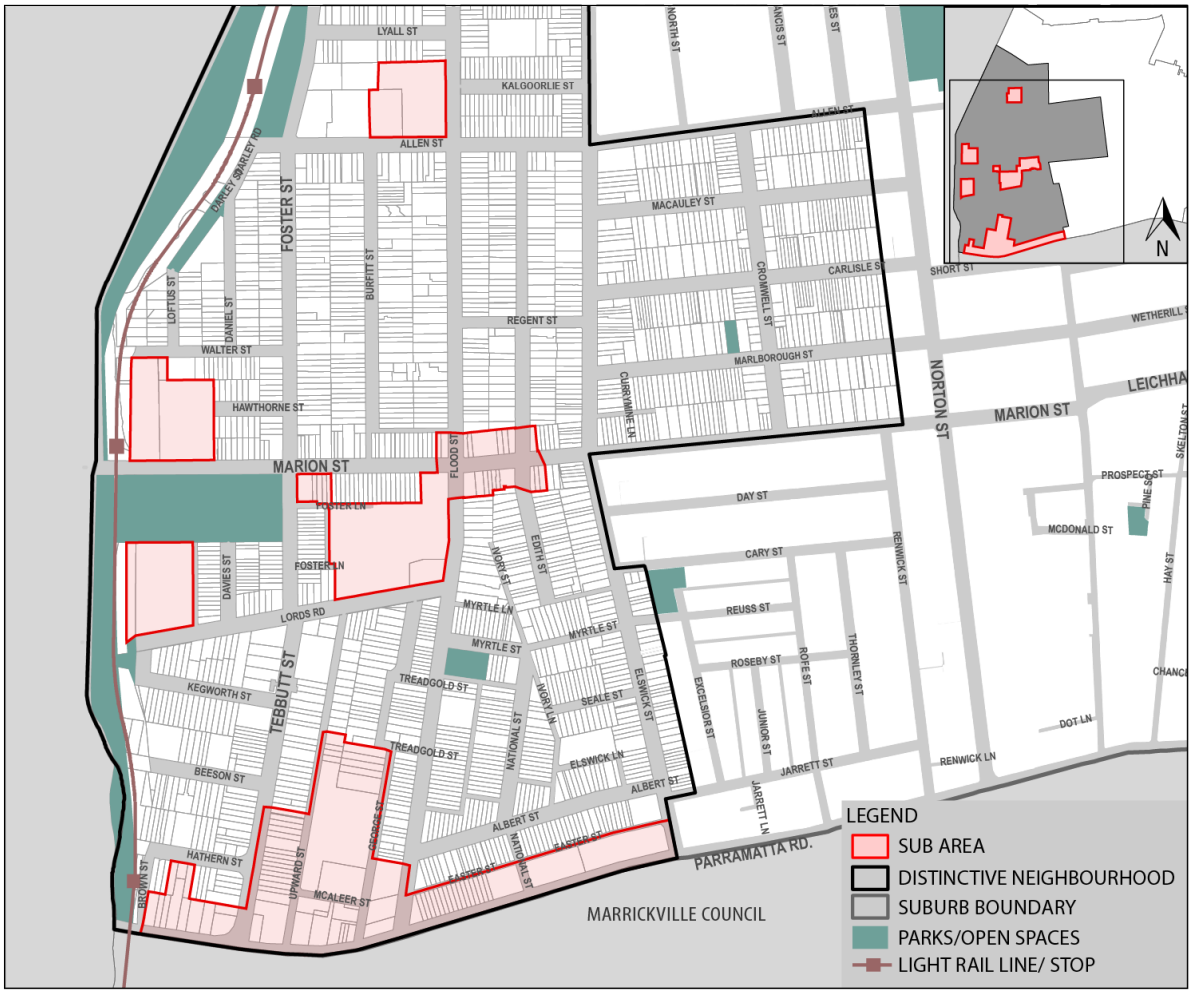

Figure C71: Industrial/ Business Sub Areas

The Industrial / Business Sub Areas located within West Leichhardt Distinctive Neighbourhood display a mixture of land use types including residential, industrial and commercial.

The industrial areas are primarily located along Parramatta Road and the southern half of Tebbutt, Upward, George and Flood Streets. In addition there are small pockets of industry located throughout

the Distinctive Neighbourhood. The range of industrial and business uses within the area includes warehousing, retailing, neighbourhood shops and professional and commercial offices.

The Leichhardt Market Place shopping centre is the central focus of the business sector for this area, located on the corner of Flood Street and Marion Street, and extending to Lords Road. It is well established and acts as a significant local business centre. With the exception of the Market Place centre, the signage for the business area comprises under-awning signs, fascia signs, flush wall signs, painted or projected wall signs, top hamper or window signs.

The surrounding development along Marion Street is both residential and commercial, which could have the potential for more significant development, as the properties are located on a main road and in close proximity to a major shopping area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Ensure the ongoing viability of industrial and commercial uses, where they occur.

C2 Encourage developments which have higher vehicle and noise impacts along Parramatta Road.

C3 Promote industrial businesses suitable to residential areas, which have a low noise and vehicle impact.

C4 Encourage appropriate signage consistent with the predominant signage type for the industrial and business areas.

C5 A maximum building wall height of 6.0m applies to industrial uses within the Industrial/Business Areas.

C6 Signage for business and industry must be consistent with the established character of the streetscape; which comprises under-awning signs, fascia signs, flush wall signs, painted or top hamper or window signs.

C7 Development is to be consistent with any relevant objectives and controls within West Leichhardt Distinctive Neighbourhood.

C2.2.3.2(b) North Residential Sub Area

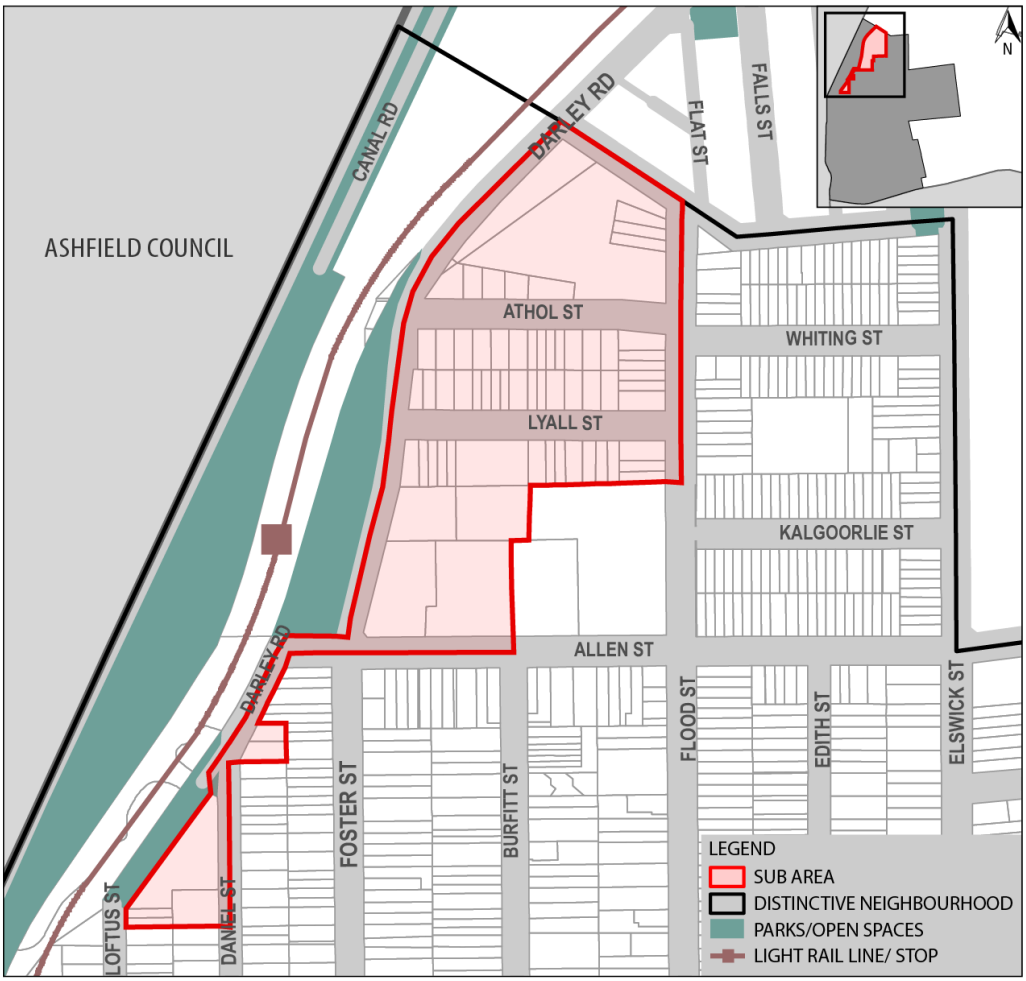

Figure C72: North Residential Sub Area

Within the North Residential Sub Area, development consists of two storey townhouses and residential flats located in the area bounded by Darley Road, William, Flood and Allen Streets. These lots were subdivided to accommodate more dense development along the upper slopes of the neighbourhood.

The scale of the dwellings and fencing are consistent in built form and materials appropriate to the architectural period. The dwelling heights are consistent with the 6.0m building wall height and the fencing is predominantly matching low brick fence, timber or iron picket.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the vistas provided west over Haberfield, south over Leichhardt, and north over Iron Cove.

C2 Allow for appropriate medium density development in the area bordered by Allen, Darley, William and Flood Streets, including townhouses and two storey units.

C3 Allow for appropriate medium density infill along Darley Road following the Hawthorne Canal.

C4 Where development consists of two storey flats/townhouses along Darley Road, apply a maximum building wall height of 6m.

C5 Development is to be consistent with any relevant objectives and controls within West Leichhardt Distinctive Neighbourhood

C2.2.3.2(c) Macquarie Gift Sub Area

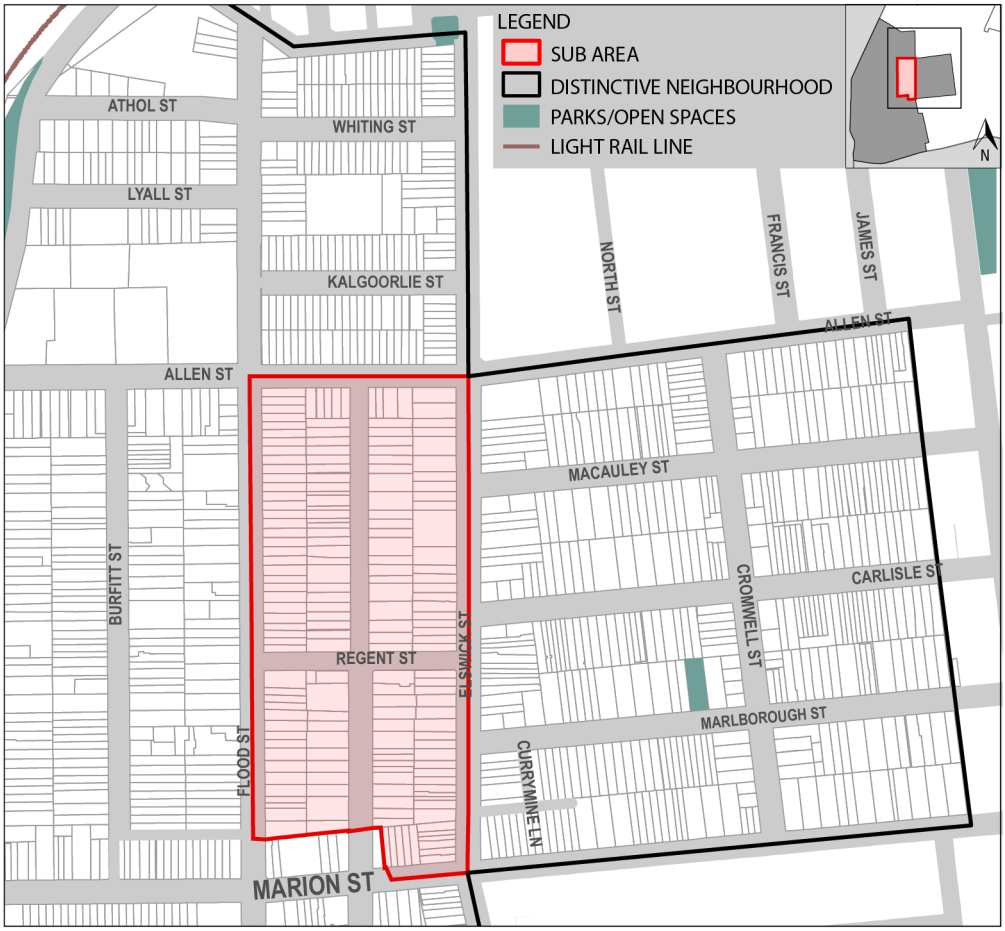

Figure C73: Macquarie Gift Sub Area

The character of this area is derived from its open rectilinear street pattern and the variety of building styles. The predominant style is that of single storey detached dwellings of Victorian and Federation style, with the exception of the block bounded by Edith, Regent, Flood and Marion Street. This section contains three storey walk-up flats with red textured surfaces, which overshadow the lower scale cottages in the surrounding area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Retain the predominant single storey scale character and attractive streetscapes.

C2 Allow for medium density development infill around the area bounded by Edith, Regent, Flood and Marion Streets.

C3 Within the area bounded by Edith, Regent, Flood and Marion Streets the maximum building wall height shall be 6m.

C4 Development is to be consistent with any relevant objectives and controls within West Leichhardt Distinctive Neighbourhood

C2.2.3.2(d) Hampton Farm Sub Area

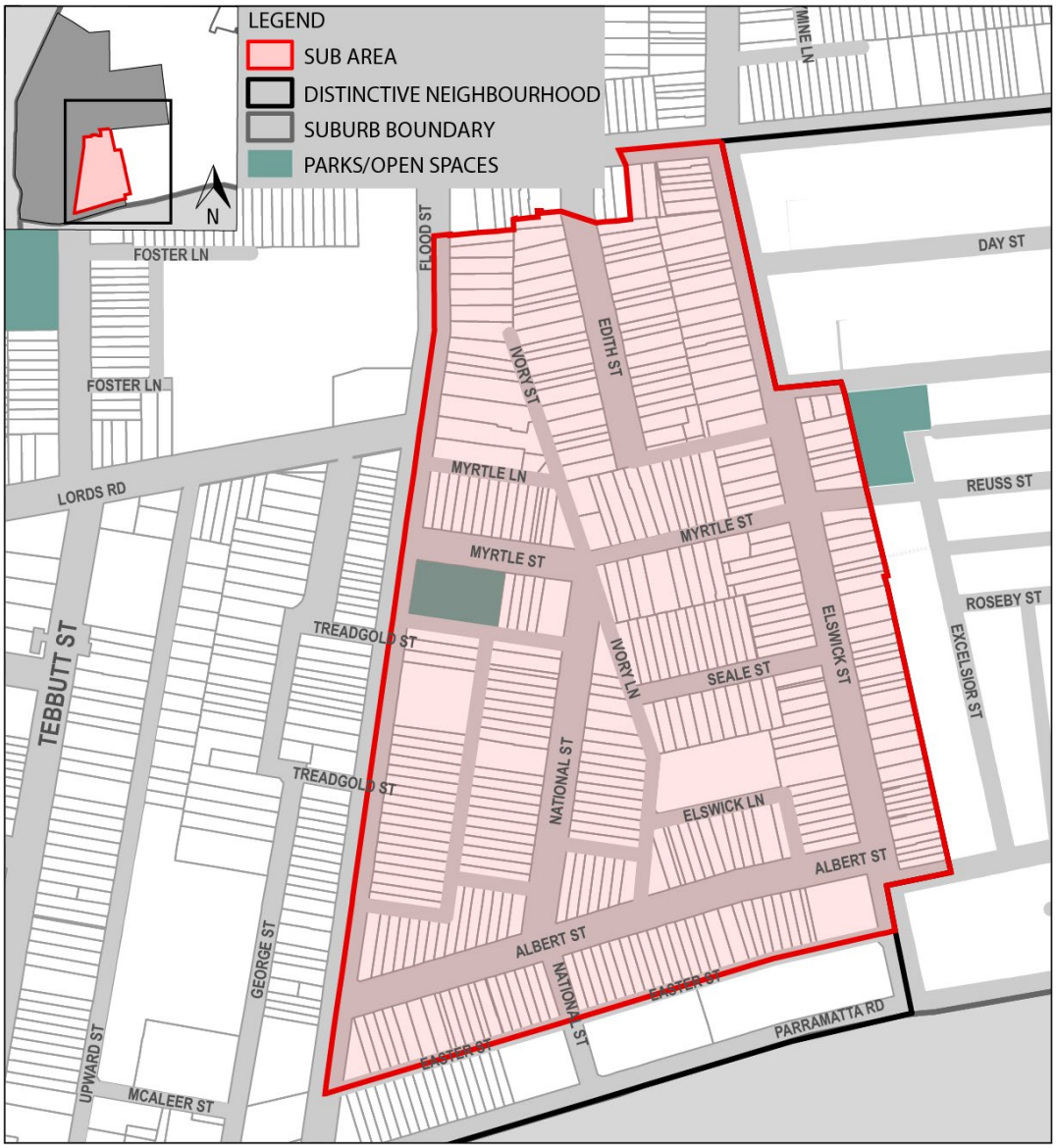

Figure C74: Hampton Farm Sub Area

The Hampton Farm Sub Area is bounded by Elswick Street including some properties to the east, the north side of Easter Street, the east side of Flood Street and the south side of Marion Street.

The predominant characteristic of Hampton Farm is that of single storey detached dwellings of the Federation and interwar period, mainly red brick with terracotta roofs, with areas of fibro and weatherboard housing.

The character of the streetscape for West Leichhardt is established through consistency in allotment sizes, subdivision pattern, established rows of street trees and the low scale of dwellings. Lot sizes are predominantly 6m to 6.5m in width and 36m to 40m in depth, with front setbacks of 1m to 3m and side setbacks of 300mm to 3m. Lot sizes to the north of Myrtle Lane are predominantly 8.5m to 10m in width and 36m to 40m in depth.

The area is also intermixed with laneways, typically between 6m and 7.5m, primarily used for service purposes and access to the rear of properties.

Part of the Hampton Farm Sub Area is located within the Albert Street Heritage Conservation Area under *Inner West LEP 2022*.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the modest scale of dwellings within the Hampton Farm Sub Area.

C2 Ensure a high level of retention of the predominantly Federation style streetscape.

C3 Preserve the rhythm of the streetscape in areas where dwellings are regularly spaced.

C4 The demolition of Federation period buildings on Albert Street and Seale Street is discouraged.

C5 Development is to be consistent with any relevant objectives and controls within West Leichhardt Distinctive Neighbourhood.

C2.2.3.3 Piperston Distinctive Neighbourhood

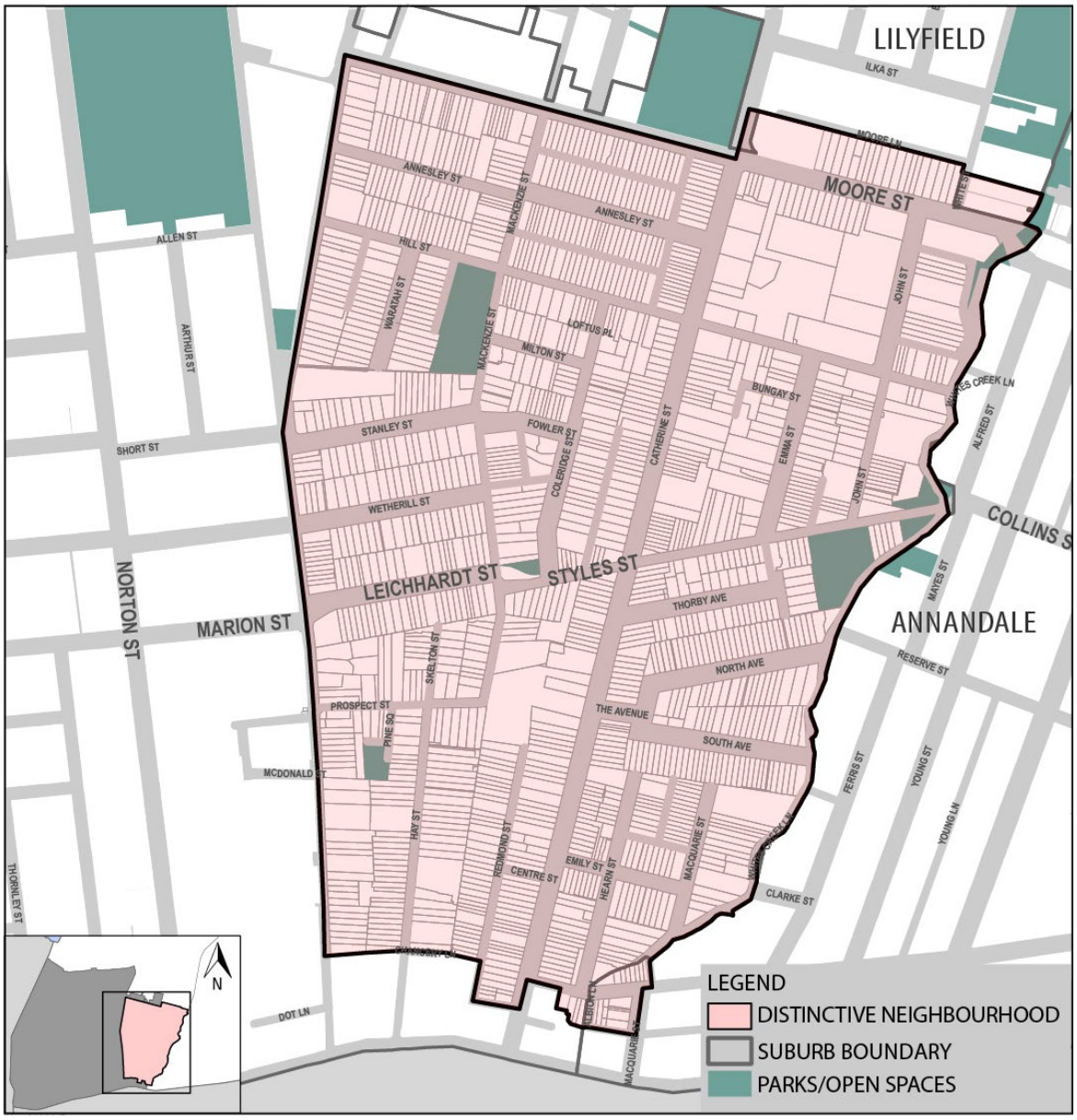

Figure C75: Piperston Distinctive Neighbourhood

Outline

This neighbourhood has two discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Whites Creek Lane Sub Area – Section C2.2.3.3(a); and

b. Industrial Sub Area – Section C2.2.3.3(b).

Landform

The Piperston Distinctive Neighbourhood is located on the eastern slope of the main Leichhardt/Balmain ridge forming the eastern edge of the Leichhardt suburb. The street layout and subdivision pattern of the Piperston Distinctive Neighbourhood runs across the contour in a north easterly direction. The neighbourhood is bounded by Moore Street, Moore Lane, Whites Creek,

Albion Lane and Street and Balmain Road, excluding the commercial area between Catherine Street and Balmain Road.

From the highest point in this neighbourhood, the corner of Marion and Leichhardt Streets, the land gently slopes in a north and south-easterly direction. At the north-eastern end of the neighbourhood there is a steep drop before the land further descends to Whites Creek providing views north-east towards the Sydney CBD. The gentle slope to the south east provides views over Petersham.

Existing Character

Piperston represents the 165 acres of land granted to Captain John Piper "The Prince of Australia", in 1811 for his services to the New South Wales Corps. The first subdivision and sale of the allotments, began in 1842.

The Piperston Distinctive Neighbourhood includes a mixed variety of developments following an irregular pattern of mostly wide streets intermixed with narrow laneways. Despite this, residential lot sizes are relatively uniform throughout the northern half of the neighbourhood, and the corresponding development is generally single storey.

Streets with a north-south orientation are not as predominant as in other neighbourhoods, but generally follow the contours, and in the northern section of the neighbourhood provide for a regular subdivision pattern. By contrast, the area in the south-east of the neighbourhood (between Catherine Street and Whites Creek Lane) is characterised by dead-end streets on a mainly east-west axis and a network of narrow and wider service laneways. This creates a more residential lot pattern with a wider variety of housing styles and building envelope sizes.

The residential building stock in Piperston is generally of low scale and density. The average street comprises detached or semi-detached cottages or bungalows, interspersed by two storey terraces. While it is difficult to identify several main architectural forms in the area, there is a profusion of bungalow and cottage style developments, terraced houses, three storey flat buildings as well as random groupings of workers' cottages. Catherine Street provides an excellent example of the diversity of housing styles in the area, with a mixture of Victorian Italianate terrace houses, Edwardian cottages, Victorian Gothic, Californian bungalows and workers' cottages. Styles Street further illustrates the housing variety in Piperston with its group of Art Nouveau-style houses.

Several streets, such as Hay and John Streets, contain examples of two and three storey residential flat buildings and townhouses, adjacent to single storey developments. Many alterations and additions to existing properties have been undertaken. Some have been developed without regard to the streetscape and local building form.

Front setbacks for single dwellings are mostly between 1m and 3m, creating a level of consistency in streets of mixed housing styles. Although fencing materials are consistent with the respective housing styles, the mixed development in the area results in a lack of cohesiveness between adjacent properties. Roof forms are mainly hipped or gabled with a pitch of between 30° and 45°. Roofing materials appear to be predominantly terracotta tile, corrugated iron or similar materials.

The streets within the Piperston Distinctive Neighbourhood are wide and usually have a carriageway width of between 12m - 20m. Some streets are characterised by a lack of street trees and front yard trees, irregular building forms (including unsympathetic alterations and additions), and industrial land uses. More positive streetscapes include those such as Catherine Street, where the single storey dwellings are of complementary design, present an interesting and cohesive urban form and are regularly aligned down the slope of the street.

The examples of public open space within Piperston Distinctive Neighbourhood, such as that on the corner of Hill and Mackenzie Streets, provide a 'green' focus for the surrounding area and are usually complemented by additional street and private trees. The relative scarcity of street trees means that these public open spaces are important to the amenity of the neighbourhood.

The Piperston Distinctive Neighbourhood maintains a distinct separation of land uses. Industrial land is located in the north-east and a small section of corner shops is located on the corner of Catherine Street and Styles Street. St Fiacre School and Church are located in the middle of the neighbourhood on Catherine Street and bordered by Styles and Mackenzie Streets.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the character of the area by keeping development complementary in architectural style, form and material.

C2 Promote land uses and urban design that enhances and contributes to the character and identity of the neighbourhood whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C3 Maintain and enhance the predominant scale and character of dwellings in this precinct, consisting of mostly single storey Victorian and Federation-style dwellings, with more significant development in appropriate areas.

C4 Encourage mixed use of commercial buildings to incorporate residential living above or where permissible, to the rear of the buildings.

C5 Promote commercial businesses along Catherine and Styles Street suitable to residential areas, which have a low noise and vehicle impact.

C6 Promote commercial businesses, which have higher vehicle and noise impact along Parramatta Road.

C7 Retain the existing scale and traditional shopfront presentation of buildings along Catherine and Styles Streets.

C8 Encourage appropriate signage consistent with the established signage type, mainly under awning, fascia, window signs and hamper signs.

C9 Preserve the consistency of the subdivision pattern in this area.

C10 Maintain the predominant service and access character of the rear lanes in the Piperston Distinctive Neighbourhood.

C11 Maintain existing views created by stepping with the contours along the east/west streets.

C12 Maintain the prevalence of street trees in addition to mature and visually significant trees on private land.

C13 Enhance and promote the viability and potential for neighbourhood and local provision shops on the corner of Catherine and Styles Streets and along Parramatta Road.

C14 Building wall height is to be a maximum of 3.6m, unless an alternative maximum building wall height is prescribed within the relevant Sub Area.

C15 Neighbourhood shops or buildings originally designed for non-residential use may have a maximum building wall height of 7.2m to incorporate a parapet.

C16 With the exception of Whites Creek Lane, development of dwellings fronting onto laneways shall be discouraged.

C17 Signs above awnings will not be supported.

C18 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.3.3(a) Whites Creek Lane Sub Area

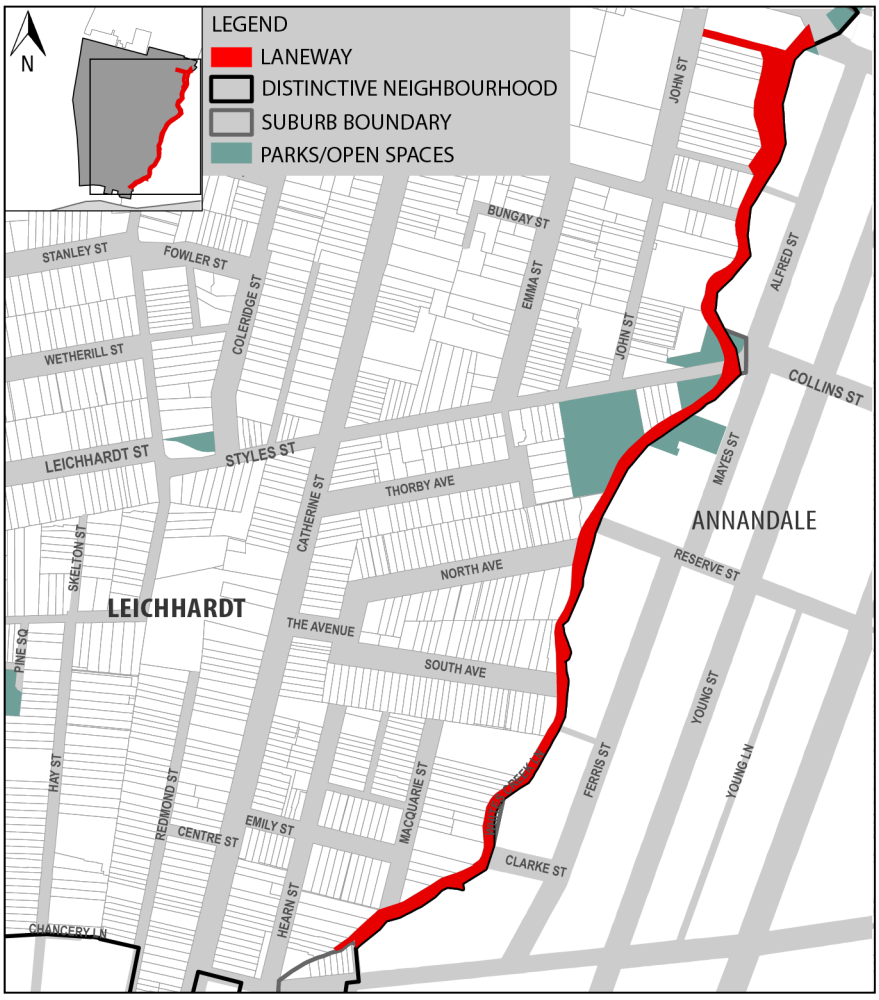

Figure C76: Whites Creek Lane Sub Area

Whites Creek Lane Sub Area forms the eastern boundary of the Piperston Distinctive Neighbourhood. The creek originally flowed naturally through this area and was later used as a natural drainage line for the neighbourhood. Whites Creek Lane Sub Area has developed along this natural pathway winding from Moore Street down to Macquarie Street.

The carriage-way along Whites Creek Lane varies in width, from 6.5m in some areas to 12m in others. There is on-street parking and footpaths in some of the wider sections of Whites Creek Lane.

The character of Whites Creek Lane Sub Area differs to that of other lanes within the Piperston Distinctive Neighbourhood, as it presents both a primary road and service lane character. As a result, various types of development have occurred, such as public housing, multi-unit developments, and single detached dwellings. In addition to these developments, there are still many examples of typical laneway development, where the rear fence and/or garage of a property align with the lane carriageway.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Ensure that the unique character of Whites Creek Lane is retained, and that future development does not unreasonably impact upon the amenity of adjacent properties and the 'lanescape'.

C2 Ensure future residential development is appropriate taking reference from the streetscape and adjoining development, given that the lane reverts to a service character in several sections along its length.

C3 Dwellings shall be discouraged on land fronting the lane where sites have a frontage of less than 5m and where the carriageway width is less than 5m.

C4 New buildings or alterations and additions fronting the lane should be unobtrusive from the primary street.

C5 Vehicular, pedestrian and servicing access must be retained to the rear of all existing properties, with separate pedestrian access to the lane for any new dwellings.

C6 The potential to provide car parking to the existing uses must be retained with any future development.

C7 Development is to be consistent with any relevant objectives and controls within Piperston Distinctive Neighbourhood.

C2.2.3.3(b) Industrial Sub Area

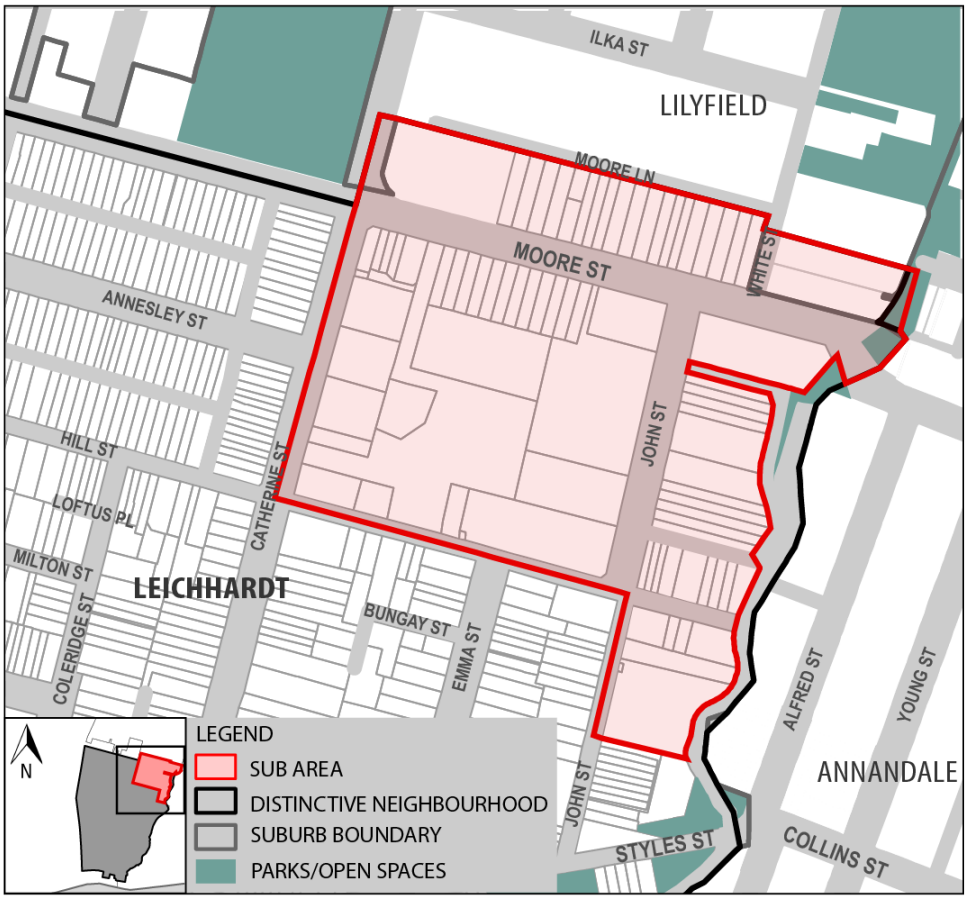

Figure C77: Industrial Sub Area

The Industrial Sub Area is located within the north-eastern corner of the Piperston Distinctive Neighbourhood and is an established area containing industrial land, including Council's Depot located off Catherine Street. Situated on a slope, this area is typified by warehouse and factory development and provides one of the non-residential focal points in the area.

Signage within this area is mainly positioned flush to the wall, with some projecting wall signs. Impressive panoramic views of the City are afforded from this area as well as from the footpaths on Catherine Street.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote industrial businesses suitable to residential areas, which have a low noise and vehicle impact.

C2 Retain and enhance the industrial zoned areas to maximise its continuance for employment opportunities.

C3 Ensure that the use of signage in the area is appropriate and consistent with the established industrial character.

C4 Ensure that residential infill development on former industrial sites does not have a significant impact on the viability of adjacent industrial sites.

C5 A maximum building wall height of 6m for new development shall apply in the industrial area.

C6 Residential infill on industrial sites must not have an impact on the viability of adjacent industrial sites.

C7 New development must not interfere with existing public and private view corridors.

C8 Development is to be consistent with any relevant objectives and controls within the Piperston Distinctive Neighbourhood.

C2.2.3.4 Helsarmel Distinctive Neighbourhood

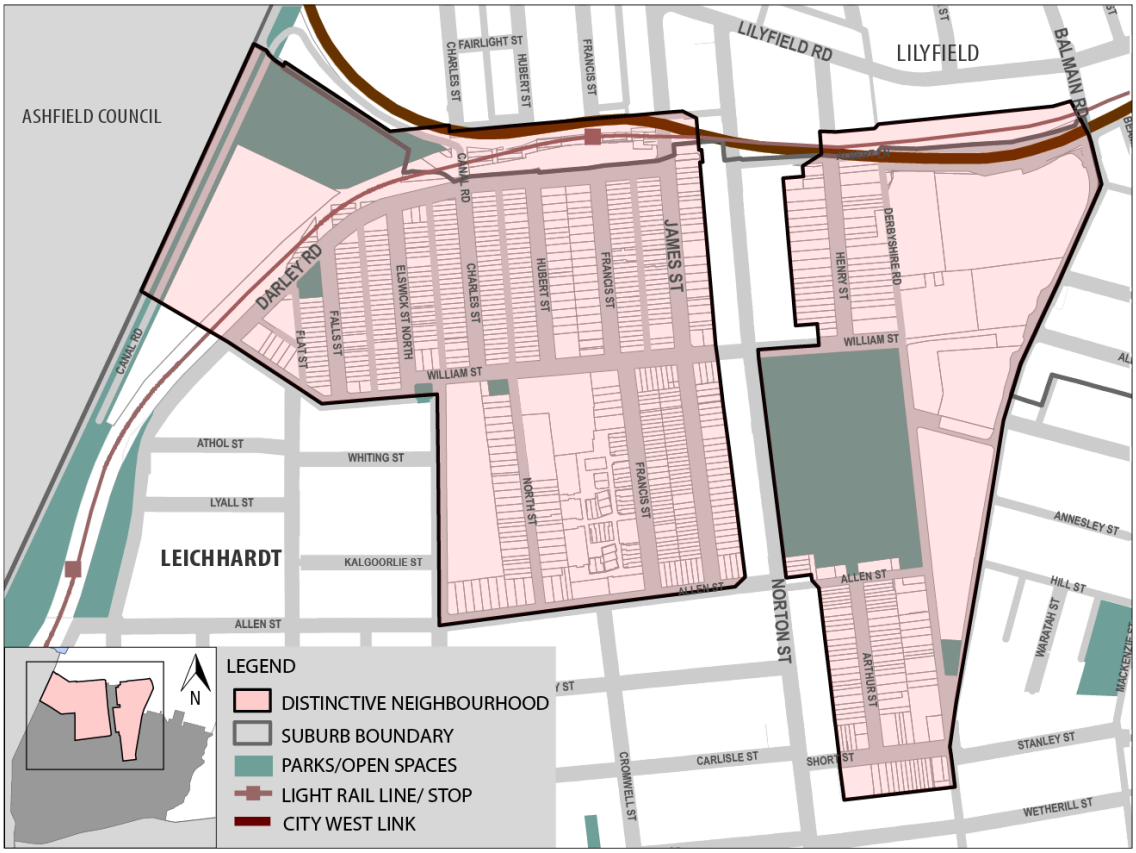

Figure C78: Helsarmel Distinctive Neighbourhood

Outline

This neighbourhood has two discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Pioneers Memorial Park Sub Area – Section C2.2.3.4(a); and

b. Helsarmel Laneways Sub Area – Section C2.2.3.4(b).

Landform

Helsarmel Distinctive Neighbourhood is located on the north-western slope of the Leichhardt/Balmain ridge. Balmain Road forms the easterly border and the land gently slopes south-west down to the light rail line, providing views across the Hawthorne Canal. Allen Street forms the southern border and the terrain slopes in a north westerly direction, with views over Lilyfield, Hawthorne Canal and Iron Cove. The northern boundary is formed by the City West Link and the terrain runs steeply down to the Hawthorne Canal.

With the exception of the area within the Norton Street Commercial Neighbourhood, Helsarmel Distinctive Neighbourhood is bounded by Hawthorne Canal, City West Link, Balmain Road, Allen Street, properties fronting onto Short and Arthur Street, Elswick Street, and William Street.

Existing Character

Most of Helsarmel Estate was subdivided into small lots during the 1880s economic boom giving the streetscape coherence by its regular grid pattern. However, development was slow and continued well into the 1900s.

There is a predominant low scale character and consistency of residential form in the majority of Helsarmel Distinctive Neighbourhood. This development is in the form of detached, single storey cottages on small lots, demonstrating a variety of architectural styles and building materials. Many of these dwellings are Federation or post-war styles, with scattered examples of Californian bungalows and workers' cottages. These dwellings reflect the consistent and regular allotment pattern found on such streets as James Street, Charles Street and Elswick Street North.

In direct contrast to the predominant low scale character of the surrounding neighbourhood, a large residential development occupies most of the former John Heine site (at 69 Allen Street comprising of 141 two to three storey units and townhouses) and is bordered by Francis Street, Allen Street, William Street and North Street.

The character of the Helsarmel Distinctive Neighbourhood is heavily influenced by the regular road pattern and subdivision layout. The streets are mostly wide and tree-lined, with a strong residential character. The street pattern is almost completely north-south, with the only east-west streets being Allen, Short and William Street, Darley Road and the City West Link.

Other than the Pioneer Memorial Park, public open space is limited within the Helsarmel Distinctive Neighbourhood, with two small parks located on the corner of North and William Street and on the corner of Darley Road and Falls Street. Where streets are lined with trees, such as Francis and James Street between William and Allen Street, the vegetative corridor contributes significantly to the character and amenity of the streetscape.

Leichhardt Bus Depot and former tram shed are located off Derbyshire Road are significant features within the Helsarmel Distinctive Neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the character of the Helsarmel Distinctive Neighbourhood by keeping development complementary in architectural style, form and materials.

C2 Maintain and enhance the predominant low scale 'cottage' character of the residential streets.

C3 Preserve and enhance the weatherboard cottages and Californian bungalows scattered throughout Helsarmel Distinctive Neighbourhood.

C4 Preserve the consistency of the subdivision pattern in this area.

C5 Preserve and enhance the availability of views, both of city landmarks and local features.

C6 Maintain the prevalence of street trees in addition to mature and visually significant trees on private land.

C7 Encourage street tree planting throughout Helsarmel Distinctive Neighbourhood.

C8 Encourage and enhance landscaping in the front building setback throughout Helsarmel Distinctive Neighbourhood.

C9 Building wall height is to be a maximum of 3.6m, with the exception of development along Darley Road where there is potential for higher, more dense development, where a maximum building wall height of 6.0m shall apply.

C10 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.3.4(a) Pioneers Memorial Park Sub Area

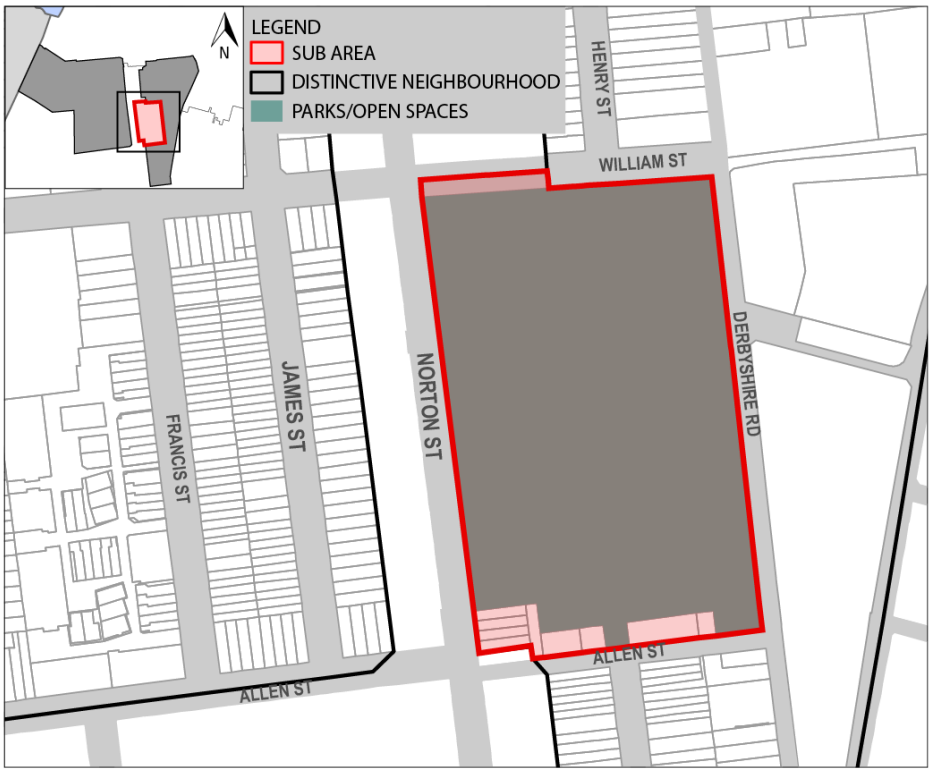

Figure C79: Pioneers Memorial Park Sub Area

Pioneers Memorial Park provides open space and landscape features within the Helsarmel Distinctive Neighbourhood. The Park contributes significantly to the character of the Neighbourhood offering a place of recreation and visual amenity to the area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the existing aesthetic quality and environmental significance of Pioneers Memorial Park.

C2 Maintain minimal impact of dwellings sharing a common boundary with Pioneers Memorial Park.

C3 A minimum building setback of 10m from the Park shall apply. This is measured from the common boundary of a site with the Pioneers Memorial Park to the nearest external wall of a building.

C4 Development is to be consistent with any relevant objectives and controls within the Helsarmel Distinctive Neighbourhood.

C2.2.3.4(b) Helsarmel Laneways Sub Area

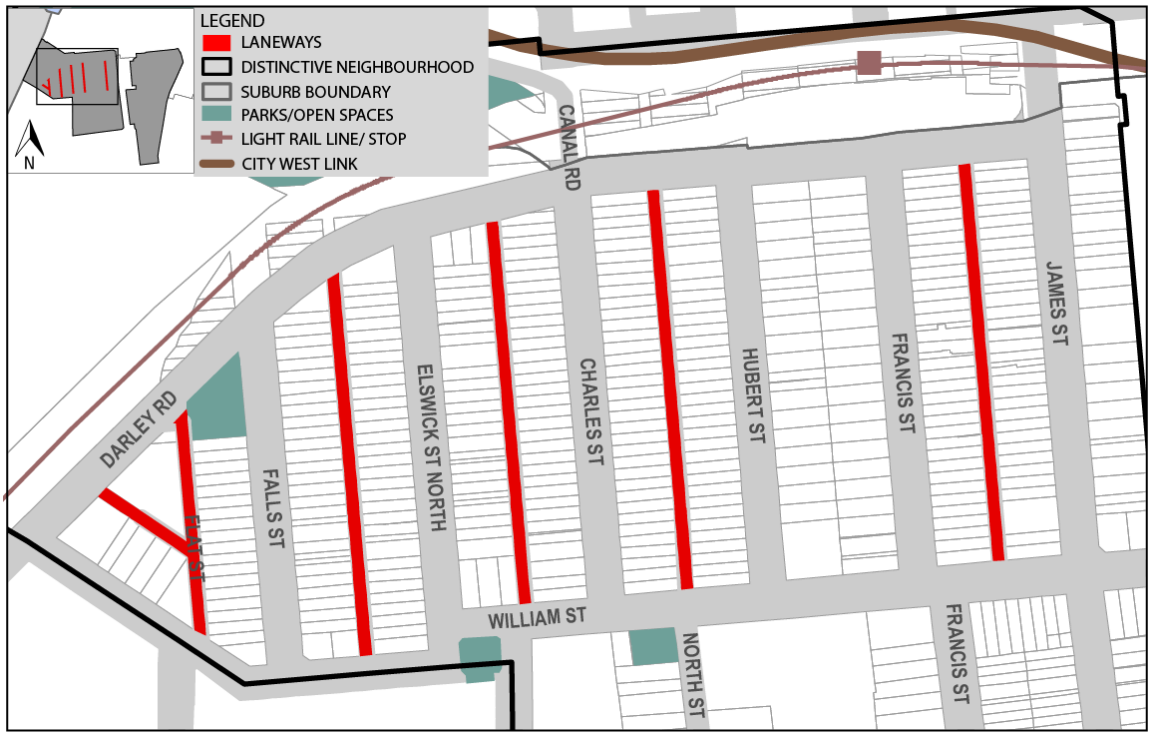

Figure C80: Helsarmel Laneways Sub Area

The Helsarmel Laneways Sub Area reflects the consistency in the layout of the street network. The laneways retain a historical low scale service character to them, often with carriageway widths between 5.5m and 6.0m. They run in a north-south direction and are mainly used for garages and access to the rear of the properties, with generally no dwellings fronting onto the laneways.

There is an abundance of vegetation along the rear properties of the laneways, creating lush green corridors. There is a lack of tree lined streetscapes in the northern section of the Leichhardt Suburb, so the rear laneways are essential to the aesthetics of the area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the predominant low scale service character and pedestrian friendly environment within lanes in Helsarmel.

C2 Preserve and enhance the shared ‘green corridor’ at the rear of the existing houses along the laneways.

C3 Residential dwellings fronting laneways shall be discouraged.

C4 Development is to be consistent with any relevant objectives and controls within the Helsarmel Distinctive Neighbourhood

C2.2.3.5 Leichhardt Commercial Distinctive Neighbourhood

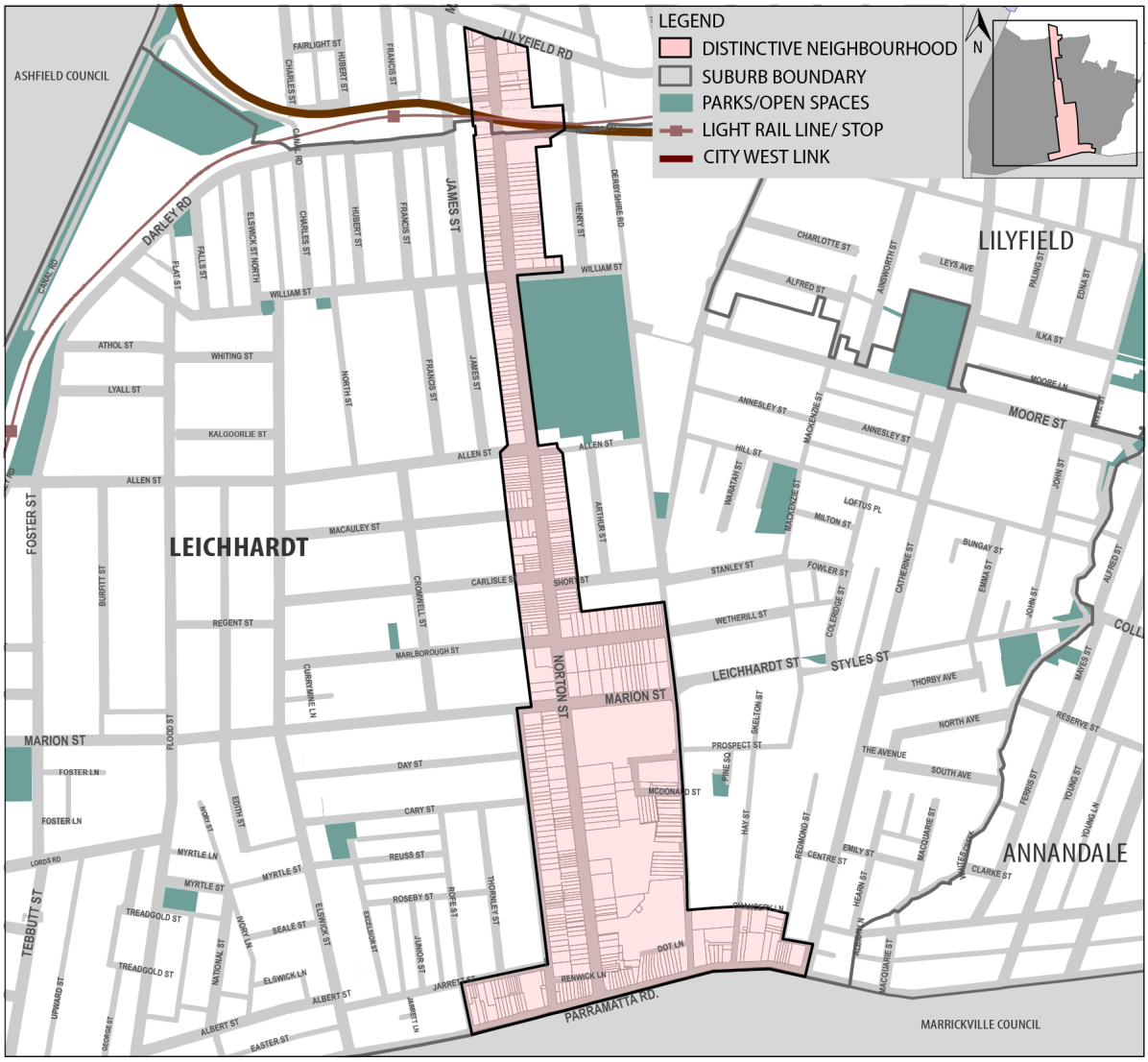

Figure C81: Leichhardt Commercial Distinctive Neighbourhood

Outline

This neighbourhood has seven discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Norton Street - Entrata Sub Area – Section C2.2.3.5(a);

b. Civic Area - Collina Sub Area – Section C2.2.3.5(b);

c. Norton Street - Centro Sub Area – Section C2.2.3.5(c);

d. Norton Street - Residenziale Sub Area – Section C2.2.3.5(d);

e. Norton Street – Nord Sub Area – Section C2.2.3.5(e);

f. Balmain Road, Hay and McDonald Streets Sub Area – Section C2.2.3.5(f); and

g. Renwick Street and Jarrett Street Sub Area – Section C2.2.3.5(g).

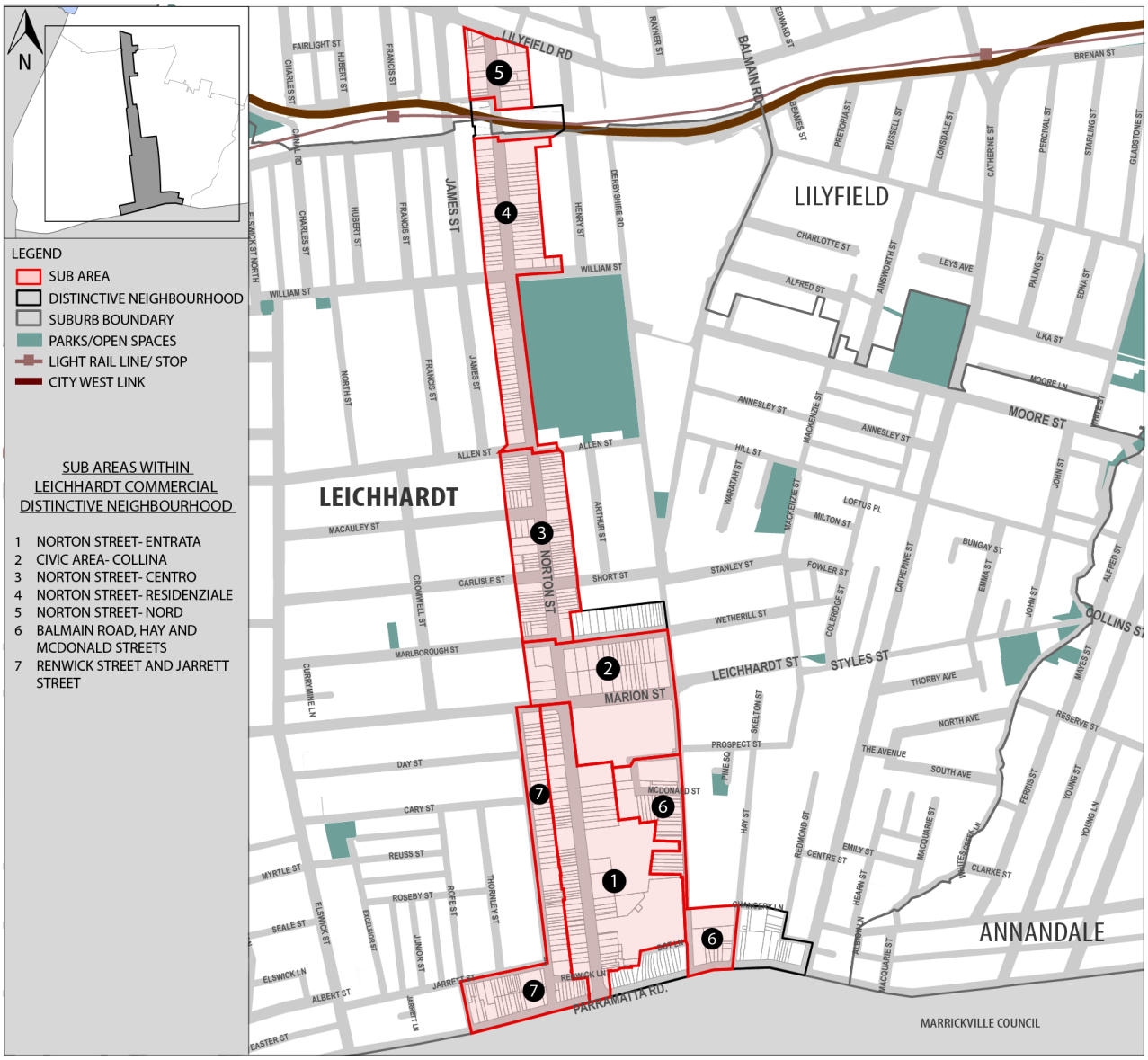

Figure C82: Sub Areas within Leichhardt Commercial Distinctive Neighbourhood

Landform

The Leichhardt Commercial Distinctive Neighbourhood essentially comprises the length of Norton Street, from Parramatta Road in the south to Lilyfield Road in the north. Norton Street is located on the slopes of the main Leichhardt/Balmain ridge, with the junction of Marion and Norton Streets forming the highest location. From this point, the street slopes down towards Lilyfield Road in the north and falls towards Parramatta Road in the south. From the Marion/Norton Street junction, there are views afforded west over Leichhardt towards Haberfield, and views east towards Annandale and the City.

This area includes more than just the street and the buildings fronting it; the neighbourhood also includes buildings along Parramatta Road, from Norton Street to Rofe Street in the west, and Catherine Street to the east. The border continues up Renwick Street to Marion Street and Balmain Road to Short Street, and then encompasses the rear boundaries of properties facing onto Norton Street to its completion at Lilyfield Road.

Existing Character

The character of Norton Street is both historic and modern, typified by large, modern commercial developments that have transformed the southern part of the street into a sub-regional commercial centre.

Norton Street, between Parramatta Road and Marion Street, was originally a boulevard of mostly Victorian detached and semi-detached two storey residences. It generally developed as a desirable residential precinct in close proximity to the retail and commercial development on Parramatta Road. However, over the years, unsympathetic redevelopment and alterations and additions eroded the integrity of the street.

The development of the Leichhardt Town Hall in the 1880s, at the junction of Marion and Norton Streets, provides an important visual element and focus for the centre, as well as for the suburb of Leichhardt.

Most buildings are constructed on or close to the street frontage. The identity and character of the Leichhardt Commercial Distinctive Neighbourhood changes significantly as it runs from Parramatta Road to Lilyfield Road, effectively separating it into five notable areas.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Leichhardt Commercial Distinctive Neighbourhood.

Controls

C1 Maintain the character of the area by keeping development complementary in architectural style, form and materials.

C2 Retain existing shopfronts, regardless of current or proposed use, to provide for future flexibility where they make a positive contribution to Heritage Conservation Areas.

C3 Encourage appropriate signage consistent with the predominant signage type along each local area section.

C4 Promote land uses and urban design that enhance and contribute to the character and identity of the neighbourhood whilst protecting Heritage Items and Heritage Conservation Areas that combine to help create that character.

C5 Protect and enhance the residential amenity of dwellings in and adjoining the neighbourhood.

C6 Improve accessibility, pedestrian amenity and linkages.

C7 At the edges of the Leichhardt Commercial Distinctive Neighbourhood, encourage buildings containing a variety of accommodation types.

C8 Preserve existing street trees and promote further street trees, using native species when possible.

C9 Repave footpaths consistent with the Norton Street Improvement Project.

C10 Promote the continuing development of a neighbourhood centre and identity, encouraging land uses and development that contribute to the economic well-being of the neighbourhood.

C11 Encourage employment opportunities in the neighbourhood.

C12 Enhance and promote the viability and potential for neighbourhood and local provision shops.

C13 Building wall height is to be a maximum of 3.6m, unless an alternate building wall height is prescribed under sub area controls.

C14 Signage along Norton Street and Parramatta Road must complement the existing signage of the streetscape, and signage above awnings will not be supported.

C15 The consolidation and development of amalgamated allotments should be avoided and the pattern of small business and residential frontages maintained unless lot consolidation is encouraged in the Sub Area controls.

C16 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.3.5 (a) Norton Street – Entrata Sub Area

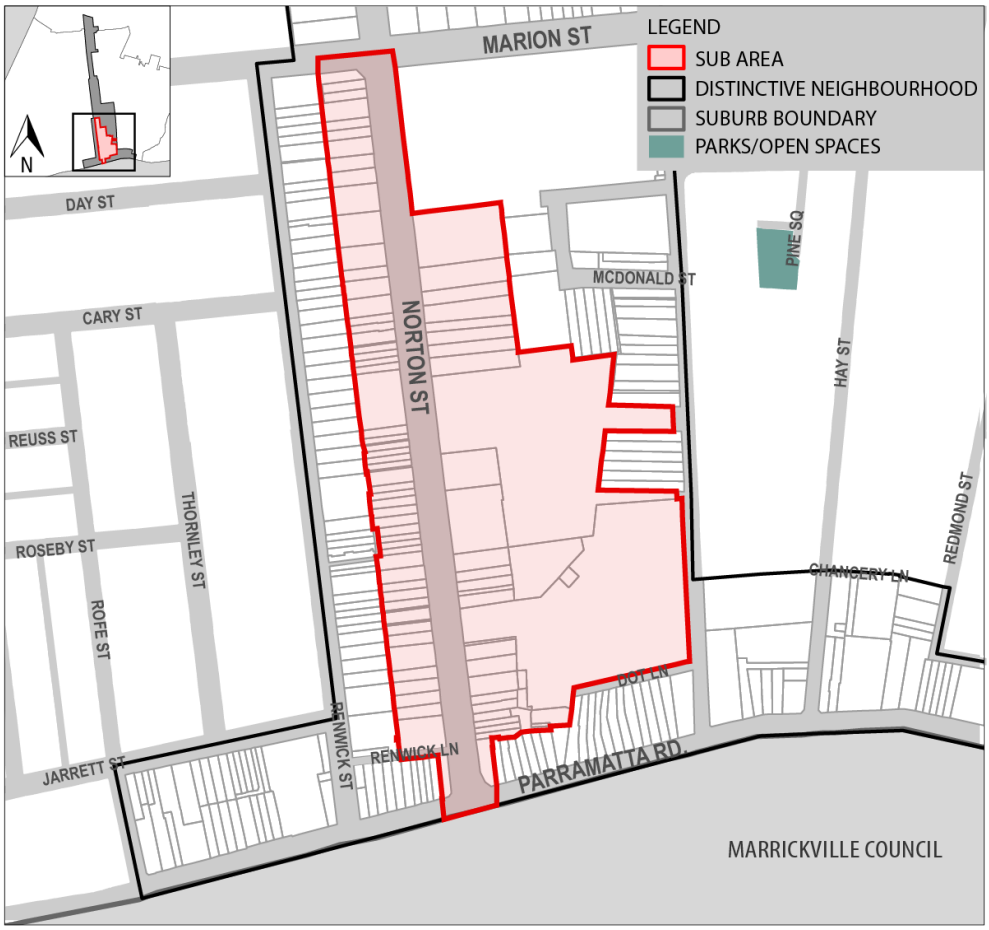

Figure C83: Norton Street - Entrata Sub Area

The Entrata Sub Area of Norton Street covers Parramatta Road to the Marion Street junction and is identified by its traditional layout, its relationship to the Town Hall, the mixture of Victorian and Federation buildings with modern developments, as well as its Italian character. As a result, the area conveys a sense of history as well as modern change and Italian influence, which form part of the cultural heritage of the Local Government Area. Two existing terrace rows on the western side, No's 36-44 and No's 56-62, are prominent remnants of the earlier period of residential land use.

The distinct difference between this sub section of Norton Street and the others is the development that has occurred. This includes modern large scale commercial buildings such as the cinema and Norton Plaza. This has served to create a more commercialised centre along Norton Street. The other

large scale development is the Italian Forum, which is a focal point socially and physically. The Forum takes its cue from the Italian piazza as a social multipurpose space, tightly enclosed, with numerous points of entry, principally paved for a wide and flexible variety of public activities, with scope for commercial activities to the edges.

The built form of the piazza is primarily large masonry buildings with balconies both looking into the centre of the piazza and outward. The access ways are paved primarily with charcoal grey concrete tiles whilst the buildings are painted in earthy tones. A double height colonnade wraps around the piazza and provides a protected edge to the shopfronts and pedestrians. There is a fountain feature and steeply ranking amphitheatre, which can serve as seating. The buildings that enclose the space are double layered with narrow atrium spaces between, which provide light, ventilation as well as the access to the residential units. A glazed arcade connects to Norton Street with a high portico marking the principal point of access.

The length of Parramatta Road contained within this commercial neighbourhood comprises a cohesive grouping of two storey buildings. They are Federation in style and consistent in their height and use of building materials. The shops along Parramatta Road are used for commercial purposes, mainly retail and entertainment.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage a mix of retail, commercial, community, cultural and entertainment uses in order to sustain a lively public environment, particularly along the street frontage.

C2 Promote a retail mix to meet the day to day needs of residents within walking distance.

C3 Improve the environmental amenity and interest for pedestrians accessing the area.

C4 Integrate Norton Street more effectively with adjoining areas by improving pedestrian connections to these areas in future development.

C5 Reinforce the street corridor of Norton Street and Marion Street with views of Civic buildings.

C6 Centralise the town centre by promoting the continued development of commercial uses along Norton Street.

C7 Retain the existing scale and traditional shopfront presentation of buildings to Parramatta Road.

C8 Extend the laneway network parallel to Parramatta Road from Renwick Street to Redmond Street.

C9 Improve the environmental quality of the laneways servicing Parramatta Road by:

a. encouraging new development orientated towards the laneways, and

b. encourage landscaping of the laneways.

C10 Where appropriate, original buildings along Norton Street and Parramatta Road should be retained.

C11 The number of driveway crossings should be minimised and additional driveway crossings are discouraged. Where provided, vehicular crossings should be of a minimal width.

C12 Where site conditions allow, new development along Parramatta Road shall include public pedestrian connections through the site and/or provide frontages to laneways.

C13 Where appropriate, Parramatta Road façades shall be restored to their original form with respect to elements such as windows, balconies, ornaments, balustrading and urns on the parapets.

C14 Where a building forms a part of a pair or a group, unity should be restored and surface treatments should harmonise with the existing Italianate façades.

C15 New development along Parramatta Road shall be exempt from the parking requirements of this Development Control Plan.

C16 On the eastern side of Norton Street, a maximum building wall height of 12m applies to new development. A maximum building wall height of 15m may be achieved where a setback of at least 3m from the building frontage is achieved.

Italian Forum

C17 Maintain the original piazza concept of a fluid, flexible and multi-purpose public space shaped by a colonnaded edge. Any objects within the piazza should be light street furniture, chairs, tables, etc with light umbrellas over for some shade and rain protection.

C18 Maintain full and free access through the piazza for the public including the provision of unassigned seating.

C19 The piazza shall be a multi-purpose space readily capable of conversion for festivals, markets or use as an entertainment or ceremonial space.

C20 Upgrade elements in terms of finishes and points of interest particularly the entrances from Balmain Road. These elements should enrich the space in terms of cultural elements, particularly associated with the Italian-Australian heritage of Leichhardt, as well as the use of plants associated with the Mediterranean.

C21 Introduce further detail to paving to add interest, texture and pattern to reflect the rich textures and patterns that typify Italian piazzas.

C22 Replace existing small landscape features with larger scale planters in decorative ceramics as art pieces and to provide contrast in colour and texture to the buildings and provide shade.

C23 The minimum width of public access at any point shall be 3m.

C24 Not more than 25% of the area of the piazza shall be licensed for commercial use.

C25 The licensed area may only be occupied by movable furniture and objects which must be removed at close of trading each day.

C26 There shall be free movement around the licensed areas, under the colonnades, as well as in crossing the piazza from the corners and at the principal points of access.

C27 There shall be no permanent awnings or partitions within the piazza space and the following particulars shall apply:

a. table umbrellas may be used to provide some protection from direct sun and rain.

b. umbrella fabrics shall be colour coordinated with the palette of the buildings, in neutral and natural colours and mid tones. Patterns, text and advertising material is not appropriate.

c. the maximum coverage of open licensed areas by umbrellas shall be 50%.

d. the piazza is to be used predominantly for public purposes such as entertainment, ceremonies, markets, festivals. Any such functions or occasions will require the removal of all tables, chairs, umbrellas, dividers, planters and the like in the piazza.

C28 Any proposals for refurbishment should consider the following elements:

a. when due for re-painting a more muted colour scheme should be used, but continuing the earth palette. This should reference the colour wash patterns of Mediterranean buildings, such as using lime or cement based paint finishes. Acrylic paints are not appropriate;

b. remove the semi-circular portico (for the Library) which serves no purpose, and clutters the piazza;

c. renew the paving throughout to create a non-directional but dynamic pattern with some contrast in tone and texture while remaining colour neutral by comparison with the wall colours;

d. the existing small pots and planters should be replaced by much bolder treatment with larger scaled planters/pots and plant material such as using vigorous climbers such as Ornamental Grape Vine and Wisteria (to reflect the Mediterranean feel). This is particularly required to the Balmain Road entries, and the atrium spaces between the residential units – currently bland and lacking detailed interest. The pots/planters shall be individually commissioned ceramic art pieces; and

e. scope for displays of public art and exhibition material in transition spaces and on blank walls such as the Balmain Road entries, the walls to the amphitheatre, including the Balmain Road colonnade.

C2.2.3.5(b) Civic Area - Collina Sub Area

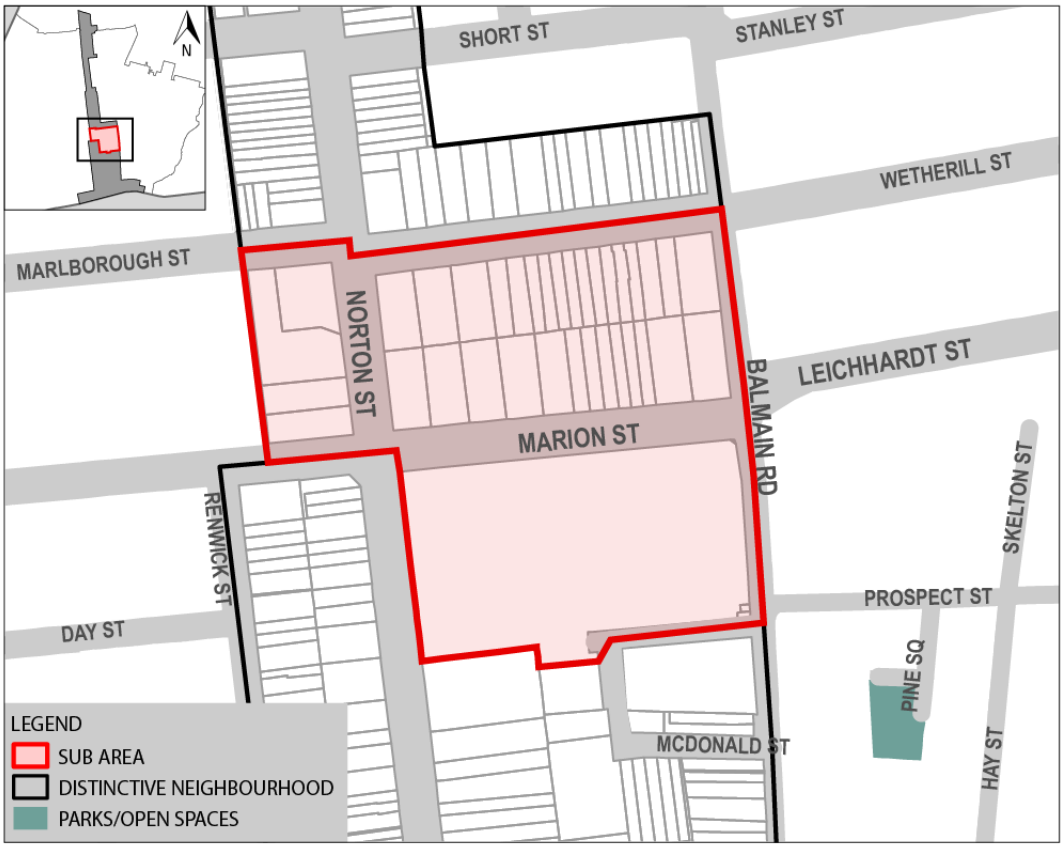

Figure C84: Civic Area - Collina Sub Area

This Sub Area can be described as the Civic Centre of Leichhardt containing both the Town Hall and Council's administrative centre. The area contains a striking group of buildings including the Town Hall, Post Office, Church, Leichhardt Public School and the Leichhardt Fire Station. These buildings are positioned on a major knoll, which reinforces their prominence and greatly adds to the environment.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Retain existing public buildings and facilities and retain the visual and topographic prominence of the cluster of historic towers and spires.

C2 The existing 'public' buildings located in the area are to be retained.

C3 New development is to respect the integrity, visual prominence and hierarchy of existing tower elements along Marion Street.

C4 New development is to ensure the retention of existing street trees along the site frontage of Leichhardt Primary School.

C5 A maximum building wall height of 12m applies to new development on both sides of Marion Street.

C6 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

C2.2.3.5(c) Norton Street – Centro Sub Area

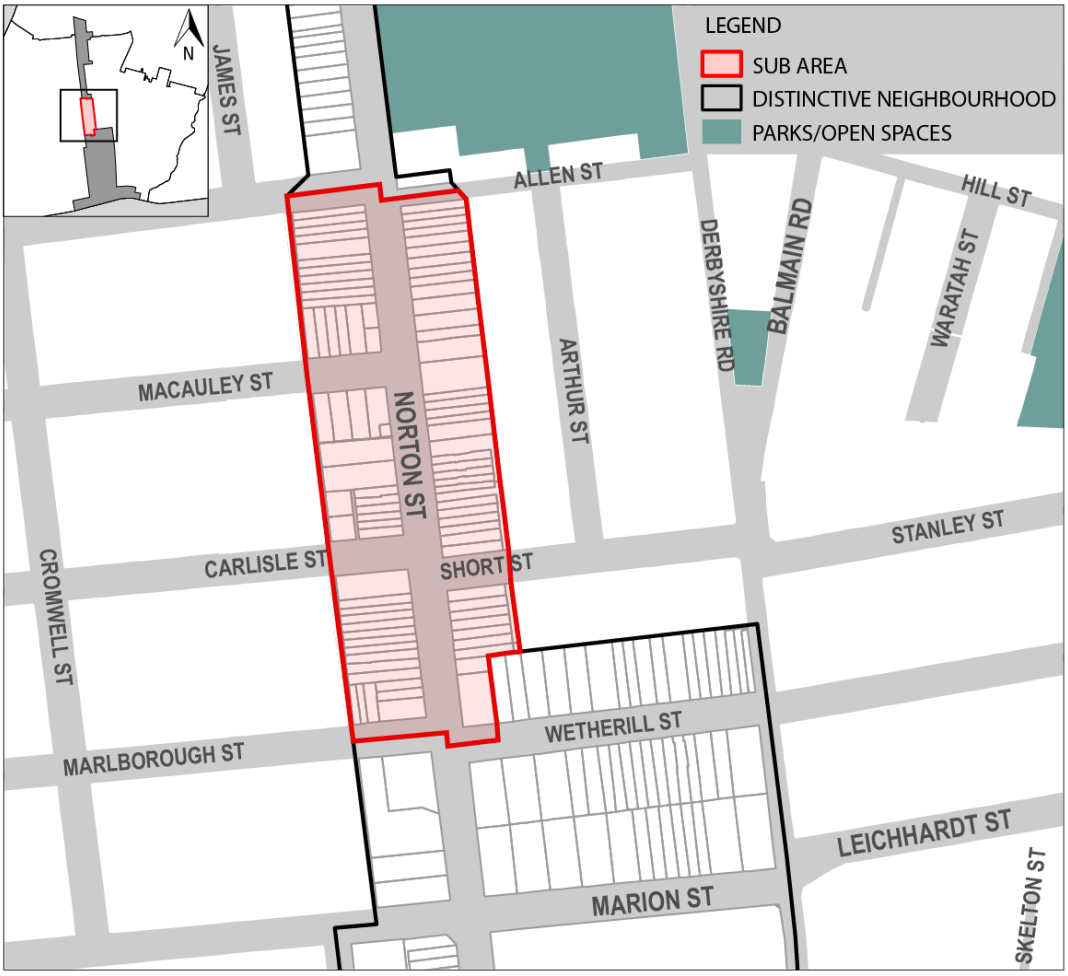

Figure C85: Norton Street - Centro Sub Area

From Wetherill Street to Allen Street, the character of the Centro Sub Area is typified by a mix of two storey commercial buildings and low scale row and detached housing. This part of Norton Street is known for its cafe culture, mixture of small specialty shops and local provisions shopping. The increasing popularity of cafe dining has seen many of the small local businesses converted to cafes or coffee shops, and a level of homogeneity taking place.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Retain and enhance the small scale dwellings used for both residential and commercial purposes.

C2 Provide complimentary design that protects and enhances the heritage significance of the Heritage Conservation Area.

C3 Promote the viability of neighbourhood and local provision shops whilst retaining a mix of cafes, restaurants and specialty shops.

C4 Enhance pedestrian amenity by ensuring continuous weather protection within the commercial area.

C5 Encourage redevelopment to reflect the small shopfront character of the area.

C6 Large-scale commercial development along this section of Norton Street is discouraged.

C7 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

C2.2.3.5(d) Norton Street - Residenziale Sub Area

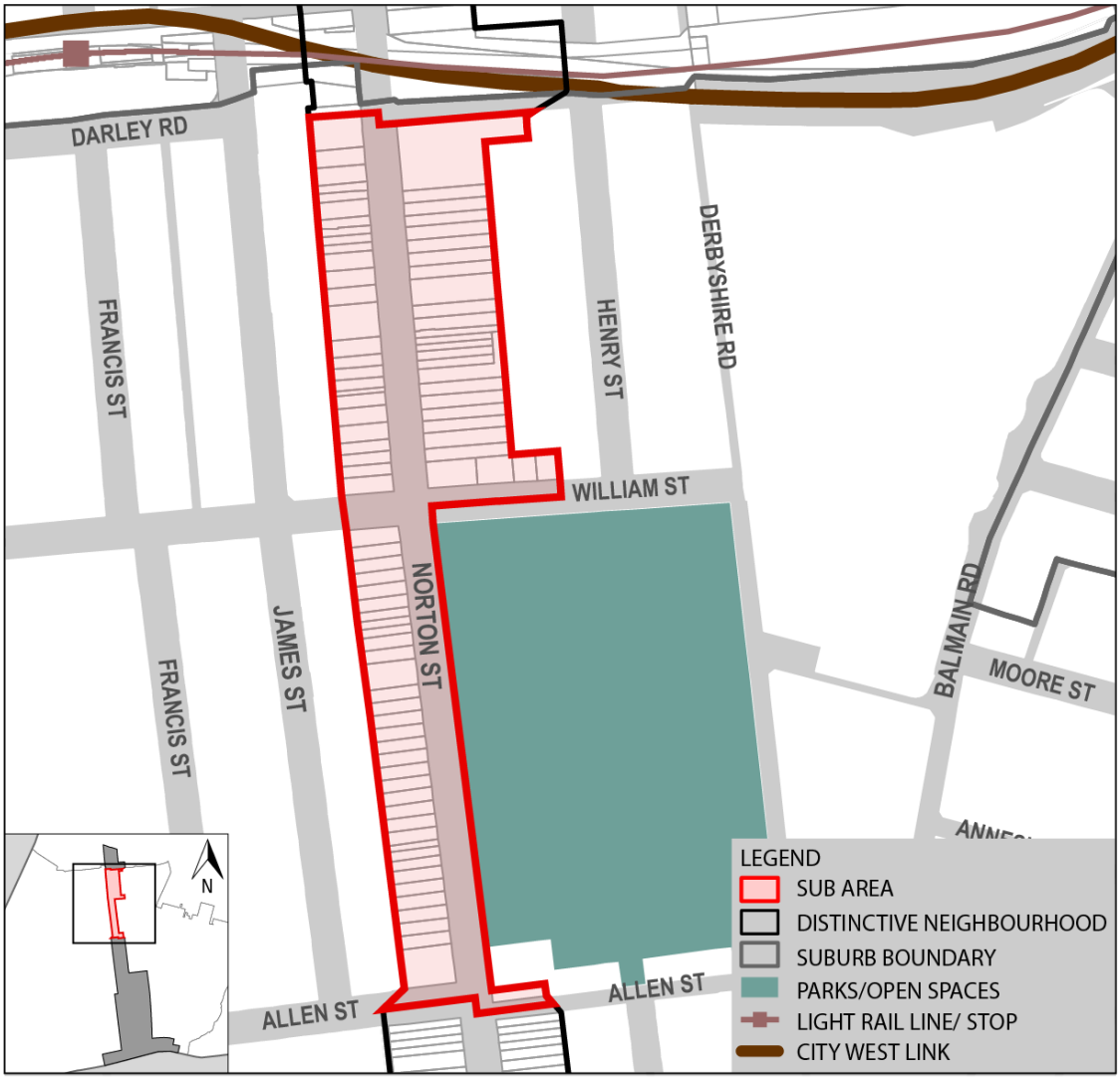

Figure C86: Norton Street - Residenziale Sub Area

This Sub Area stretches north from Allen Street to the City West Link. The nature of the street changes to residential, with a range of commercial uses interspersed along its length. The land is zoned both residential and business in this area.

Dwellings in this Sub Area are mainly single storey, of Federation or Victorian style, with minimal front setbacks of 1m – 3m.

The young street trees in this area were planted as part of the Norton Street Improvement Project and aim to visually narrow the road and to provide shade to footpaths and parked cars. Pioneer Memorial Park largely adds to the amenity of this section of Norton Street, providing a wealth of open space and a focus for this part of the street.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote the redevelopment of residential dwellings opposite Pioneer Park.

C2 Promote appropriate use of residential dwellings for home-based commercial purposes north of William Street, while maintaining the original character of the dwellings and surrounding area.

C3 Large-scale commercial development along this section of Norton Street shall be discouraged.

C4 A maximum building wall height of 6m applies to residential development.

C5 A maximum building wall height of 9m applies to commercial and mixed residential and non-residential development on the western side of Norton Street.

C6 Mixed use development shall be designed to ensure:

a. the ground floor is used for non-residential purposes;

b. the lot size is greater than 600sqm;

c. car parking is provided within a basement;

d. a third storey is setback and does not project into a 45º envelope plane drawn from the top of the front elevation of the second storey;

e. a 45º envelope plane applies to the rear elevation and balconies are designed to prevent down viewing; and

f. an 8m rear setback is achieved.

C7 The above mentioned envelope and setback controls also apply to mixed residential and other development with a building height exceeding 6m.

C8 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

C2.2.3.5(e) Norton Street - City West Link to Lilyfield Road – Nord – Sub Area

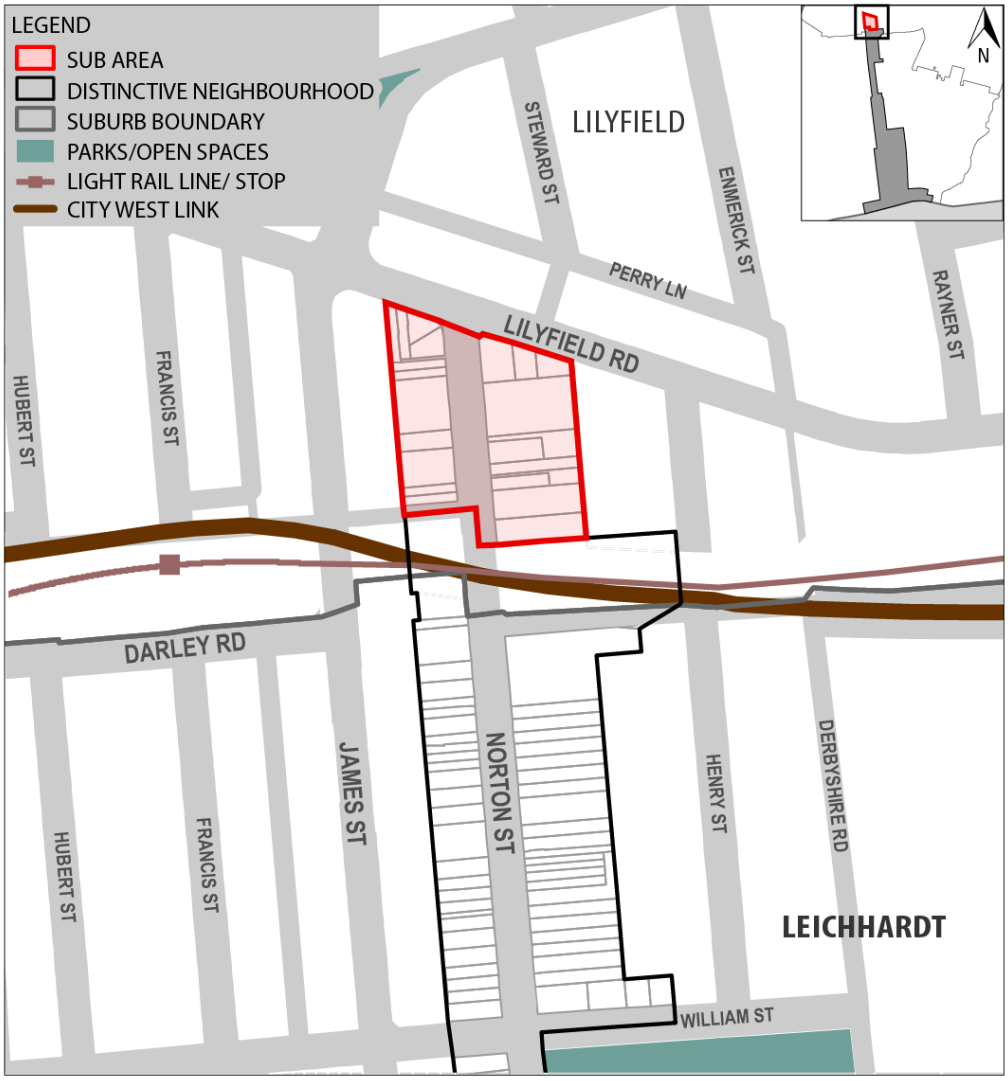

Figure C87: Norton Street - City West Link to Lilyfield Road – Nord Sub Area

This section of the Leichhardt Commercial Neighbourhood is distinct from the rest of Norton Street as a result of the City West Link. The properties along the west side of Norton Street are predominantly two storeys in height.

The east side of Norton Street contains mainly old industrial buildings, which have been converted to residential use, generally two storey townhouses and units with the occasional single storey dwelling in between. This area of Norton Street provides a commercial centre specifically relating to residents on the northern side of the City West Link.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote appropriate use of residential dwellings for home based commercial purposes, while maintaining the original character of the dwellings and surrounding area.

C2 Promote the continued development of this section of Norton Street for commercial uses.

C3 Encourage modern development complementary to the architectural style of the streetscape.

C4 A maximum building wall height of 6m applies to this location.

C5 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

C2.2.3.5(f) Balmain Road, Hay and McDonald Streets Sub Area

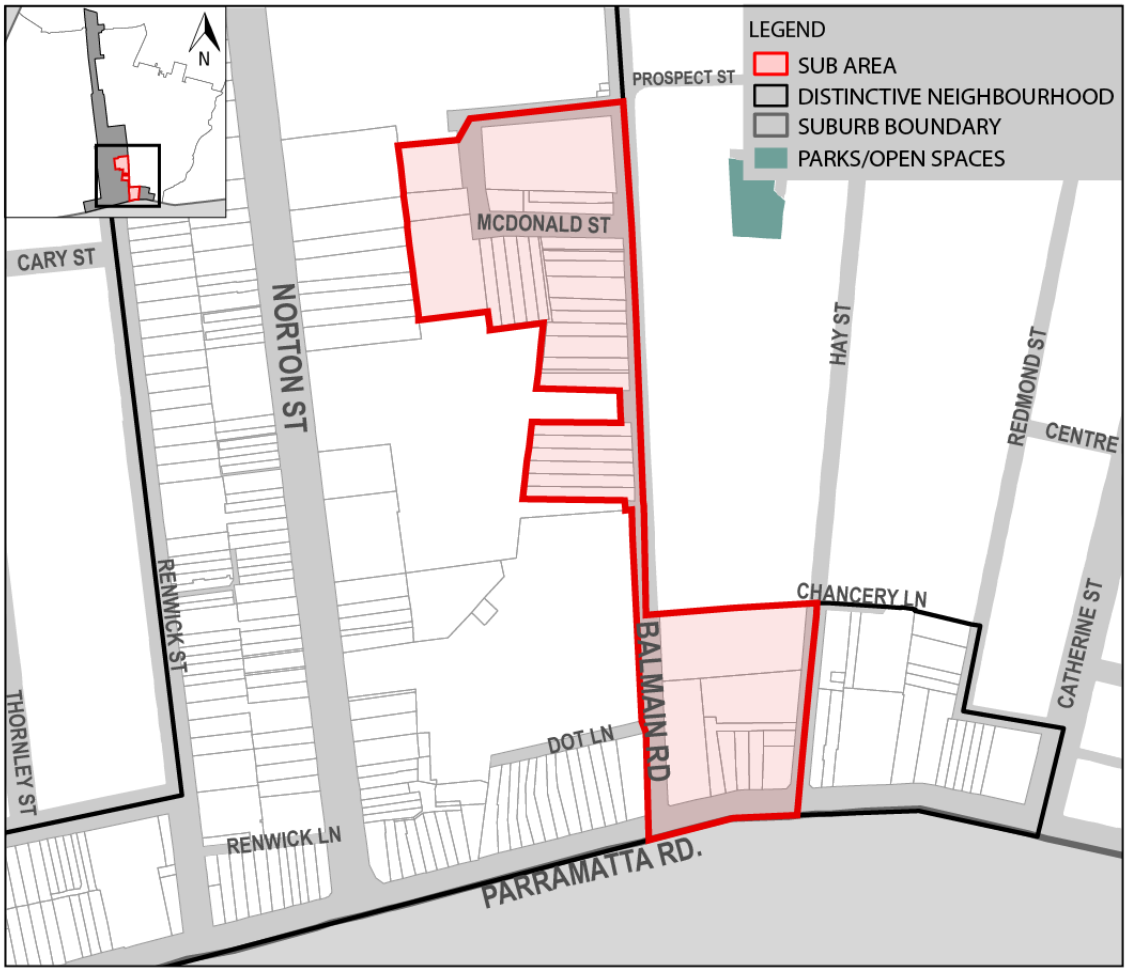

Figure C88: Balmain Road, Hay and McDonald Streets Sub Area

This Sub Area is a mix of building forms and types ranging in height and style. The south end of the area has relatively modern commercial development whereas the northern section contains a mix of residential development. These developments range from single storey detached Federation cottages to recently constructed three and four storey multi-unit developments, which are predominantly located in McDonald Street.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage a mix of institutional, commercial and residential uses.

C2 Discourage retail and night time uses from locating along Balmain Road and adjacent to residential areas.

C3 Promote the redevelopment of residential properties to the north (Balmain Road and McDonald Street).

C4 A maximum building wall height of 6m applies to this location.

C5 Development along Balmain Road shall have a front setback of at least 4m.

C6 For commercial development fronting Balmain Road a maximum building wall height of 9m applies to new development. A maximum building wall height of 12m may be achieved where a setback of at least 3m from the building frontage is achieved. The wall height is measured from natural ground level at any point.

C7 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

C2.2.3.5(g) Renwick Street and Jarrett Street Sub Area

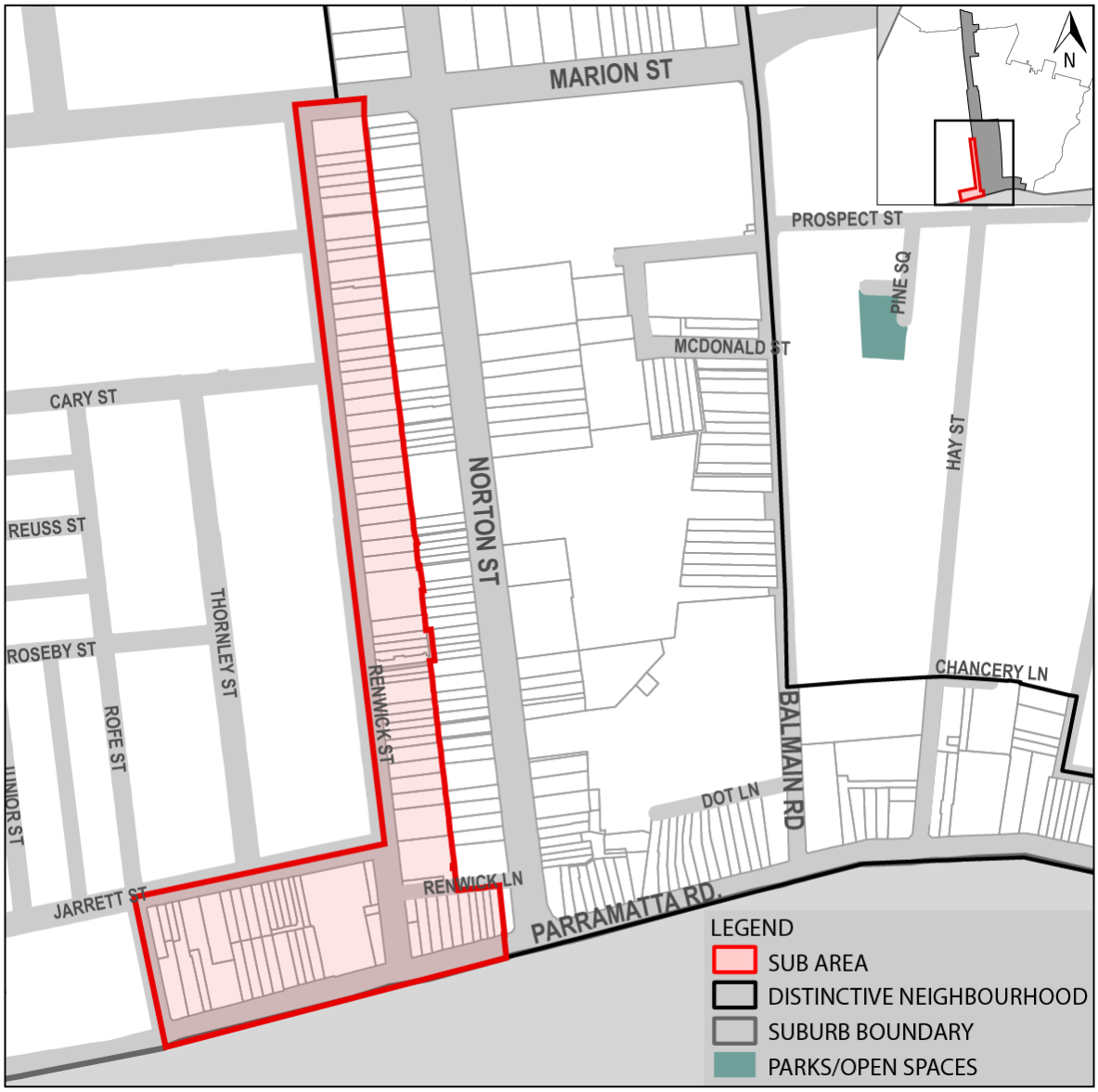

Figure C89: Renwick Street and Jarrett Street Sub Area

Renwick and Jarrett Streets contain a mixture of single storey and two storey Victorian detached and semi-detached buildings. The area is zoned Business, however the level of commercial development along Renwick Street and Jarrett Street is not as intense as that occurring along Norton Street. This may be due to the lack of adequate parking and pedestrian access between Norton Street and Renwick Street.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Provide for low impact non-residential uses that:

a. are housed in buildings that reflect the scale, character and elevational treatment of buildings in the street,

b. do not generate large volumes of traffic,

c. provide for their loading and parking demands off-street, and

d. do not adversely affect the heritage significance of the relevant Heritage Conservation Area.

C2 Improve pedestrian access to Norton Street and public transport routes by providing more and improved connections to Norton Street and Parramatta Road.

C3 Maintain the predominant bulk, scale and siting of buildings and protect the heritage significance of the relevant Heritage Conservation Area.

C4 Where appropriate original buildings should be retained.

C5 A maximum building wall height of 6m applies to this location.

C6 Development is to be consistent with any relevant objectives and controls within the Leichhardt Commercial Distinctive Neighbourhood.

C2.2.4 Lilyfield Distinctive Neighbourhoods

The following areas within Lilyfield are identified as 'Distinctive Neighbourhoods' by virtue of topography, estate and street pattern or building form. The Sub Areas identified within some of the Distinctive Neighbourhoods have unique characteristics, with specific objectives and controls.

Development is required to be consistent with the Desired Future Character objectives and controls of the Distinctive Neighbourhood and any Sub Area within the locality, in addition to the requirements within other sections of this Development Control Plan.

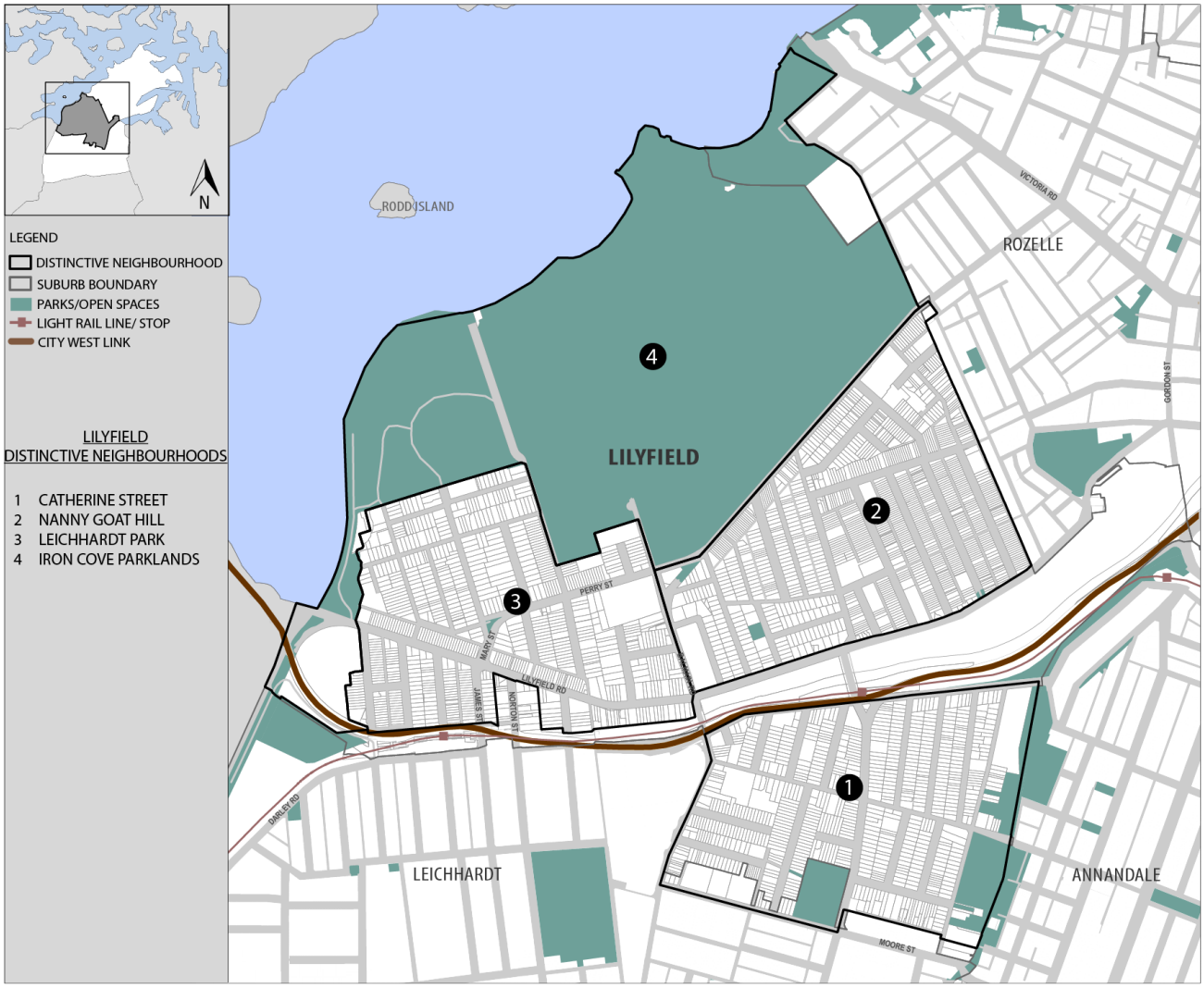

Figure C90: Lilyfield Distinctive Neighbourhoods

C2.2.4.1 Catherine Street Distinctive Neighbourhood

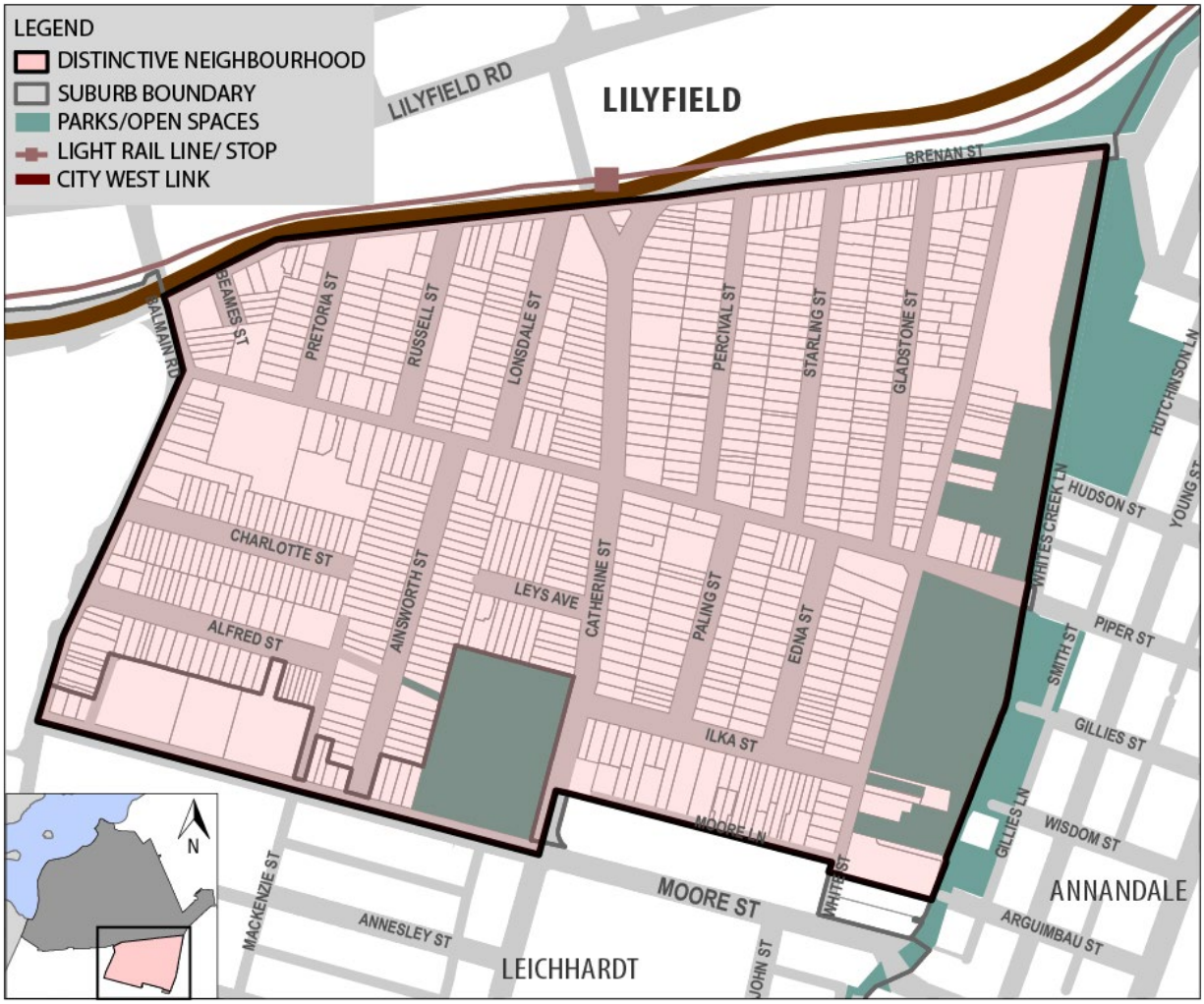

Figure C91: Catherine Street Distinctive Neighbourhood

Outline

This neighbourhood has seven discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Ilka Street Sub Area – Section C2.2.4.1(a);

b. The Peripheral Sub Area – Section C2.2.4.1(b);

c. War Memorial Park Sub Area – Section C2.2.4.1(c);

d. Gladstone Street Sub Area – Section C2.2.4.1(d);

e. White Street Sub Area – Section C2.2.4.1(e);

f. Catherine Street Neighbourhood Centre Sub Area – Section C2.2.4.1(f); and

g. Whites Creek Valley Park Sub Area – Section C2.2.4.1(g).

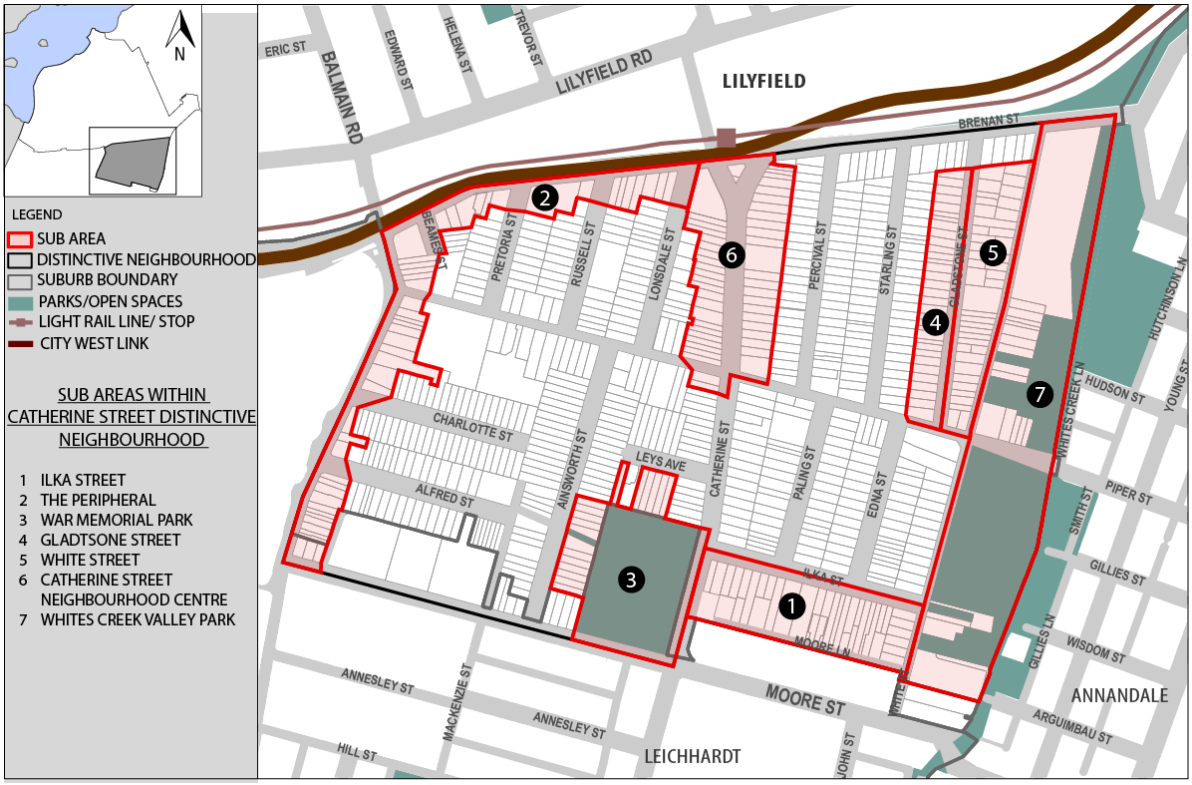

Figure C92: Sub Areas within Catherine Street Distinctive Neighbourhood

Landform

The Catherine Street Distinctive Neighbourhood is located on the eastern slopes of the main Leichhardt/Balmain ridge. It has a gentle hill and valley landform but with a predominant slope down in a north-easterly direction. Towards Whites Creek the gradient is much steeper and provides views over the light rail line to the Annandale ridge and the City skyline. The dominant street pattern is oriented north-south.

The neighbourhood's boundaries are defined by the City West Link to the north, Whites Creek to the east and Balmain Road to the west. The southern boundary is partly formed by Moore Street, between Balmain Road and Catherine Street, as well as a small section of Catherine Street to Moore Lane. The southern boundary then follows Moore Lane to White Street and behind existing industrial buildings to Whites Creek Valley Park.

Existing Character

The character of the neighbourhood is heavily influenced by the regular road pattern and subdivision layout. The streets are mostly wide tree-lined residential streets, however there are some well-established industrial and commercial sites along the eastern and southern boundaries of the neighbourhood, as well as some isolated pockets of industrial activity within the centre.

There is an overwhelmingly low-scale character and consistency of residential form in the area. The dwellings are predominantly detached, single storey cottages. There is a variety of architectural styles evident, reflecting the various periods of residential development. These styles include Victorian, some Federation and examples of post-war dwelling forms. Most development in the Distinctive Neighbourhood appears to have occurred in the early part of the 1900s.

With the exceptions of Piper, White and Mackenzie Streets and the laneways, all streets in the Distinctive Neighbourhood are relatively wide with a carriageway width of between 10m - 12m.

Footpath widths on the wider streets are generally between 2.5m - 3m. Often, the nature strips or verges are planted with native trees and shrubs such as brushbox, eucalypts and bottlebrush.

Front setbacks for single dwellings are consistent, between 1m and 3m. Front fences are predominantly low brick, low timber picket, or post and rail. Roof forms are mainly hipped or gabled with terracotta tiles or corrugated iron, with some use of slate. Building materials vary depending upon the period of architecture, although the materials used are generally true to the period.

The single storey cottage style consistency in the Catherine Street Distinctive Neighbourhood tends to change towards the edges and at the ends of wider streets, with a visible increase in building height and form. The style generally consists of two storeys plus parapet roof at the corners.

The northern end of Balmain Road and Beames Street contain some three storey multi-unit developments, some of which are simply-designed examples of the 1960s and 1970s flat boom, which contrast with the predominant streetscape character. There are occasional examples of more contemporary multi-unit residential developments, townhouse or terrace style developments, such as those on the corner of White and Brenan Streets.

On Gladstone Street, buildings are elevated above a rocky outcrop. This has allowed for some excavated garaging, which has the potential to dominate the streetscape. However, the built form of the original residences above maintains the small cottage scale. Some two storey contemporary development has occurred on the western side of the street to take advantage of City views.

There is a substantial amount of vegetation, occurring in both the private and the public domain. The frequent open vistas available up and down the streets, especially those towards the City, make a significant contribution to the desirable residential character of the Distinctive Neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the character of the area by keeping development consistent in architectural style, form and materials.

C2 Maintain and enhance the predominant low scale 'cottage' character of the residential streets.

C3 Promote the consistent rhythm in the residential streetscapes created by the regular allotment sizes, predominance of detached dwellings and predominance of hipped and gabled roof forms.

C4 Encourage larger buildings consisting of a variety of accommodation types at the edge of the Distinctive Neighbourhood.

C5 Preserve the prevalence of mature and/or regularly spaced street trees, as well as mature and visually significant trees on private land.

C6 Preserve and enhance the aesthetic and environmental significance of the vegetation corridor made up of War Memorial Park, the properties on the southern side of Ilka Street and the Whites Creek Valley.

C7 Preserve and enhance the availability of views, particularly towards the City.

C8 Enhance and promote the viability and potential for neighbourhood shops.

C9 Promote the continuing development of a neighbourhood centre and identity.

C10 Building wall height is to be a maximum of 3.6m, unless an alternate building wall height is prescribed under the relevant Sub Area controls.

C11 Neighbourhood shops or buildings originally designed for non-residential use may have a maximum building wall height of 7.2m in order to incorporate a parapet.

C12 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.4.1(a) Ilka Street Sub Area

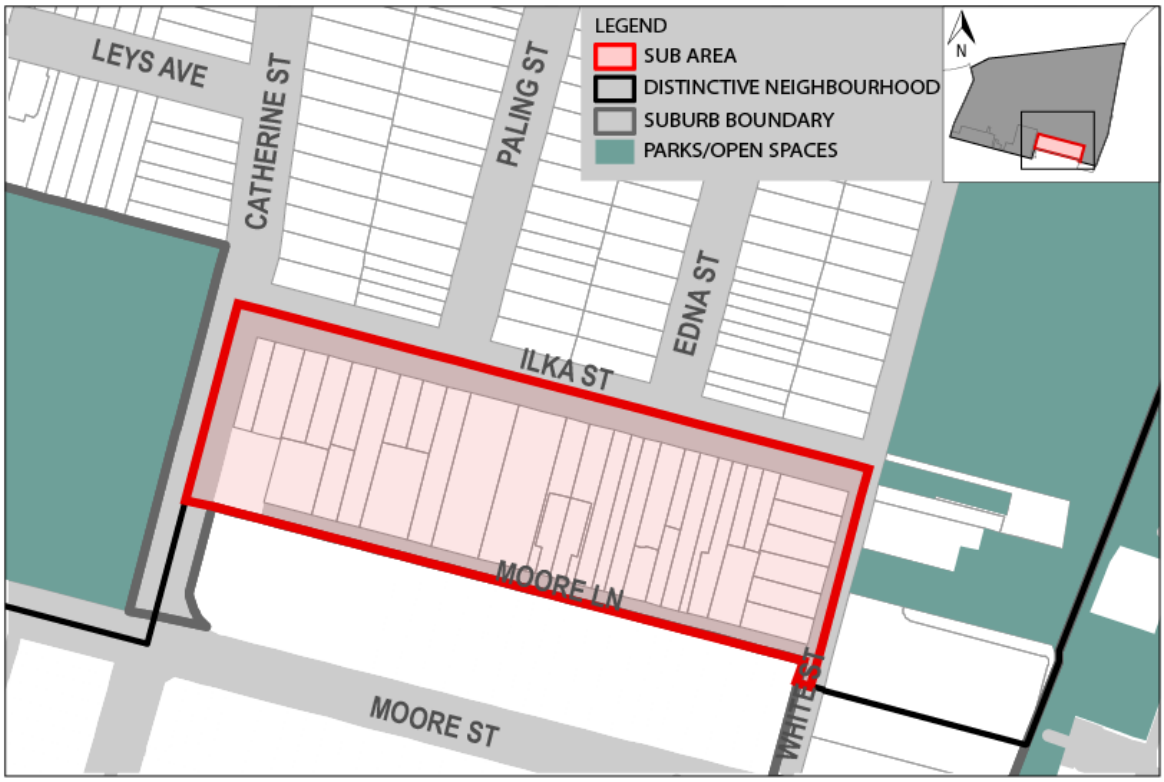

Figure C93: Ilka Street Sub Area

The development on the south side of Ilka Street is similar to that in the centre of the Distinctive Neighbourhood, with a predominance of 9m to 10m wide lots containing a variety of detached cottages. Some of the lots, particularly at the eastern end, have been subdivided into two. These contain single storey terraces or semi-detached dwellings.

A variety of forms, styles, and materials are evident in the street, including late Victorian, Federation and Californian bungalows. The streetscape is cohesive by virtue of consistent siting and scale in a densely landscaped setting. Most lots in the Distinctive Neighbourhood are 30m deep, however the lots located on the south side of Ilka Street are 60m deep, with Moore Lane and industrial development located behind. Where the industrial sites front onto Moore Lane there is a 10m cutting as a result of past quarrying activities.

Recently, the deep blocks have become increasingly valued by the local community for the green corridor and common amenity they provide, which is rare in this area on a continuous row of private lots. It is important that this vegetative corridor is conserved for the private landowners, and because it provides a corridor connecting the War Memorial Park to the west, with the Whites Creek parklands to the east. This vegetative corridor is now susceptible to medium density development.

The Ilka Lane frontage to the Moore Street industrial development consists of mostly blank brick walls of between 6m and 10m high. Due to the difference in elevation, the depth of the lots, and the tree cover, this has little impact on residential amenity. A consistent pattern in terms of setbacks and height, together with tree planting could sustain the visual amenity of the lane.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the existing variety of single storey houses on Ilka Street.

C2 Maintain the existing street pattern, scale and character in Ilka Street, through the use of appropriate alterations, additions, or infill development.

C3 Preserve and enhance the shared ‘green corridor’ at the rear of the existing houses on Ilka Street.

C4 Development shall be confined to zones approximately 20m deep to the front and back of the lots, leaving a landscaped corridor between. The width of the zones may vary to a minor degree in response to site characteristics and existing front setbacks. The landscape corridor must be a minimum of 20m wide.

C5 Setbacks shall be between 3m and 5m to Ilka Street, and 3m to Moore Lane.

C6 The frontages shall include a Building Articulation Zone (BAZ) 1.5m deep, which can intrude on the setback. This may include elements such as verandahs, balconies, pergolas, awnings, bay windows and the like, with the intention of providing visual relief to the buildings and reducing the appearance of their bulk.

C7 A maximum building wall height of 3.6m applies to the Ilka Street frontage. It may apply to the front or to both sides, if a gable-fronted form is appropriate.

C8 A maximum building wall height of 6m applies to the northern face of buildings to Moore Lane. The height of development abutting the lane shall not exceed 10m above the adjoining section of the lane.

C9 The lane should be uniformly fenced to 2m high, with open weave fencing to assist in the growth of vines.

C10 The fencing to Ilka Street shall be open railed type and either metal or timber, ratio 50/50 open to solid, and to a maximum height of 1.2m.

C11 All large trees within the corridor in healthy condition must be conserved. The corridor shall be 75% soft planted.

C12 All trees and shrubs, excluding ground covers and potted plants, shall be indigenous. This shall include high canopy trees, to mature to a minimum of 10m high, and 50% canopy cover of the corridor.

C13 Decorative planting is to be appropriate to the Ilka Street frontage.

C14 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.1(b) The Peripheral Sub Area

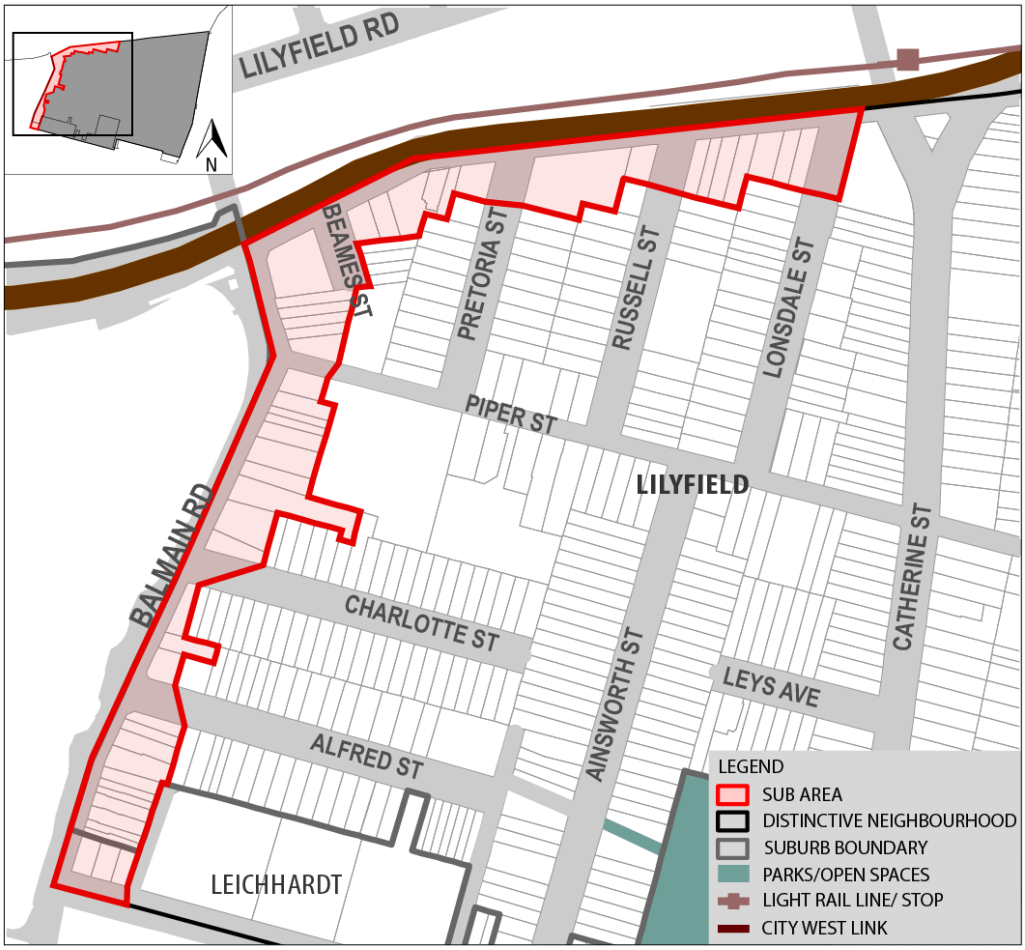

Figure C94: The Peripheral Sub Area

The Peripheral Sub Area consists of the length of the City West Link west of Catherine Street to the junction of Balmain Road, and from this point on Balmain Road south to the intersection with Moore Street.

The Peripheral Sub Area is not as distinctive as the core of the neighbourhood, due to the variety of development within the area. The change in character in Balmain Road is more transitional, whereas the City West Link has a clear physical departure from the homogenous character of the remainder of the neighbourhood. This is reinforced by road barriers and a change of level at the end of Russell, Pretoria and Lonsdale Streets. Although there are still pockets of detached, single storey cottages evident in the Peripheral Sub Area, it represents more of a mixed area in terms of built form and use. This change helps to define the boundary of the neighbourhood.

With the introduction of the nearby Lilyfield Light Rail stop, and the mix of commercial and residential uses in this area, there is potential for Council to make provision for future multi-unit development around this node. The location, and mixed residential/commercial character of the road, lends itself to higher density development. Balmain Road also has potential for a mixture of permissible commercial uses.

It is appropriate to maintain this area's transitional nature and provide for contemporary designed buildings and a variety of uses, particularly approaching corner sites. Such development would not be intrusive or out of character with this area, as compared with the majority of the Distinctive Neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain diversity of land uses, mixed built forms, contemporary designed development and accommodation types in the Peripheral Sub Area.

C2 A maximum building wall height of 7.2m shall apply to the Peripheral Sub Area.

C3 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.1(c) War Memorial Park Sub Area

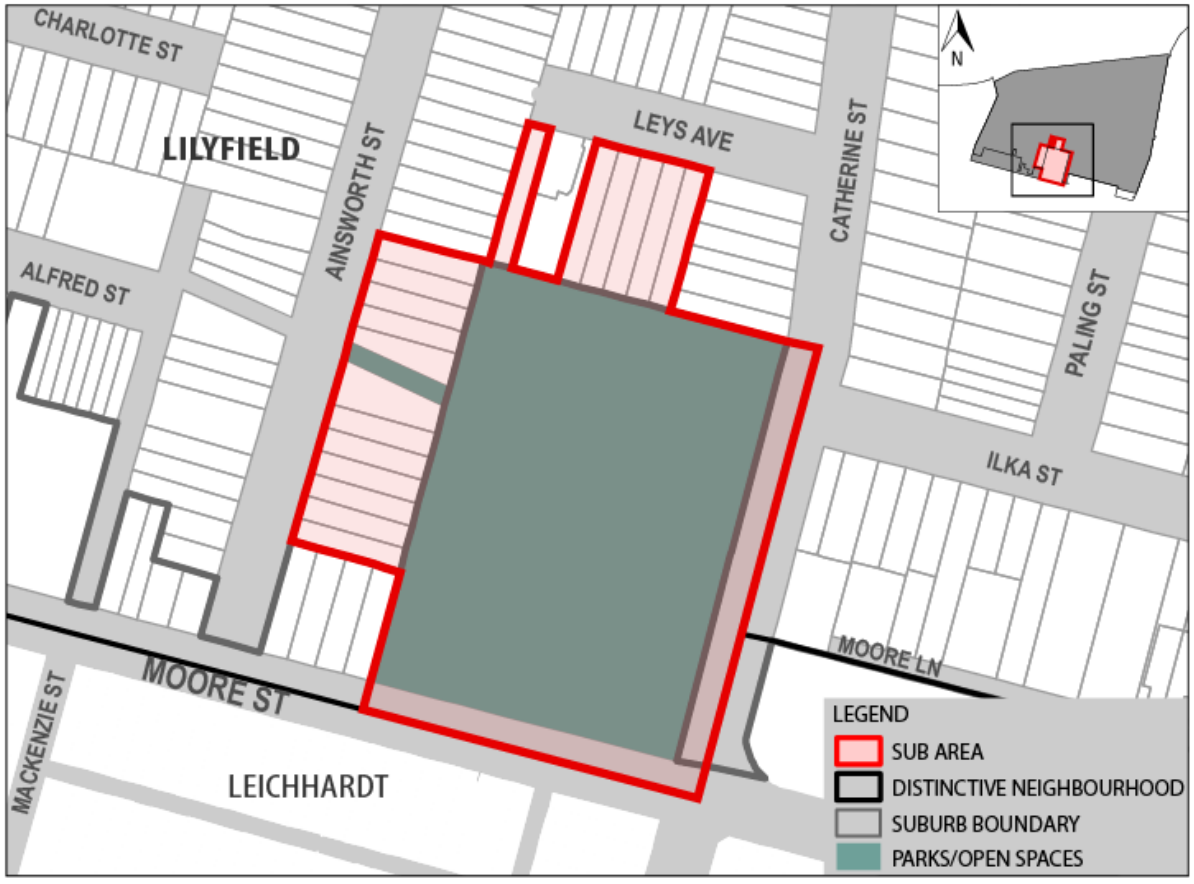

Figure C95: War Memorial Park Sub Area

War Memorial Park is a significant open space and landscape feature within the Catherine Street Distinctive Neighbourhood. The Park connects with the landscaped corridor within the Ilka Street properties, which also links with the Whites Creek open space and vegetation belt. This network of green belts and open space contributes significantly to the character of the Catherine Street Distinctive Neighbourhood and is a rare feature within the inner city urban context.

It is important to ensure that the public open space and green space is not encroached upon by future development. A number of privately owned properties have common boundaries with War Memorial Park and there is a predominant rear setback from the common boundary, between 10m and 12m.

Except for a unit development on a battle-axe style block, the properties adjoining the park are consistently developed with single detached cottages. The gardens of the cottages provide a privately landscaped fringe, which provides a good transition to the park, with the dwellings set well back from the park boundary. This setback avoids a hard-edged enclosure of this important area of public open space.

As the park is not a street or another private allotment, there may be a tendency to propose development closer to its common boundary and 'borrow' amenity from it. However, this lessens the aesthetic quality of the park and therefore diminishes its public value. Based upon existing setbacks and allowing some latitude for rear extensions to dwellings, an appropriate minimum setback from the War Memorial Park would be 10m. This would act together with the Building Location Zone (BLZ) control to prevent development from encroaching on the fringe of the public open space.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

O2 To preserve and enhance the existing aesthetic quality and open vegetated periphery of the War Memorial Park.

O3 To reinforce an established development zone for all properties with common boundaries to the War Memorial Park, so that new development is set well back.

Controls

C1 The minimum building setback of 10m from the Park shall apply. This is measured from the common boundary of a site with the War Memorial Park to the nearest external wall of a building (excluding decking and pergolas).

C2 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.1(d) Gladstone Street Sub Area

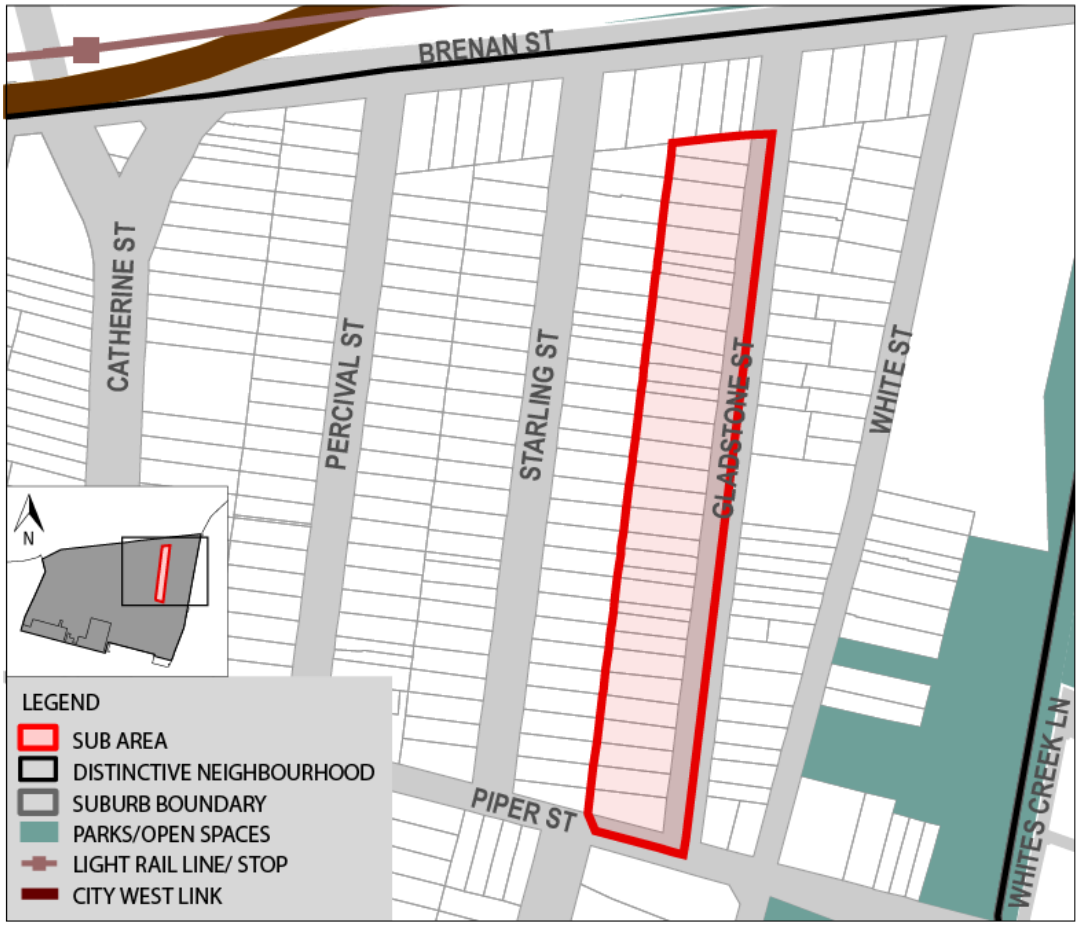

Figure C96: Gladstone Street Sub Area

Gladstone Street would appear to contain more variety in built form than most other streets within the Catherine Street Distinctive Neighbourhood. There is however, a predominance of two storey detached dwellings elevated above rocky outcrops, taking advantage of City views.

A substantial number of the dwellings on the eastern side of Gladstone Street turn their back to the street and front onto White Street, to obtain City views. This pattern changes closer to Brenan Street, where the built form becomes single storey cottages, which is more consistent with the core of the Distinctive Neighbourhood.

The topography in Gladstone Street rises substantially from street level to the properties on the western side. This results in a continuous retaining wall that begins at Piper Street, and gradually levels out towards the northern end of Gladstone Street. The floor level of most dwellings at the southern end of the street is several metres above street level and the existence of the wall predisposes these sites to excavated garaging. As the dwellings on the western side of Gladstone Street are visually removed from the streetscape, both vertically and horizontally, the garage doors generally do not impact on the appearance of the dwelling. However, the garages detract significantly from the character of the streetscape, altering the natural rocky sandstone wall. This also has inherent pedestrian safety problems, as sight distances are severely limited.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Ensure that garage doors on Gladstone Street are designed to minimise their dominance on the streetscape and maintain a residential and pedestrian character and scale to property frontages.

C2 Retain sandstone rock outcrops where they occur.

C3 Ensure that contemporary development on Gladstone Street is consistent with the dominant residential character of the Distinctive Neighbourhood, whilst still allowing landowners to take advantage of views.

C4 Proposals involving the construction of new garages or alterations and additions to existing garages on Gladstone Street must incorporate the following design features where possible:

a. incorporate a pedestrian entrance which is visible from the street;

b. set the garage doors back a minimum distance of 0.5m from the common property boundary of the site with the street/lane;

c. limit the number of garage doors visible from the street to one single width door.

C5 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.1(e) White Street Sub Area

Figure C97: White Street Sub Area

White Street has a varied streetscape, mainly due to its topography, with a prominent ridge rising behind the dwellings. Natural sandstone rock outcrops occur and such features are relatively rare within an urban context and have significant value both aesthetically and as geological relics. They should be preserved and integrated into landscaping, particularly if they are visible from a public place.

Despite the mixture of buildings fronting onto White Street, the remaining clusters of original 'cottage' style dwellings that occur, particularly at the northern end of the street, should be preserved.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Enhance the open space nature and wetland environment provided by Whites Creek and the significant vegetation in the Whites Creek Valley.

C2 Natural sandstone rock outcrops shall be preserved in their existing form and enhanced by integration into site landscaping.

C3 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.1(f) Catherine Street Neighbourhood Centre Sub Area

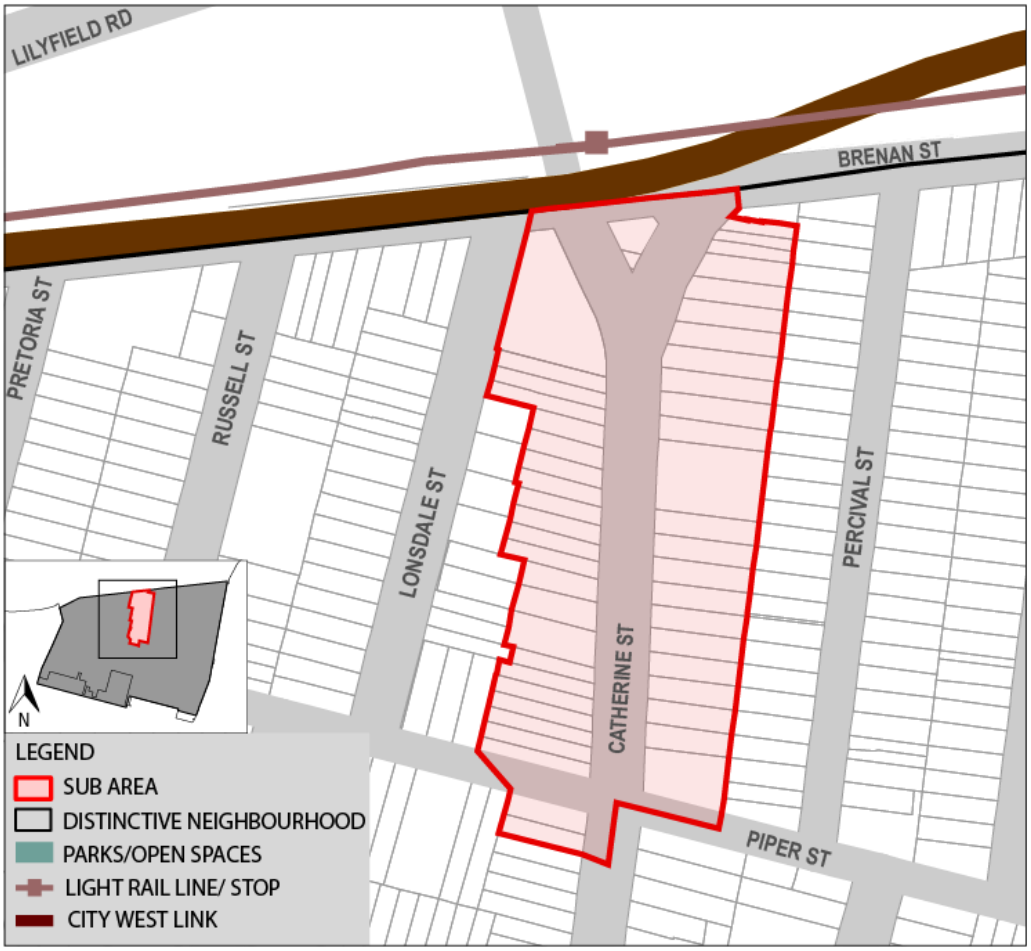

Figure C98: Catherine Neighbourhood Centre Sub Area

The area of Catherine Street between Brenan Street and Piper Street lends itself to becoming a neighbourhood centre. There is an existing strip of shops on the western side of Catherine Street, around Piper Street. In addition, there are several properties on the eastern side of Catherine Street that were originally constructed as shops, although they are currently not used for that purpose. Existing shopfronts should be retained to encourage a mix of appropriate uses.

The area is well defined by topography, with Piper Street situated on the rise of the hill, and the light rail stop situated at the base of the incline. One of the most significant characteristics of the Catherine Street Distinctive Neighbourhood is its abundant vegetation and relative wealth of open space.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage the development of a neighbourhood business centre and community focal point, utilising the existing commercial uses and taking full advantage of the proximity to the Lilyfield light rail stop.

C2 Retain existing shopfronts, regardless of current or proposed use, to provide for future flexibility.

C3 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.1(g) Whites Creek Valley Park Sub Area

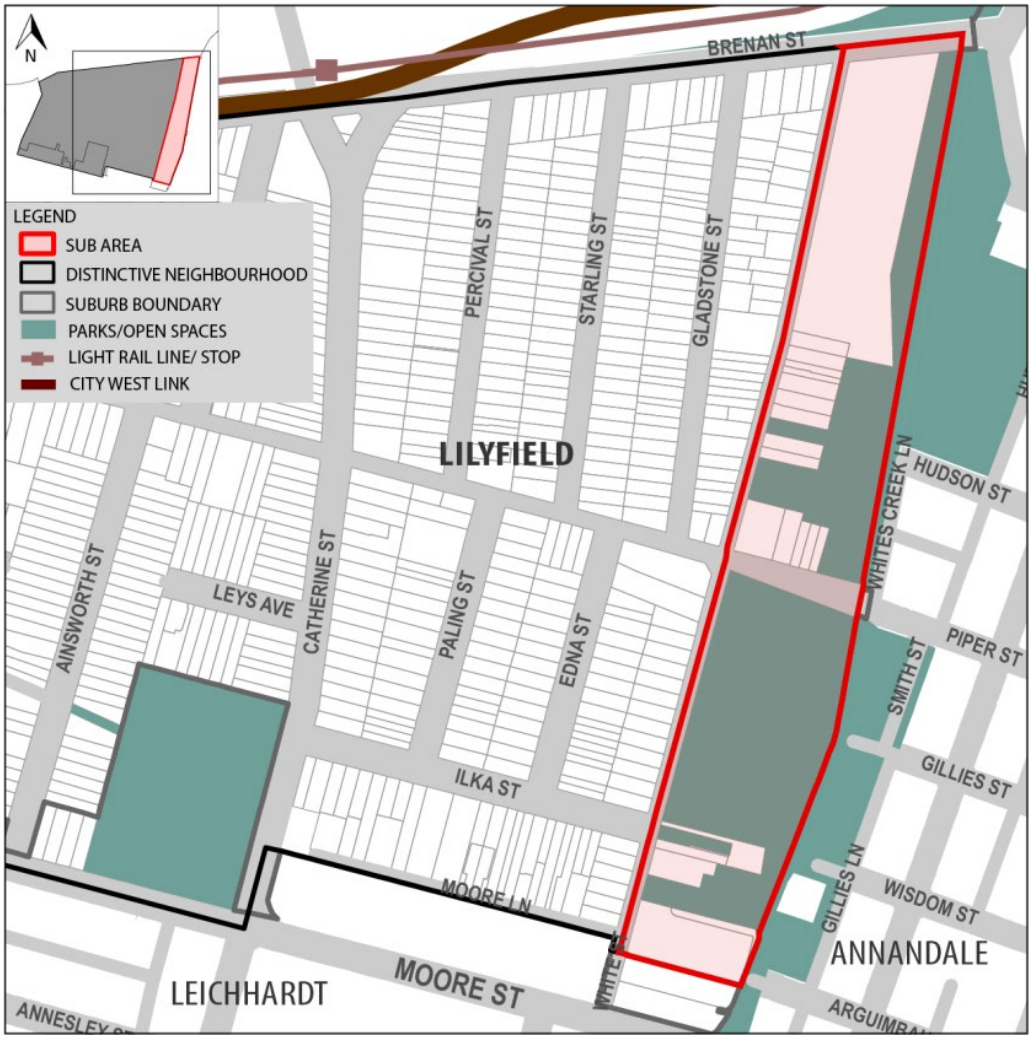

Figure C99: Whites Creek Valley Park Sub Area

The Whites Creek Valley Park makes up the third and largest component of the 'Green Belt' in the Catherine Street Distinctive Neighbourhood, together with the properties on Ilka Street and War Memorial Park.

The properties on the western side of Whites Creek, between a unit development at No. 9-15 White Street and northwards to Piper Street, are zoned RE1 Public Recreation under *Inner West LEP 2022*. These properties will eventually be acquired and the land will be integrated into the surrounding open space. In addition, an area near the section of Whites Creek adjacent to the junction of Ilka Street and White Street is to be returned to its original state as a small wetland.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Enhance the open space nature and wetland environment provided by Whites Creek and the significant vegetation in the Whites Creek Valley.

C2 Significant vegetation within the Whites Creek Valley Park must be retained.

C3 Any proposal within or near to Whites Creek Valley Park must not cause harm to the proposed wetland at Whites Creek.

C4 Proposals located within or near to the Whites Creek Valley Park must be consistent with Council's Open Space Strategy.

C5 Development is to be consistent with any relevant objectives and controls within the Catherine Street Distinctive Neighbourhood.

C2.2.4.2 Nanny Goat Hill Distinctive Neighbourhood

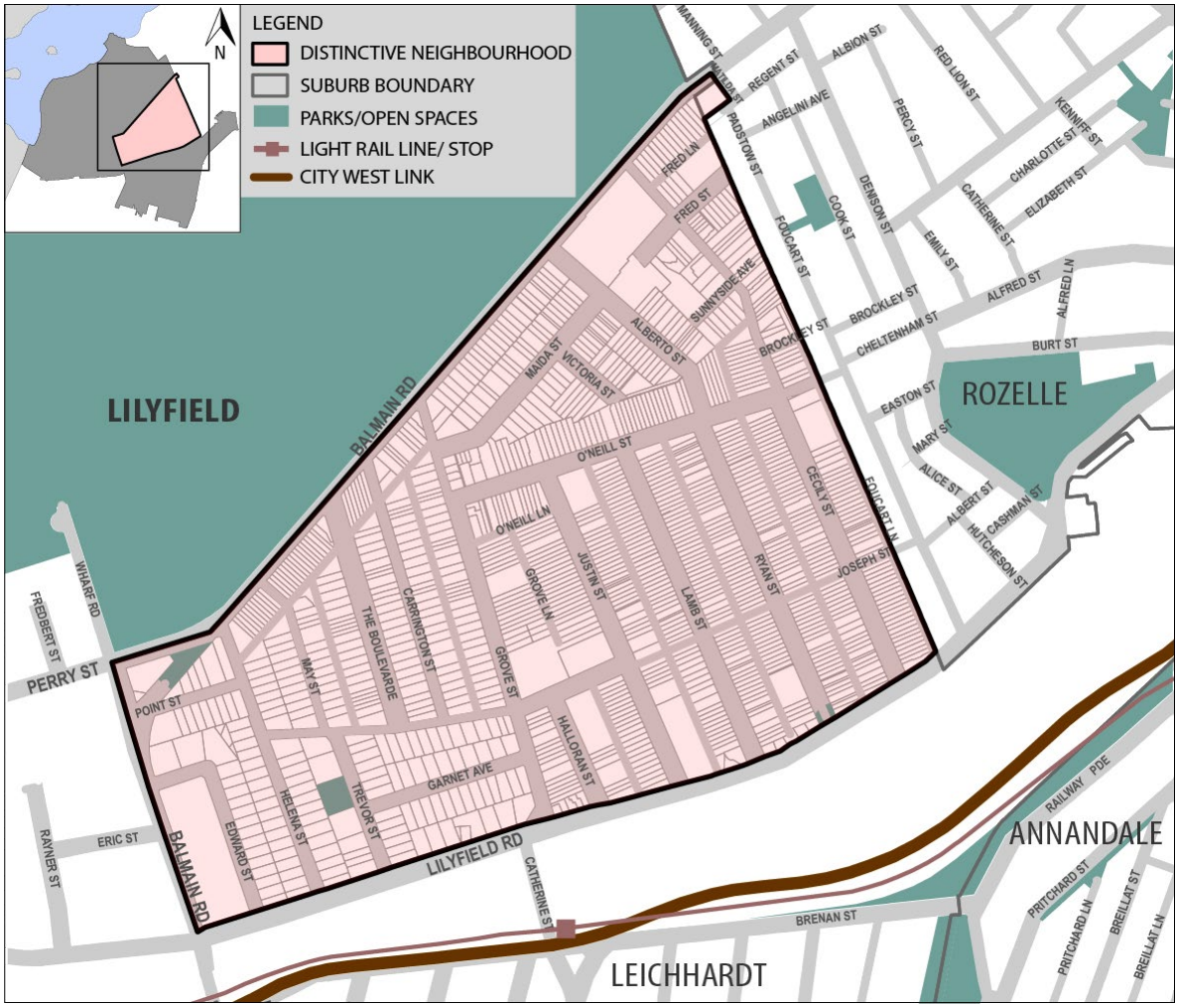

Figure C100: Nanny Goat Hill Distinctive Neighbourhood

Outline

This neighbourhood has six discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Eastern Residential Sub Area – Section C2.2.4.2(a);

b. Western Residential Sub Area – Section C2.2.4.2(b);

c. Nanny Goat Hill Laneways Sub Area – Section C2.2.4.2(c);

d. Public Housing Sub Area – Section C2.2.4.2(d);

e. Balmain Road Terraces Sub Area – Section C2.2.4.2(e); and

f. Commercial/Industrial Sub Area – Section C2.2.4.2(f).

Landform

Nanny Goat Hill Distinctive Neighbourhood is an elevated area with its northern boundary at Balmain Road, which marks the main Lilyfield/Rozelle ridge. The land falls away from Balmain Road to the southeast becoming much steeper closer to Lilyfield Road. There is a small area around Halloran Street that lies in a basin surrounded by steeply rising land.

The main roads in Nanny Goat Hill Distinctive Neighbourhood are orientated down the slope, allowing views out to Whites Creek Valley and the ridge of Annandale. The rise up from Easton Park allows views to the City from the eastern part of the Distinctive Neighbourhood. The ridge defined by Balmain Road forms the northern and western edges and Orange Grove Plaza, a small commercial centre between Perry Street and Balmain Road, marks the north-west corner of the Distinctive Neighbourhood.

The southern boundary is defined by Lilyfield Road. The eastern boundary is defined by the edge of the industrial zoned sector in the north-east corner and the common boundaries between properties fronting Cecily Street, Foucart Street and Foucart Lane.

Existing Character

Nanny Goat Hill Distinctive Neighbourhood is strongly defined by its topography, which is an important element in its character. The elevation of the land, and the views available from it, greatly add to its appeal. It is predominantly residential in character although there are some established industrial and commercial sectors. These are in the north-east corner, along Balmain Road and on Lilyfield Road, centred around Halloran Street and Justin Street.

The dominant built form in the neighbourhood is single storey detached cottages on similar sized allotments. There is a variety of architectural styles evident, reflecting the various stages of settlement, including Victorian, Federation, inter-war and post-war dwelling forms. Most of the subdivision and development in the neighbourhood appears to have occurred in the late 1800s and early 1900s.

Despite this predominant single storey character, two storey developments are evident, and are the result of landowners competing for views on elevated streets and upper slopes. The cumulative impact of this competition for views would be a total change in the built form character of the area. This is not supported by Council and is addressed by General, Neighbourhood and Sub Area controls.

There is a scattering of multi-unit development from various eras throughout the neighbourhood. In particular, there is a concentration of Department of Housing three storey walk-up flat buildings in Edward Street and the western side of Helena Street. The multi-unit developments of the 1990s are more compatible than earlier multi-unit development, as they are generally low-rise townhouse-style developments. These generally have a 3.6m building wall height.

The majority of the streets within the Nanny Goat Hill Distinctive Neighbourhood run from north-west to south-east in a Victorian grid pattern which usually ignores the topography. This results in some relatively steep streets in parts and a resultant stepping of the dwellings down the slopes. Most streets are relatively wide, with carriageway widths of over 10m and verges of 2m. There is a profusion of street planting evident, including mainly native species such as brushboxes, bottlebrushes and some eucalyptus. Informal planting in private backyards, including high canopy trees, adds significantly to the character of the distinctive neighbourhood.

The subdivisions within the neighbourhood include traditional Victorian service lanes, thus there is a secondary network of interconnecting lanes throughout most of the Distinctive Neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the character of the area by keeping development consistent in architectural style, form and material.

C2 Preserve and enhance the predominant low scale 'cottage' character of the residential streets.

C3 Ensure the availability of views and glimpses of local and distant landmarks as well as scenic vistas from public places.

C4 Ensure the optimal sharing of views from privately owned land.

C5 Preserve and enhance the consistent rhythm in the residential streetscapes created by the regular allotment sizes, predominance of detached dwellings, hipped and gabled roof forms and the gradual stepping of dwellings down steeper streets.

C6 Preserve and enhance the diverse socio-economic mix through a variety of dwelling types.

C7 Preserve and enhance the value of Heritage Items and Heritage Conservation Areas identified in *Inner West LEP 2022*.

C8 Preserve and enhance the prevalence of mature street trees, as well as mature and/or visually significant trees on private land.

C9 Enhance and promote the viability and potential for neighbourhood shops.

C10 Encourage the continuing development of a neighbourhood centre and identity.

C11 Encourage the viability of existing industrial uses.

C12 A maximum building wall height of 3.6m applies, unless an alternative maximum building wall height is prescribed under the Sub Area controls.

C13 Neighbourhood shops or buildings originally designed for a non-residential use may have a 7.2m maximum building wall height in order to incorporate a parapet.

C14 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.4.2(a) Eastern Residential Sub Area

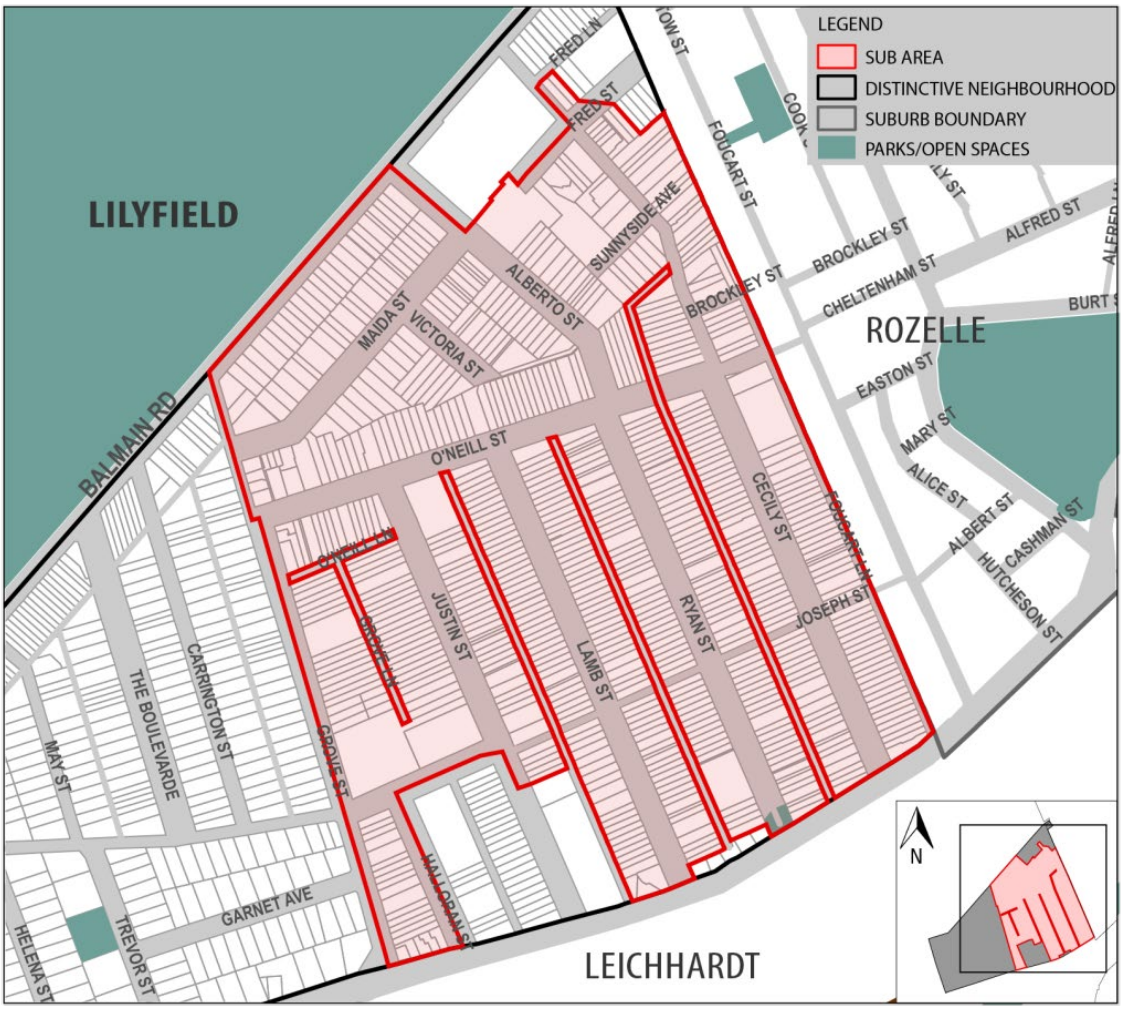

Figure C101: Eastern Residential Sub Area

The Eastern Residential Sub Area is predominantly an area of single storey detached cottages constructed in the late 19th and early 20th centuries. There is a mixture of building materials with some timber, some fibro and some brick with predominantly hipped or gabled roofs. Allotments are generally small and narrow and are located on straight, wide roads that cut across the slopes.

A typical streetscape feature of the Eastern Residential Sub Area is the gradual stepping of the cottages down the hill affording views to the harbour, City and neighbouring suburbs. The majority of this area is within a Heritage Conservation Area under *Inner West LEP 2022*. This reinforces the need to retain and enhance its unique built character.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the particular residential streetscape character unique to the Eastern Residential Sub Area and the Western Residential Sub Area.

C2 Front fences shall be post and rail, timber or iron picket. Where the dwelling is Victorian in character, fences must be masonry plinths with iron palisades.

C3 Roofing materials must be slate, corrugated iron, or terracotta tiling.

C4 Development is to be consistent with any relevant objectives and controls within the Nanny Goat Hill Distinctive Neighbourhood.

C2.2.4.2(b) Western Residential Sub Area

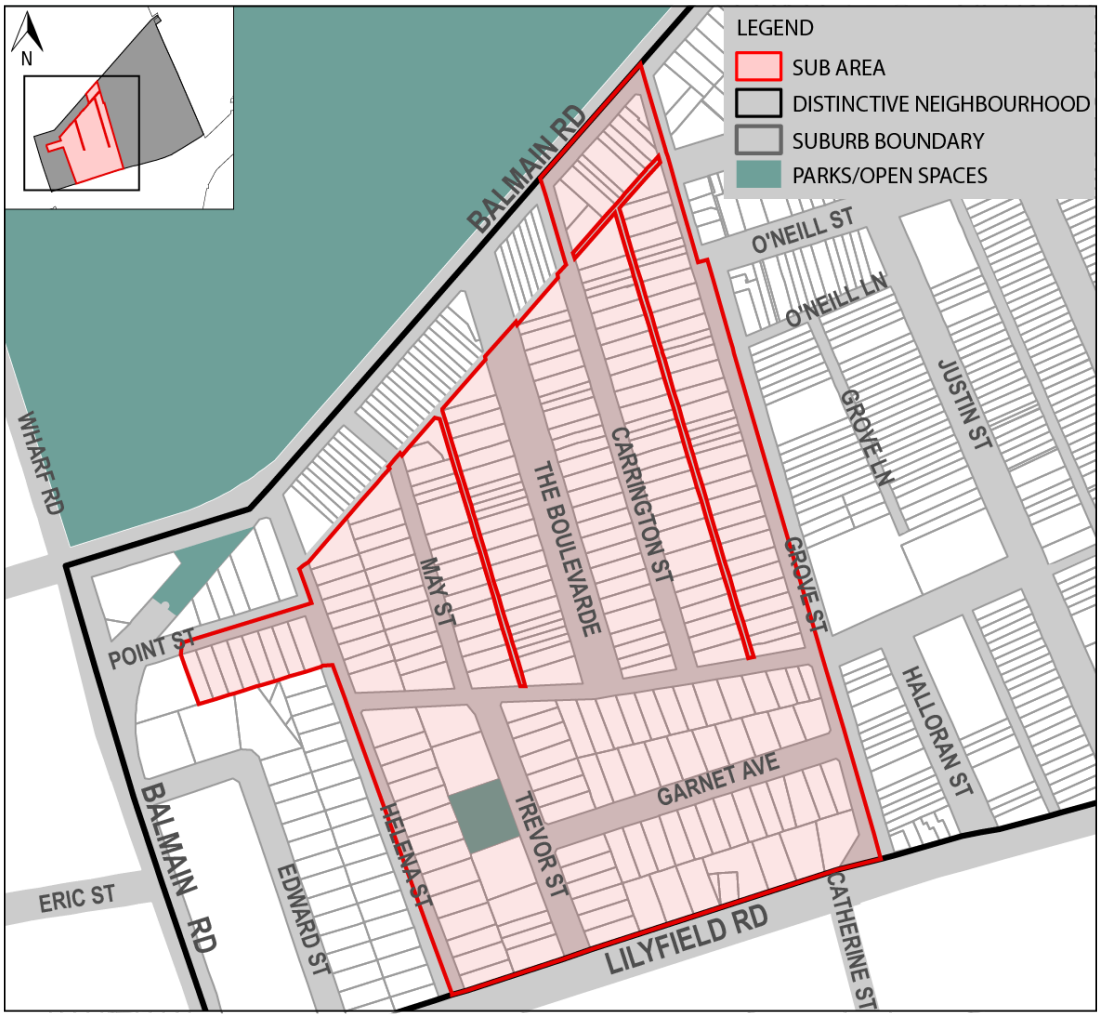

Figure C102: Western Residential Sub Area

The Western Residential Sub Area has larger, wider allotments than in the Eastern Residential Sub Area. It has a greater variety of architectural styles and materials in its building stock. Older cottages and narrower service lanes in the Western Residential Sub Area suggest that it is an earlier subdivision, which would originally have contained mostly single storey timber cottages, few of which remain now. Subsequent post-war clearance and redevelopment by the Housing Commission, together with inter-war 1930s development, has resulted in the mixed character seen today.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Control

C1 Preserve and enhance the residential streetscape character unique to the Western Residential Sub Area.

C2 Front fences shall be low scale.

C3 External masonry walls must consist of face brick.

C4 Roofing materials must be terracotta tiles.

C5 Development is to be consistent with any relevant objectives and controls within the Nanny Goat Hill Distinctive Neighbourhood.

C2.2.4.2(c) Nanny Goat Hill Laneways Sub Area

Figure C103: Nanny Goat Hill Laneways Sub Area

There are two types of rear residential laneways within the Nanny Goat Hill Distinctive Neighbourhood.

In the area west of Grove Street, the rear lanes are extremely narrow, with carriageways only just wide enough (2.5m) to allow vehicles to travel through them. These are the result of Victorian era subdivisions when the primary role of these lanes was to cater for the provision of nightsoil services to early dwellings without sewers. They were never designed with the motor vehicle in mind, nor to provide general access to the properties. As a result, although it is just possible to travel through these lanes by vehicle, clearance is tight and manoeuvring around corners or into garages is often difficult.

Some garages exist in the rear lanes west of Grove Street, however they are not common and fencing is generally continuous on both sides of these lanes. The narrow width, together with

backyard vegetation spilling over rear fences, gives them a pedestrian scale. In order to retain this character and avoid conflict between vehicles travelling in opposite directions, it is preferable for them to be used as little as possible by vehicles. Garages should only be permitted where it can be shown that adequate manoeuvring area is available and they should only cater for a maximum of one vehicle. Given the existing service nature of these lanes, any type of two storey development on the rear lanes west of Grove Street is inappropriate.

East of Grove Street, the rear lanes are wider (6m) but also have a predominant service, low scale character to them. They display a relatively pleasant character, borrowing amenity from the vegetation in backyards on either side. Garages are evident, although two storey buildings fronting onto the rear lanes are rare. Where such buildings do occur, the amenity of adjoining backyards and the 'lanescape' is diminished. Some of these lanes are well elevated, enabling vistas toward the City and south toward the Catherine Street Distinctive Neighbourhood. Although the lanes east of Grove Street are wider, they are also not considered to be appropriate for any form of development other than single garages.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the predominant service character and pedestrian friendly environment within rear lanes in Nanny Goat Hill.

C2 Development of two or more storeys in height must not front onto rear lanes.

C3 No garaging should be constructed in narrow lanes in the Western Residential Sector.

C4 No more than one single garage, carport or vehicle parking space may be constructed with access to the wider rear lanes in the Eastern Residential Sector.

C5 Where garage or parking space doors are incorporated into fencing to rear lanes, separate pedestrian access from the rear lane to the property should be provided where lot widths permit.

C6 Significant views and vistas from a rear lane are to be retained.

C7 Development is to be consistent with any relevant objectives and controls within the Nanny Goat Hill Distinctive Neighbourhood.

C2.2.4.2(d) Public Housing Sub Area

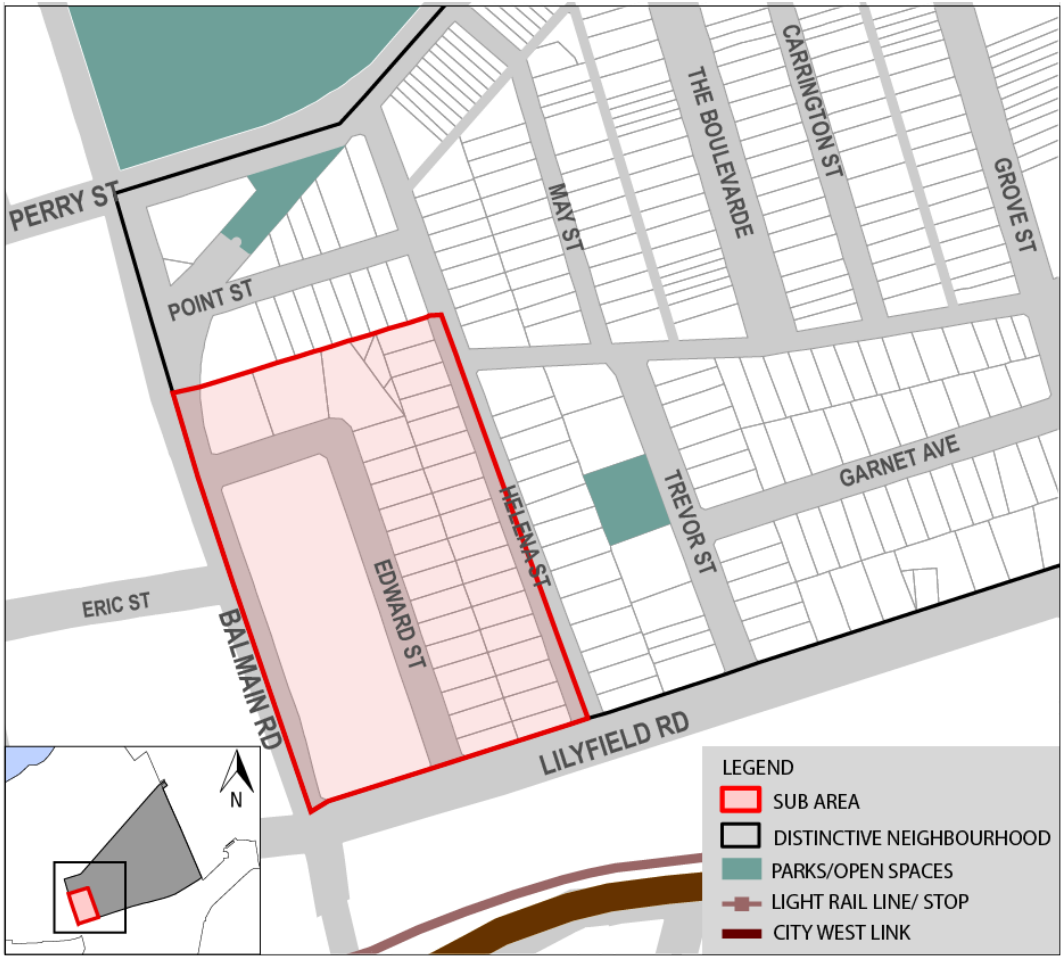

Figure C104: Public Housing Sub Area

The Public Housing Sub Area is a result of early post-war reconstruction housing influenced by similar housing in the United Kingdom. It consists of a mix of two and three storey flat buildings in red brown brick and tile roofs and contemporary multi-coloured residential development.

From a social perspective, Nanny Goat Hill retains a mixed socio-economic community despite the steady increase in property values. This is an important contributory element to the character of this neighbourhood.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Promote the physical and social integration of the public housing sector by encouraging re-design, particularly of the frontages and corners of buildings.

C2 Improve the delineation between public and private space in the Sub Area.

C3 The maximum building wall height shall be 7.2m.

C4 Development is to be consistent with any relevant objectives and controls within the Nanny Goat Hill Distinctive Neighbourhood.

C2.2.4.2(e) Balmain Road Terraces Sub Area

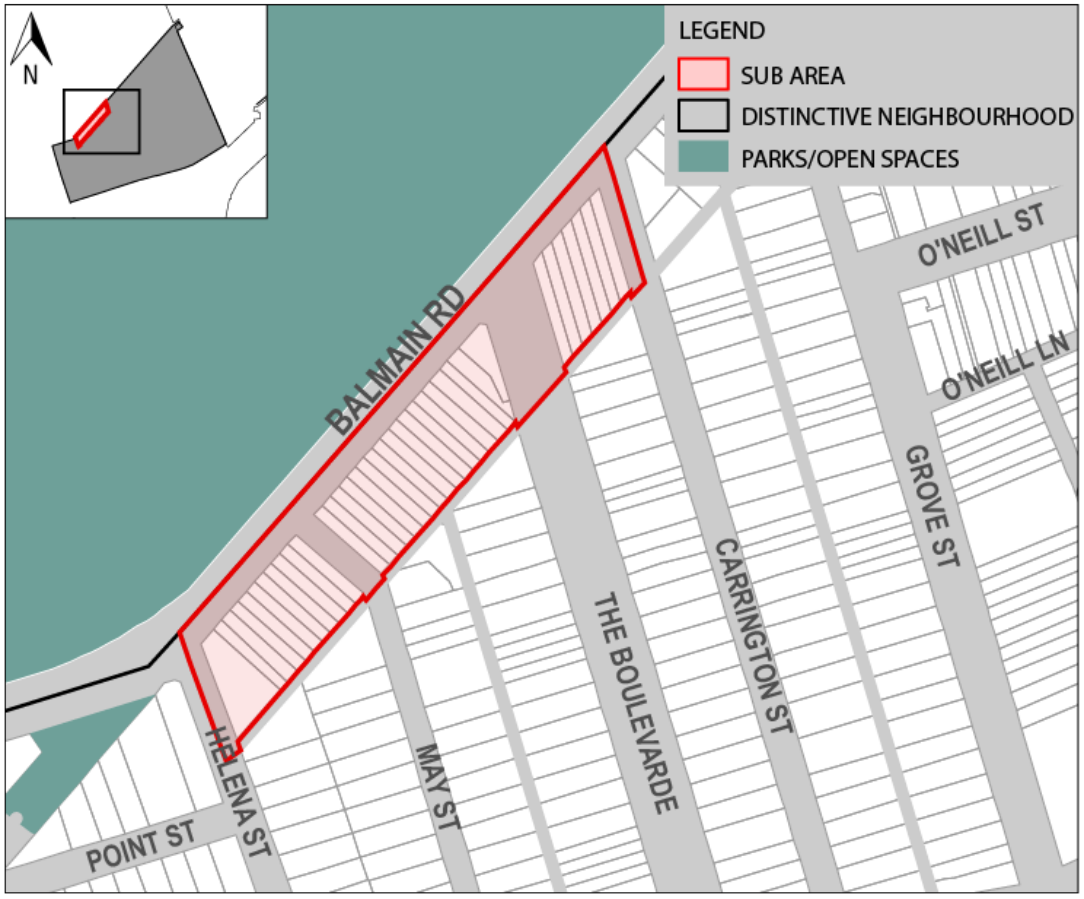

Figure C105: Balmain Road Terraces Sub Area

The Balmain Road Terraces are a continuous row of two storey Victorian terraces. They are located on the south-east side of Balmain Road between Helena Street and Carrington Street. They represent the north-western boundary of the Nanny Goat Hill Distinctive Neighbourhood and are within a Heritage Conservation Area.

In addition, the terraces are also listed as Heritage Items in *Inner West LEP 2022*. They have heritage significance due to their rarity, group and landmark value, architectural significance and their aesthetic value. However, a number of these dwellings have unsympathetic, high, full-brick/timber front fences that diminish their streetscape contribution.

It is desirable to maintain and enhance the uniformity and consistency of these dwellings and reinforce the use of traditional building materials, for example, it is appropriate to encourage a traditional Victorian front fence treatment.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage the use of traditional building materials in any new development, particularly in relation to fencing.

C2 Preserve and enhance the particular qualities which define their heritage conservation value.

C3 The maximum building wall height for the Balmain Road Terraces is 7.2m.

C4 The existing façades of the Balmain Road Terraces must be retained when considering alterations or additions to the buildings.

C5 New front fences shall be constructed of iron palisade with a masonry plinth.

C6 Development is to be consistent with any relevant objectives and controls within the Nanny Goat Hill Distinctive Neighbourhood.

C2.2.4.2(f) Commercial/Industrial Sub Areas

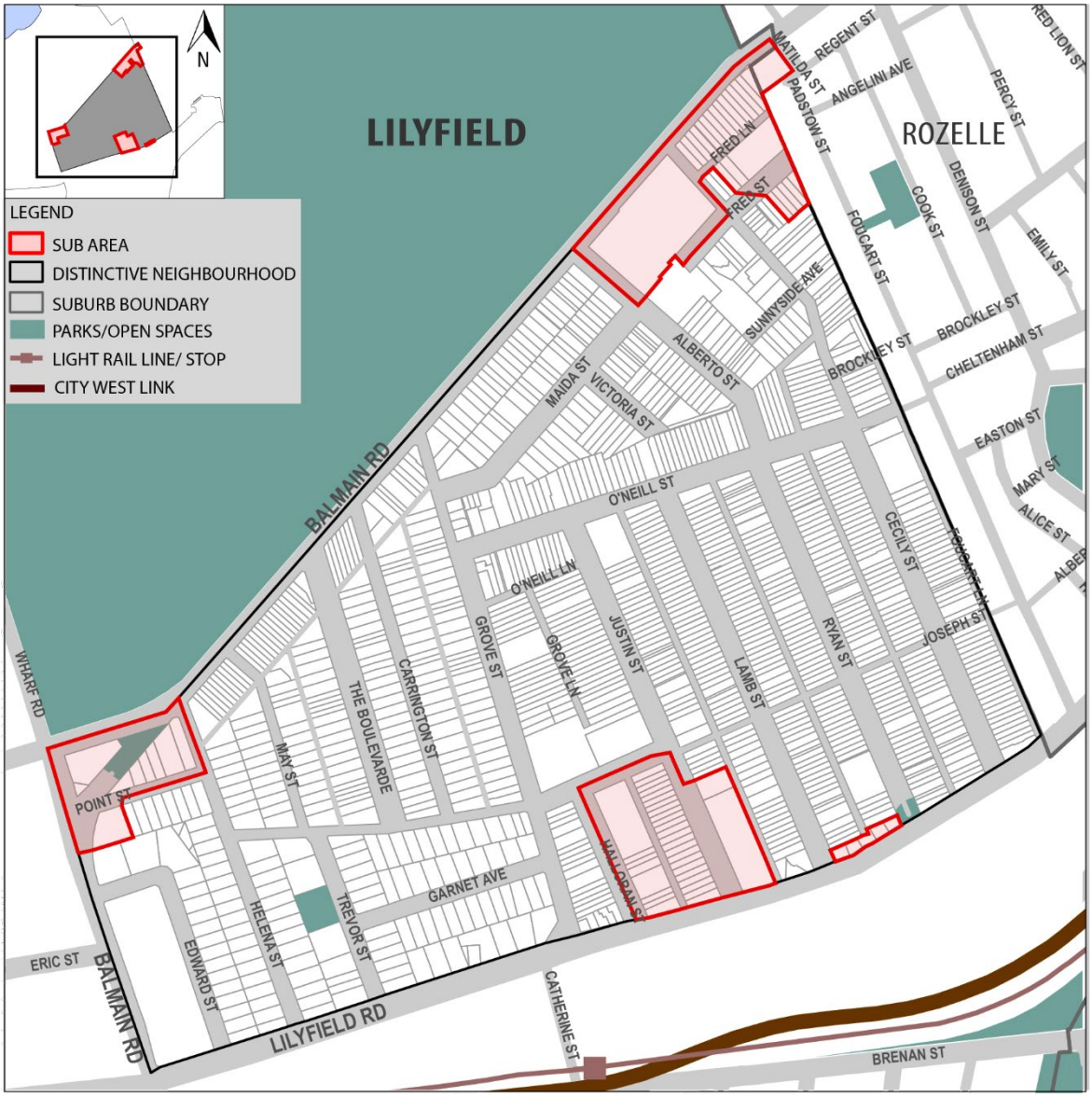

Figure C106: Commercial / Industrial Sub Areas

The Nanny Goat Hill Distinctive Neighbourhood has a significant amount of industrial and business zoned land within its boundaries. A neighbourhood shopping centre is located at the north-western corner of the neighbourhood and industrial areas are located at Halloran Street and in the north-eastern corner.

There is a good range of industrial and business uses carried out within this area including light industrial, warehousing, high-tech industry, retailing, cafes, neighbourhood shops and professional and commercial offices. These industrial and commercial elements add to the character and community identity of Nanny Goat Hill Distinctive Neighbourhood, which is relatively well developed in comparison to other areas.

In particular, the industrial area in and around the junction of Justin Street and Lilyfield Road should be maintained as a distinct precinct. The retention of the remaining industrial uses in this area will take precedence over future redevelopment proposals so as to preserve its unique industrial character.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Retain the industrial uses and preserve the existing character of the area at the junction of Justin Street and Lilyfield Road.

C2 Development is to be consistent with any relevant objectives and controls within the Nanny Goat Hill Distinctive Neighbourhood.

C2.2.4.3 Leichhardt Park Distinctive Neighbourhood

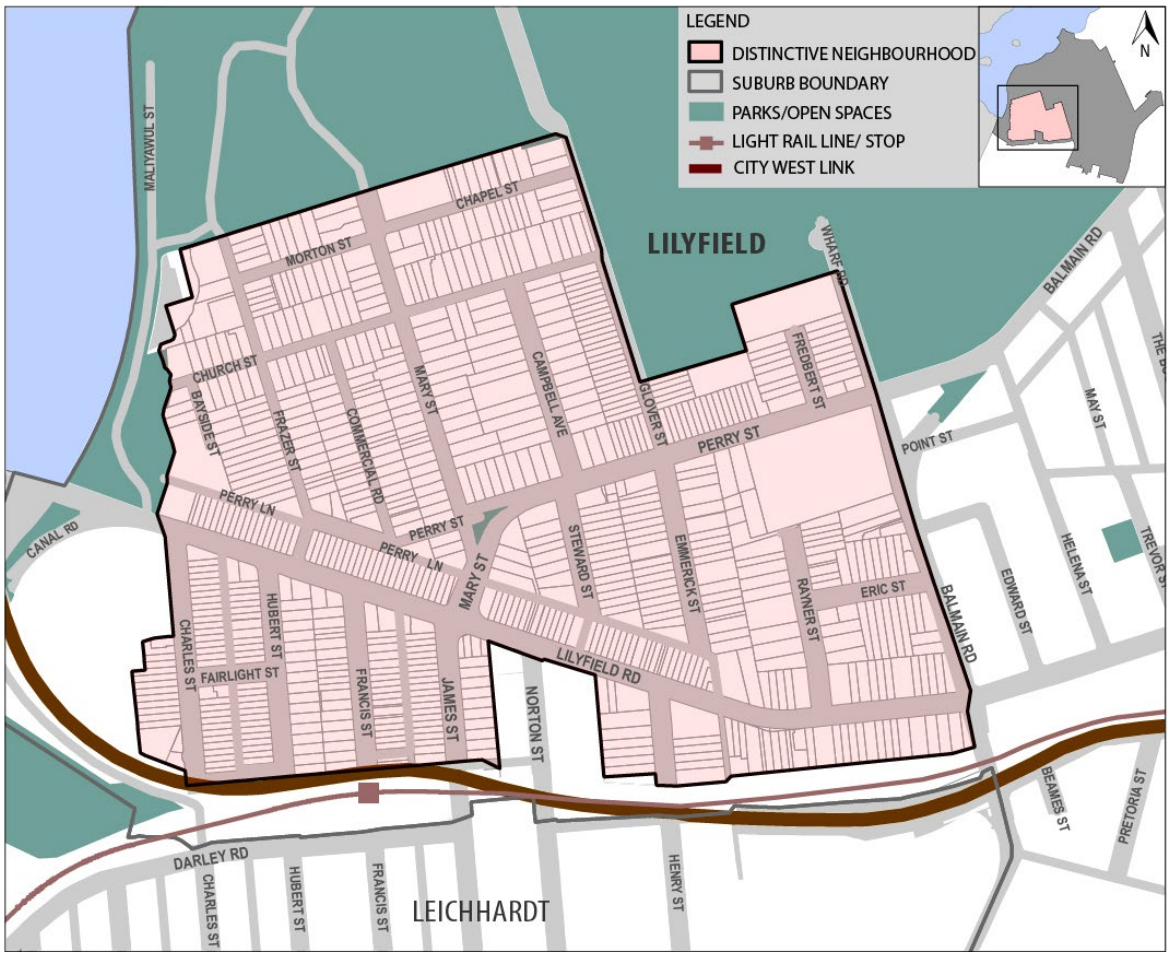

Figure C107: Leichhardt Park Distinctive Neighbourhood

Outline

This neighbourhood has four discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Leichhardt Park Conservation Sub Area – Section C2.2.4.3(a);

b. Perry Street Bungalows Sub Area – Section C2.2.4.3(b);

c. Leichhardt Park Laneways Sub Area – Section C2.2.4.3(c); and

d. Iron Cove Backdrop Sub Area – Section C2.2.4.3(d).

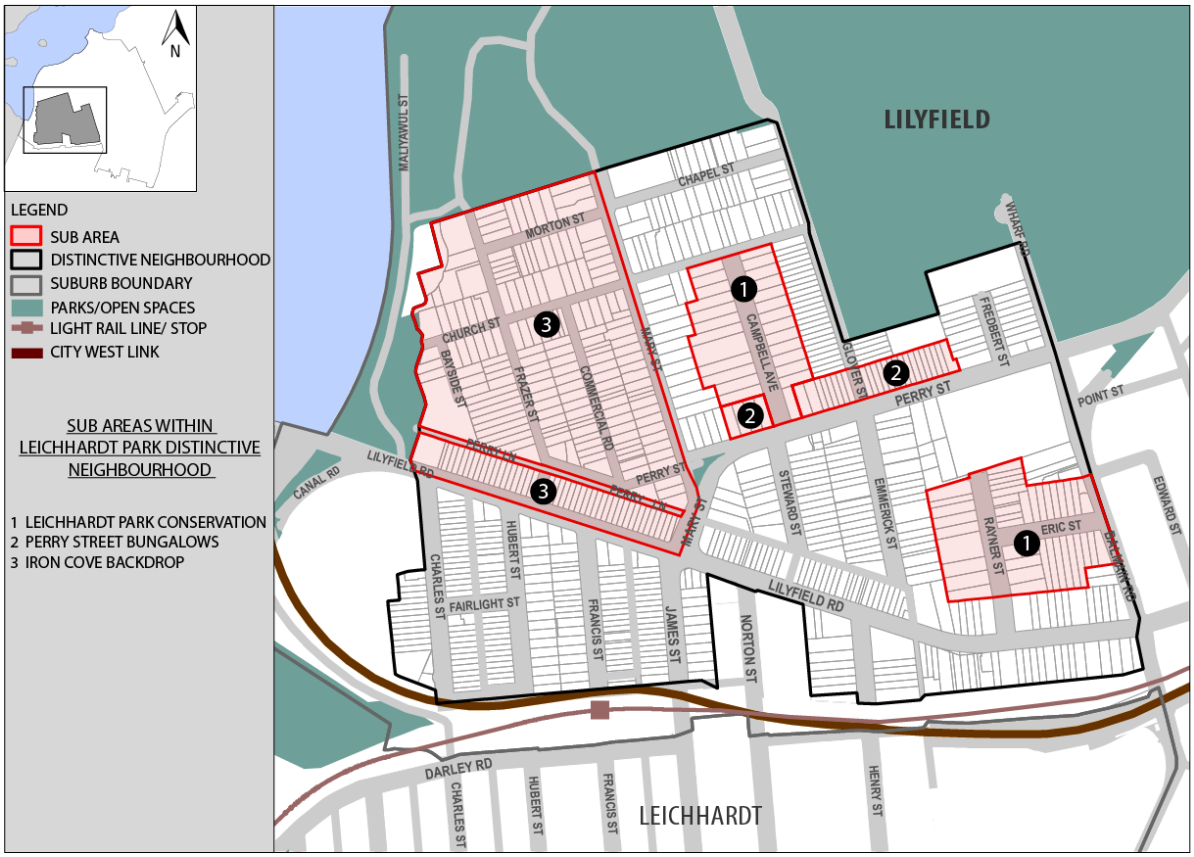

Figure C108: Sub Areas within Leichhardt Park Distinctive Neighbourhood

Landform

The Leichhardt Park Distinctive Neighbourhood, located on the western slopes of the main Leichhardt/Balmain ridge, is bisected by Lilyfield Road and lies in between the Iron Cove Parkland Distinctive Neighbourhood and the City West Link, which forms its southern boundary. Its highest elevation is represented by a plateau centred on the eastern side between Emmerick and Raynor Streets. From this point, the land falls gently away to the north and more steeply toward the south and west.

The western boundary of the Distinctive Neighbourhood is marked by Charles Street and the rear of the properties fronting onto Bayside Street, Church Street and Frazer Street. The northern boundary is marked by the rear boundaries of the properties fronting Frazer Street, Morton Street, Mary Street, Chapel Street, Glover Street and Fredbert Street. Wharf Road and Balmain Road make up the eastern boundary.

The elevation, aspect and incline of the land result in views towards Iron Cove from a number of the streets within this neighbourhood.

Existing Character

The Distinctive Neighbourhood was developed mostly in the early 1900s. On the northern side of Lilyfield Road, the area has been laid out with a generous grid street pattern allowing the development of predominantly single storey, detached dwellings of the Federation and inter-war periods.

Scattered throughout the neighbourhood are relatively intact Californian bungalows and weatherboard cottages. Many of the weatherboard cottages (such as the row of intact weatherboard cottages along

the west side of Francis Street, located between Lilyfield Road and the City West Link) are not covered within a Heritage Conservation Area. These types of dwellings should be maintained and enhanced wherever possible to maintain the diversity of architectural styles found throughout the land where this DCP applies.

The Distinctive Neighbourhood is residential in character with small pockets of commercial properties and corner shops scattered throughout. On the southern side of Lilyfield Road, a dominant feature is the large sound barriers that line the City West Link and abruptly terminate these residential streets.

With the exception of the streets located closer to Iron Cove, most streets in the Leichhardt Park Distinctive Neighbourhood are relatively wide with carriageway widths of between 10m and 12m. The north-south oriented streets generally run with the contours while the east-west roads run perpendicular, resulting in some steeply inclined streets falling dramatically towards Iron Cove.

Footpath widths on the wider streets are generally between 2.5m-3m. Often, the nature strips or carriageway edges are planted with native trees such as brushboxes. Fredbert Street has a particularly unique streetscape created by a row of mature camphor laurels in the middle of the carriageway, which has been listed as a landscape heritage item under the *Inner West LEP 2022*. Other landscape heritage items in the neighbourhood include the brushboxes in Campbell Avenue, Eric Street (also one Illawarra Flame Tree), Rayner Street, Lilyfield Road and Henry Street (also one Hills Fig).

Front setbacks for single dwellings are consistently between 1m and 3m. Side setbacks within the neighbourhood are distinctive in that they are consistent between dwellings in each street but vary from street to street, generally between 600mm and 2.5m. This creates a definite, consistent rhythm to the streetscape. Front fences are predominantly low brick, low timber picket, or post and rail. Roof forms are mainly hipped or gabled with terracotta tiles. Most dwellings are constructed of smooth face bricks in the red/brown range.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Maintain the character of the area by keeping development consistent in architectural style, building form and materials.

C2 Maintain and enhance the predominant low scale cottage character of the residential streets.

C3 Enhance and restore, when possible, the weatherboard cottages within the Leichhardt Park Distinctive Neighbourhood.

C4 Promote the consistent rhythm in the residential streetscapes created by the regular allotment sizes, regular side setbacks, the predominance of detached dwellings and the predominance of hipped and gabled roof forms.

C5 Enhance the value of Heritage Conservation Areas and Heritage Items identified in *Inner West LEP 2022*.

C6 Preserve the prevalence of mature and/or regularly spaced street trees, as well as mature and visually significant trees on private land.

C7 Preserve and enhance sharing of views from private land.

C8 Enhance and promote the viability and potential for future neighbourhood shops.

C9 Promote the continuing development of a neighbourhood centre and identity.

C10 Maximum building wall height of 3.6m applies unless an alternative building wall height is prescribed under the Sub Area controls.

C11 Neighbourhood shops or buildings originally designed for a non-residential use may have a 7.2m maximum building wall height in order to incorporate a parapet.

C12 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.4.3(a) 'Leichhardt Park' Conservation Sub Area

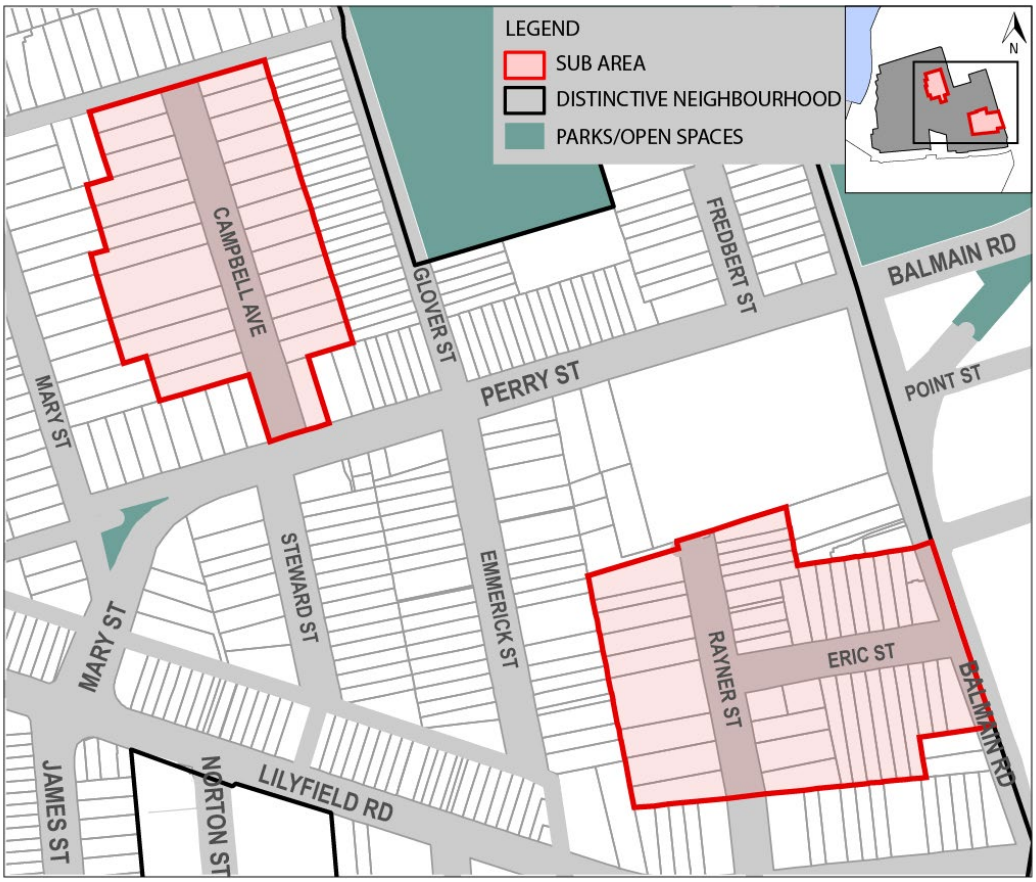

Figure C109: Leichhardt Park Conservation Sub Area

The former Austenham Estate was subdivided to form Eric and Rayner Streets and subsequently developed in a Federation style. Campbell Avenue is the most cohesive street of Californian bungalows in Leichhardt and is protected as a Heritage Conservation Area. There have been very few unsympathetic alterations and additions to these dwellings. This has resulted in a very good representative street of a particular architectural era in Australian residential development. Therefore, it is important that unsympathetic development is prevented from occurring.

Rayner and Eric Streets are dominated by examples of Federation homes as well as some Californian bungalows. Unfortunately, the level of architectural intactness of these streets is marred somewhat by more recent high rise multi-unit development. Mature street trees, some of which are listed as landscape Heritage Items, also adorn the streetscape.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the predominantly Federation-style streetscape in Eric and Rayner Streets.

C2 Preserve and enhance the Californian bungalow streetscape in Campbell Avenue and Perry Street.

C3 To encourage and enhance landscaping in the front building setback on Campbell Avenue and Perry, Eric and Rayner Streets.

C4 The provision of off-street parking in front of the front building setback shall not occur.

C5 Driveways and crossovers shall not be constructed within the spread of the canopy of heritage listed street trees.

C6 Front balconies shall not be enclosed, either by glazing or otherwise.

C7 Front fences and gardens should be reconstructed in Perry Street.

C8 The front façade brickwork to Californian bungalows on Campbell Avenue shall not be painted. Roof gables and decorative posts and batons may be painted using appropriate colours.

C9 Alterations and additions to buildings that are unsympathetic to the prevailing architectural style on Campbell Avenue, Rayner Street and Eric Street must not increase the prominence of these buildings in the streetscape.

C10 Development is to be consistent with any relevant objectives and controls within the Leichhardt Park Distinctive Neighbourhood.

C2.2.4.3(b) Perry Street Bungalows Sub Area

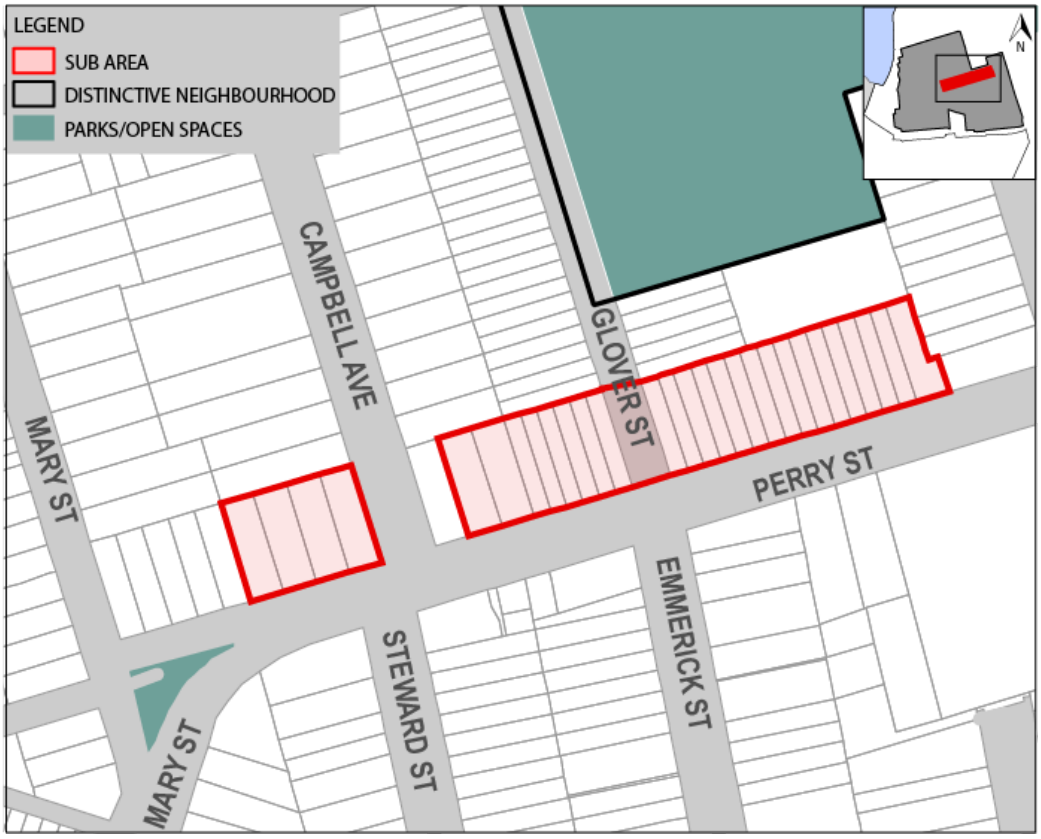

Figure C110: Perry Street Bungalows Sub Area

The eastern section of the Leichhardt Park Distinctive Neighbourhood is characterised by single storey detached dwellings and the area displays a highly consistent character. Distinctive features of this area are the rows of single fronted Federation and Californian bungalow cottages along the northern side of Perry Street. They display uniformity in architectural style with their consistent scale, setbacks, gabled roofs and the repetitive use of balconies, red face bricks, casement windows and red terracotta tiles.

In order to retain and enhance the value of this area, special controls are necessary to restrict unsympathetic alterations and additions, and to encourage restorative work to these buildings.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the predominantly Federation-style streetscape in Eric and Rayner Streets.

C2 Preserve and enhance the Californian bungalow streetscape in Campbell Avenue and Perry Street.

C3 To encourage and enhance landscaping in the front building setback on Campbell Avenue, Perry Street and Eric and Rayner Streets.

C4 The Perry Street bungalows should not be demolished.

C5 Any new residential development located within the Perry Street bungalow area must be sympathetic in design to the Californian bungalows.

C6 Alterations and additions involving any form of first floor addition will not be supported.

C7 New front fencing must be either low matching brick or low timber picket.

C8 Development is to be consistent with any relevant objectives and controls within the Leichhardt Park Distinctive Neighbourhood.

C2.2.4.3(c) 'Leichhardt Park' Laneways Sub Area

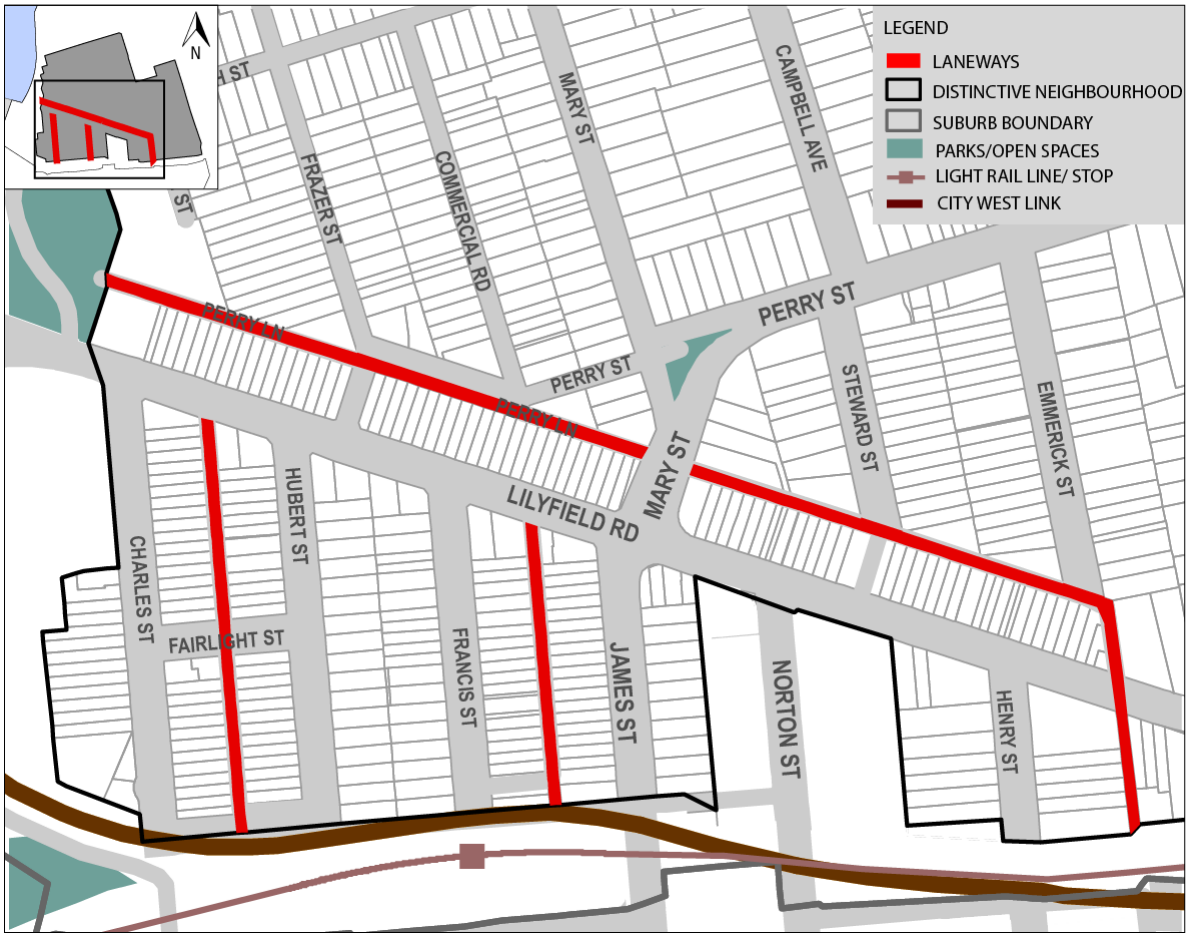

Figure C111: 'Leichhardt Park' Laneways Sub Area

The Leichhardt Park Distinctive Neighbourhood has a small number of rear laneways. They retain a predominant low scale and service character, providing access to the rear of properties. There are no dwellings or two storey developments fronting onto the laneways and therefore none should be allowed, in order to retain their existing character.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Ensure that rear lanes are pedestrian-friendly environments by ensuring that not more than one garage or carport is constructed per property and pedestrian access is maintained.

C2 Retain the predominant service character of rear lanes.

C3 Rear laneways shall not have dwellings fronting onto them.

C4 Development to create parking areas shall not occur where sufficient vehicle manoeuvring areas cannot be provided.

C5 Trees more than 4m in height, covered by Section C1.14 Tree Management of this Development Control Plan, shall be retained.

C6 Where garage or parking space doors are incorporated into fencing to rear lanes, separate pedestrian access from the rear lane to the property should also be provided where width permits.

C7 Development is to be consistent with any relevant objectives and controls within the Leichhardt Park Distinctive Neighbourhood.

C2.2.4.3(d) Iron Cove Backdrop Sub Area

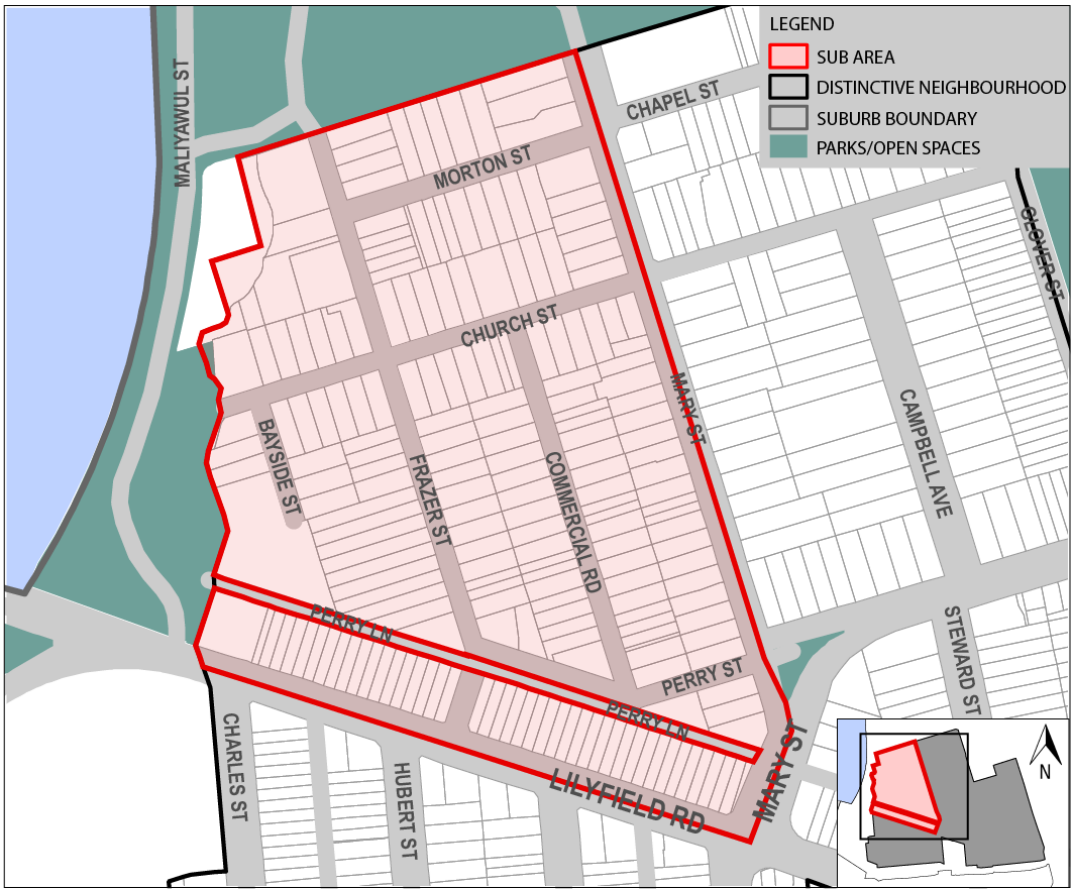

Figure C112: Iron Cove Backdrop Sub Area

Where the land becomes steeper, west of Mary Street, dwellings are predominantly detached. Despite this, there is less consistency in terms of architectural style and built form character, with a greater occurrence of two storey developments. Views are provided westwards over Iron Cove and there is evidence that this has influenced the height and scale of development.

Iron Cove and the open space surrounding it, together with the public pools, gym and sporting grounds nearby are important and a well patronised public recreation resource in the local region. A large portion of the Leichhardt Park Distinctive Neighbourhood is visible from these areas.

The visual impact of new development in this locality, when viewed from these areas, is a public impact on the public space. Poorly designed development that does not relate to its natural and built surroundings and is highly visible from the water detracts from the quality of the whole area and lessens its value to the community.

New development or proposals for alterations and additions to existing development in the Iron Cove Backdrop Sub Area should take into account the appearance of the proposal when viewed from Iron Cove and its foreshores. The intention is not to make the development invisible but to ensure that it blends with both its surrounding natural and built environment.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and enhance the aesthetic quality of Iron Cove, its foreshores and setting.

C2 Ensure that new development and alterations and additions to existing development within the Iron Cove Backdrop do not have a detrimental impact on the aesthetic quality of the area when viewed from Iron Cove and its foreshores. This shall be achieved by stepping development down sloping sites to ensure an optimal sharing of views.

C3 Any proposed development within the Iron Cove Backdrop Sub Area must take into account the potential aesthetic impact of development when viewed from Iron Cove and its foreshores.

C4 Development shall be consistent with its surrounding natural and built environment in terms of height, form, bulk, scale, location, colour and materials.

C5 Development shall step down sloping sites to ensure an optimal sharing of views.

C6 Development is to be consistent with any relevant objectives and controls within the Leichhardt Park Distinctive Neighbourhood.

C2.2.4.4 Iron Cove Parklands Distinctive Neighbourhood

Figure C113: Iron Cove Parklands Distinctive Neighbourhood

Outline

The Iron Cove Parklands Distinctive Neighbourhood is the largest homogenous site within land where this DCP applies. It could be described as the major recreation centre for the Municipality, providing open space, active and passive recreation facilities, remnant bushland and Iron Cove frontage. The Iron Cove Parklands Distinctive Neighbourhood consists of Leichhardt Park Aquatic Centre, Leichhardt Park, Rozelle Hospital Site/Callan Park, King George Park and Manning Street substation. It is bounded by Manning Street to the east, Balmain Road and the rear of the residential properties on Perry, Morton and Chapel Streets to the south. Iron Cove forms the northern and western boundary to the site; however the residential area, bounded by Glover, Morton and Chapel Streets, is excluded from this area.

The land is predominantly publicly owned, some being Crown Land and some in the ownership of the NSW Government Department of Health. However, Inner West Council is responsible for the care, control and management of King George Park and most of the Leichhardt Park area. A small portion of land is in private ownership such as that used by Le Montage Function Centre.

Landform

In general terms, the site rises from tidal sea level at Iron Cove on the northern and western boundary, up to Balmain Road on the south-eastern boundary of the site, at an elevation of 36m.

Parts of the site are relatively steep, however there is an extensive network of paths and roads that run throughout the site enabling access to all areas. There are also parts of the site that are level, most notably those that are used as sporting fields, however there are other smaller areas near to existing buildings that are relatively flat. These include a sizeable area adjacent to the Ambulance Station on Balmain Road and other smaller areas adjacent to Kirkbride.

The site contains a range of vegetation including areas that are heavily wooded with native and exotic species, and of particular note, the site includes areas of remnant bushland. The gardens of Broughton Hall are of particular significance as they were regarded as an integral part of therapy for patients at the hospital and the landscaping was specifically undertaken for that purpose. In addition, several areas of the site have been set up with particular themes including the Leichhardt Peace Grove, the Giovinazzo Grove and the Sensory Gardens.

The topography of the site allows for considerable views towards Drummoyne and out towards the Parramatta River, beyond Cockatoo Island. In particular, the wooded nature of the site provides particular view corridors towards the water and these views change as you move throughout the site. The readily accessible foreshore also provides a valuable resource to the community.

Existing Character

The prevailing character of the Iron Cove Parklands Distinctive Neighbourhood is that of a recreation precinct, providing a range of active and passive facilities. The total area of this Distinctive Neighbourhood is approximately 75 hectares, comprising about 14 hectares at Leichhardt Park, 4 hectares at King George Park and 61 hectares at the Rozelle Hospital/Callan Park site. The site includes about 2km of foreshore and provides a significant recreational precinct catering for both active and passive recreation, and includes a range of facilities.

Such facilities include Leichhardt Park Aquatic Centre, the Leichhardt Rowing Club, the Iron Cove Bay Run and a number of playing fields, including Leichhardt Oval, which is currently leased to the Balmain Tigers Rugby League Club. The playing fields within this neighbourhood are used regularly by local sporting groups and some are floodlit for evening games. In addition, King George Park is used by local schools for sports carnivals and a fitness station is also located adjacent to this facility. The Iron Cove Parklands provide a significant level of amenity to the residential properties located adjacent to this neighbourhood. The interface between this area and the adjacent dwellings contributes significantly to the character of the residential streets and provides important streetscape values to the locality.

Leichhardt Park Site History

The Leichhardt Park site has been utilised for recreation purposes for more than a century. Initially, the Park was managed by a trust, with many of the trustees also being involved in local government; significantly, the then Mayor of Leichhardt, J T Fraser, was involved in the original purchase of Leichhardt Park in the late 1870s.

Leichhardt Park was originally 24 acres (9.7 hectares) in area and occupied the elevated land to the south of the foreshore. In 1887, an additional 7½ acres of foreshore land (3 hectares) was added to the Park following reclamation in Long (now Iron) Cove. Including all the components of the site through to Lilyfield Road, the total area is now over 14 hectares.

From 1887 to 1921, the Park was developed with significant facilities being the Leichhardt Municipal Baths, built in 1905, and the construction of an oval, grandstand and band rotunda. The Balmain Tigers Rugby League Club moved to the Leichhardt Oval from Birchgrove Oval in 1943 and the Leichhardt Oval No 1 was redeveloped in 1972.

During the 1960s, tipping of fill and rubbish created the fields now known as Leichhardt Oval No 2 and those at Rozelle Hospital. Leichhardt Pool was built in 1960 and recently received a major facelift and new facilities including new pool and gym.

Rozelle Hospital Site History

The Rozelle Hospital site comes from the amalgamation in 1976 of two psychiatric hospitals, Callan Park and Broughton Hall. Callan Park was purchased by the Crown in February 1874 for the purposes of a new mental institution. The parklands and gardens in Callan Park were critical to the concept of care for the patients and were very carefully designed, built and maintained for that purpose.

The site was later taken over by the Commonwealth and in 1921 it became the first public psychiatric hospital in NSW for voluntary patients. The gardens of Broughton Hall were also regarded as an integral part of therapy and were extensively landscaped for that purpose. The site is classified by the National Trust and is on the register of the National Estate.

With the transfer of mental health beds away from Callan Park in 1983 after the Richmond Report was initiated, there were a number of successful community-led campaigns to oppose state government redevelopment plans. These campaigns lead to the passage of the *Callan Park (Special Provisions) Act 2002* to preserve the public ownership of Callan Park; to protect its current features and restrict its future use.

Currently the site is occupied by NSW Ambulance Service, South Sydney West Area Health Services, and non-government organisations active in health and mental health related fields. In addition a number of buildings at the site are also leased by non-health organisations including Sydney University College of the Arts, the NSW Writers' Centre and a child care centre.

Overall there are over 100 buildings on the Rozelle Hospital site, ranging from Garry Owen House built in 1837 to the 1991 Rehabilitation complex, however the majority of these are disused or under-utilised.

Leichhardt Park, King George Park and Manning Street Substation

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 The desired future character of the Iron Cove Parklands Distinctive Neighbourhood is for the area to retain its current nature as a recreation precinct, both in terms of active and passive recreation. The area should remain a publicly accessible parkland reserve providing the community with a significant recreation resource of a type and scale not found elsewhere within the local area.

C2 Importantly, any new development within this precinct should be restricted only to the improvement of existing facilities and no additional development should be considered. There

is scope within the site for some degree of adaptive reuse of the existing buildings; however this should be within the context of a major recreation precinct and should respect the heritage values of those, and the surrounding buildings.

C3 The interface between the Iron Cove Parklands area and the adjacent dwellings is significant to the character of these residential streets. This provides important streetscape values to the locality and should be retained.

C4 A significant component of this Distinctive Neighbourhood is dependent on the completion of the master planning process (see below). Specific controls will result once this process is completed.

C5 Provide uninterrupted and connected public foreshore access for pedestrians and cyclists.

Rozelle Hospital/Callan Park

The Desired Future Character

Callan Park/Rozelle Hospital site is subject to the provisions of the *Callan Park (Special Provisions) Act 2002* , which was introduced to protect the site from redevelopment.

This site specific Act provides the framework for a very clear vision for the site. The Long Title of the Callan Park Act describes its purpose well: 'An Act to preserve the public ownership of Callan Park; to protect its current features and restrict its future use; and for other purposes.'

The Callan Park Act determines how the site is to be used and managed. It limits permitted land use on the site to health, community and education facilities. Further community and education facilities must provide services on a 'not-for-profit' basis.

Clause 7 (1) of the Callan Park Act requires that the environmental planning instruments that apply to the site are those that existed immediately before the Act commenced on 24 December 2002. The environmental planning instruments that are 'frozen in time' include:

a. State Environmental Planning Policy 56 – Sydney Harbour Foreshores and Tributaries which requires a Master Plan approved by the Minister for Planning before development consent can be granted;

b. *Leichhardt Local Environmental Plan 2000* which zones the site public purpose and provides heritage provisions for the site; and

c. *The Heritage Act 1997* because the site is a State heritage item.

Refer to the respective planning instruments for further details.

Master Plan

Callan Park is owned and managed by the NSW State Government. Master planning of the site is a state government responsibility; however Leichhardt Council took on this challenge as a result of many previous unsuccessful state government attempts.

On 19 July 2011, after 18 months of community consultation, Leichhardt Council adopted a Master Plan for the site which managed to achieve an 87% approval rating from the local community. One of the unique features about the consultation process was the use of new web enabled technology and an interactive website called Callan Park Your Plan. The consultation process was rigorous and thorough, engaging large numbers of the local community.

On 19 July 2011, Leichhardt Council approved the Callan Park Master Plan, the Callan Park Conservation Management Plan and the Callan Park Plan of Management.

These Plans were formally presented to the State Government on 11 November 2011, however have not yet been endorsed by the State Government. In October 2017, one of the first acts of the newly elected Inner West Council was to adopt a policy position in support of the establishment of a Callan Park Trust to govern the site and the implementation of the Callan Park Master Plan (October 2017).

For further information refer to Council's website https://www.innerwest.nsw.gov.au/develop/major-projects/state-government-projects/callan-park-future

C2.2.5 Rozelle Distinctive Neighbourhoods

The following areas within Rozelle are identified as Distinctive Neighbourhoods by virtue of topography, estate and street pattern or building form. The subsections identified are areas within the Distinctive Neighbourhood, which have unique characteristics.

Development is required to be consistent with the Desired Future Character objectives and controls within the Distinctive Neighbourhood and any Sub Area within the locality, in addition to the requirements within other sections of this Development Control Plan.

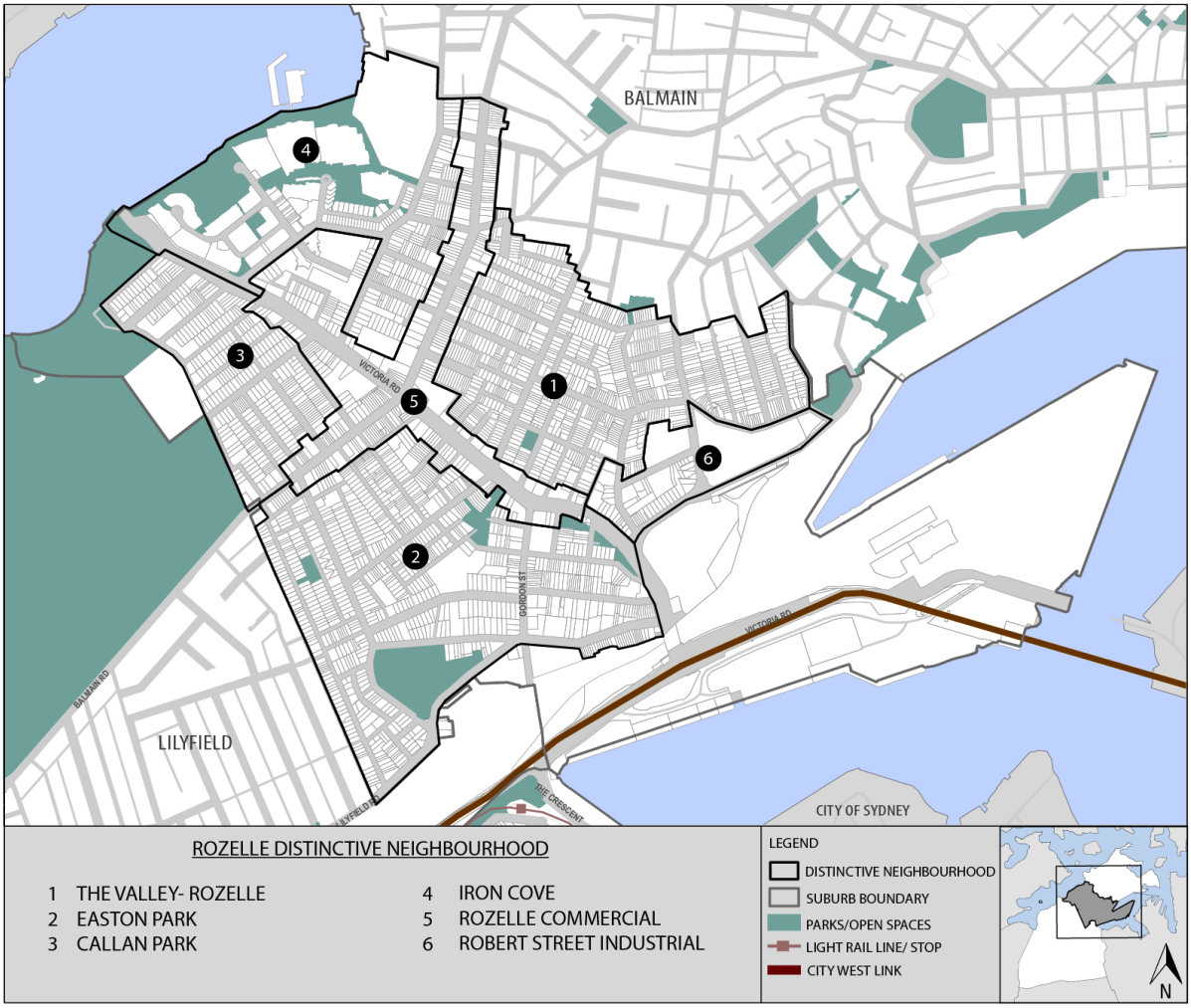

Figure C114: Rozelle Distinctive Neighbourhoods

C2.2.5.1 The Valley 'Rozelle' Distinctive Neighbourhood

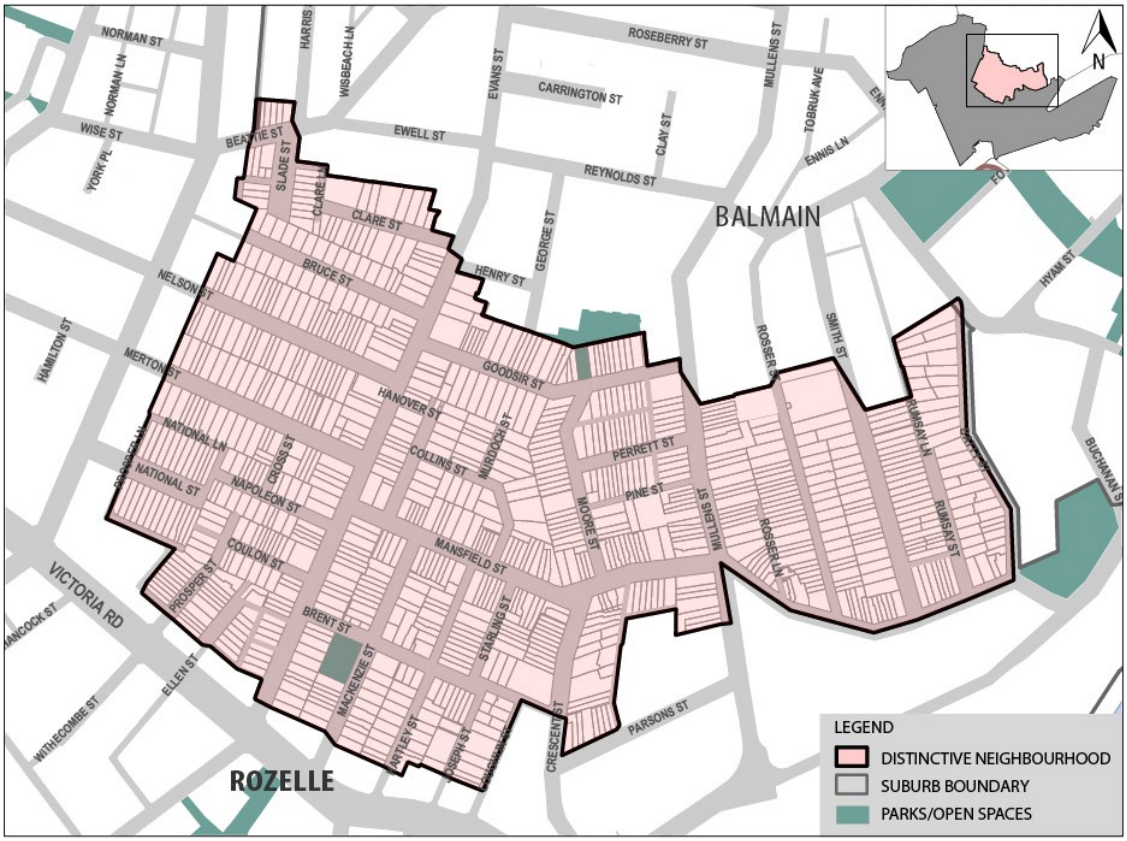

Figure C115: The Valley 'Rozelle' Distinctive Neighbourhood

Outline

This neighbourhood has two discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Evans Street Sub Area – Section C2.2.5.1(a); and

b. Smith Street Sub Area – Section C2.2.5.1(b).

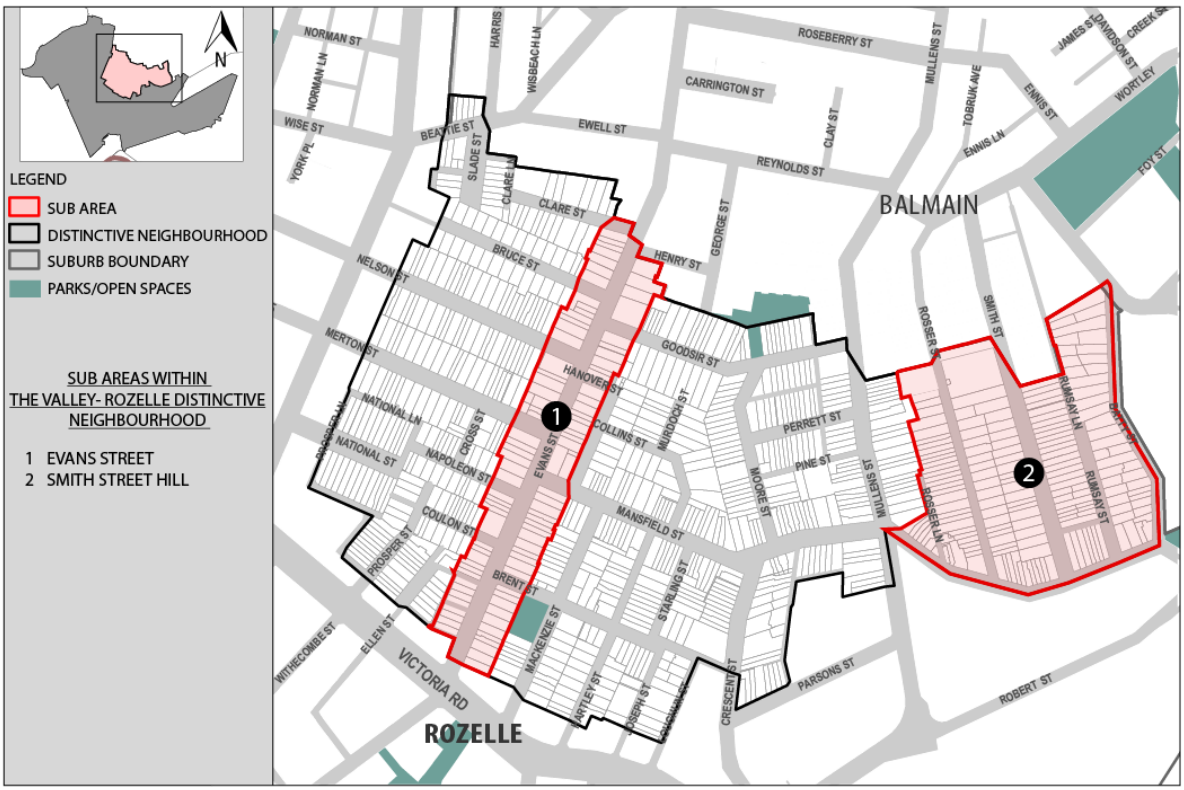

Figure C116: Sub Areas within The Valley 'Rozelle' Distinctive Neighbourhood

Landform

The Valley 'Rozelle' Distinctive Neighbourhood is located on the Balmain Peninsula between the rear of the properties fronting Darling Street in the west, Clare and Goodsir Streets in the north and Reynolds and Batty Streets to the east.

The south-east corner of the neighbourhood is bounded by Mansfield Street with the rear of the Robert Street industrial estate forming a boundary to the residential area. The neighbourhood has a range of topographies including gentle and steep sites.

This Distinctive Neighbourhood forms a valley generally looking south, towards the disused White Bay power station. The landform is a typical Sydney sandstone peninsula and the lower portion of the Distinctive Neighbourhood includes reclaimed estuary.

Existing Character

The built environment of The Valley 'Rozelle' Distinctive Neighbourhood consists mainly of housing below the commercial areas along Darling Street, with industrial uses along the bottom of the valley, centred around the Robert Street area. The Darling Street and Robert Street industrial uses are considered elsewhere in the Rozelle suburb profile.

The development pattern for The Valley 'Rozelle' Distinctive Neighbourhood follows the local topography with the road pattern responding to the constraints of the area. Victoria Road and Darling Street form the basis of the local road pattern, however there are three main roads connecting to Victoria Road, these being Darling Street, Evans Street and Robert Street.

Laneways were included in the road pattern adjacent to the two original commercial streets (Evans Street and Darling Street) and are also situated around the steeper sites on the eastern side of the neighbourhood. These laneways are generally linked to the denser lot patterns of the area.

Throughout the neighbourhood there are numerous former shops and other local commercial sites that display a distinctive built form of mixed commercial/residential development from the 1800s.

The Valley 'Rozelle' Distinctive Neighbourhood retains a varied and rich character reflecting its multi layered pattern of development. There is a predominantly single storey scale character and form in the neighbourhood. The main phases of development are mid-Victorian single storey cottages, with two storey terraces and shops built in the late 1800s.

Two storey developments are generally found along main thoroughfares, however recent upgrades of existing housing has seen an increase in two storey development in older dwellings or disused industrial sites. Housing in the neighbourhood currently consists of a mix of Mid Victorian era workers cottages and Victorian Italianate dwellings. Mixed throughout are a variety of post-war styles including suburban weatherboard, contemporary lightweight additions and masonry terraces.

Dwelling forms are generally free standing with rows of cottages interspersed throughout. Within The Valley 'Rozelle' Distinctive Neighbourhood, distinct stylistic components can be found which reflect the style of individual builders. Houses in this area are characterised by 1m-3m setbacks, painted masonry, corrugated iron roofing and picket fencing. Roof forms tend to be hipped or gabled and parapets are less common for dwellings but more prevalent on commercial buildings. Roof forms tend to follow the slope of the land and permit access to views for higher sites. Remnant stone buildings are also a feature of the neighbourhood. Larger, more elaborate houses can be found in prominent locations throughout the neighbourhood. These tend to be Victorian era houses, however some ornate houses from earlier periods can still be found.

On the lower slopes of the neighbourhood, the development is more modest, with many sites having historically been affected by drainage from the higher slopes. Due to the drainage pattern, larger remnant sites were created in the centre of the neighbourhood between Roseberry and Goodsir Streets. These lots had traditionally been difficult to build on, however they were later developed for industrial uses and have more recently been re-developed for multi-unit residential uses. A certain unity of built form is achieved by incorporating compatible scale, setbacks, materials and roof forms. Where housing stock has been replaced or houses have been upgraded, the scale, siting, materials and form have largely been maintained.

Street trees and trees within front yards play an important part in the streetscape of this Distinctive Neighbourhood. Numerous species of trees are planted throughout, providing shade and visual interest to the streets.

Mature landscaping, uniform low-scale development and lack of driveway crossings, as well as the general absence of non-residential land uses, gives the neighbourhood a strong residential and pedestrian oriented character. Additionally, high canopy trees provide visual relief in tightly enclosed townscapes on the lower slopes.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Conserve and complement the existing styles of housing with special regard to the simple timber cottages and Victorian terraces.

C2 Conserve and complement the established streetscape with regard to setbacks, street trees and general lack of driveway crossings.

C3 Buildings should step with the slope in order to facilitate view sharing.

C4 Preserve the consistency and simplicity of built form, style and materials of the neighbourhood.

C5 Complement the existing pitched, hipped or gabled roof forms as well as setbacks and fencing styles prevalent in each street.

C6 Conserve stone cottages and stone walls throughout the neighbourhood.

C7 Maintain the established open low timber and iron picket front fences.

C8 Restore or reconstruct cantilevered or posted balconies/verandahs where such elements were original features.

C9 Maintain the prevalence of mature trees in both private and public spaces. Preserve and integrate natural rocky outcrops into the landscaping of the area, particularly where visible from public places. Cutting into such outcrops for any purpose including parking is to be avoided.

C10 A maximum building wall height of 3.6m applies to the neighbourhood.

C11 A maximum building wall height of 6m applies along Evans Street.

C12 Front building setbacks within the neighbourhood are to be a minimum of 1m. However, where the prevailing setbacks in the immediate locality (i.e. refer to the adjoining three buildings either side of the subject site) is different, the setback for new development should be compatible with the prevailing setbacks.

C13 The use of traditional timber, stone or masonry finishes as well as iron roofing and timber windows is encouraged.

C14 Development is to be consistent with any relevant Sub Area objective(s) and condition(s).

C2.2.5.1(a) Evans Street Sub Area

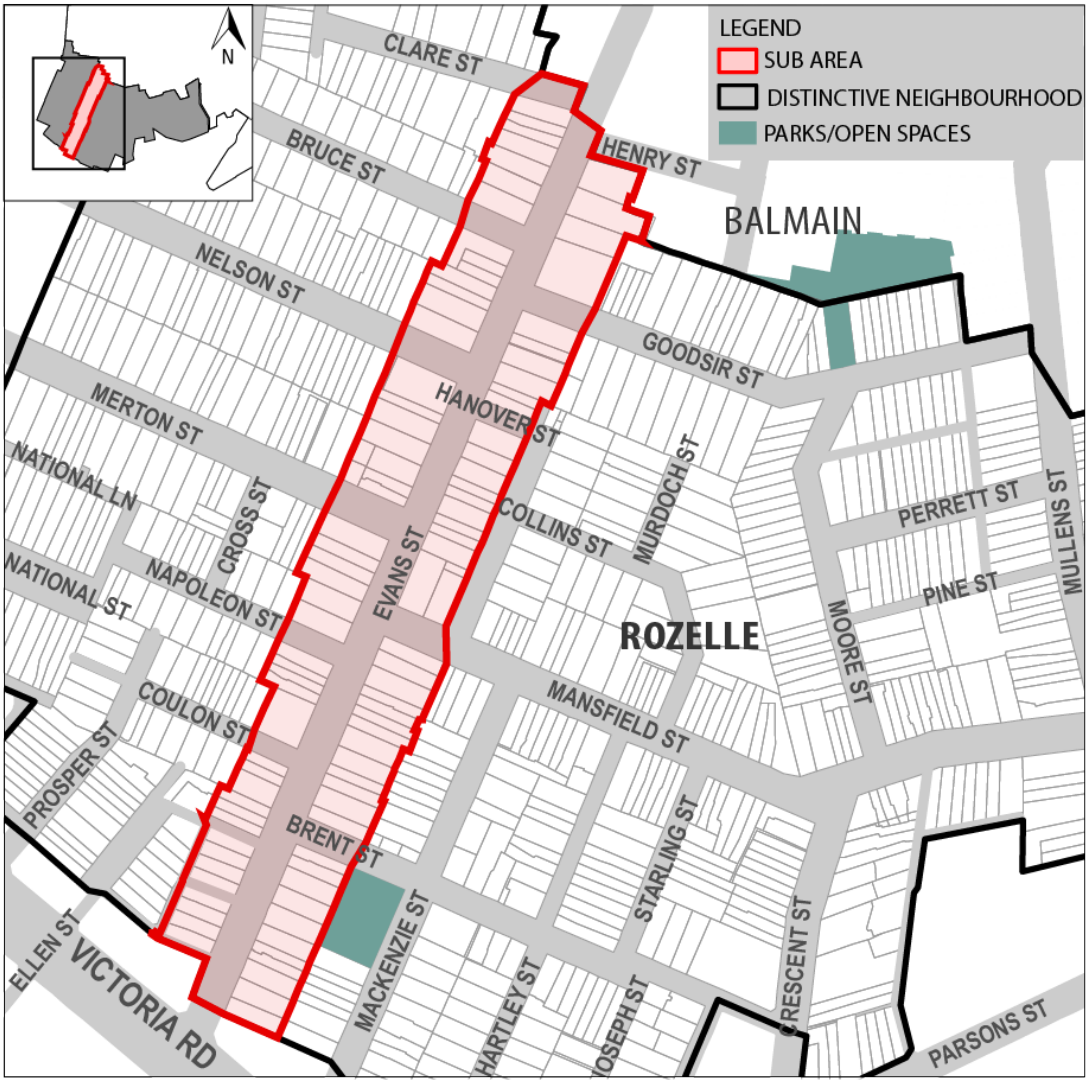

Figure C117: Evans Street Sub Area

The Evans Street Sub Area is located within The Valley 'Rozelle' Distinctive Neighbourhood. Prior to the construction of trams along Darling Street, Evans Street was the main shopping street on the peninsula. Consequently, the street retains many commercial and retail buildings, most of which have been converted for residential use.

Significant features within this streetscape include the many corner sites occupied by former commercial buildings and balconies over the footpath. In addition, this area contains generally more buildings with nil setbacks and with walls above 6m, many with parapets and skillion roofs.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve view lines from the hill to the south, east and west.

C2 Development is to be consistent with any relevant objectives and controls within The Valley 'Rozelle' Distinctive Neighbourhood.

C2.2.5.1(b) Smith Street Hill Sub Area

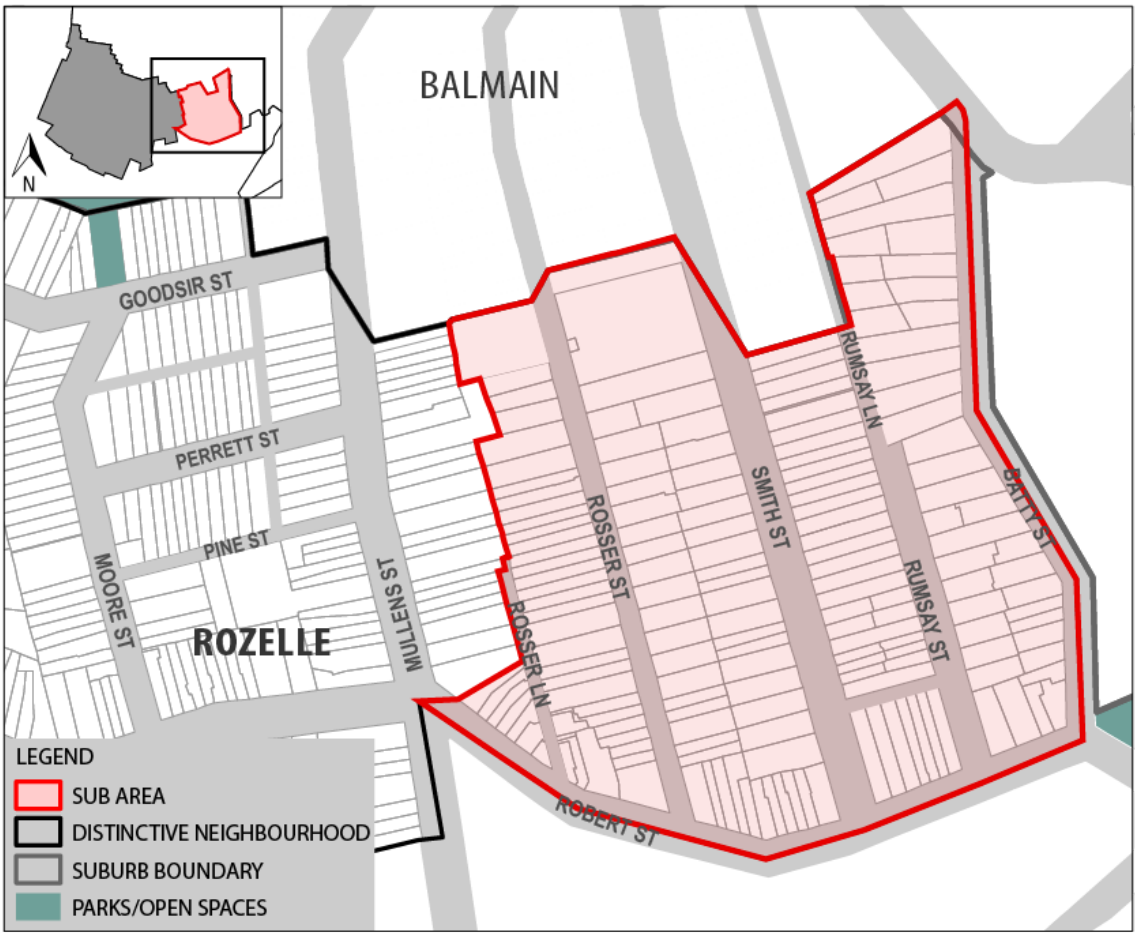

Figure C118: Smith Street Hill Sub Area

The Smith Street Hill Sub Area is located with The Valley 'Rozelle' Distinctive Neighbourhood. Smith Street Hill is significant for having spectacular views over the City as well as forming the edge of the residential area where it meets the White Bay Port Facility.

This area is defined by a natural rise located between Reynolds and Mullens Streets. The hill rises 20m above surrounding land and is notable for its steepness on the east and west sides. This area has expansive views to the south and east and has been developed with several significant homes built towards the crest, a number of which are heritage items.

The central focus of this location is the former Smith Street Public School built at the top of the hill between Smith and Rosser Streets. The site of the school is notable for its prominent Ficus trees.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the commercial architecture of this street, with nil setbacks, parapet roof forms and posted balconies where appropriate.

C2 Development is to be consistent with any relevant objectives and controls within The Valley 'Rozelle' Distinctive Neighbourhood.

C2.2.5.2 Easton Park Distinctive Neighbourhood

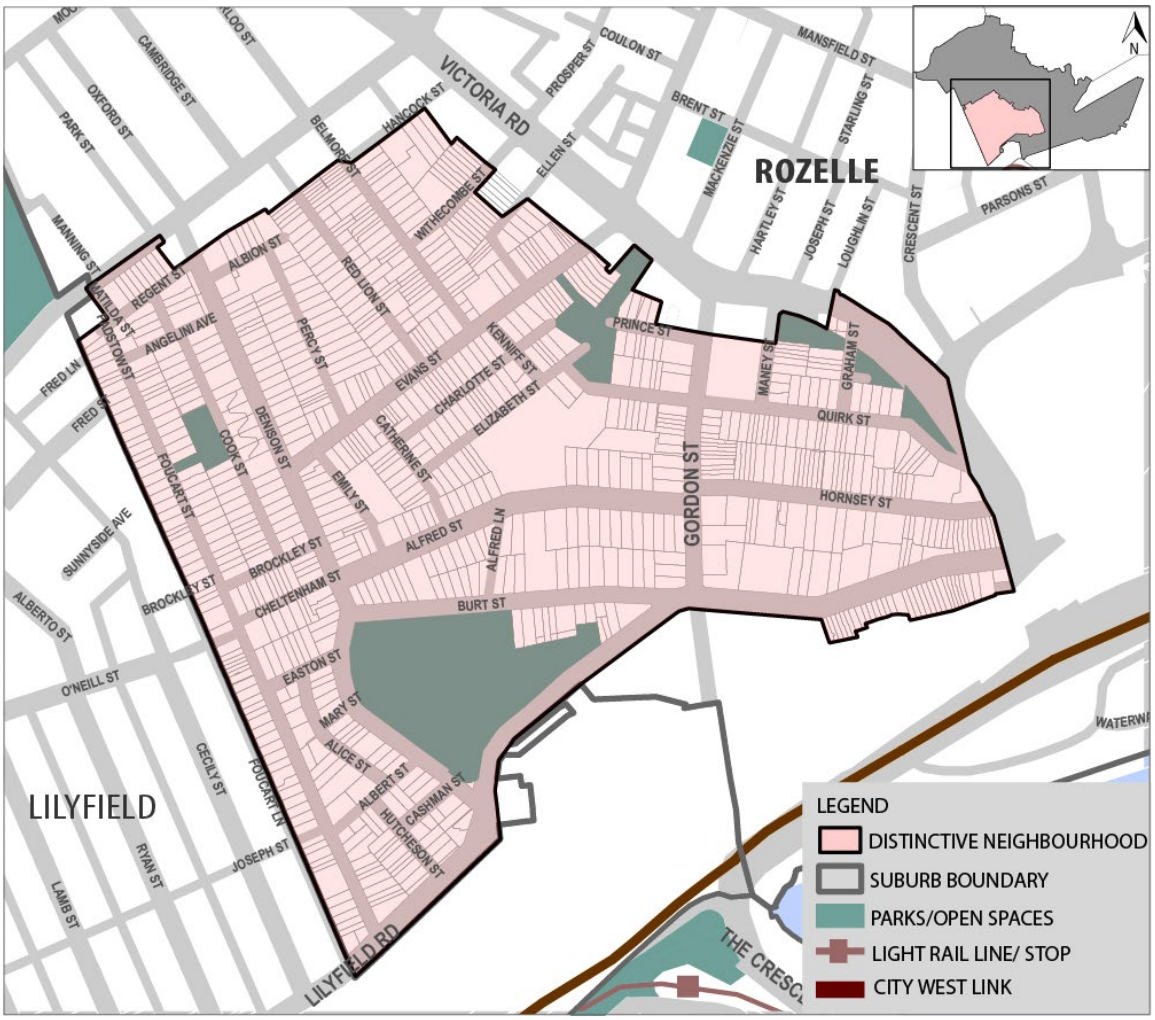

Figure C119: Easton Park Distinctive Neighbourhood

Landform

The Easton Park Distinctive Neighbourhood is located at the south-eastern corner of the Balmain Peninsula. The neighbourhood is defined by Foucart Street on the western boundary and Lilyfield Road to the south.

The neighbourhood is characterised by the topography and includes a valley overlooking Annandale and Glebe towards the south and east. The neighbourhood rises toward Darling Street and there is another smaller rise located in the north-east of the neighbourhood around Hornsey Street. In several locations the land has been cut for road construction which has resulted in some dwellings being elevated up to 4m above the street level.

The neighbourhood contains some significant vegetation with larger trees growing in the thicker soils at the bottom of the slopes. Trees form a major visual element within the neighbourhood, and currently a mix of mature trees, such as native eucalypts, paperbarks, and bottlebrush, as well as a range of exotic species are located within the area. The area is served by three (3) parks being Easton Park, O'Connor Reserve and Rozelle Common.

The neighbourhood was first developed in the mid-1840s with commercial activity along Darling Street and industrial development along White Bay. In addition to fishing, the industrial development that

established in White Bay consisted primarily of industries such as boiling down works, sawmills and abattoirs.

The original development pattern was based on industrial uses that were originally along the foreshores and later also occupied filled estuaries. Two major developments occurred within the area at the end of the 1800s: the introduction of electric trams on Darling Street and Victoria Road, and the reclamation of estuary land for the Rozelle rail marshalling yards.

Housing for those employed in local industries was built on the slopes located above the industrial land. After 1920, the industrial base in the area declined due to relocation, changing technology and increasing land values.

An important hub for the neighbourhood is located at the corner of Denison and Alfred Streets, at the top of Easton Park. This corner includes a corner shop, Smiths Hall and Easton Park and forms a community focal point within the neighbourhood. Additionally the dense mature trees along Burt Street form the green heart of the neighbourhood.

The road pattern generally follows the topography of the neighbourhood with roads running down and across the slopes. Along the lower half of the neighbourhood, roads predominantly cross from east to west. On the upper slopes, the roads predominantly run up and down the slopes.

Several narrow streets serve as laneways. Such streets tend to have laneway uses on one side and property frontages on the other side. Examples of such streets include Cook Street, Charlotte Street and Alice Street as well as the unnamed roads behind the Darling Street commercial properties.

Existing Character

The Easton Park Distinctive Neighbourhood has a primarily residential character, although commercial development is positioned along Darling Street and Victoria Road. The existing and original scale of development is predominantly single storey, freestanding cottages. There are also numerous two storey houses along the higher elevations and adjacent to the Park at the foot of the hill. The former industrial uses have largely been replaced with townhouses. Remnant industrial land is located on Gordon Street and Lilyfield Road.

The neighbourhood has a varied residential character created by differing residential styles. Typical housing types include timber cottages, Victorian terraces, stone detached houses and scattered multi-unit developments which include blocks of flats and townhouses. The original (1850s – 1870s) style of housing was modest timber and stone cottages followed by Victorian semis and terraces. 1900s housing types include interwar bungalows and post war blocks of walk-up flats. In addition, more recent development includes townhouses on Alfred Street and numerous smaller infill developments consisting of single houses and semi-detached dwellings throughout the neighbourhood.

All of the housing styles are spread throughout the neighbourhood with most multi-unit developments being located in the lower part of the neighbourhood.

Other patterns occurring in the neighbourhood include:

a. dwellings east of Gordon Street tend to be more substantial masonry houses and terraces;

b. the mid slopes accommodate mostly freestanding dwellings; and

c. the higher slopes contain smaller terraces reflecting the pre 1890s development pattern.

Lot sizes within the neighbourhood range in size from approximately 80sqm which are associated with terrace housing located nearby Darling Street and Victoria Road, compared with lots within the centre and west of the neighbourhood which range between 180sqm and 250sqm.

Three (3) distinct areas within the neighbourhood are located within Heritage Conservation Areas. The areas include:

a. Evans Street;

b. most of the area east of Gordon Street; and

c. the knoll west of Easton Park.

Identifiable characteristics of the neighbourhood include setbacks of 0m–3m and mature trees on private land which contribute significantly to the streetscape. The scale of buildings is mixed and ranges between single storey (with a 3.6m wall height) and two storeys (with a 6m wall height). The height and scale of housing is also sometimes affected by sandstone outcrops in the lower half of the neighbourhood.

Housing in the area has generally pitched, hipped or gabled roof forms. Common materials include timber with some rendered brick and iron roofing. Front verandahs on dwellings are often positioned abutting the front boundary and have a narrow width of approximately 1m. Timber picket fencing is prevalent throughout the neighbourhood. Most properties do not have onsite parking.

Sydney Regional Environmental Plan 26 – City West

The land to the south and south east of the neighbourhood, including the Rozelle marshalling yards, the White Bay Power Station, James Craig Road and Glebe Island (excluding houses at No's 10 – 66 Lilyfield Road) is covered by Sydney Regional Environmental Plan No 26. This land is not under Inner West Council's planning control and the consent authority for all land affected by *Sydney Regional Environmental Plan No. 26* is the NSW Minister for Planning.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the existing varied styles of housing with special regard to the modest scale and simple, unadorned nature of the architecture.

C2 Preserve view lines to the south and east by stepping buildings with the prevailing topography.

C3 Preserve the rhythm of the neighbourhood by maintaining the lot sizes, housing style and prevalence of hipped and pitched roofs. Preserve the established setbacks for each street.

C4 Preserve the consistency and simplicity in built form, style and materials of the neighbourhood.

C5 Maintain the existing roof forms, setbacks and fencing styles prevalent in each street.

C6 Preserve stone cottages and stone walls throughout the neighbourhood.

C7 Maintain the established open low timber and iron picket front fences.

C8 Cutting into rock face for any purpose including driveway crossings, is to be avoided.

C9 A maximum building wall height of 3.6m applies to the neighbourhood.0

C10 A 6m maximum building wall height may be suitable where two storey terraced development is dominant.

C11 Front building setbacks within the neighbourhood should be a minimum of 1m. However, where the prevailing setbacks in the immediate area of the development site (i.e. the adjoining three (3) sites on either side of the development site) are different, the setback for new development should be compatible with the prevailing setbacks.

C12 Maintain roof forms with pitched, gable or hipped roofs.

C13 The use of traditional timber, stone or masonry finishes, iron roofing and timber windows is encouraged.

C14 Reconstruction of posted verandahs over footpaths may be considered on corner sites where the established setback is nil and the established scale is two storeys.

C15 Where structures are proposed to be built on top of exposed rock face(s), they are to be timber or rendered masonry and coloured to complement the sandstone.

C2.2.5.3 Callan Park Distinctive Neighbourhood

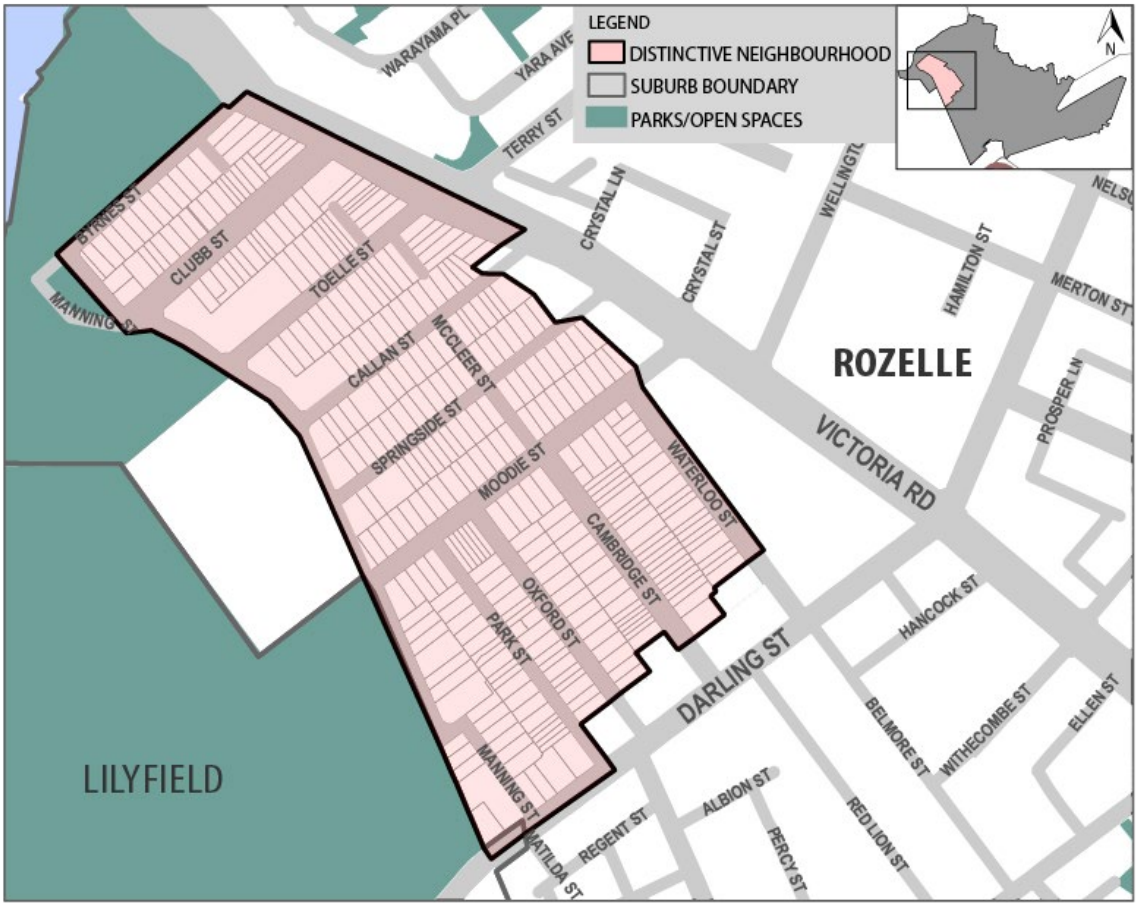

Figure C120: Callan Park Distinctive Neighbourhood

Outline

The Callan Park Distinctive Neighbourhood is located within Rozelle. Development within this Distinctive Neighbourhood is required to be consistent with the objectives and controls listed below. In addition, development is required to be consistent with other relevant sections of this Development Control Plan.

Landform

The neighbourhood is bounded by King George Park, The Rozelle Hospital grounds to the west and south, as well as by two arterial roads being Victoria Road and Darling Street, in the north and east.

The topography slopes steeply from Victoria Road and Darling Street down to King George Park, creating a west facing valley. At the lower end of the slopes, along the street frontages, are sandstone outcrops remaining from where roads were originally cut.

The road layout within the neighbourhood is at right angles off Victoria Road and Darling Street, providing extensive views over the adjoining parklands and Iron Cove. In the middle of the neighbourhood there are views over the Kirkbride building within Callan Park, currently used by the Sydney College of the Arts.

Existing Character

Callan Park Distinctive Neighbourhood has evolved with a distinct (and often uniform) scale and character. The area is made up primarily of modest single storey detached dwellings dating from the late 1800s and early 1900s.

There are a number of two storey dwellings which are located in the vicinity of Darling Street, adjacent to King George Park, along Cambridge and Waterloo Streets and along the top of the Balmain ridge. However, second storey additions within dwellings located on the slopes of the neighbourhood have been largely restricted to within the roof form.

Since the 1970s, two storey townhouses and infill development has been built at the bottom of the valley along Manning, Toelle, Callan and Clubb Streets.

Development on the sloped streets within the neighbourhood is generally modest, consisting of mainly cottages which have a tight development pattern and limited building setbacks (i.e. between 1m – 2m). Materials used in this area are predominantly timber and iron. These houses present simple forms and mostly without ornamentation.

Development on top of the ridge is characterised by late Victorian housing with more ornate finishes, arched openings, stained glass and ornate cast iron balustrading on verandahs. Materials used in this area tend to include painted masonry with tile roofs mixed with simpler timber and iron cottages.

The lot sizes within the area were laid out in a generally consistent pattern. Along the top of the ridge and in the vicinity of the Darling Street/Victoria Street intersection (including Waterloo and Cambridge Streets) lots sizes range in size up to 300sqm, while in the lower parts of the neighbourhood, the lot sizes are approximately 225sqm. The smaller lots have a width of approximately 4.75m and the larger lots generally have a double width frontage of approximately 8.5m – 9m.

The roads in the neighbourhood vary in width from 6m to 12m and primarily serve local traffic. The block between Oxford Street and Park Street is one lot deep, and therefore many dwellings use Park Street as a laneway with garages fronting the upper part of this road.

The commercial and retail component of the neighbourhood is located along Darling Street and Victoria Road. These roads are discussed as a separate Distinctive Neighbourhood within the Rozelle suburb profile.

The traditional streetscape within the neighbourhood included few driveway crossings. Some driveway crossings have been added where redevelopment has occurred, generally at the bottom of the valley.

The precinct has varied tree cover. Most mature trees in the neighbourhood are located in the lower valley within the neighbourhood. When viewed from higher slopes, a canopy of trees is evident on the lower slopes. Mature ‘Fig’ trees located within the former Rozelle Hospital (now Callan Park) site form a distinct green back drop to the lower areas within the neighbourhood and along upper Manning Street. Street trees have been planted along the wider streets (i.e. Clubb and Moodie Streets) and most front yards throughout the neighbourhood have vegetation, which adds to the streetscape.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Development should follow the topography of the area and maintain the single storey scale on the mid slopes and mixed one and two storey scale at the top and bottom of the slope.

C2 Promote compatibility within the streetscape by regular lot sizes, subdivision pattern and the predominance of detached and semi-detached houses with a prevalence of hipped and gabled roofs.

C3 Preserve the established setbacks for each street.

C4 Preserve and enhance public and private views over the Rozelle Hospital site, King George Park and Iron Cove.

C5 Conserve the single storey, freestanding cottage form, style and materials characteristic of the neighbourhood.

C6 Preserve the consistency of architectural style appropriate to the existing style of each street.

C7 Retain stone cottages where they occur throughout the neighbourhood.

C8 Maintain the character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials.

C9 Maintain sandstone outcrops and remnant stone wall footings.

C10 Retain and encourage street trees on the wider streets.

C11 A maximum building wall height of 3.6m applies to the neighbourhood.

C12 Changes to the front façades of existing dwellings will be kept to a minimum. Additions are preferred to be located at the rear of dwelling.

C13 Driveway crossings will be minimised and are generally discouraged.

C14 New development will maintain the use of hipped or gabled roof forms and designs will be compatible to the existing unadorned built form.

C15 Building materials used will be compatible with the existing character of the streetscape, including rendered and painted surfaces and roof materials such as corrugated iron.

C16 Existing stone houses will be maintained, allowing for sensitive development on those sites utilising appropriate materials and styles.

C2.2.5.4 Iron Cove Distinctive Neighbourhood

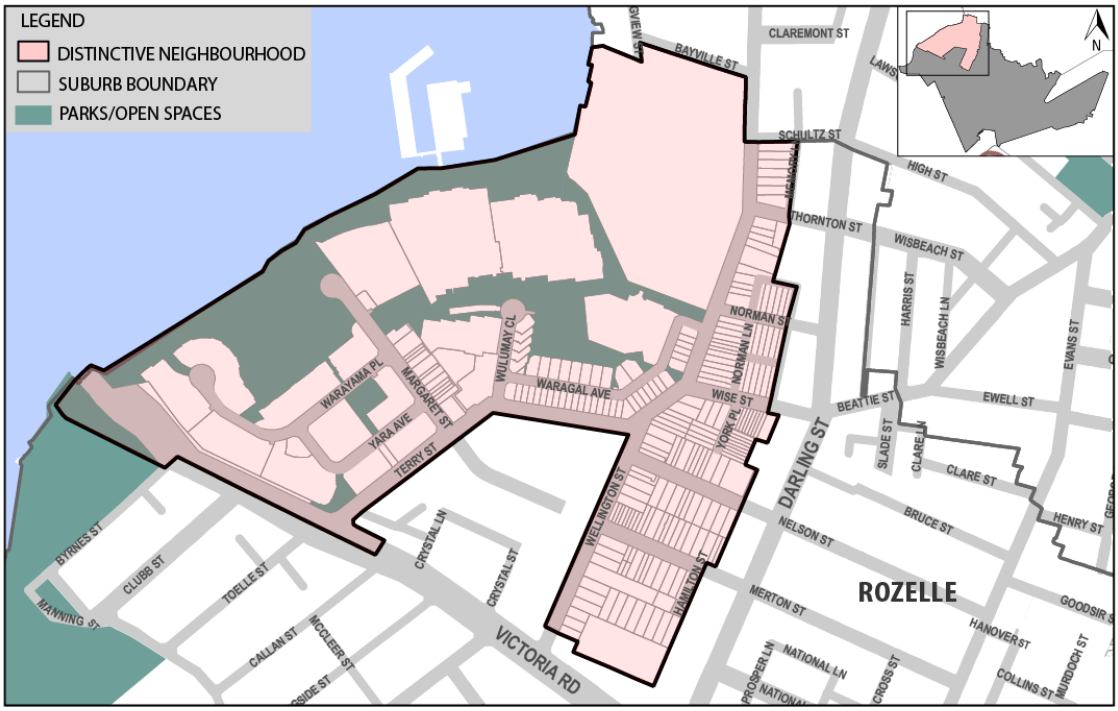

Figure C121: Iron Cove Distinctive Neighbourhood

Landform

The Iron Cove Distinctive Neighbourhood is located on the western side of the Balmain Peninsula. The area is further bounded by Victoria Road and to the west by Iron Cove.

The topography slopes steeply from Darling Street down to Iron Cove, creating a valley overlooking Birkenhead Point.

The western shore of the neighbourhood was excavated and filled in the early 1900s to cater for industrial developments including the Balmain Power Station. Above the former Power Station site, the land has a gentle slope toward the centre of the peninsula.

Existing Character

The road pattern in the neighbourhood is based around three main roads: Victoria Road, Terry and Darling Streets. The minor roads in the neighbourhood connect Darling and Terry Streets and cross the contours affording views over Iron Cove and further west.

The street pattern and traffic flow in the suburb is strongly influenced by its proximity to Darling Street and Victoria Road. Terry Street and the connecting roads are subject to traffic control measures such as one way flows, restricted parking and various traffic calming measures.

The original development patterns in the neighbourhood included industrial uses along the waters' edge and commercial uses along Darling Street. The current development pattern is similar to the original pattern with commercial development remaining along Darling Street and Victoria Road.

The two major industrial uses within the neighbourhood were the Balmain Power Station and the Elliott Brothers Chemical Works, however both of these sites have been redeveloped into multi-unit residential development (Balmain Shores and Balmain Cove respectively). The residential component within these locations includes a series of buildings up to eight storeys high. Public open space has been established along the foreshore of these sites.

North of Balmain Shores and Balmain Cove is Sydney Secondary College Balmain Campus. The school buildings are located on the lower portion of the site, with playing fields and trees lining the upper slopes. This layout allows significant views over the school site to Iron Cove. The school site represents a major area of open space within the neighbourhood, and the trees on this site contribute significantly to the amenity of the neighbourhood.

The more traditional low density residential component of the neighbourhood consists of only four blocks on the upper slopes of the peninsula. This residential area is confined to the area between the commercial strip along Darling Street and Terry Street. This area consists of primarily single storey freestanding houses, with some pockets of two storey development.

Along Terry Street, housing at the north end of the neighbourhood is single storey in scale with an intact row of interwar bungalows. Towards Wise Street the scale of residences increases to two storeys with Victorian era terraces occurring. This scale and form of residential development is matched on the western side of Terry Street by the contemporary two storey townhouses which form the upper edge of the Balmain Cove development.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve the rhythm of the neighbourhood by maintaining the lot sizes, housing style and prevalence of hipped and pitched roofs. Preserve the established setback and street crossing patterns for each street.

C2 To ensure that any intensive, multi-use development along Darling Street does not overwhelm the capacity of the laneways. Any such development should involve the upgrading of laneways to current engineering standards if appropriate.

C3 Conserve the single storey, freestanding cottage form, style and materials characteristic of the neighbourhood.

C4 Preserve the consistency of architectural style appropriate to the existing style of each street.

C5 Retain stone cottages where they occur throughout the neighbourhood.

C6 Maintain the character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials.

C7 A maximum building wall height of 3.6m applies to this neighbourhood.

C8 A building wall height of 6m may be considered where two storey terraced development is dominant.

C9 Maintain roof forms with pitched, gable or hipped roofs. Roof forms are to be designed to preserve view lines for adjoining properties.

C10 Continue use of traditional timber, stone or masonry finishes as well as iron roofing and timber windows.

C11 Driveway crossings will be minimised and are generally discouraged.

C2.2.5.5 Rozelle Commercial Distinctive Neighbourhood

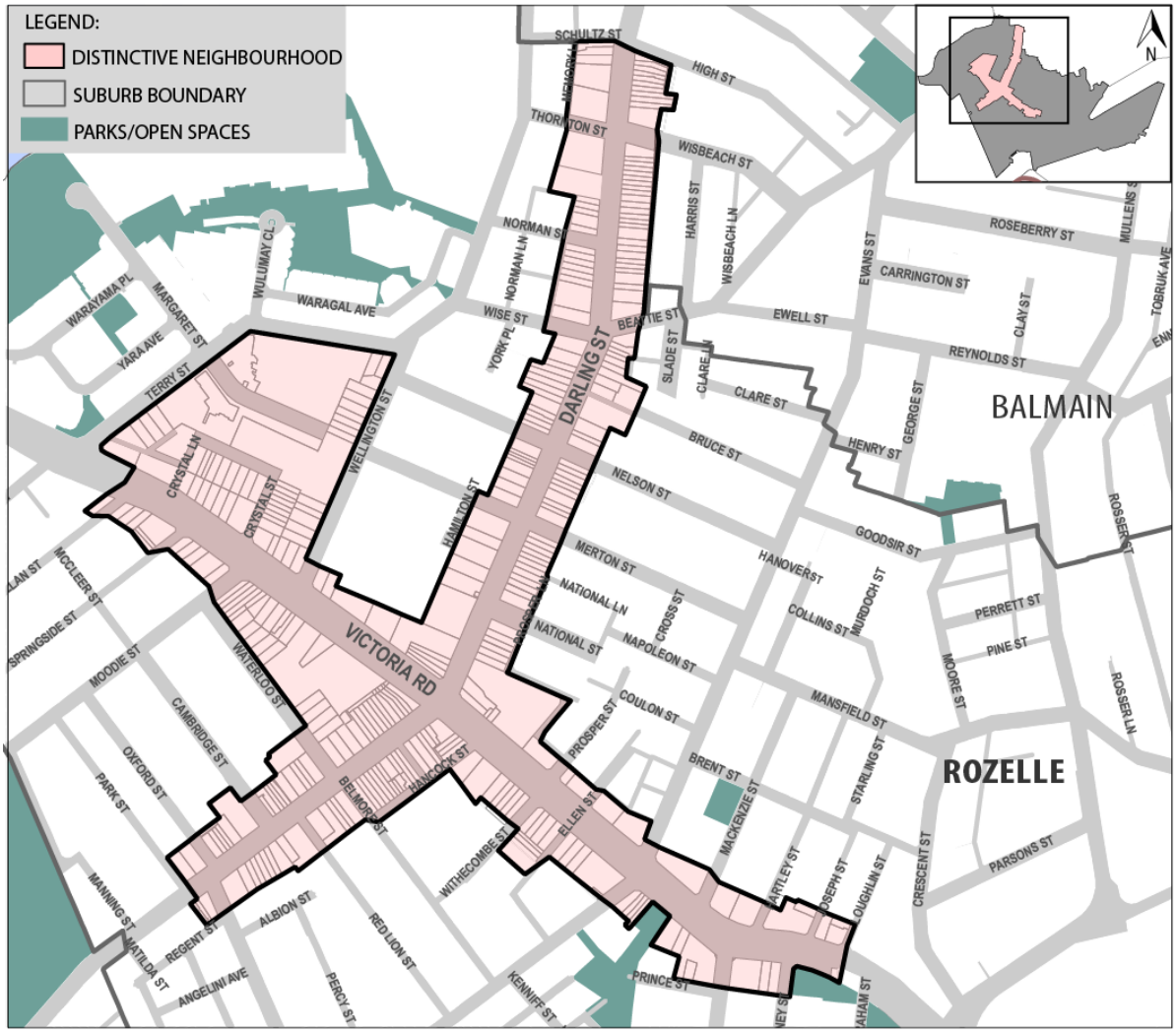

Figure C122: Rozelle Commercial Distinctive Neighbourhood

Outline

This neighbourhood has three discrete Sub Areas which have unique characteristics and additional objectives and controls:

a. Darling Street Sub Area – Section C2.2.5.5(a);

b. Victoria Road Sub Area – Section C2.2.5.5(b); and

c. Industrial Sub Area – Section C2.2.5.5(c).

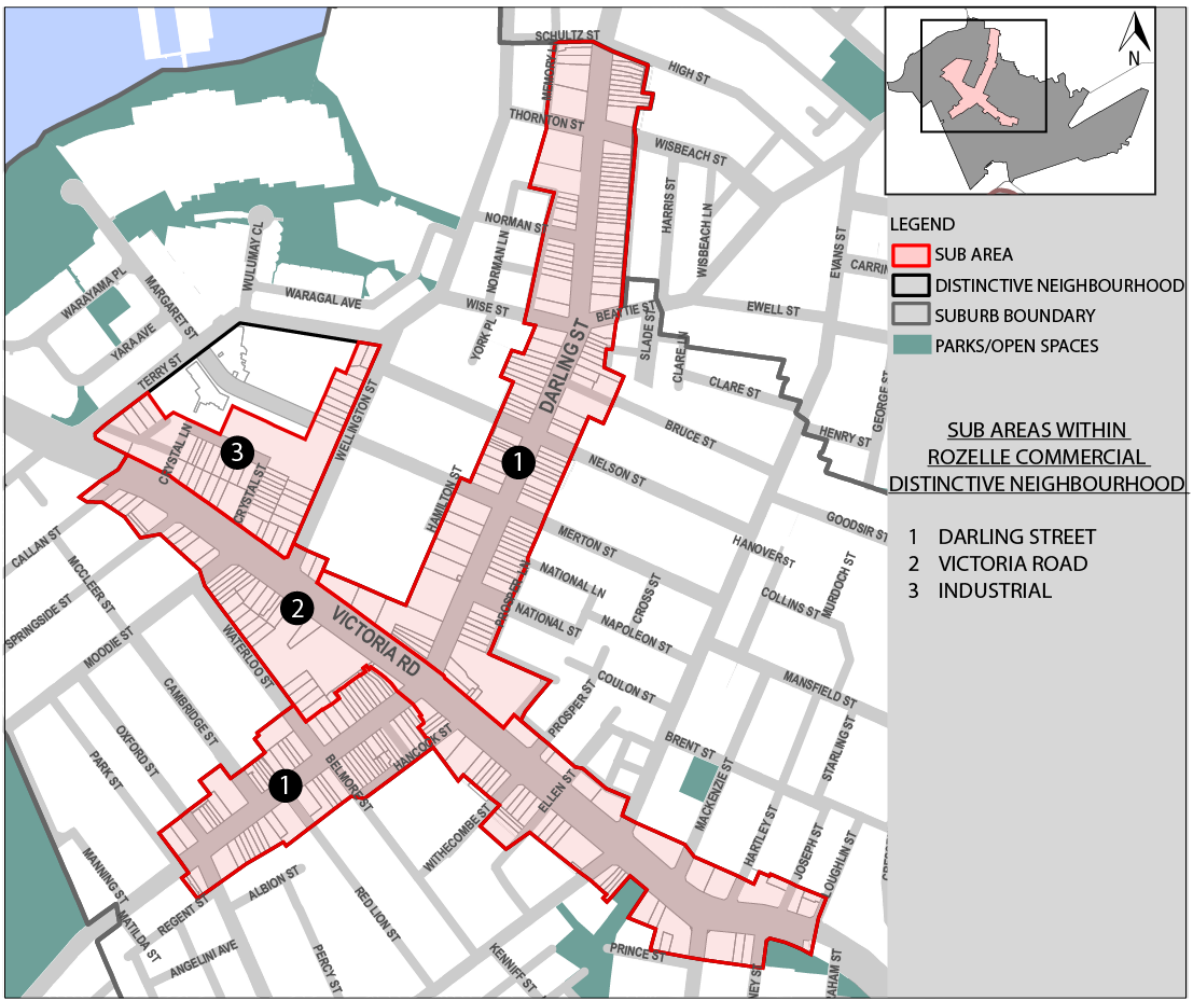

Figure C123: Sub Areas within Rozelle Commercial Distinctive Neighbourhood

Landform

The Rozelle Commercial Distinctive Neighbourhood centres on the intersection of Victoria Road and Darling Street. The neighbourhood comprises the length of Darling Street from Park Street to Norman Street and runs along Victoria Road from the City West Link to Clubb Street. This neighbourhood also encompasses the areas around Crystal and Terry Streets. The Neighbourhood includes residential development on both sides of Darling Street between Wise and Schultz Streets.

Darling Street runs along the ridge of the Balmain Peninsula and Victoria Road bisects the peninsula. The Rozelle Commercial Distinctive Neighbourhood forms a rough cross at the south western end of the Balmain Peninsula.

The boundary of the Rozelle Commercial Distinctive Neighbourhood is defined by the rear of properties fronting onto these main roads and generally includes those properties within the business and industrial areas. Some properties are served by rear service laneways and some are served by rear rights of way, however many sites are serviced only via the front street or front driveway.

Existing Character

The Rozelle Commercial Distinctive Neighbourhood is formed around the intersection of two busy thoroughfares, Victoria Road, which is a main arterial road serving the inner west of Sydney and Darling Street, one of the main thoroughfares into the Balmain peninsula.

Darling Street was developed as the primary roadway on the Balmain Peninsula soon after the granting of land to William Balmain in 1800. By the 1840s, Victoria Road had been established as a route to connect the residents of Drummoyne and Balmain via a ferry to the city. The current pattern of subdivision and development was established by the 1870s and the formal division between the two parts of Rozelle occurred when Victoria Road was widened in the 1950s.

Since the development of the Balmain Peninsula, the intersection of Victoria Road and Darling Street has been a transport hub for access to and from the City. Over the years, Rozelle has been served by ferries, punts, buses, trams and private vehicles.

The development along Darling Street and Victoria Road is predominantly two storeys in scale and has a mix of traditional shop top housing, single purpose commercial buildings as well as mixed development. The scale tends to increase to three storeys at key intersections.

Commercial premises generally have vehicular access to the rear via right of ways and side streets, however some properties are serviced primarily from the street frontage as the neighbourhood does not have well defined laneways.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 To improve the streetscape amenity by encouraging improved design and layout of buildings as well as increased attention to site usage, signage and ancillary uses.

C2 Promote a mix and variety of uses and building styles that enhance and contribute to the character and identity of the neighbourhood, whilst protecting significant prominent buildings and the townscape.

C3 Promote a residential/commercial mix in the retail part of the neighbourhood by allowing shop top residential development subject to amenity, density and streetscape controls.

C4 Maintain the predominant bulk, scale and siting of buildings compatible with adjoining development and the neighbourhood generally.

C5 Improve pedestrian and cycle accessibility, safety and facilities to take full advantage of low cost/public transport services in the area.

C6 Maintain and enhance the character of the area by retaining original buildings where appropriate and keeping new development complementary in architectural style, form and materials.

C7 Retain traditional shopfronts and reconstruct shopfront elements including awnings and balconies where appropriate.

C8 Encourage appropriate lighting and signage compatible with the predominant type along each local area section. Advertising should not become a dominant element in the streetscape.

C9 Encourage sympathetic colour schemes, corporate identity and signage for buildings that maintain the character of the area, yet retain the individual identity of each property.

C10 Discourage additional vehicle access to sites from Darling Street and Victoria Road.

C11 Promote the continuing development of the neighbourhood and encourage land uses and development that contribute to the needs of the local community.

C12 Promote a greater connection and cohesion between the north-eastern and south-western portions of Darling Street.

C13 Further develop the areas with tourism potential by facilitating tourist attractions such as markets, pubs, cultural activities and tourist accommodation.

C14 Enhance and promote the viability and potential for a range of non-commercial activities and services that complement the core of the Rozelle neighbourhood and its surrounds.

C15 Shopfronts, balconies and parapets will complement adjoining development. Suitable contemporary interpretation of the original character is acceptable.

C16 Above awning or above building signage will not be supported except where it forms an integral part of the building and is designed in conjunction with the building.

C17 Where properties are serviced by laneways or rights of way, vehicular access should be achieved in this manner.

C2.2.5.5(a) Darling Street Sub Area

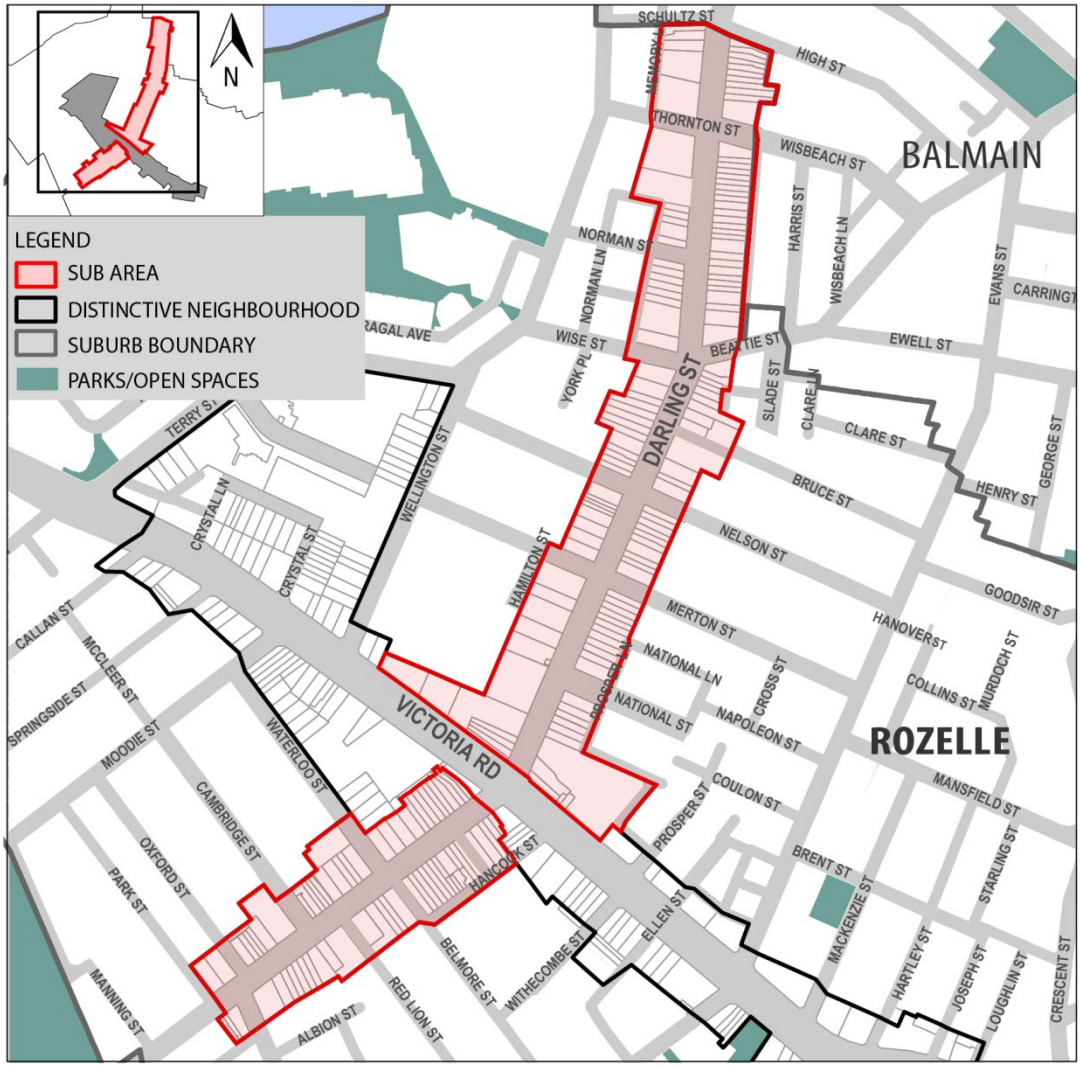

Figure C124: Darling Street Sub Area

The Darling Street Sub Area is characterised by a vibrant mix of restaurants, retail shops, community facilities and commercial enterprises. The character of buildings located south-west of Victoria Road has remained largely unchanged and has an established two storey scale (with the inclusion of the occasional larger building). The predominant style of buildings is traditional shop top housing. The architectural style is mostly late Victorian with some early 1900s Federation styled buildings.

On the north-eastern side of Victoria Road, the scale of the buildings increases due to tall parapets and has a scale of three and four storeys. The church buildings and sandstone school buildings in this locality are also dominant features within the streetscape.

The setbacks for commercial sites in the neighbourhood are generally nil, while houses, public buildings and churches have varied setbacks, including some with small front yards.

Most shops within the Rozelle Commercial Distinctive Neighbourhood have full width suspended awnings, and several buildings have restored or reconstructed the traditional posted verandahs over the footpath. Restoration work within the neighbourhood has added a traditional element to the streetscape and is generally encouraged as part of the renewal of commercial activity along Darling Street.

In recent years there has been a revival of local pedestrian activity within the area. This change is currently evolving and is characterised by the emergence of numerous restaurants/cafes and takeaway shops as well as ‘lifestyle’ boutiques within the area. This evolution of the character is most notable in the leisure retail strip north of Victoria Road.

The mix of development along Darling Street is mainly residential and commercial. The northern end, near Wisbeach Street, is predominantly all residential and includes one former cinema which was converted into three levels of residential units.

Along the eastern side of Darling Street the areas zoned residential have generally have building wall heights of 6m. Traditional development along Darling Street has a nil setback, while more recent housing north of Wisebeach Street has a setback of 3m.

Residential development along Merton and Nelson Streets is generally freestanding single storey with tiled and hipped roofing. Fencing throughout the neighbourhood generally consists of timber palings on top of low brick walls.

There are several short strips of street trees within the area, however Darling Street Sub Area is benefited by mature trees located within the Rozelle Public School. The area around the school currently hosts the weekend Rozelle Markets, which has broader community patronage.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Preserve and improve the pedestrian safety, amenity and focus of Darling Street and adjacent streets.

C2 Landscaping and the public domain should be enhanced to include upgraded disabled access, improved footpaths (including widening where possible), improved street furniture, improved pedestrian lighting, and improved public artwork and decorative elements.

C3 Encourage street trading where it does not obstruct the public use of the footpath and does not detract from the amenity of the area.

C4 Preserve the current residential character and uses along the part of Darling Street zoned residential.

C5 Maintain a two storey scale for residential development along Darling Street. Where sites are developed for mixed commercial/residential uses, a maximum building wall height of 7.2m applies.

C6 Encourage the retention of all private and public trees along Darling Street.

C7 Building wall heights of 7.2m are permitted fronting the western side of Darling Street up to Wisbeach Street.

C8 Development is to be consistent with any relevant objectives and controls within the Rozelle Commercial Distinctive Neighbourhood.

C2.2.5.5(b) Victoria Road Sub Area

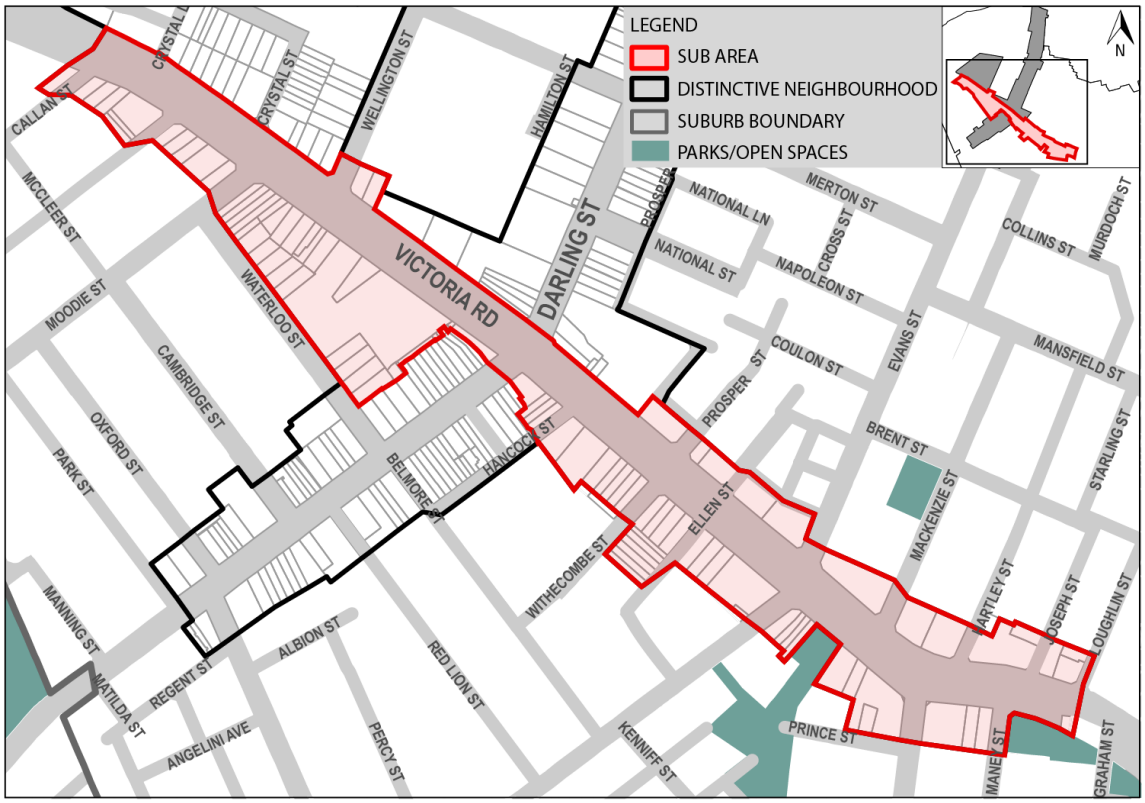

Figure C125: Victoria Road Sub Area

The Victoria Road Sub Area is located within the Rozelle Commercial Distinctive Neighbourhood. The area is characterised by the high volume of vehicles travelling through the municipality to and from the City via Victoria Road. The road reserve ranges from 30m to 60m wide and varies from six to eight lanes and is a prominent Sydney arterial road. There are seven sets of traffic lights on Victoria Road within Rozelle.

Development along Victoria Road is a mixture of scales ranging from single storey to three storeys. The subdivision pattern on the north-eastern side of the road is characterised by shallow lots with wide street frontages onto Victoria Road.

The built form along the south-western side of the road is a mix of Victorian style two storey shops and residences together with later 1900s industrial style buildings. Other building forms include traditional pubs, housing from the inter-war years and a church building currently used as a Community College. O'Connor and Hanan Reserves provide a landscape relief to this highly urbanised environment.

To the north-west of Darling Street, the former Balmain Leagues Club site makes a significant impact on the streetscape as the existing building is currently vacant. The site has been the subject of recent applications for significant redevelopment including large residential towers, retail and commercial development.

Many buildings fronting onto Victoria Road have nil setbacks and access is restricted due to the lack of a formal lane structure. They also incorporate a high level of original shop front detailing and weather protection through the incorporation of cantilevered awnings.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage development that relates well to the street. The vibrancy and visual interest of Victoria Road should be enhanced.

C2 Promote uses appropriate to Victoria Road that utilise high visibility without compromising traffic flow.

C3 View sharing between existing and proposed developments is important.

C4 Encourage appropriate materials that relate to the established built form. Visual privacy and acoustic amenity is to be incorporated into the design of all residential developments.

C5 Improve the streetscape by limiting inappropriate signage, colour schemes or other promotional displays.

C6 Prevent additional driveway access to sites along Victoria Road and generally minimise any traffic disruptions along the road. Any provision for parking should be hidden from the streetscape and maintain pedestrian access.

C7 Encourage and maintain key pedestrian crossings across Victoria Road to prevent the fragmentation of the suburb and the commercial neighbourhood.

C8 Encourage signage and colour schemes that complement the streetscape.

C9 Reconstruction of cantilevered or posted balconies/verandahs is encouraged for buildings where such elements were original features.

C10 A maximum building wall height of 10m, taken from the street frontage, applies to buildings along Victoria Road.

C11 Buildings should cover the full width of the lots and should be built with a nil setback to Victoria Road.

C12 Developments are to be serviced and vehicle access provided from side streets and laneways and openings to service bays. Work areas and storage areas should not be directly visible from the street.

C13 Development is to be consistent with any relevant objectives and controls within the Rozelle Commercial Distinctive Neighbourhood.

C2.2.5.5(c) Industrial Sub Area

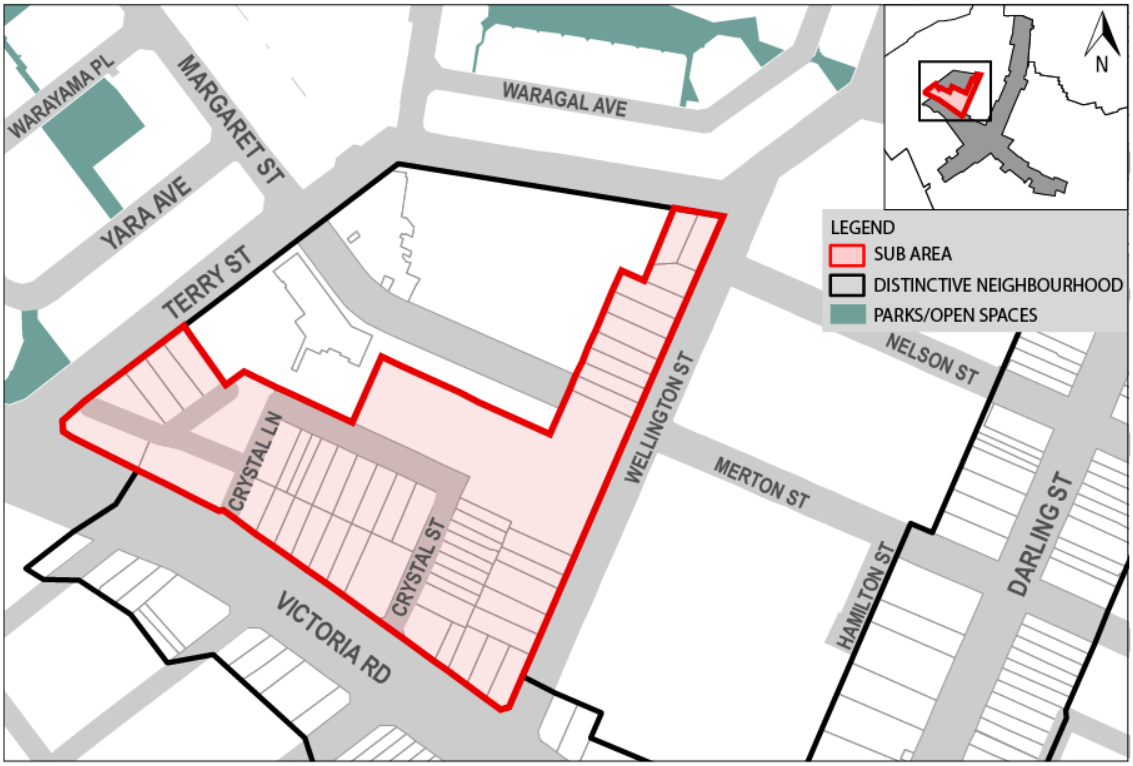

Figure C126: Industrial Sub Area

The Industrial Sub Area is located within the Rozelle Commercial Distinctive Neighbourhood. The Industrial Sub Area is made up of the service and industrial areas located on a portion of the north-eastern section of Victoria Road.

This is a distinct employment area with numerous uses ranging from light manufacturing, warehousing, ancillary commercial and retail uses and car related uses along and adjacent to Victoria Road.

The area has a diverse range of subdivision patterns and the built form also varies due to changes in land uses and topography. Accordingly, building heights, setbacks, and access arrangements differ depending on the age and function of the building and the size and location of the lots.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Improve the landscaping quality of the area by encouraging appropriate landscaping of development.

C2 Encourage consolidation of smaller lots to facilitate the industrial activities within the neighbourhood.

C3 Industrial uses are to be predominantly located within buildings to minimise noise and to ensure that streetscape amenity is maintained.

C4 Appropriate off street servicing facilities (e.g. loading bays) are to be provided.

C5 Development is to be consistent with any relevant objectives and controls within the Rozelle Commercial Distinctive Neighbourhood.

C2.2.5.6 Robert Street Industrial Distinctive Neighbourhood

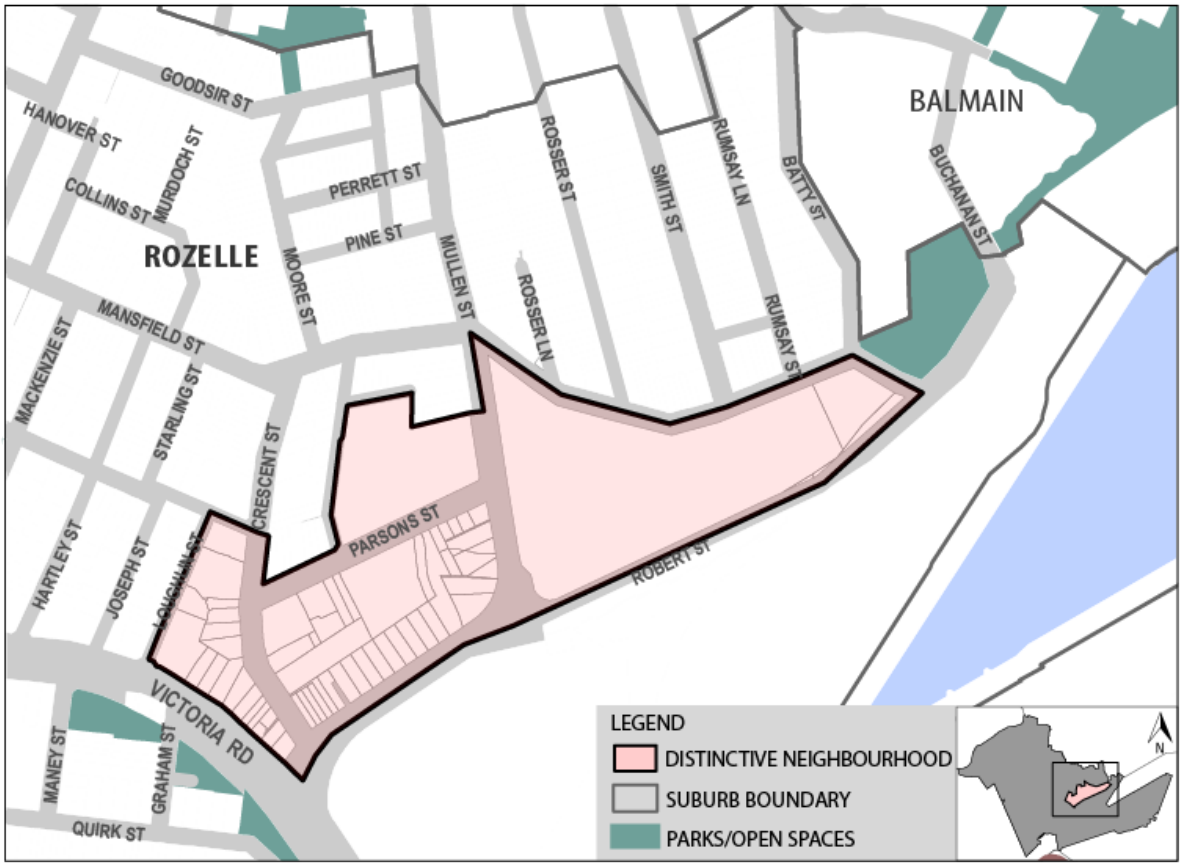

Figure C127: Robert Street Industrial Distinctive Neighbourhood

Landform

The Robert Street Industrial Distinctive Neighbourhood is located on the south side of the Balmain Peninsula adjacent to the former White Bay Power Station.

The neighbourhood includes industrial sites located on Victoria Road, Crescent Street, Parsons Street, Mullens Street, Loughlin Street and Robert Street. The main street in the neighbourhood is Robert Street which is accessed from Victoria Road, however the neighbourhood is also accessible via Mullens Street from Darling Street.

Existing Character

The Robert Street Industrial Neighbourhood represents a distinct pocket of industrial land within land where this DCP applies and is an integral component of the maritime industrial precinct that includes Rozelle Bay, the Glebe Island silos, the White Bay Power Station site and the White Bay Cruise Ship Terminal.

This area was part of the original development pattern of the Balmain Peninsula. During the mid-1800s, several significant employment generating industries relocated to this neighbourhood when pollution and space constraints forced them out of central Sydney. Integral to the early development of this precinct was the direct access to shipping and broader markets.

The construction of the now disused White Bay Power Station and Rozelle rail marshalling yards confirmed the entire precinct as a regional rail/shipping and industrial hub. Within the neighbourhood the main industrial use was the steel products manufacturing plant located in the block between

Mansfield Street and Robert Street, west of Mullens Street. This business was in operation from the 1930s to the late 1960s.

The buildings located on Mansfield Street and Robert Street formerly used for the steel processing plant is now used for a wide variety of employment generating purposes. This building has an imposing 10m–15m wall height built to the boundary, and a sawtooth factory roof behind a parapet. Currently the building is divided into multiple units, accessed from Robert Street. The layout, ease of access and internal dimensions of this current configuration is highly suitable for a multitude of configurations and employment generating uses.

Other development in the neighbourhood includes renovated single storey Victorian terraces with rear workshops along the western end of Robert Street; traditional 5m – 8m scale industrial buildings; and a relatively new multi-unit industrial development on former residential land along Parsons Street. The bulk of the area maintains a two storey built form to the street frontage.

In the western portion of the neighbourhood, the bulk and scale forms a sympathetic interface between the industrial uses and the adjacent residential form. This part of the neighbourhood has frontage to Victoria Road between Robert Street and Loughlin Street. These sites are predominantly industrial-based with some showroom uses.

Along the eastern end of Robert Street the scale of the built environment ranges up to a 15m wall height (with an 8m wall height at the rear of the building, along Mansfield Street). Along the western end of Robert Street and Parsons Street the scale of development is 6m – 8m with single storey scale adjacent to The Crescent and along Victoria Road. Along the western side of The Crescent are a few remnant houses.

Overall, the area retains a strong industrial character, with many of the original manufacturing buildings having been adaptively reused to address more contemporary industrial requirements.

The neighbourhood is located adjacent to main transport routes, and the area is a valuable asset to the wider community in that it provides a base for local business as well as employment opportunities. It also serves as a buffer between the residential neighbourhood and the heavy industries contained along the waterfront and within the adjacent area.

Desired Future Character

Objective

O1 To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.

Controls

C1 Encourage developments that take account of existing and proposed Master Plans for land currently managed by Sydney Ports Corporation and the NSW Government.

C2 Encourage a range of industrial uses which contribute to the ongoing viability of the surrounding uses.

C3 Provide for a range of industrial spaces that encourage diversity of industrial uses.

C4 Retain and enhance the industrial areas to maximise its continuance for employment opportunities.

C5 Maintain the integrity of the neighbourhood by discouraging residential development in the area.

C6 Discourage uses that may compromise the viability of compatible industrial activity which will cause nuisance to adjoining/nearby uses.

C7 Promote the viability of compatible industrial activity at street level to provide an active street frontage.

C8 Encourage the adaptive reuse of existing buildings whilst allowing for a range of contemporary and compatible industrial uses.

C9 Allow for increased building scale, especially at the corner of Mullens and Roberts Streets.

C10 Encourage industrial activities to be located within buildings to minimise noise and excessive street activity.

C11 Allow industrial development to be built to the street alignment to continue the prevalent setbacks and provide a “hard edge” along the street.

C12 Locate driveway openings such that industrial-based traffic is kept away from residential areas.

C13 Encourage uses that are compatible with surrounding industrial uses.

C14 Ensure that new development is complementary to the scale and character of existing industrial development.

C15 Ensure that new development continues the symmetrical and articulated façades and predominant horizontal proportions that characterise more recent industrial development.

C16 Promote uses appropriate to Victoria Road that utilise high visibility without compromising traffic flow.

C17 Industrial uses are to be predominantly located within the building area, to minimise noise and ensure that streetscape amenity is maintained.

C18 Where provided, front setbacks and internal areas should be appropriately landscaped to provide a visual buffer to the street.

C19 Signage must be compatible with the established character of the streetscape. Signage visible from residential areas should be compatible with residential amenity in terms of location, size, illumination and content.

C20 Where a building retains its original unpainted or rendered face brick façade, this will be retained and conserved.

C21 Where a building has been painted or rendered, an appropriate heritage-derived colour scheme should be used to ensure compatibility with the prevailing streetscape character.

C22 Where properties are serviced by a lane, vehicular access should be achieved via the lane and not from the primary street frontage.

C23 Appropriate off-street servicing facilities (e.g. loading bays) are to be provided.

C24 Enhance cycling access to the Anzac Bridge shared path and the Rozelle Marshalling Yards corridor.

C2.3 URBAN FRAMEWORK PLANS

The streets and suburbs of Inner West Local Government Area have a distinctive character generated by a mix of street patterns, building types and architectural styles. The Urban Framework Plans included in Appendix C to this Development Control Plan draw together key urban and environmental elements that contribute to the overall character and form of the Local Government Area.

The Urban Framework Plans should be considered whenever development is being considered. Natural and built features, as identified, should be accentuated by design and the strategies for future development are to be recognised and acted upon in all proposals.

The Urban Framework Plans consist of three diagrammatical plans which specifically identify the following features and initiatives:

- Environment and Open Space;
- Urban Character and Identity; and
- Urban Strategy.

PART C: PLACE

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SECTION 3 – RESIDENTIAL PROVISIONS

C3.1 RESIDENTIAL GENERAL PROVISIONS

Background

Residential buildings and related spaces and landscapes play a significant role in contributing to the character of a place and its setting, and the extent to which people feel connected to place and to each other. Planning and design of residential buildings and associated landscapes and spaces is important as it:

a. enhance the lives of residents, visitors and people who occupy and view them;

b. enhance walkable mixed use neighbourhoods;

c. contribute to improved environmental performance and outcomes;

d. assist in developing the capacity and resilience of the community, its buildings and infrastructure to adapt to climate change by reducing dependence on energy consumption to heat and cool buildings and to access places and spaces; and

e. contribute to the character and heritage significance of an area.

Objectives

O1 To provide more details in relation to the residential development provisions contained in the *Inner West LEP 2022*.

O2 To promote the enhancement of walkable neighbourhoods by requiring planning and design to be based on site and context analysis.

O3 To ensure that alterations, additions to residential buildings and new residential development are compatible with the established setting and character of the suburb and neighbourhood and compatible with the desired future character and heritage significance of the place and its setting.

O4 To ensure that all residential development is compatible with the scale, form, siting and materials of existing adjacent buildings.

O5 To ensure that all residential development is consistent with the density of the local area as established by the *Inner West LEP 2022*.

O6 To promote optimal environmental performance of all residential buildings.

O7 To ensure that the amenity, including solar access and visual privacy, of the development and adjacent properties is not adversely impacted.

Controls

C1 Residential development is not to have an adverse effect on:

a. the amenity, setting or cultural significance of the place, including the portion of the existing building to be retained; and

b. the relationship of any Heritage Item or Heritage Conservation Area to its place, setting and cultural significance.

C2 Additions to an existing building are generally:

a. located to the rear or the side of the existing building when viewed from the principal street frontage; and

b. subservient to the form of the existing building; and

c. maintain the form, fenestration, roof forms and chimneys of the existing building when viewed from the principal street frontage; and

d. of a design which is compatible with but does not compete with the architectural character of the existing building or the Building Typologies; and

e. of a scale, proportion (including proportion of doors and openings) and material which is compatible with the existing building.

C3.2 SITE LAYOUT AND BUILDING DESIGN

Background

This element outlines objectives and controls for building siting, scale and form.

Objectives

O1 To ensure adequate separation between buildings for visual and acoustic privacy, solar access and air circulation.

O2 To ensure the character of the existing dwelling and/or desired future character and established pattern of development is maintained.

O3 To ensure that buildings are constructed within an appropriate Building Location Zone (BLZ) from the front and rear boundary to protect neighbourhood features such as streetscape, private open space, solar access and views.

O4 To ensure that development:

a. reinforces the desired future character and distinct sense of place of the streetscape, neighbourhood and land where this DCP applies;

b. emphasises the street and public domain as a vibrant, safe and attractive place for activity and community interaction;

c. complements the siting, scale and form of adjoining development; and

d. creates a high level of residential amenity for the site and protects existing or enhances residential amenity of adjoining sites in terms of visual and acoustic privacy, air circulation, solar access, daylight, outlook and views.

Controls

Site capacity

C1 The site shall have sufficient capacity to accommodate development, including buildings and structures, setbacks and separation distances, access, manoeuvring and parking (where required by this Development Control Plan) and landscaped open space, having regard to site characteristics such as:

a. existing extent of development;

b. desired future character;

c. site area, road frontage, width and depth;

d. heritage streetscape;

e. significant natural landscape features including vegetation;

f. slope; and

g. flooding and drainage.

Note: Some historical types of development on land where this DCP applies such as inter-war period residential flat buildings were often designed and constructed to achieve or exceed currently allowable development limits. In such situations, the scope for further alterations and additions may

not be possible, unless a significant improvement in residential amenity or streetscape character can be demonstrated.

Local character

C2 Development siting and design shall respect and enhance the natural landscape attributes that contribute to the character and distinct sense of place of the streetscape, neighbourhood and land where this DCP applies, including:

a. prominence of ridgelines;

b. landmarks;

c. topography;

d. views, vistas and outlooks;

e. waterways; and

f. vegetation.

Building Location Zone

C3 Building Location Zone (BLZ) is the part of the subject site where it can be reasonably expected that a building can be located. The BLZ is determined by having regard to only the main building on the adjacent properties. The location of front fences or intervening walls, ancillary sheds, garages, external laundries, toilets or other structures on the site is not relevant in determining the BLZ. In order to respect the pattern of development and amenity of neighbouring properties, the BLZ is determined on a floor by floor basis (refer to Figure C128: Building Location Zone).

Where an adjoining development has a front or rear setback that is clearly uncharacteristic of the general pattern of development within the street, consideration will be given to that general pattern in determining whether to permit a variation to the BLZ that would otherwise be determined based on the adjoining buildings alone.

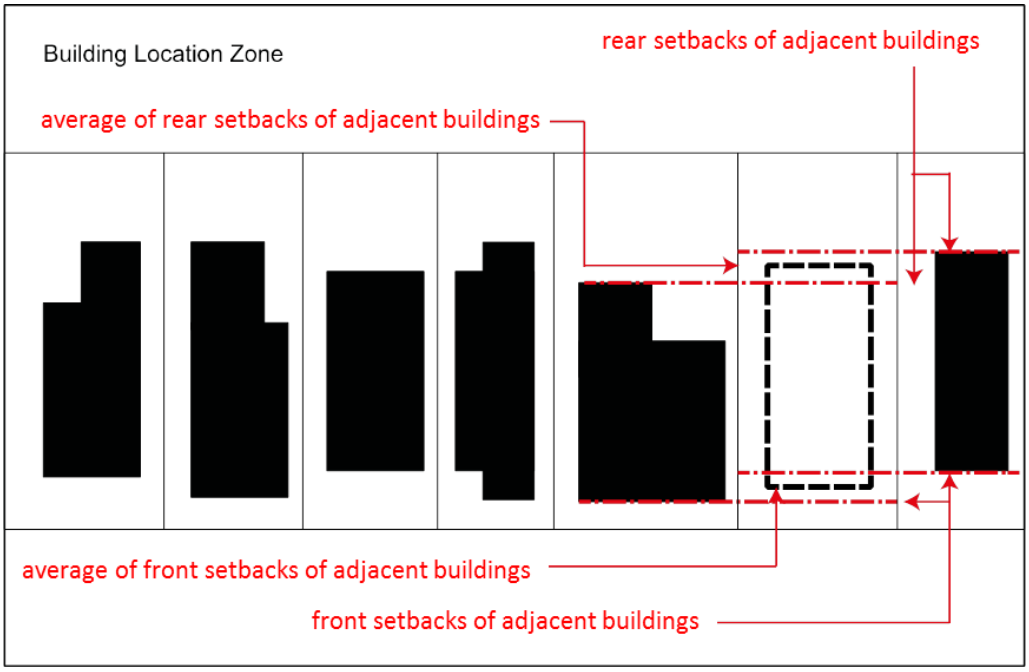


Figure C128: Building Location Zone

C4 Development shall be located within the BLZ area of the subject site. BLZ for the main building, shall be determined having regard to that part of the building that is fully enclosed by walls, however open-sided structures such as balconies and verandas may extend beyond the BLZ so determined, where they are consistent with similar structures on adjoining properties.

C5 The BLZ of:

a. a corner site; and

b. end lots on adjoining streets

is to be determined by the location of the building on the adjacent property that most resembles the orientation, frontage width and site layout of the subject site. Council may exercise some flexibility in relation to the side setback to the secondary street frontage, depending upon the relative importance of this frontage and the characteristic pattern of development.

C6 In the event of any proposed variation to the BLZ the onus is on the applicant to demonstrate that the proposed building is consistent with the pattern of development in the immediate locality (usually taken as the same street) and that:

a. amenity to adjacent properties (i.e. sunlight, privacy, views) is protected and compliance with the solar access controls of this Development Control Plan is achieved;

b. the proposed development will be compatible with the existing streetscape, desired future character and scale of surrounding development;

c. the proposal is compatible in terms of size, dimensions privacy and solar access of private open space, outdoor recreation and landscaping;

d. retention of existing significant vegetation and opportunities for new significant vegetation is maximised; and

e. the height of the development has been kept to a minimum to minimise visual bulk and scale, as viewed from adjoining properties, in particular when viewed from the private open space of adjoining properties.

Side boundary setbacks

C7 Building setbacks shall comply with the numerical requirements set out in the side boundary setback graph (refer to Figure C129: Side Boundary Setbacks Graph).

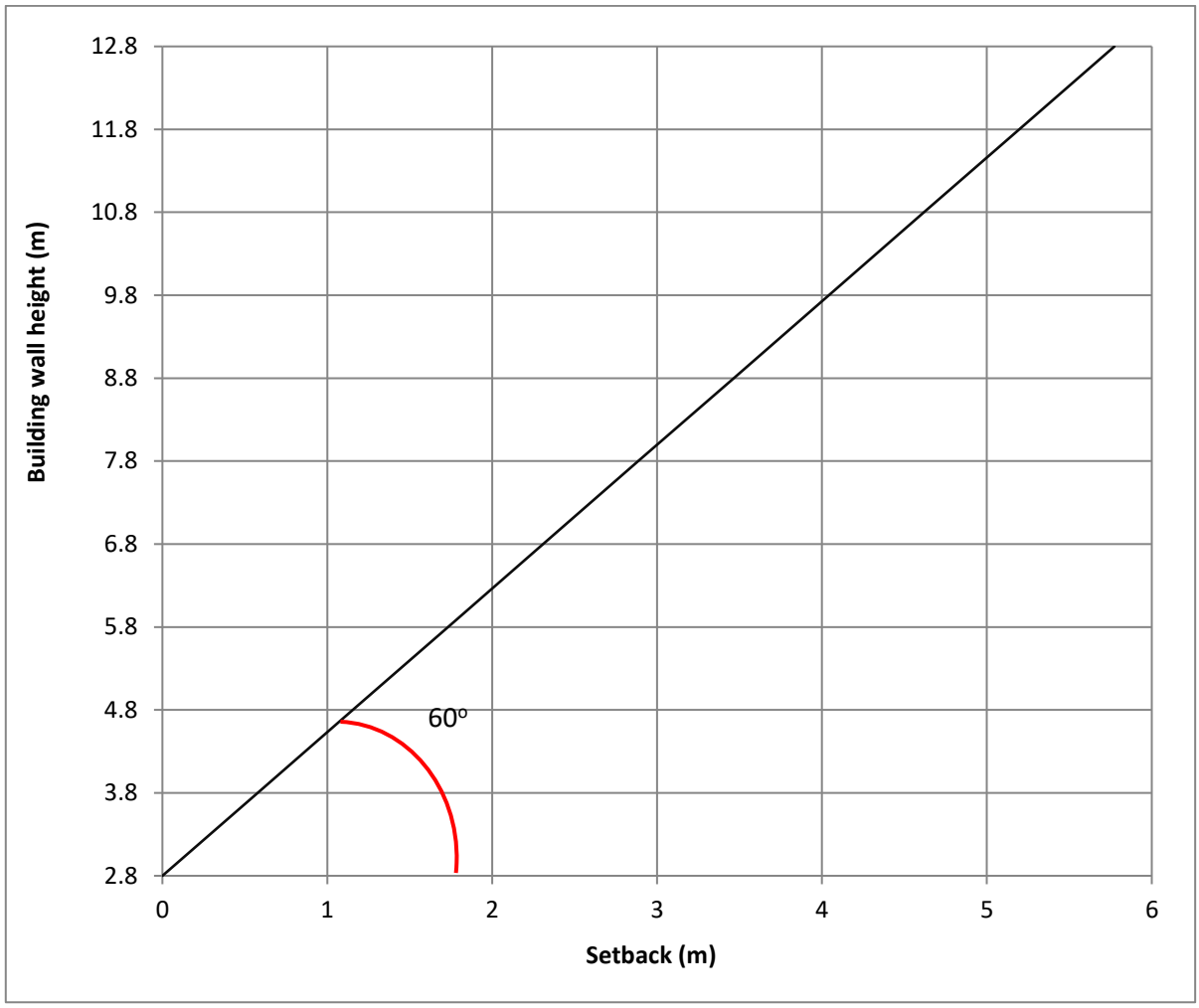


Figure C129: Side boundary setbacks graph

Note: The above setbacks must be applied to the different walls of the building depending on their individual height. Higher sections of walls should be further setback from boundaries than lower portions of the same wall. For example the first floor of a dwelling should be setback further than the ground floor below.

C8 Council may allow walls higher than that required by the side boundary setback controls above, to be constructed to side boundaries where:

a. the development is consistent with relevant Building Typology Statements as outlined within Appendix B – Building Typologies of this Development Control Plan;

b. the pattern of development within the streetscape is not compromised;

c. the bulk and scale of development is minimised by reduced floor to ceiling heights;

d. the potential impacts on amenity of adjoining properties, in terms of sunlight and privacy and bulk and scale, are minimised; and

e. reasonable access is retained for necessary maintenance of adjoining properties.

Landscaped open space

C9 Development shall:

a. include soft landscape area in both the front and rear of the site where consistent with the BLZ controls;

b. ensure that the area of soft landscaping is consolidated to support significant landscaping and tree planting; and

c. include landscaped open space as part of private open space at the rear of the site. Landscaped areas are to be designed to incorporate privacy, solar access, protection from the wind and so that the amenity of adjoining properties as well as the streetscape is retained.

Street orientation

C10 Buildings shall be aligned and oriented to the street (Refer to Figure C130: Street orientation)

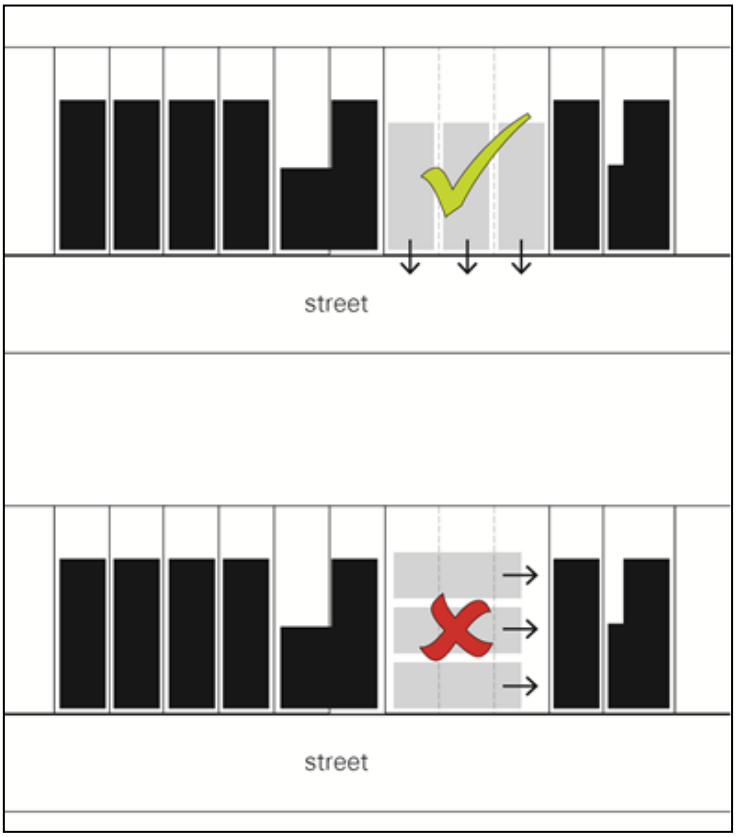


Figure C130: Street orientation

Building Height and the Building Envelope

C11 The building envelope of a building is determined by the wall height, width, depth and roof form and pitch of a building. Importantly, wall height is the key control over the building envelope, and roof form is one of the most important features that determine the overall appearance of residential buildings.

C12 The roof pitch or plane is generally between 30º and 45º, depending on the characteristic style of the local area.

How to determine a building envelope

C13 The Distinctive Neighbourhood controls provide the applicable building envelope for each area and also give an indication of the general height, form and roof form of buildings in the area. This building envelope should be applied with regard to the prevailing circumstances of the surrounding development.

C14 In addition to the information given in the Suburb Profiles, it is important to consider the following aspects of surrounding development in relation to the proposal:

a. ridge heights;

b. eaves heights;

c. roof form and pitch;

d. side setbacks;

e. proportion of the street frontage covered by the building elevation; and

f. any articulation of the front elevations.

C15 The building envelope defines the maximum potential volume of a development above ground level. It applies to the following part of the building:

a. the whole area defined by external walls; and

b. includes covered areas such as verandahs and balconies (but does not include open decks and paved areas).

C16 The envelope has two height components:

a. a wall height; and

b. a roof control comprising of an inclined plane at 45 degrees from the top of the wall height.

Notes:

i. The building envelope is to be applied in conjunction with laneway envelopes. The building envelope is to be applied to street frontages whereas laneway envelopes are to be applied to laneway frontages.

ii. For the purposes of determining a building envelope, wall height does not always relate to the actual height of the front building wall, as shown in the diagrams on the next page. Combined with the roof control, the wall height is simply a means of setting an appropriate height at the front elevation and hence controlling the overall bulk of a building. On a sloping site, wall height shall be measured from several points along the building to provide an average height and split-level solutions must be applied.

iii. The roof control applies 45 degree inclined planes to significant (e.g. street) elevations of the building to permit compatible roof forms. The inclined plane also encourages the use of traditional building elements such as verandahs and balconies, which would assist in minimising the bulk of front elevations, presenting a smaller roof line at street level. Normally the height of a development including wall height and roof form should not exceed the ridge heights of adjoining development. Minor architectural details such as chimneys, dormer windows, gables and sub-gables can penetrate the envelope.

iv. *On corner sites, the inclined roof plane must be applied to both street elevations to encourage a building in scale with adjoining development.*

v. *Council may allow for greater bulk with regard to terrace houses on a corner site.*

The front wall of the building should be located in accordance with the Building Location Zone. The building envelope is to be measured from the front of the building or attached building elements such as verandahs and balconies. Four basic building envelopes apply in to housing on land where this DCP applies, as follows:

- 2.4m; 3.6m; 6.0m and 7.2m (refer to Figures C131-C134 below).

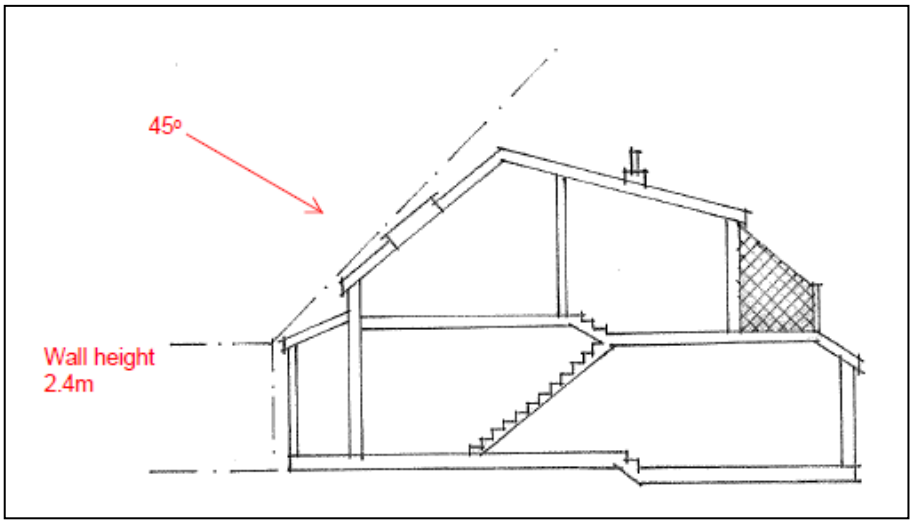


Figure C131: Building envelope – 2.4m wall height – Single storey, similar to the scale of a workers' cottage.

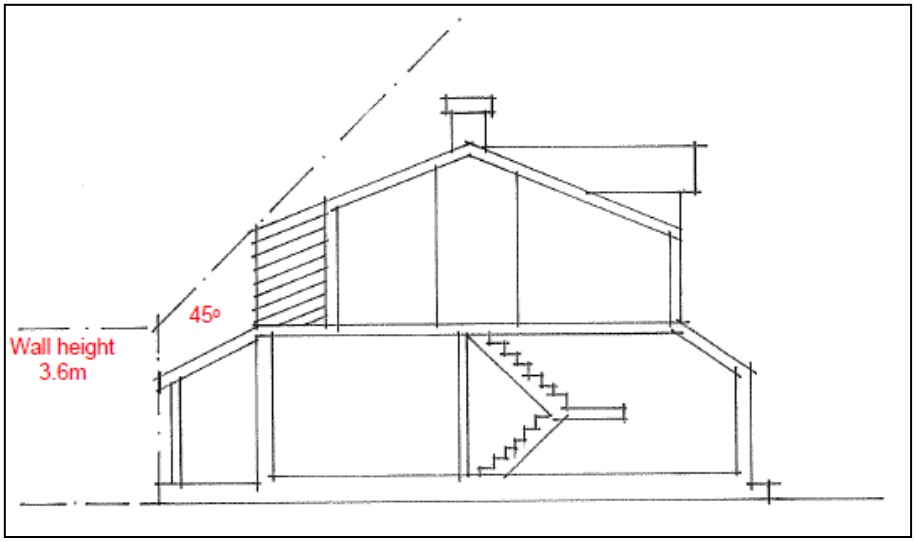


Figure C132: Building envelope – 3.6m wall height – Single storey, or low two storey dwelling utilising the roof space.

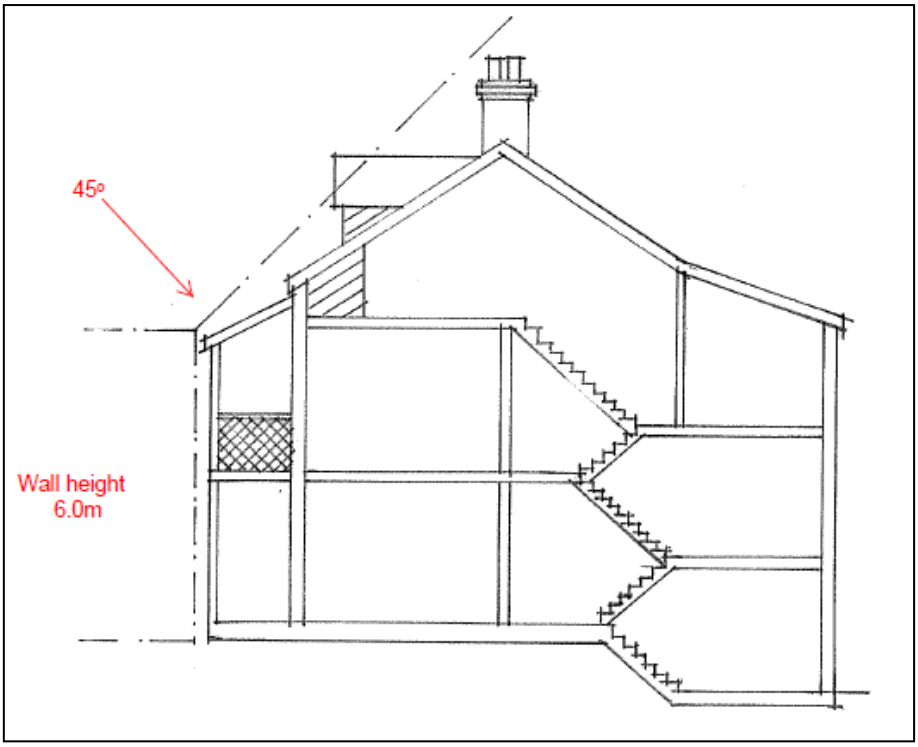


Figure C133: Building envelope – 6.0m wall height – two storeys, similar to the scale of a two storey Victorian terrace.

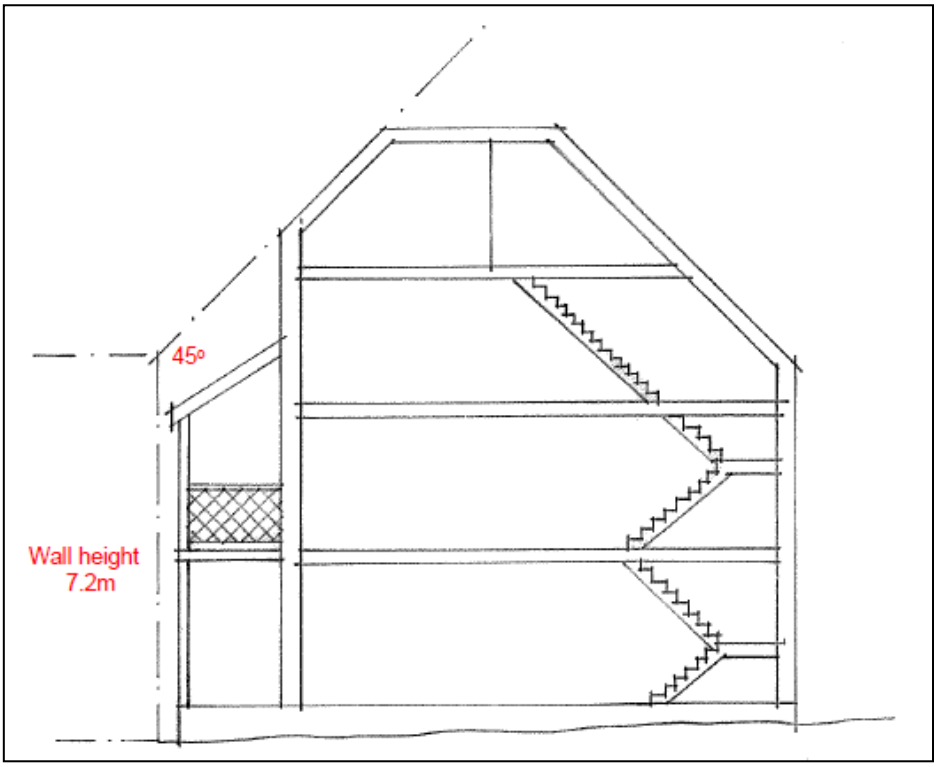


Figure C134: Building envelope – 7.2m wall height – three storeys, to a scale compatible with grander terraces or mansions, or when the wall height is used as a parapet.

C17 The overall maximum height in storeys shall generally not exceed the height in storeys of the main building on adjoining sites, except where those buildings are uncharacteristic of the general pattern of development in the same street or as set out in the Suburb Profile, in which case, consideration will be given to that general pattern.

C18 New development shall generally correspond with both the wall height and the roof height of the average of two adjoining developments, making allowance for topographical variation in the elevation of those buildings.

C19 Roof pitch and form shall make reference to the prevailing roof form in the street.

C20 The building envelope applies to all frontages of the site with a street plus those that adjoin public land or spaces (e.g. including parks and waterways).

Roof pitch

C21 Roof pitch shall be between 30^0 and 45^0.

C3.3 ELEVATION AND MATERIALS

Background

The elevation design of a building is as important as the building bulk and scale. The arrangement of openings in walls is visually important to the streetscape, particularly the placement of windows, doors, balconies and verandahs. The design of housing should respond to the vertical and horizontal rhythms established by the general and desired future character of the area.

The architectural diversity of housing on land where this DCP applies often permits the use of a considerable range of building materials and design. The careful selection of materials can result in innovative design solutions without compromising the objectives within this Development Control Plan. However, some contemporary building materials, external finishes and colours are unsympathetic to neighbouring buildings, and in some cases may detract from the character of the streetscape. In areas of homogeneous character and Heritage Items and Heritage Conservation Areas, selection of building materials and finishes requires greater sensitivity.

Objectives

O1 Building elevation and materials visible from the public domain:

a. complement the prevailing or desired future character of the neighbourhood, in particular responding to the vertical and horizontal rhythm of the streetscape;

b. are human scale in proportion;

c. provide a high level of architectural quality, visual interest and articulation; and

d. provide a high level of engagement between the public and private realm, in particular activating the street level public realm.

Controls

C1 Building façades are:

a. divided into vertical bays consistent with the dimensions established by elements on adjoining development such as party walls and windows; and

b. divided into horizontal bandings that clearly delineate each storey and align with elements on adjoining development such as eaves, balconies, verandahs and roofs.

C2 New upper level balustrades that run across and in front of party walls, disrupting the strong vertical rhythm and pattern of individual house elevations in terrace rows are not permitted.

C3 Where alterations or additions are proposed, existing façade elements that are incompatible with the character of the building are to be removed.

C4 Residential development in a Heritage Conservation Area is compatible with the Building Typologies contained in Appendix B – Building Typologies of this Development Control Plan, and includes defining elements such as:

a. roof pitch and form;

b. roof ridgeline;

c. gutter lines;

d. verandah balustrades and floor under-beams;

e. window patterns, proportions and details; and

f. balconies.

C5 The enclosure of verandahs and balconies detracts from the visual quality of buildings and the streetscape and is not permitted.

C6 Elevations incorporate elements such as recesses, balconies and awnings.

C7 New buildings shall be designed to provide a high level of architectural and visual presentation to all elevations, avoiding blank, unarticulated side and rear elevations.

C8 Front windows shall not serve non-habitable rooms.

C9 Colour schemes are compatible with those prevailing in the street.

C10 Unpainted brickwork in Heritage Conservation Areas is to remain unpainted.

C11 Materials and finishes are compatible with those prevailing in the streetscape and the period of construction of the dwelling.

C3.4 DORMER WINDOWS

Objectives

O1 Development for new or existing dormer windows to roofs:

a. are consistent with the construction period and architectural style of the building;

b. maintain the unity of rows, semi-pairs and groups of dwellings; and

c. make a positive contribution to the streetscape.

Controls

C1 Dormer windows will not be supported where the height of the roof measured from the gutter to the ridge is less than 2.5m. Outside of Heritage Conservation Areas, consideration may be given to a flush skylight where it does not adversely impact the streetscape character of the existing dwelling or intactness of a group of dwellings.

C2 Where a dwelling is part of a row, semi pair or within a group of similar dwellings, any changes to the roof form should respect and retain the unity of the group as visible from the public domain. Where dormer windows would not impact the unity of the group and dormers are already provided to the majority (greater than 50%) of the group, new dormer windows should be consistent with those that exist within the group.

C3 The existing ridgeline shall be retained.

C4 The minimum distance between the main roof ridge and the dormer window is 300mm.

C5 The dormer window pattern shall reflect the existing windows within the front elevation of the building.

C6 Where a dwelling is not part of a row, semi-pair or group, any dormers must be compatible with the construction period and architectural style of the existing dwelling.

C7 For dwellings built in the 1800s, dormer windows shall have:

a. no eaves or gutter;

b. use a single window; and

c. have a height of 1.5m x the width of the dormer.

C8 Dormer windows must not have a total width of more than 25% of the width of the roof.

C9 A maximum of one dormer shall be permitted for single fronted dwellings or a maximum of two dormers shall be permitted for double fronted dwellings. Where one dormer is proposed it shall be centrally located on the roof, where two dormers, they should be symmetrically positioned.

C3.5 FRONT GARDENS AND DWELLING ENTRIES

Objectives

O1 Front gardens and dwelling entries:

a. provide a sensitive transition between the public and private domain and enables dwellings to achieve a high level of functional and visual engagement with the public realm;

b. make a positive contribution to streetscape quality and softens the visual impact of the built form;

c. enable casual surveillance of the street and provide a high level of safety and security;

d. enable comfortable passive recreation use; and

e. are legible and easily identified.

f. Can form an integral part of the architectural composition of historic dwellings and should be preserved and enhanced.

Controls

Visual engagement with the public realm

C1 Dwelling entries and windows are oriented to overlook the street.

Streetscape quality and passive recreation use

C2 The front garden includes areas of sufficient dimensions to accommodate landscaped open space where consistent with the site layout of adjoining properties.

Safety and security

C3 Visitors approaching the dwelling are to be seen from the inside of the dwelling without having to open the door. Dwelling design is to be consistent with the provisions within Part C1.9 – Safety by Design of this Development Control Plan.

Legibility

C4 Each dwelling that fronts a street should have pedestrian access from the street either by a separate or shared front door.

C5 Dwelling entries are clearly visible and easily identifiable from the street.

C6 Dwelling entries include shelter where consistent with the prevailing streetscape character, architectural style of the building or where multi-unit residential development is proposed.

C7 Front fences have direct access to a safe, separate pedestrian footpath or to a shared zone.

C8 Original front entries to the dwellings are preserved.

C3.6 FENCES

Objectives

O1 Fences:

a. are compatible with the character of the building and streetscape;

b. enable a high level of visual engagement between the public and private realms and enable a clear view of the dwelling from the street; and

c. do not result in the front gardens of residential development being disconnected from the public realm.

Controls

Character and streetscape

C1 The architectural style, height and materials of front fencing are consistent with the style of the building and streetscape.

C2 Mail boxes, name plates and street numbering is integrated with front fencing.

C3 Fences are not painted in dominant, bright colours.

Visual engagement with the public realm

C4 Maximum front fence height is 1.2m.

C5 Fences enable adequate sight-lines between vehicles and pedestrians.

C6 Where retaining walls that address a change in gradient between the street and front garden are proposed the maximum front fence above such retaining wall shall be 1.2m. In such circumstances the front fence must be constructed of materials at spacing that allows a 50% transparency rate.

C7 Where the site is a corner allotment, consideration will be given to fences above 1.2m, to a maximum of 1.8m, to ensure privacy to the private open space area where such fencing will not have an adverse impact on the streetscape.

C8 Where existing residential development is only benefitted by open space at the front of the dwelling, consideration will be given to a front fence with a maximum height of 1.8m where it is demonstrated that such fence will not detract from the character of the area.

Note: In such circumstances it may be appropriate to provide vegetation forward of the fence to minimise the impacts on the streetscape.

Note: Residential developments should provide private open space in locations where it can be privatised without adversely impacting the streetscape and generally should be at the rear of the property.

C9 For sloping sites front fences should be stepped or sloped. The maximum height of the fence, when measured from the finished footpath level at any point, should not exceed 1.2m.

C10 Front fences in Heritage Conservation Areas and part of Heritage Items must be consistent with the construction period and architectural style of the dwelling in form, style and materials. Reconstruction of fences should be informed by historical research and may entail a fence

height greater than 1.2m where it is demonstrated that this would be consistent with the original fencing, and not adversely impact the area, item, amenity or character.

C3.7 ENVIRONMENTAL PERFORMANCE

Objectives

O1 Development provides a high level of energy efficiency and occupant comfort by:

a. maximising thermal mass;

b. maximising winter sun access and mitigating direct summer sun access to main living rooms whilst maintaining a high level of daylight access;

c. incorporating insulation;

d. maximising natural ventilation;

e. being constructed from ecologically sustainable materials that do not contribute to the degradation or loss of sensitive or endangered vegetation; and

f. minimises mechanical air conditioning and heating where possible.

Controls

Thermal mass

C1 Building materials with a higher thermal mass such as brick, concrete and stone are located inside the dwelling and in north facing rooms.

Sunlight

C2 Provide shading to glazed areas, where appropriate by:

a. incorporating horizontal shading devices such as awnings or eaves having an overhang of 0.45 x the height of the glazed area, it is shading, to north façades;

b. incorporating external vertical shading devices such as adjustable external shutters, blinds or landscaping to east and west façades that block or mitigate low afternoon summer sun;

c. incorporating landscaping such as deciduous trees adjoining the northern building façade.

Insulation

C3 Development must comply with *Building Sustainability Index (BASIX)* requirements. If *BASIX* does not apply to the development, bulk and reflective insulation to walls, ceilings and roofs shall achieve a minimum Total (not added insulation) R-value for roofs and ceilings of **R4.1** for roof materials with solar absorbance less than/equal to 0.4, and a minimum Total (not added insulation) R-value for walls of **R2.8**. The minimum Total R-value increases for roof materials with solar absorbance greater than 0.4 (up to a minimum Total R-value of R5.1).

C4 Utilise double glazing to improve heat retention in winter (especially on south facing windows).

Natural ventilation

C5 The maximum internal distance between external openings should be no greater than 14m.

C6 The minimum aggregate opening or open-able size of permanent openings such as windows, doors and other devices is 5% of the floor area of the room.

C7 Openings should:

a. be located on opposite sides of rooms;

b. be aligned with each other;

c. be aligned with prevailing breezes; and

d. have a low level inlet and high level outlet.

C8 Where mechanical ventilation is required, devices that circulate air rather than artificially cool air, such as ceiling fans, are provided.

Ecologically sustainable materials

C9 Where timber is used, it is:

a. plantation or regrowth timber;

b. timber grown on Australian farms or state forest plantations; and

c. recycled timber.

C10 Timber is not rainforest timbers cut from old growth forests.

Solar collectors

C11 Development complies with the provisions within Part D1.0 – Energy Management of this Development Control Plan.

C3.8 PRIVATE OPEN SPACE

Objectives

O1 Private open space:

a. is provided for each dwelling;

b. is of a size and dimensions that are useable and capable of accommodating a range of private recreation needs of residents;

c. integrates with and is capable of serving as an outdoor extension of the dwelling's main living area;

d. has access to desirable breezes, air circulation and sunlight;

e. balances visual privacy with engagement and casual surveillance of the public domain; and

f. minimises visual and acoustic privacy impacts for surrounding residential properties.

Controls

For Dwelling houses, semi attached and attached dwellings, dual occupancies

C1 Private open space should be:

a. located at ground level consistent with the location of private open space on the surrounding properties and the siting controls within this Development Control Plan;

b. has a minimum area of 16sqm and minimum dimension of 3m;

Note: the front setback will not be accepted as private open space.

c. is connected directly to the principal indoor living areas; and

d. where ground level is not accessible due to the existing constraints of the site and/or existing development, above ground private open space will be considered.

For Secondary dwellings and multi dwelling housing

C2 Private open space comprises a minimum area of 3m x 3m located at ground level directly accessed from the living area and separated from the other dwellings within the development.

For Shop top housing, Residential flat buildings and Mixed use development (residential component only)

C3 Private open space comprises a minimum 8sqm deck or balcony with a minimum dimension of 2m directly accessible from the principal living areas.

C4 Private open space is designed to ensure the privacy of the occupants of the subject dwelling, surrounding residential properties and other dwellings within the development.

C5 Private open space that is located overlooking the public domain must be designed to ensure appropriate levels of visual privacy to the space and ensure it will be suitable for passive recreation by the residents.

Notes:

i. *Where private open space can be provided at the rear of the property and increased privacy obtained, this option is favoured over space overlooking the public domain which may compromise the privacy of the space.*

ii. *The use of glass balustrades or moveable screens to enclose the space is discouraged in these circumstances.*

iii. *Part C3.9 – Solar access of this Development Control Plan requires private open space to receive a minimum three (3) hours of direct sunlight over 50% of the required private open space between 9am and 3pm at the winter solstice.*

C3.9 SOLAR ACCESS

Background

Residential development shall be designed, oriented and sited to maximise sunlight and daylight received to the main living room and private open space in order to improve/maximise amenity and energy efficiency. Developments must minimise the degree of overshadowing of neighbours.

Maximising sunlight and thermal comfort during mid-winter may be achieved in a number of ways, some suggestions include:

a. orientate main living areas (and their windows) towards the northern side of the dwelling (with consideration of C9 within Part C3.9 – Solar Access and Part C3.2 – Site Layout and Building Design within this Development Control Plan);

b. incorporate skylights / clerestory windows where appropriate; and

c. use double glazing to improve heat retention in winter (especially on southern facing windows).

Objectives

O1 Development shall:

a. provide adequate sunlight to main living room and private open space;

b. provide daylight to all habitable rooms;

c. provide a high level of amenity;

d. protect residential amenity for adjoining development;

e. increase energy efficiency; and

f. minimise the degree of overshadowing to neighbouring properties.

Controls

Documentation

C1 All development applications that entail external additions or new building works are to include shadow diagrams and solar access analysis consistent with the Council's Specifications for Development Application Documentation.

All development

C2 Where site orientation permits, new dwellings must be designed to maximise direct sunlight to the main living room and private open space.

C3 Windows and openings shall be appropriately located, sized and shaded to reduce summer heat load and to maximise entry of sun in winter.

C4 Private open space is to receive a minimum three hours of direct sunlight over 50% of the required private open space between 9am and 3pm at the winter solstice.

C5 All habitable rooms shall have access to natural daylight regardless of provision of skylights or similar. Daylight shall be provided via:

a. an outdoor facing window; or

b. a window facing a light-well or courtyard that is open to the sky.

C6 Light wells and/or courtyards may be used as a source of daylight, ventilation and/or outlook for dwellings, provided that another source of direct daylight is provided for main living rooms.

Note: Light-wells and courtyards, particularly those facing north onto a common side boundary, are vulnerable to impacts from development on adjacent northern property. Whilst Council will attempt to ensure reasonable access to daylight and ventilation for light-wells and/or courtyards, protection of direct sunlight is not stipulated, as it may often impose an unreasonable constraint on the development rights of a neighbouring property.

C7 The use, location and placement of solar collectors is to take into account the potential permissible building form on adjacent properties.

C8 Proposals for new development are to maintain solar access to existing solar collectors having regard to performance, efficiency, economic viability and reasonableness of their location. A development proposal may be required to be modified to protect solar access to existing solar collectors, where the development doesn't comply with the suite of controls in this Development Control Plan.

New dwellings

Single Dwellings

C9 New residential dwellings are to obtain a minimum of three (3) hours of direct sunlight to the main living room between 9am and 3pm during the winter solstice.

New Residential Flat Buildings or Multi Dwelling Housing

C10 A minimum of 70% of dwellings within residential flat buildings in a development should receive a minimum of three (3) hours of direct sunlight to the main living room between 9am and 3pm during the winter solstice.

Alterations and additions

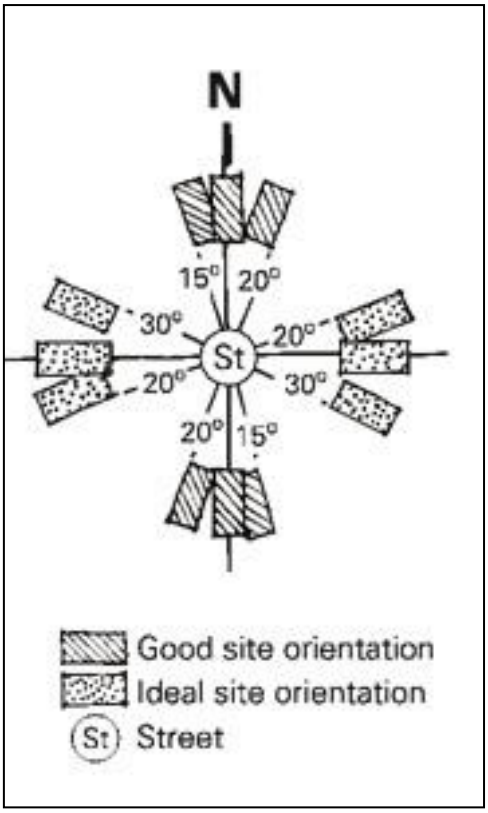
C11 Alterations and additions to residential property shall be designed to minimise overshadowing to the subject site and maximise direct sunlight, natural daylight and ventilation to the subject site. This should be achieved through:

a. appropriate location of alterations and additions; and

b. the provision of skilfully positioned, windows, openings, skylights, clerestory windows, glass roofs/ walls, light wells and internal courtyards in the design.

Minimising overshadowing to neighbours

Note: Solar access requirements are linked to the orientation of a site. The orientation is defined as the relationship of the property's side boundaries to true north (i.e. whether the side boundary is closer to being orientated north -south than east - west). Refer to Figure C135: Site orientation below.



Source: http://www.yourhome.gov.au/technical/fs43.h

Figure C135: Site orientation

Retaining solar access to neighbouring dwellings main living room glazing

C12 Where the surrounding allotments are orientated east/west, main living room glazing must maintain a minimum of two hours solar access between 9am and 3pm during the winter solstice.

C13 Where the surrounding allotments are orientated north/south and the dwelling has north facing glazing serving the main living room, ensure a minimum of three hours solar access is maintained between 9am and 3pm during the winter solstice.

C14 Where the surrounding allotments side boundary is 45 degrees from true north and therefore the allotment is not orientated north/south or east/west, glazing serving main living room shall retain a minimum of two hours of solar access between 9am and 3pm at the winter solstice.

C15 Where surrounding dwellings currently receive less than the required amount of solar access to the main living room between 9am and 3pm during the winter solstice, no further reduction of solar access is permitted.

Retaining solar access to neighbouring dwellings private open space

C16 Where surrounding dwellings have south facing private open space ensure solar access is retained for two hours between 9am and 3pm to 50% of the total area during the winter solstice.

C17 Where surrounding dwellings have north facing private open space, ensure solar access is retained for three hours between 9am and 3pm to 50% of the total area during the winter solstice.

C18 Where surrounding dwellings have east/west facing private open space, ensure solar access is retained for two and a half hours between 9am and 3pm to 50% of the total area (adjacent to living room) during the winter solstice.

C19 Where surrounding dwellings currently receive less than the required amount of solar access to their private open space between 9am and 3pm during the winter solstice, no further reduction of solar access is permitted.

Assessing the impact of development on the solar access of neighbours:

In assessing the reasonableness of solar access impact to adjoining properties, and in particular, in any situation where controls are sought to be varied, Council will also have regard to the ease or difficulty in achieving the nominated controls having regard to:

a. the reasonableness of the development overall, in terms of compliance with other standards and controls concerned with the control of building bulk and having regard to the general form of surrounding development;

b. site orientation;

c. the relative levels at which the dwellings are constructed;

d. the degree of skill employed in the design to minimise impact; and

e. whether reasonably available alternative design solutions would produce a superior result.

Minimising impacts to adjoining non-residential uses

C20 Where adjoining sites include non-residential uses where solar access contributes to the functionality of that use (e.g. restaurants and public/community buildings), Council will consider the reasonableness of the development, having regard to the use of the adjoining non-residential buildings that are impacted by any additional overshadowing.

C3.10 VIEWS

Background

Due to its topographic position and proximity to the City and water, many areas of land where this DCP applies have views to Sydney Harbour, the Parramatta River and the City skyline. Many of the views and vistas are iconic. The views and vistas are special elements of the areas character.

Inner West Council supports the notion of 'view sharing'. Development should be designed to minimise view loss to the public and to adjoining and adjacent properties while still providing opportunities for views from the development itself. By its nature, view sharing involves sharing on the part of the affected parties. Buildings which are designed sensitively can usually ensure reasonable sharing of views.

Council will consider the following steps in the assessment of reasonable view sharing:

a. What views will be affected? In this Plan, a reference to views is a reference to water views and views of significant landmarks (e.g. Sydney Harbour, Sydney Harbour Bridge, ANZAC Bridge and the City skyline including features such as Sydney Tower). Such views are more highly valued than district views or views without significant landmarks.

b. How are the views obtained and assessed? Views from private dwellings considered in development assessment are those available horizontally to an observer standing 1m from a window or balcony edge (less if the balcony is 1m or less in depth).

c. Where is the view enjoyed from? Views enjoyed from the main living room and entertainment areas are highly valued. Generally it is difficult to protect views from across side boundaries. It is also generally difficult to protect views from other areas within a residential building particularly if views are also available from the main living room and entertainment areas in the building concerned. Public views are highly valued and will be assessed with the observer standing at an appropriate point in a public place.

d. Is the proposal reasonable? A proposal that complies with all development standards (e.g. building height, floor space ratio) and planning controls (e.g. building setbacks, roof pitch etc.) is more reasonable than one that breaches them.

During the assessment of the development application, Council officers may require the erection of height poles and string lines at the subject site to assist in assessing the impacts on any nearby sites. In most cases, Council may require a registered surveyor to certify the height of height poles erected to quantify the extent of view loss).

Objectives

O1 Protect vistas and views from the public domain.

O2 Recognition of the value of existing views from private dwellings and allow for the reasonable sharing of views between private properties.

Controls

C1 New development should be designed to promote view sharing (i.e. minimise view loss to adjoining and adjacent properties and/or the public domain while still providing opportunities for views from the development itself).

C2 Design solutions must respond graphically to the site analysis outcomes through the use of plans, elevations, photographs and photomontages to demonstrate how view sharing is to be achieved and illustrate the effect of development on views. In some cases, reasonable development may result in the loss of views, but new development must not significantly obstruct views.

C3 Development shall be designed to promote view sharing via:

a. appropriately addressing building height, bulk and massing;

b. including building setbacks and gaps between buildings;

c. minimise lengthy solid forms;

d. minimise floor to ceiling heights and use raked ceilings in hipped / gabled roof forms where appropriate, especially in upper floors;

e. splay corners; and

f. use open materials for balustrades, balconies, desks, fences, car ports and the like.

C3.11 VISUAL PRIVACY

Objective

O1 Ensure spaces are designed with a high level of consideration to protecting visual privacy within the dwelling, in particular the main living room, and private open space of both the subject site and nearby residential uses.

Controls

C1 Sight lines available within 9m and 45 degrees between the living room or private open space of a dwelling and the living room window or private open space of an adjoining dwelling are screened or obscured unless direct views are restricted or separated by a street or laneway. Measures for screening or obscuring will include one or more of the following:

a. offsetting of opposing windows so that they do not directly face one another;

b. offset windows from directly facing adjoining balconies and private open space of adjoining dwellings;

c. screening of opposing windows, balconies and private open space with fixed louvered screens, window hoods, shutters;

d. reduced window areas, subject to compliance with the Building Code of Australia;

e. window sills at or above 1.6m above the finished floor level;

f. use of fixed, obscure glass, subject to adequate ventilation complying with the Building Code of Australia;

g. consistent orientation of buildings;

h. using floor level in design to minimise direct views; and

i. erection of screens and fencing to limit sightlines including dividing fences, privacy screens, projecting blade screens.

C2 Sill heights and screening devices should be provided to a minimum of 1.6m above finished floor level. Screening devices should have reasonable density (i.e. 75%) and have no individual opening more than 30mm wide, and have a total area of all openings that is less than 30 per cent of the surface area of the screen and be made of durable materials.

C3 Where fixed louvered screens are used, the screen structure must be securely fixed. The louvers may tilt open from a closed position to an angle of 45 degrees in either a downward or upward position, depending on the sightlines that are to be restricted.

C4 Roof terraces will be considered where they do not result in adverse privacy impacts to surrounding properties. This will largely depend on the:

a. design of the terrace;

b. the existing privacy of the surrounding residential properties;

c. pre-existing pattern of development in the vicinity; and

d. the overlooking opportunities from the roof terrace.

C5 The provision of landscaping may be used to complement other screening methods but cannot be solely relied upon as a privacy measure.

C6 Screening is not required to ground floor windows where any sight lines are obscured by a 1.8m dividing fence. Such sightlines shall be measured from a height of 1.6m above the finished floor level.

C7 New windows should be located so they are offset from any window (within a distance of 9m and 45 degrees) in surrounding development, so that an adequate level of privacy is obtained/retained where such windows would not be protected by the above controls (i.e. bathrooms, bedrooms).

C8 Glazing to proposed bathrooms must be designed to ensure that they provide privacy to the subject bathroom, through the provision of obscure glazing or screening.

Note: The privacy of bathrooms is not protected under the controls relating to development on surrounding properties.

For Dwelling houses, attached dwellings and semi-attached dwellings

C9 Balconies at first floor or above at the rear of residential dwellings will have a maximum depth of 1.2m and length of 2m unless it can be demonstrated that due to the location of the balcony there will be no adverse privacy impacts on surrounding residential properties with the provision of a larger balcony.

C10 Living areas are to be provided at ground floor level to minimise opportunities for overlooking of surrounding residential properties.

C3.12 ACOUSTIC PRIVACY

Objectives

O1 Development creates a high level of residential comfort by containing noise within each dwelling and minimising the transmission of external noise.

Controls

C1 Dividing walls and floors between dwellings are constructed to comply with the relevant provisions of the Building Code of Australia.

C2 Buildings that are exposed to high levels of external noise are designed and constructed in accordance with *AS3671 – Acoustics – Road Traffic Noise Intrusion, AS2107 – Recommended Design Sound Levels and Reverberation Times for Building Interiors, and AS 2021-2000 – Acoustics- Aircraft noise intrusion – Building siting and construction.*

C3 Noise generating areas that are not contained within buildings, such as private outdoor open space, parking and service equipment, are located and oriented away from bedroom windows on adjoining sites.

Note: Key parts of the development such as private open space should also be located on site in a manner that is compatible with the prevailing pattern of surrounding development. Council will assess each proposal on its individual merit considering this matter.

C4 Where for a new dwelling in locations that are exposed to high levels of external noise, including aircraft noise from Sydney Airport and road noise from main roads such as Parramatta Road, City West Link and Victoria Road, an acoustic report that demonstrates compliance with these objectives and controls prepared by a suitably qualified and experienced professional and is to be submitted as part of a development application.

Note: Clause 6.9 of Inner West LEP 2022 addresses development in areas subject to aircraft noise.

C5 For residential developments adjacent to classified roads, developers are to address the requirements of the Office of Environment and Heritage's Environmental Criteria for Road Traffic Noise in relation to noise attenuation measures.

Note: refer to http://www.epa.nsw.gov.au/noise/traffic.htm

C6 Electrical, mechanical or hydraulic plant achieves a maximum noise level of 5dBa above background sound levels at the boundary of the site.

C7 Where in a Residential Flat Building and Multi Dwelling Housing, plumbing for each dwelling is provided separately and buffered by acoustic measures such as noise resistant walls, ceiling and floor treatments.

C8 Private open space is encouraged to be located away from bedrooms on adjoining properties to ensure minimal acoustic impacts.

C9 New residential development, within proximity to Sydney Port lands, is to take noise attenuation for building interiors into consideration.

C3.13 CONVERSION OF EXISTING NON-RESIDENTIAL BUILDINGS

Objectives

O1 Development encourages the adaptive re-use of non-residential buildings for residential uses that:

a. retain heritage value of the building;

b. maximise the environmental benefits of recycling buildings and minimises waste;

c. provide a high level of resident amenity;

d. is compatible with the character of the neighbourhood and streetscape;

e. represent high quality urban and architectural design; and

f. does not have a significant adverse amenity impact on surrounding land.

Controls

C1 The existing character of the building is retained and/or enhanced.

C2 Increases in floor space are contained within the existing building envelope.

C3 The amount of demolition is minimised and the amount of recycling of site and building materials is maximised.

C4 The conversion provides an adequate level of residential amenity in terms of acoustic privacy, private open space, solar access and visual privacy.

Note: Due to the larger scale and form of some non-residential buildings, innovative design measures that retain the heritage value of the building such as removing internal parts of the building to create courtyards or open to the sky atria may be appropriate to achieve residential amenity and areas for open space with appropriate drainage.

C5 The appearance of the building integrates with and enhances the streetscape.

C6 Landscaped open space to incorporate a planting area is provided to cater for the recreation needs of residents and enhance the environmental sustainability of the development.

C3.14 ADAPTABLE HOUSING

Objectives

O1 Development provides a mix of dwelling types and adaptable housing units to maintain and enhance Inner West's diverse and vibrant resident population.

Controls

C1 Development that has 10 or more dwellings, development provides adaptable housing units that have a flexible design that complies with *AS4299 Adaptable Housing* in accordance with Table C1: Adaptable Housing Numbers, to the nearest whole number of dwellings.

Table C12: Adaptable Housing Numbers

Number of dwellings	Number of adaptable housing units
10-15	1
16-24	2
25-34	3
35 or more	10% of the total number of dwellings

PART C: PLACE

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SECTION 4 – NON-RESIDENTIAL PROVISIONS

C4.1 OBJECTIVES FOR NON-RESIDENTIAL ZONES

Background

Non-residential areas include land zoned B1 Neighbourhood Centre, B2 Local Centre, B7 Business Park, IN1 General Industrial and IN2 Light Industrial under the *Inner West LEP 2022.* The main street centres on the land where this DCP applies are the focus of its walkable neighbourhoods and Council seeks to enhance opportunities for people to connect to each other, to the place itself, to build community capacity for cultural and economic activity and employment, as well as enlivening the arts and cultural life and promoting health and well-being.

Objectives

For the B1 Neighbourhood Centre Zone, B2 Local Centre Zone, B7 Business Park Zone, IN1 General Industrial and the IN2 Light Industrial Zone

O1 To support the provision and ongoing viability of non-residential buildings and facilities to provide goods, services and facilities that can be readily accessed by the community.

O2 To respect the values of Heritage Items, including fabric and setting.

O3 To be responsive to existing site conditions such as topography.

O4 To achieve sustainable and climatically responsive development that maximises the environmental performance of buildings, facilities and infrastructure.

O5 To enhance the capacity of the community to meet future changes in resource availability, climate, social, economic and environmental conditions by supporting main street centres which are the focus of the community.

O6 To be compatible with the character of the neighbourhood, in particular streetscapes in traditional main streets.

O7 To encourage a strong, attractive sense of place that fosters economic prosperity, creativity and innovation.

O8 To achieve an appropriate balance between promoting economic prosperity and protecting established residential amenity.

O9 To achieve a high quality urban environment where buildings make a positive contribution to the function and visual quality of the public domain and streetscape.

O10 To ensure a sensitive transition to adjoining residential areas at zoning boundaries.

O11 To promote walking and cycling as an attractive and safe means of travel.

For the B1 Neighbourhood Centre Zone and the B2 Local Centre Zone

O12 To maintain and enhance the distinct identity of each centre.

O13 To maintain the primary role and function of centres as locations for business, retail and entertainment.

O14 To maintain the structure of centres focussed around a traditional main street with distinct boundaries.

C4.2 SITE LAYOUT AND BUILDING DESIGN

Objectives

O1 Development is sited and designed to be compatible with the prevailing character of the neighbourhood whilst not overburdening infrastructure.

O2 Development reinforces the character of the area's Distinctive Neighbourhoods.

Note: Refer to Part C Section 2 – Urban Character within this Development Control Plan

O3 Development provides a balance between enabling the viability of commercial and industrial uses and providing a high level of residential amenity.

Note: Due to their primary role for economic activity and employment generation, whilst entitled to a reasonable level of residential amenity, new residential development in the B1 Neighbourhood Centre Zone, the B2 Local Centre Zone and the B7 Business Park Zone should not expect the same level of residential amenity that is expected in residential zones.

O4 To ensure site facilities are designed as part of the overall development.

Controls

Height

C1 Building height is compatible with the surrounding prevailing street wall height and does not overbear the public domain.

C2 Where adjoining a building that is substantially taller than the prevailing streetscape height, the development achieves a height that provides a transition between the taller building and the prevailing streetscape height.

Note: Exceptions to this control are appropriate where the taller building is a landmark and its' landmark status should be retained due to its contribution to the character of the streetscape.

Note: Refer to Figure C136: Height Transition below

Setbacks

Site Layout and Building Design

C3 Where in the B1 Neighbourhood Centre Zone or B2 Local Centre Zone, the setbacks to the front and side boundaries of the property are to reflect the existing character and prevailing setbacks of the streetscape.

C4 Development is to have a zero setback where existing or neighbouring properties are built to the front or side boundaries; or the street reflects a coherent street wall with minimal separation existing between buildings.

C5 Setbacks from the street frontage greater than zero are only generally acceptable where that setback:

a. would be part of the fabric of a Heritage Item, or enables greater visual access to a Heritage Item on an adjoining site;

b. is for a ground floor non-residential use and the setback is no greater than 3m and allows for a semi-public space such as a courtyard that provides a high level of interaction with the street; and

c. is for the provision of a new useable public domain such as a plaza.

Note: Refer to Figure C137: Front setbacks and Figure C138: Maintain street wall integrity below.

C6 Where additional storeys are proposed, the front wall is setback from the existing parapet to minimise its visibility from the street.

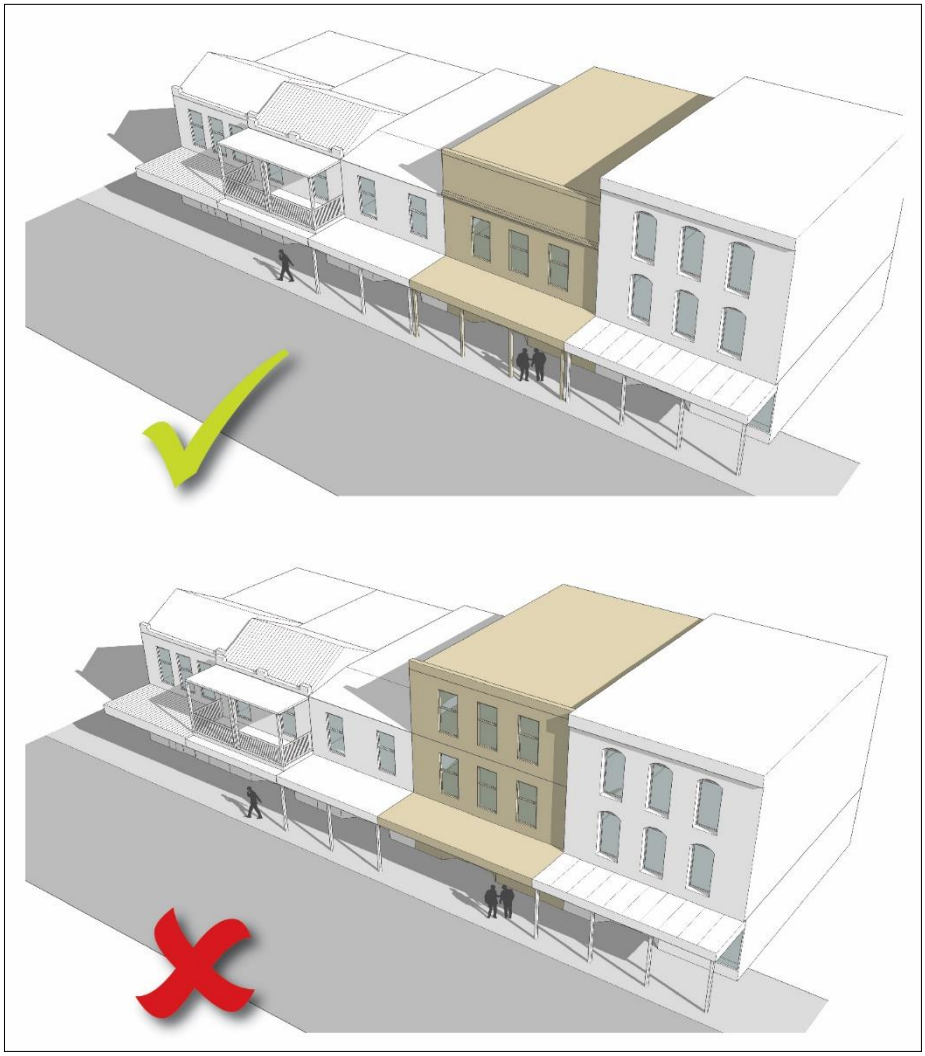

Figure C136: Height transition

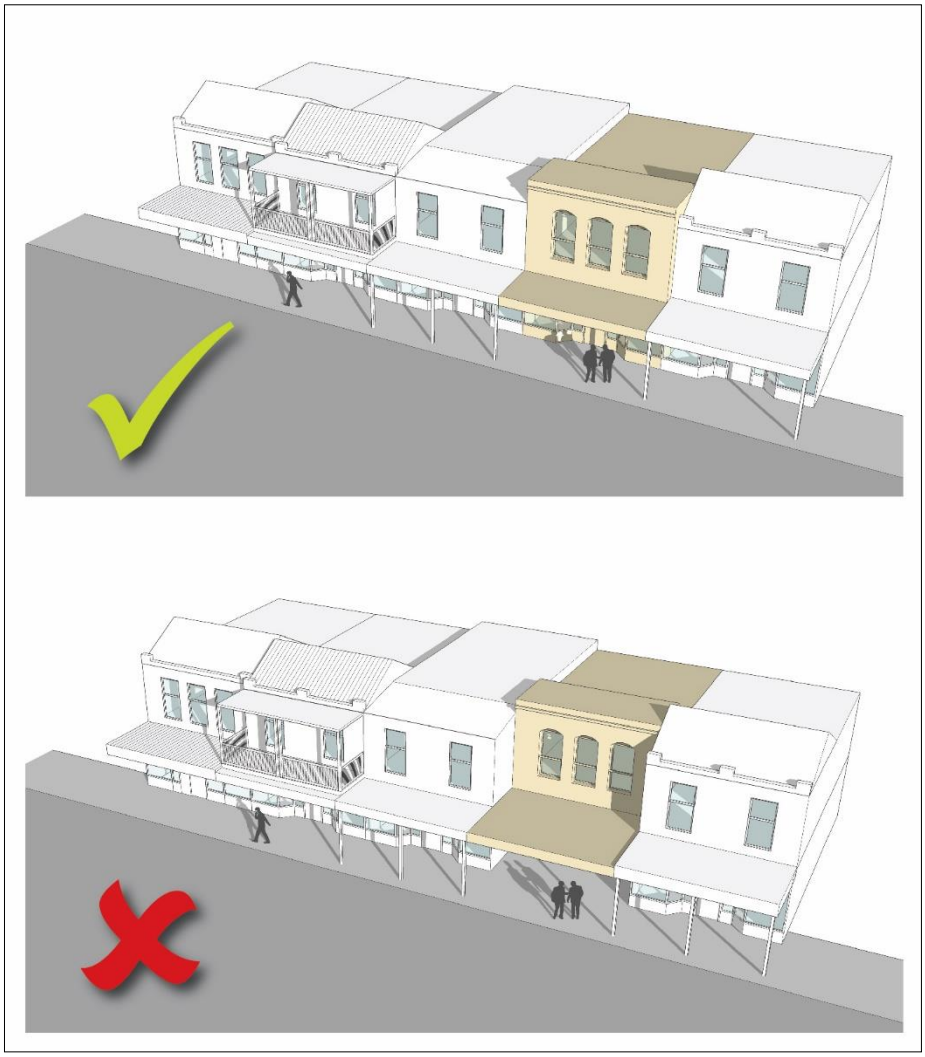

Figure C137: Front setbacks

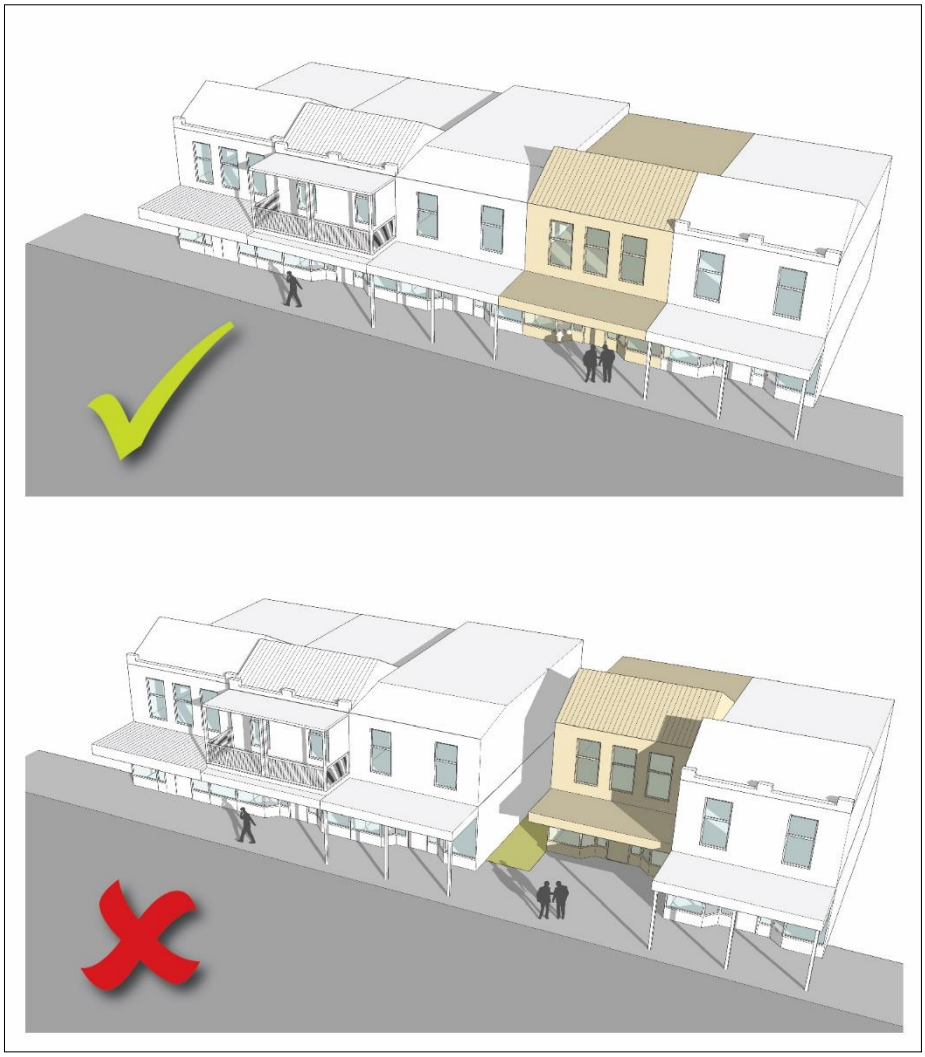

Figure C138: Maintain street wall integrity

Width and depth

C7 Development bulk is compatible with the prevailing width and depth of buildings within the streetscape.

C8 Where in the B1 Neighbourhood Centre Zone or B2 Local Centre Zone, buildings are designed to give the appearance of individual, narrow façades.

Note: Refer to Figure C139: Width and depth below.

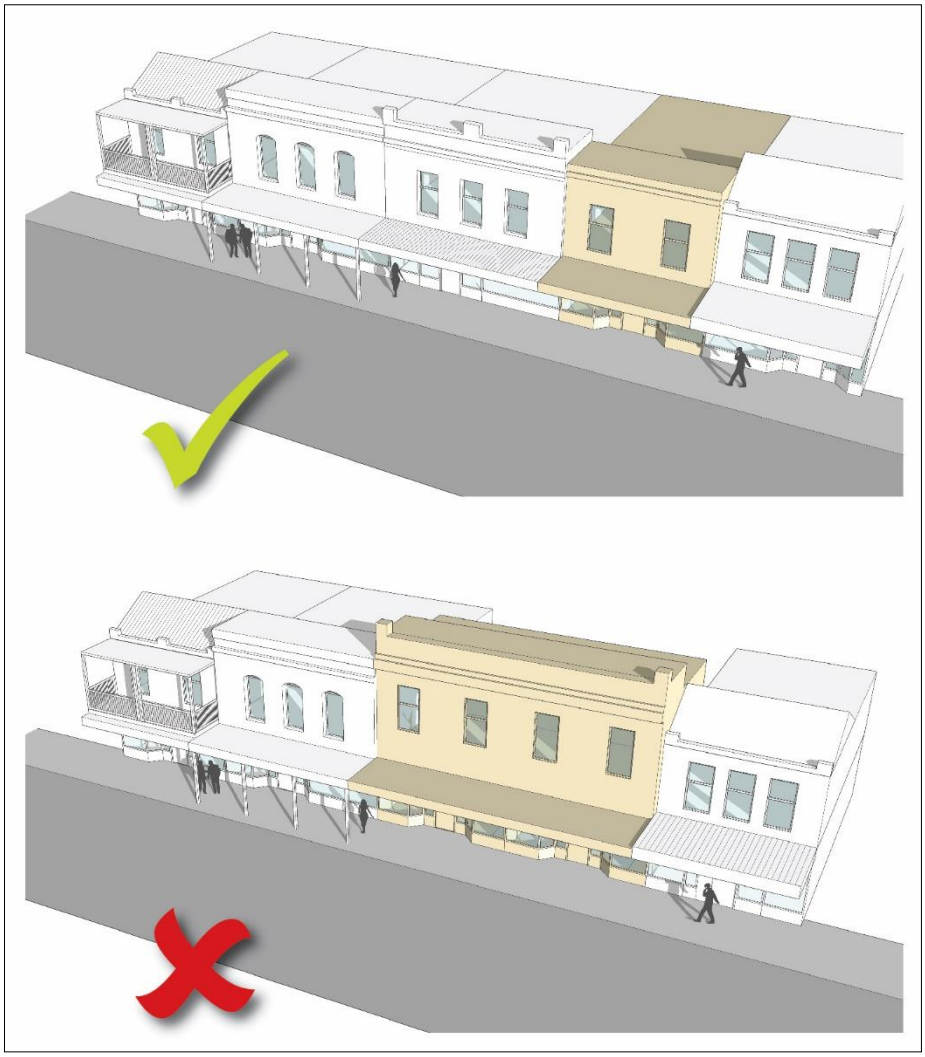

Figure C139: Width and depth

Corner buildings

C9 Where on corner sites, development reinforces the visual prominence of corner sites by its built form, massing and architectural merit.

Vehicle access, servicing and parking

C10 Development provides a high level of permeability for vehicles, pedestrians and cyclists by integrating with the existing street network, including extending existing streets into the site where required by Council.

C11 Vehicle access, servicing and parking is not generally visible from the primary street frontage.

C12 Where in the B1 – Neighbourhood Centre Zone or B2 – Local Centre Zone, vehicle access and servicing is provided at the rear of the site, and vehicle parking is located underground or behind the street wall.

C13 Where in the IN1 – General Industrial or IN2 – Light Industrial Zone, vehicle servicing is provided at the rear or side of the site.

Infrastructure

C14 Development includes water, sewerage and drainage infrastructure to service on-site demand.

Site Facilities

C15 Development will be designed to ensure the incorporation of essential site facilities, such as:

a. mailboxes;

b. air conditioning equipment;

c. waste storage and garbage collection areas;

d. general storage areas;

e. gatehouses, substations;

f. staff recreational facilities, telecommunications;

g. fire hydrants or booster valves; and

h. water storage or recycling tanks.

C4.3 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Background

Council seeks to maximise the environmental performance of buildings and facilities within the municipality and encourages applicants to exceed minimum required standards specified under the Building Code of Australia (BCA).

Objectives

O1 Development achieves a high level of environmental performance by:

a. minimising energy, water and materials consumption in the construction and operation of buildings and facilities;

b. incorporating water sensitive urban design to reduce stormwater quantity, improve stormwater quality and optimise the use of rainwater on site;

c. providing good indoor environmental quality;

d. building resilience to climate change, including to the increased frequency and severity of hazards;

e. adopting design solutions that are compatible with the streetscape and character of the neighbourhood.

Controls

Water

C1 Development includes rainwater tanks that are:

a. located at the rear or side of the site;

b. of sufficient capacity to enable the watering of on-site landscaping areas, toilet flushing and vehicle washing;

c. connected to the roof of the main building;

d. connected to a suitable system for the watering of soft landscaping areas and where appropriate, toilet and vehicle washing systems.

C2 Development does not expose soil where it can be eroded.

C3 Where able to accommodate usage loads, development maximises the use of paving surfaces such as porous concrete or interlocking modular pavers.

Note: Areas with high traffic volumes or with regular heavy vehicle traffic are not generally suitable for permeable paving.

C4 Development incorporates stormwater quality improvement devices.

Sunlight

C5 Where compatible with streetscape alignment, buildings are sited to maximise exposure to the north and minimise exposure to the east and west.

C6 Northern façades incorporate large areas of transparent glass that enable sunlight access and minimises direct glare entering workspaces.

C7 Where for new office development, a minimum of 50% of workspaces are located within 6m of a window.

Note: Courtyards, atria and light wells can be used to break up larger floor plates to provide access to windows and sunlight.

C8 Elevations that face east or west incorporate deep balconies, eaves or other projections that reduce direct sunlight penetration of indoor spaces.

C9 Windows that face north, east or west incorporate moveable external shading devices that provide architectural interest to the building.

Materials and insulation

C10 Building materials have a high thermal mass such as masonry, brick, concrete and stone.

C11 Bulk insulation and reflective insulation is used in walls, ceilings and roofs to achieve a combined 'R' value of:

a. R2.5 for roofs and ceilings;

b. R1.5 for walls.

C12 The use of recyclable and reusable materials is maximised.

C13 Lighter colours are used for external walls.

C14 Façades or roofs do not incorporate large areas of highly reflective materials such as reflective glass or aluminium.

C15 Where timber is used as a building material, ensure that it is:

a. sourced from Forest Stewardship Council (FSC) certified plantation or regrowth areas;

b. grown in Australia;

c. recycled; or

d. not sourced from rainforests or old growth forests.

and

The use of building materials from renewable resources is maximised where thermal mass is not deemed to be critical.

Note: Forest Stewardship Council of Australia (FSC) certification should be obtained for all timber used.

Ventilation

C16 Buildings are designed to minimise reliance on mechanical ventilation and cooling system through cross ventilation or the stack effect by:

a. the maximum internal dimension between façade openings such as windows, doors and other devices is 14m;

b. openings such as windows, doors and other devices have a minimum combined area of 5% of the floor area;

c. openings on opposite sides of rooms are located in line with each other and have a low level inlet and high level outlet;

d. development maximises the number of rooms with more than one aspect;

e. development includes naturally ventilated courtyards or atria connected by breezeways to outside areas.

C17 Where involving the erection of a new building and where mechanical ventilation systems are used:

a. ceiling fans are provided in habitable rooms;

b. air-conditioning minimises air recirculation and maximises fresh air penetration.

Other devices

C18 Buildings incorporate a range of other energy efficiency measures such as:

a. wall and roof insulation;

b. solar panels; and

c. low energy artificial lighting devices.

For new office buildings with a lettable area over 2000sqm and new business hotels

C19 Buildings achieve a National Australian Built Environment Rating System (NABERS) Energy Rating performance standard of 5 stars.

Note: Post-occupancy performance verification is required one year after full occupancy of an approved development.

Green roofs and walls

C20 Development is encouraged to incorporate green roofs and walls that comprise of durable, fire resistant and low maintenance vegetation.

C4.4 ELEVATION AND MATERIALS

Background

Building elevation and materials make a significant contribution to the quality of streetscapes and neighbourhoods. Neighbourhoods are generally coherent, human scale and fine grain streetscapes characterised by distinct horizontal and vertical rhythms. Rhythms are largely created by buildings having façades that are broken into narrow bays and clearly delineated storeys, with main façade elements such as windows frequently being aligned on the building and between buildings. In recognition of the importance of this structuring, this Development Control Plan uses vertical and horizontal control lines to ensure development is compatible with the existing character of the streetscape.

Materials are generally masonry, stone and brick, with elements that articulate the façade and provide visual interest such as awnings and balconies constructed from more lightweight materials such as timber and metal.

Development is also required to have regard for other elevation and material considerations such as shape, texture and colour to ensure compatibility with the existing streetscape.

Objectives

O1 To ensure that development incorporates building elevations and materials that:

a. complement the prevailing character of the neighbourhood, in particular responding to the vertical and horizontal rhythm of the streetscape;

b. achieve a balanced composition and human site facilities proportion;

c. provide a high level of architectural quality, visual interest and articulation; and

d. provide a high level of engagement between the public and private realm, in particular activating the street level public realm.

Controls

Character

C1 Building façades:

a. are divided into vertical bays consistent with the dimensions established by elements on adjoining development such as party walls and windows;

b. are divided into horizontal bandings that clearly delineate each storey and align with elements on adjoining development such as cornices, balconies and roofs;

c. provide visual interest by including recesses, projections and other modulation; and

d. have a co-ordinated pattern of fenestration.

C2 Where alterations or additions are proposed, incompatible façade elements are removed.

C3 Where for a development in a Heritage Conservation Area, development maintains or restores primary defining elements such as:

a. parapets profiles and details;

b. window patterns, proportions and details;

c. bay windows;

d. recessed balconies;

e. awning alignment, stays, fasciae and soffits;

f. shopfronts;

g. pressed metal and patterned awning soffits;

h. doors and windows, larger at ground floor;

i. wall tiles;

j. traditional signs, applied or painted;

k. decorative render and joinery.

Visual interest

C4 Building elevations includes elements of a finer and more lightweight scale than the main structural framing of the building such as metal, timber and glass.

C5 Buildings are designed to provide a high level of architectural and visual presentation to all elevations, avoiding blank, unarticulated side and rear elevations.

Colour

C6 Colour schemes are compatible with those prevailing in the street.

Note: In most centres the prevailing colour scheme is comprised of neutral tones.

Materials

C7 Materials and finishes are compatible with those prevailing in the streetscape.

Public realm engagement

C8 The ground floor is used for active uses.

C9 Foyers do not occupy the entire building frontage.

C10 Restaurants and cafes orient activity towards the street, and include indoor/ outdoor spaces such as balconies, decks and patios.

C11 Building façades incorporate large, transparent windows that enable indoor activity to be seen from the street.

Note: The traditional façades of some heritage and character buildings do not feature large, transparent windows. In such situations, Council may vary this requirement provided sufficient street engagement is demonstrated.

C12 The main building entrance is directly accessible from the street level.

C4.5 INTERFACE AMENITY

Background

Largely due to its historical pattern of growth, existing commercial and industrial areas on land where this DCP applies often have significant boundaries with residential areas and zones. This is particularly acute for traditional, linear main streets such as Norton Street or Darling Street. It is critical that non-residential uses are located, sited, designed and operated to protect residential amenity.

Objectives

O1 To ensure that development does not impact the surrounding area or cause unreasonable nuisance to any other use by way of:

a. noise;

b. odour;

c. vibration;

d. overshadowing; and

e. overly bulky or overbearing development that significantly reduces outlook or privacy.

Controls

General

C1 Development complies with the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Clean Air) Regulation 2010*.

C2 Where a site adjoins land in a residential zone:

a. minimum rear building setback at the ground floor is 3m;

b. minimum rear building setback at first floor and above is 6m; and

c. maximum building height is compatible with the height of existing or approved buildings.

C3 Where for new buildings adjoining land in a residential zone, the appearance of building bulk should be reduced by:

a. increased setbacks above the ground floor;

b. wall modulation in the form of recesses and projections; and

c. elements of a finer scale to the main structural framing.

Noise

C4 Noise generating activities are located within buildings.

C5 Noise generating activities are located and oriented away from residential uses or other sensitive receiving environments.

C6 Noise generating activities are screened from residential uses or other sensitive receiving environments by acoustic barriers such as solid walls or acoustic fencing.

Note: Noise generating activities have the potential to cause adverse amenity impacts, and include activities such vehicle access and servicing, mechanical plant and equipment and areas where people congregate.

Development is consistent with the industrial noise criteria of the *NSW Environment Protection Authority (EPA) Industrial Noise Policy*.

Landscaping

C7 Where a site adjoins land in a residential zone, development includes a continuous landscaped strip planted with vegetation of sufficient height and dimensions to soften the development as viewed from the residential use.

Note: Refer to Figures C140 and C141: Interface amenity between residential and non-residential uses below.

Solar access

C8 Where the site adjoins residential development, the overshadowing impacts of the development comply with the provisions of Part C3.9 – Solar Access within this Development Control Plan.

Energy efficiency

C9 Development complies with the provisions of Part D1.0 – Energy Management within this Development Control Plan.

Air pollution

C10 Development does not cause air particles to be a hazard or nuisance for adjoining residential uses.

Light spill

C11 Development does not result in light spill in habitable rooms, including bedrooms or private open space of adjoining residential uses in the R1 Residential Zone.

Views

C12 Development complies with Part C3.10 – Views within this Development Control Plan.

Site facilities

C13 Site facilities are located at the rear or under buildings.

C14 Site facilities are screened from view from the street.

Privacy

C15 Where adjoining land in a residential zone:

a. new windows or other openings facing side and rear boundaries are located or designed to minimise the potential for direct overlooking of windows of habitable rooms and private open space of dwellings;

b. where additions or extensions will result in a greater number of employees or customers being present on the premises, existing windows that directly overlook adjoining dwellings are screened to prevent overlooking; and

c. places where people gather in an outdoor environment, such as a patio, deck or balcony, that directly overlook adjoining dwellings are screened to prevent overlooking.

Note: Refer to Figure C140 and C141: Interface amenity between residential and non-residential uses below.

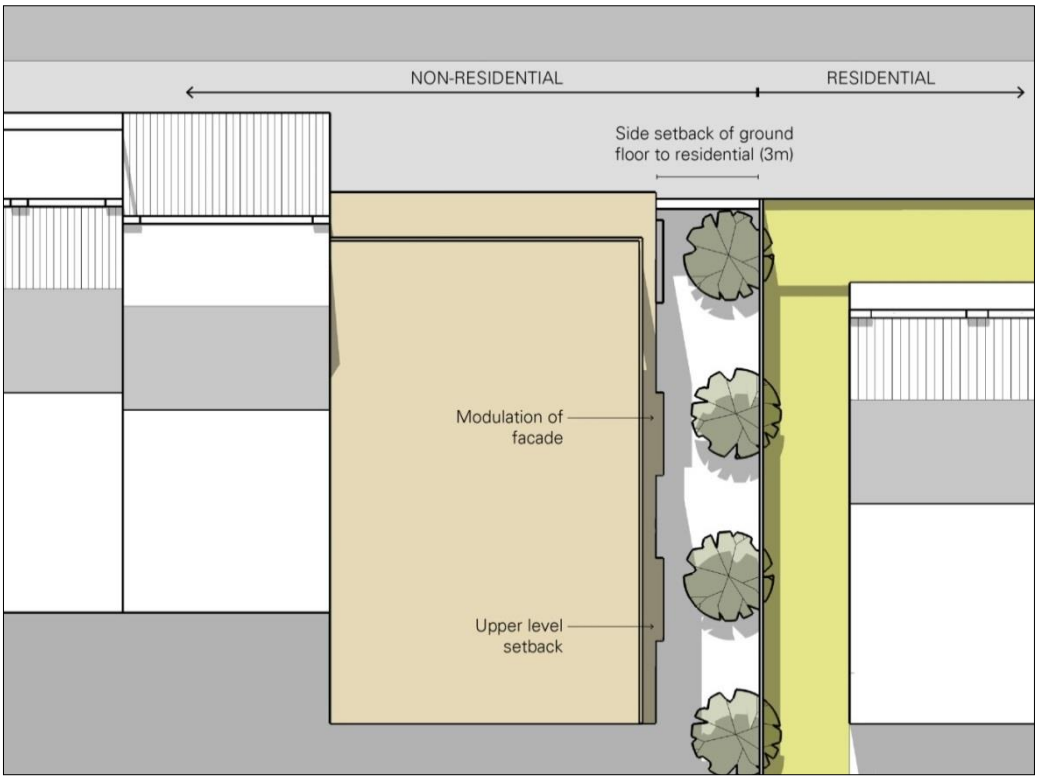

Figure C140: Interface amenity between residential and non residential uses

Figure C141: Interface amenity between residential and non residential uses

C4.6 SHOPFRONTS

Objectives

O1 To ensure that shopfront development:

a. is compatible with the scale and proportion of the building and streetscape;

b. retains and enhances the heritage character and sense of place and setting within the streetscape;

c. enhances the vibrancy of the public domain; and

d. is universally accessible.

Controls

Design

C1 Where a building is within a Heritage Conservation Area, development retains / restores / reconstructs and enhances the original shopfront, including style, form, details and materials.

C2 Development:

a. compatible with the scale, form and elevation proportions of the streetscape;

b. complements the character of the building; and

c. provides a 'frame' for the shopfront that is generally formed by pilasters, fascia and stall board.

C3 The shopfront provides a high level of visual interaction between the indoor and outdoor environments

Note: Consideration should be given to the appropriate amount, placement and design of windows on street frontages to achieve this control

C4 Where proposed, non-transparent security devices such as shutters are located behind display windows.

C5 Corner shopfronts address both street frontages.

Note: Blocking or reducing the transparency of existing windows on corner shopfronts significantly reduces engagement between buildings and the public domain and is not supported.

C6 Development includes a clearly identifiable pedestrian entry.

C7 Development enables safe and convenient universal access for all persons, in particular those with reduced mobility.

Note: Refer to Figure C142: Shopfronts below.

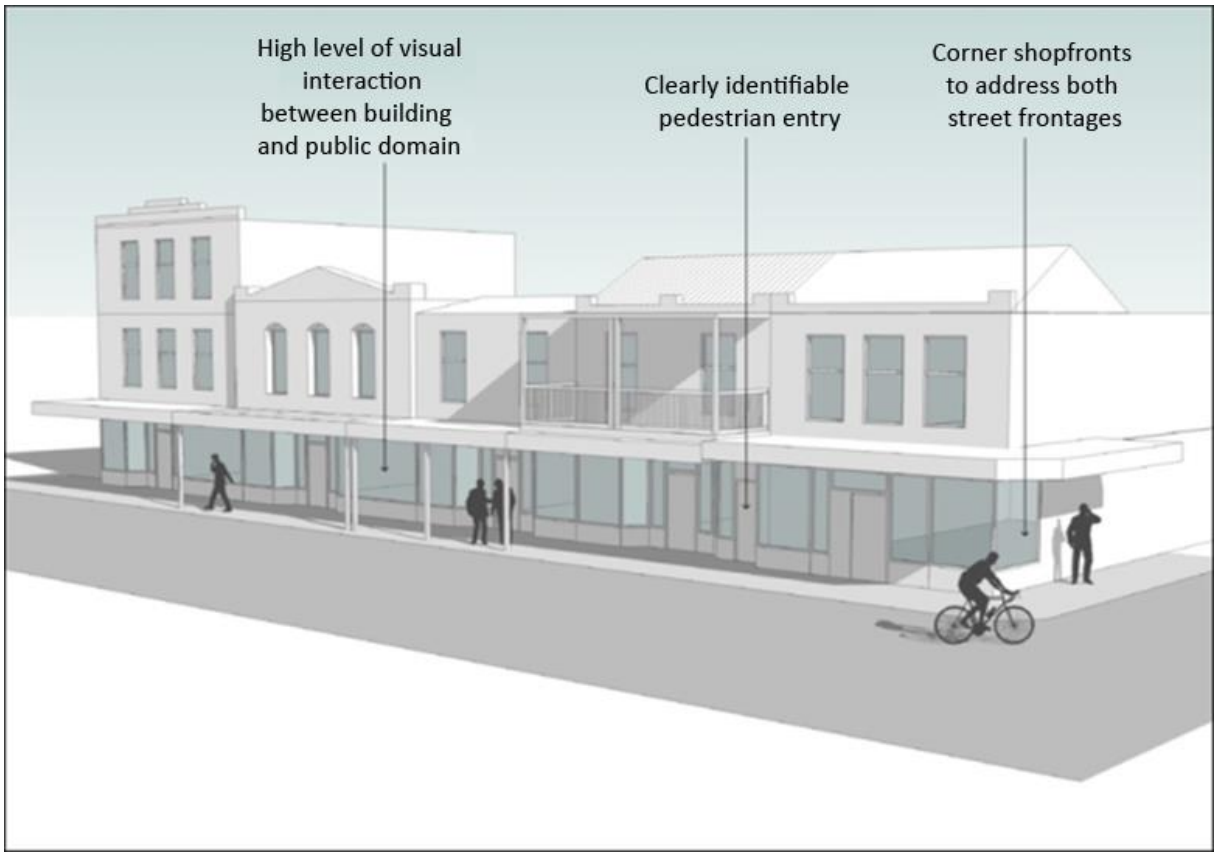

Figure C142: Shopfronts

C4.7 SPECIALISED RETAIL PREMISES

Background

Council requires any development of specialised retail premises to be compatible with the scale, character and amenity of the adjacent and nearby land uses.

Objectives

O1 To ensure that development for the purpose of specialised retail premises:

a. does not detract from the commercial viability of centres;

b. is compatible with the character of the streetscape and neighbourhood;

c. achieves a high standard of design that makes a positive contribution to the streetscape and public domain;

d. does not cause a significant adverse amenity impact on the neighbourhood, in particular through parking and traffic, loading and unloading; and

e. has a high level of pedestrian access, amenity and security.

Controls

Function and size

C1 Food and drink premises within the footprint of the specialised retail premises are ancillary and subordinate to the primary use of the premises for specialised retail premises.

Design

C2 Development incorporates high quality architecture, materials and finishes.

C3 Street elevations include variations in plan form and detailing that provide architectural interest, particularly at visually prominent building locations.

C4 Development addresses and activates street frontages.

C5 Development has large display windows facing the street.

C6 Development enhances pedestrian and cycle linkages to surrounding areas.

C7 Development has a clearly identifiable and dedicated pedestrian access to the building from the primary street frontage.

Adaptability

C8 Design is flexible to cater for different future land uses by providing high ceilings and adaptable open planning for the ground floor.

Traffic and transport

C9 Where for the erection of a new building for specialised retail premises, parking is provided underground or wholly screened from view from the street.

C10 The visual impact of car parking on the streetscape is mitigated by:

a. locating car parking underground; or

b. landscaping, tree planting and high quality paving treatments.

C11 Customer goods pick up areas are provided to the site.

C12 The development provides sufficient manoeuvring areas on site to accommodate truck movements, frequency of servicing and high turnover of customer vehicles, as appropriate to the proposed use.

C13 A traffic report prepared by a suitably qualified professional must be submitted with a development application for a specialised retail premises that demonstrates compliance with this part and Part C1.11 Parking within this Development Control Plan, including:

a. number of trips forecast to be generated by the proposal;

b. site access for cars and trucks;

c. site circulation for cars and trucks;

d. car parking, manoeuvring and servicing; and

e. measures to ensure safety by separating pedestrian paths from cars and trucks.

C4.8 CHILD CARE CENTRES

Background

Child care centres need to be safe, healthy and stimulating environments so that children are provided with the best possible place for play, development and growth when care outside of the home is sought.

Objectives

O1 To ensure that development for the purpose of a child care centre:

a. provides a best practice, safe, healthy and stimulating environment so that children are provided with the best possible place for education, play, development and growth when care outside of the home is sought;

b. does not cause any unreasonable adverse impact on residential amenity, in particular through noise or parking and traffic;

c. is compatible with the streetscape and character of the neighbourhood;

d. provides a high level of accessibility; and

e. is provided to support the provision of child care places.

Controls

National Regulations

C1 All development is to be compliant with Education and Care Services National Regulations as amended.

Number of Children

C2 Child care centres do not exceed 90 places.

Allocation of child care places

C3 Child care centres will be encouraged to provide places for 0 – 5 year olds.

C4 A minimum of 33% of places are for under 2 year olds.

Urban form

C5 The scale, form, material and colour of the development are compatible with the character of the surrounding area.

Location

C6 The design should ensure that there is sufficient separation from busy roads and rail corridors to avoid adverse noise and air quality impacts.

C7 Child care centres are not permitted in close proximity to cooling towers.

C8 Child care centres are not permitted within 300m of a source of significant electromagnetic radiation.

C9 Child care centres are not permitted adjacent to car park exhaust systems.

C10 Child care centres are not permitted within sight of sex services premises, drug clinics and other such uses.

C11 The site will be of sufficient size and dimensions to accommodate the development, including buildings and structures, outdoor play areas, staff and landscaping.

C12 Development is located:

a. in easy walking distance of public transport;

b. where there is outdoor space available;

c. where emergency access and egress points are suitable;

d. adjoining compatible uses or users such as public open space or community uses such as schools; and

e. so that it reduces the potential for adverse impacts on residential amenity.

C13 In deciding whether to grant consent to any child care centre, Council will take into account the impact that surrounding land uses would have on the health and well-being of children who use the centre, in particular whether the site is:

a. on a busy road*;*

b. adjacent to a rail corridor;

c. adjoining an industrial zone;

d. on contaminated land;

e. on steep land;

f. on land subject to a high level of noise, including from aircraft noise; or

g. on land subject to emissions that adversely affect the air quality of the site.

Security and safety

C14 Public entry to child care centres is to be limited to one secure point at the front of the site which is:

a. located to ensure ease of access;

b. signposted and well lit;

c. located away from vehicle access;

d. visible from the street or within a foyer if within mixed development;

e. of a suitable size to prevent congestion (i.e. consider the appropriateness given the size of the centre);

f. monitored through either natural or camera surveillance; and

g. not the only point of emergency egress.

C15 Appropriate emergency egress must be provided in accordance with the Building Code of Australia.

C16 Entry into child care centres must be limited to authorised persons only. Consideration of mechanisms for provision of entry must be detailed at the development application stage.

C17 Windows on the front façade will be provided for passive surveillance.

C18 Development will include the following fencing:

a. 1.8m high fencing will be provided along the entire side and rear boundary of the site;

b. where child gathering areas are not proposed at the front of the site, fencing within the street frontage will taper to 1.2m in front of the main building line; and

c. where there is no other alternative, and child gathering areas are located at the front of the property, a 1.8m high palisade fence is required and be lined with clear acoustic panels (where necessary for acoustic measures) and vegetation.

C19 Gates are to be self-closing and child proof.

C20 Double catchment gate system is to be provided where entry/exit locations front a road.

Landscaping

C21 Plant species are to be considered to prevent potential danger to children, in particular through toxicity, choking or skin penetration.

Outdoor play areas

C22 Outdoor play areas will:

a. comply with all relevant Australian Standard requirements (i.e. play equipment dropfall zones, equipment heights, soft fall surfaces etc.);

b. provide space for active play;

c. be directly accessible from indoor areas;

d. provide a minimum of 7sqm of usable outdoor space per child;

e. enable clear lines of sight to enable staff to supervise effectively;

f. provide at least 3 hours of solar access to 50% of the required outdoor area between 9am and 3pm at the winter solstice;

g. be located away from areas where objects can be dropped into the play area from above the play area;

h. be secure from public access, except to permit emergency evacuation or maintenance requirements (i.e. landscaping or sandpits etc.);

i. comply with best practice shade requirements;

j. be located away from car parking areas, vehicle circulation areas, existing noise and environmental pollution sources; and

k. be located away from adjoining residential uses or other sensitive receiving environments, or are to be suitably screened to minimise noise transmission.

Parking Layout

C23 Vehicle access, parking and manoeuvring areas are to be physically separated from areas used by children by measures such as fencing.

C24 Vehicles and pedestrians access points are to be appropriately marked and sign posted.

C25 Where parking spaces are within a mixed use development, the parking spaces for the child care centre are to be grouped together and conveniently located near the access points (i.e. doors or lifts) of the centre.

Internal Layout

C26 Centre layout will be child friendly and include limited stairs. Laundries and kitchens will not be accessible from rooms which are accessible to children.

C27 Adequate pram storage will be provided near the main entrance

C28 Single storey child care centres are preferred over multistorey centres, to assist in addressing evacuation requirements.

C29 Two storey centres are to locate children's areas on the ground floor and staff/ancillary and office uses on the second floor.

Note: Where above ground levels are proposed to be used for children, ramps (in addition to/or to replace stairs) must be considered in the design of the building to assist with emergency procedures. Rooms and facilities for babies (0-1 years) must remain on ground level.

Indoor Areas – Including Play Areas

C30 Indoor Areas, including play areas will:

a. be of best practice design and incorporate construction features which maximise:

   i. line of sight and supervision; and

   ii. natural light and ventilation;

b. provide a minimum of 3.25sqm of usable indoor space per child;

c. ensure practical location of children's bathrooms with immediate proximity to indoor and outdoor play spaces;

d. ensure nappy change and craft areas are not to be located adjoining or adjacent to the kitchen or bottle preparation areas; and

e. ensure all emergency evacuation routes are to be practically located, designed and constructed to accommodate emergency evacuation of babies and toddlers in emergency cots.

C31 Balconies above ground level are not to be used as space for children's activities.

Within Mixed Use

C32 Child care centres which are co-located with residential developments and/or mixed use developments are to have a separate, well-lit and accessible entry and exit points.

Located Above Ground Floor

C33 A child care centre may only be located above ground where it is not possible to locate it at ground floor.

C34 A child care centre may be located above the ground floor when:

a. The child care centre is provided with either a safe haven or an emergency lift within the centre.

b. The safe haven is to:

i. be centrally located within the child care centre, and open directly onto a dedicated fire-isolated stair; and

ii. have a floor area calculated at a rate of 0.25sqm per person for the capacity of the child care centre, including staff.

c. Indoor areas are to be well proportioned to provide flexibility of uses and should be uninterrupted by internal features such as columns.

d. The design and location of the required outdoor space is to:

i. include measures that will protect users of the space from adverse wind and climatic conditions; and

ii. incorporate fencing that:

1. is unable to be climbed over, under or through by children;

2. includes a safety zone and alarm system;

3. prevents objects being thrown over the edge where outdoor areas are elevated;

4. allows egress in the event of an emergency evacuation by the Fire Brigade or others, consistent with the required Emergency Evacuation Plan; and

e. be integrated with the building design.

Operation and Management

C35 Hours of operation are limited to 6:30am to 7pm Monday to Friday, except public holidays.

Note: Extended hours of operation may be supported by Council where the development application is supported by a detailed Plan of Management that shows compliance with the objectives of this part, in particular related to the protection of residential amenity. In general, the number of children that can be catered for in extended hours of operation will be reduced, and additional requirements aimed at reducing noise transmission may be required.

Noise

C36 An acoustic report prepared by a suitably qualified professional must be submitted with a development application for a child care centre that addresses:

a. assessment of the existing acoustic environment at surrounding residential uses;

b. identification of noise that is likely to be generated from the child care centre;

c. prediction of resultant noise at surrounding residential uses;

d. noise attenuation measures, including physical measures such as fencing, and operational measures such as a Plan of Management, to ensure that noise generated from the child care centre will not result in an 'offensive noise' (as defined in the *Protection of the Environment Operations Act 1997*) at any surrounding residential premises.

Traffic

C37 An off-street drop-off zone/area for the centre is to be provided. The off-street drop off zone is to be designed and located in conjunction with Council officers and constructed in accordance with Council requirements.

Note: Drop-off zones are to be addressed in the traffic report and will address the appropriate management and operation of the zone as so to prevent traffic nuisance or hazard.

C38 A traffic report prepared by a suitably qualified professional must be submitted with a development application for a child care centre that demonstrates compliance with this part and Part C1.11 Parking of this Development Control Plan, including:

a. number of trips forecast to be generated by the proposal;

b. site access;

c. site circulation;

d. car parking, manoeuvring and servicing; and

e. measures to ensure child safety by separating pedestrian paths from cars.

C4.9 HOME BASED BUSINESS

Background

Under the State Environmental Planning Policy – Exempt and Complying Development Codes, Home business is exempt development where satisfying the Standard Instrument definition. The definition includes criterion such as number of employees, and the requirements of the State Environmental Planning Policy, and refers back to Clauses 5.4 (2) and (3) of *Inner West LEP 2022* which covers change of use and maximum floor area.

The controls within this DCP would apply when a home based business is proposed and cannot be achieved under the State Environmental Planning Policy – Exempt and Complying Development Codes

Objectives

O1 To ensure that development for the purpose of a Home Based Business facilitates the establishment of small scale businesses which:

a. operate from home;

b. are compatible with neighbourhood character; and

c. do not have an adverse impact upon residential amenity.

Controls

Location

C1 The home based business is conducted within a fully enclosed part of the dwelling or ancillary building.

C2 The home based business only operates between 8am and 6pm Monday – Saturday.

C3 A maximum of one on-site car parking space is provided for customers.

C4 The amenity of adjoining residential uses or the neighbourhood is not adversely affected by:

a. noise;

b. the number of visitors; and

c. the number of deliveries and type of delivery vehicle.

C5 Not more than one customer should be present on the premises at any one time, and the maximum number of customers per day should not exceed ten.

C4.10 INDUSTRIAL DEVELOPMENT

Background

Whilst largely used for light industry uses, industrial precincts also include a range of other related uses, including vital residential service functions such as motor vehicle repair stations. Furthermore, in response to the strategic objectives identified in Council's adopted Community and Cultural Plan, Council has expanded the range of uses permissible with consent in the IN2 Light Industrial Zone to encourage the arts and creative industry sector.

This Development Control Plan seeks to enhance the long term viability of industrial lands as employment generators and to accommodate the provision of goods and services needed by the community both now and in the future.

Building the capacity of the community to meet the opportunities and challenges presented by changes in resource availability, climate, environment and the economy requires Council to protect the integrity of non-residential lands. This means that Council needs to limit sensitive land uses to ensure that future generations have sufficient non-residential land to meet their needs. Council is mindful that the community may need non-residential land to accommodate processes and uses which include infrastructure, goods and services that support distributed energy and water management close to the places where they are harvested, recycled or produced.

Given its historic development pattern, many of the area's industrial areas adjoin or are located close to residential areas. Protecting residential amenity is a key issue for industrial areas.

Council acknowledges that a proportion of industrial development will occur in the form of alterations or additions to existing buildings, and that due to existing characteristics, not all of the controls in this section may be able to be reasonably satisfied. In such situations, and in the interests of encouraging economic development, it will be Council policy to exercise discretion in the application of controls, provided that it can be demonstrated by the applicant that the objectives of this part can be achieved.

Objectives

O1 To ensure that development for the purpose of industry:

a. protects the viability of industrial areas;

b. protects residential amenity for adjoining and nearby residential uses within residential zones;

c. is compatible with the character of the neighbourhood;

d. makes a positive contribution to the visual character of the streetscape;

e. promotes the arts, technology production and design sectors;

f. achieves a high level of environmental performance.

Controls

Viability

C1 The site has a sufficient area and dimensions to accommodate the development, including buildings and structures, vehicle servicing, loading and unloading, parking and manoeuvring and landscaping. Parking shall be in accordance with Part C1.11 – Parking of this Development Control Plan.

C2 Where an office or shop is ancillary to the main industrial purpose on the site, the ancillary portion shall be no greater than 10% of the floor space of the premise.

Note: For development that relates to creative purposes refer to Part C4.21 – Creative Industries within this Development Control Plan.

Siting and design

C3 Development should be generally carried out in accordance with the Distinctive Neighbourhood controls contained in Part C Section 2.0 – Urban Character of this Development Control Plan.

C4 Buildings are setback from the street frontage in accordance with the setback prevailing in the streetscape.

C5 The front boundary setback is only used for landscaping and vehicle parking.

C6 Building façades are constructed of high quality materials such as brick or painted concrete.

C7 The main building entrance:

a. is designed as an architectural feature that breaks up the façade of the building; and

b. faces and is directly accessible from the street frontage.

C8 Vehicle servicing and outdoor storage is located at the side or rear of the site or located so it does not visually dominate the streetscape.

C9 All external areas are landscaped or sealed in a high quality, durable pavement such as brick or concrete.

C10 Fences greater than 1.2m in height are not provided along the street frontage.

C11 Where adjoining land is a residential zone or land approved for use for a residential purpose:

a. buildings are setback a minimum of 3m from that boundary;

b. a continuous landscaped setback is provided along that boundary;

c. the setback is planted with vegetation of a suitable height and dimension to screen most of the development from the adjoining site;

d. site access, parking and manoeuvring areas are not located within 3m of that boundary; and

e. solar access to residential development shall comply with Part C3.9 – Solar Access within this Development Control Plan.

Landscaping

C12 Landscaping softens the visual impact of buildings and structures on the environment.

C13 Where practicable, existing healthy mature trees are retained.

C14 Development complies with the provisions within Part C1.12 - Landscaping within this Development Control Plan.

Site facilities

C15 Storage areas are located within the building, or are screened from view from the public domain.

C16 Each industrial building must provide for basic amenities including a designated staff room or area that is:

a. of a reasonable area depending on the size, nature and staffing level of the proposed industry;

b. adequately furnished for staff; and

c. provided with attached kitchen/kitchenette with a fridge, microwave, sink and tea/coffee making facilities.

Note: In the case of small industries where less than five people work during normal working days, a reasonable approach to amenities will be taken by Council in considering / applying this provision.

Amenity

C17 The use does not have an adverse impact on the amenity of adjoining uses or the neighbourhood by:

a. excessive overshadowing, particularly of the main living and private outdoor recreation area of adjoining or nearby residential uses;

b. overbearing development that unreasonably reduces privacy for adjoining and nearby uses;

c. noise generation; and

d. traffic generation.

C18 Noise generating activities are located inside, away from adjoining residential zones or other sensitive receiving environments or screened by noise mitigation devices.

C19 Industrial buildings must have an adequate number of openings at each level to allow natural light and ventilation.

Hours of operation

C20 Where adjoining land in a residential zone or land approved for use for a residential purpose, hours of operation are limited to between 7am and 7pm Monday to Friday, and 7am and 3pm Saturdays excluding public holidays.

Access and egress

C21 Industrial sites with frontage to classified roads must consult with the relevant NSW State Government department as to the appropriate access and egress.

Carparking

C22 Development complies with the provisions of Part C1.11 – Parking within this Development Control Plan.

Waste Management

C23 Development complies with the provisions of Part D Section 2 – Resource Recovery and Waste Management of this Development Control Plan.

Environmental performance

C24 Development maximises sunlight and breeze access, particularly to office or shop components.

C25 Activities that may cause stormwater pollution are located inside or under roofs, are contained within bunds and stormwater is treated by an appropriate method prior to off-site discharge.

C4.11 LICENSED PREMISES

Background

This section applies to all development that is licensed premises under the *Liquor Act 2007*, including a Pub, licenced Hotel with a bar area, Registered Club, Small Bar or Restaurant or Café in the area to which the Leichhardt Development Control Plan 2013 applies. Licensed premises are split into "low impact" premises and those that are not low impact.

The term 'low impact premises' refers to:

a) a hotel within the meaning of the *Liquor Act 2007* that has a capacity of 120 patrons or less and is designated as a general bar licence;

b) 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;

c) a development with an on-premise (restaurant) liquor licence (with primary service authorisation) within the meaning of the *Liquor Act 2007*;

Objectives

O1 To ensure that development, including the cumulative impact of development:

a. is compatible with the distinct village character of the area's centres;

b. is of a scale, form and design that is compatible with the character of the neighbourhood;

c. ensures a high level of safety and security;

d. does not have significant adverse amenity impacts on the neighbourhood, considering:

i. location and context of the premises, including proximity to sensitive and residential land uses;

ii. primary and secondary uses of the premises and the proposed hours of operation;

iii. surrounding business uses and the predominant business hours of the area;

iv. size and capacity of the premises;

v. operation of the premises during day time hours;

vi. strength of the plan of management and its ability to manage potential impacts on surrounding areas;

vii. safety, security and crime prevention measures; and

viii. public transport arrangements.

e. ensures large venues are not concentrated; and

f. provides for the development of innovative small bars in appropriate locations that enhance the area's vibrancy and night-time economy and promote the area's centres as unique, innovative, culturally diverse and low impact entertainment destinations of choice.

Controls

Amenity

C1 To ensure that the use does not have significant adverse impacts on the amenity of adjoining sensitive and residential uses by:

a) keeping all doors and windows on premise's building elevations that face sensitive or residential uses closed after 10pm, other than to allow entry and exit.

b) if premises have entrances on more than one street frontage only those on the main frontage should be used after 10pm.

c) ensuring that the premises can be adequately ventilated and provided with the appropriate emergency access in accordance with the Building Code of Australia when restrictions under Parts C1 (a) & (b) above are operational.

Plans of Management for Low Impact Premises

C2 Any development application for low impact premises that will operate after 10pm must be accompanied by a Plan of Management that demonstrates compliance with the objectives of this part and includes the following information.

a) site

i. location of the site;

ii. all primary and secondary uses of the premises;

iii. summary of surrounding premises that operate up until or beyond midnight;

iv. plans that show the location of external doors, windows and other openings.

v. any other relevant site details as determined by Council.

b) operational:

i. type and number of staff that will be employed on premises;

ii. the procedures for minimising and managing waste that is generated on site and how and when waste will be collected.

iii. a description of measures taken to attenuate smell, fumes, vapour, soot, ash, dust, waste water, waste products, grit, oil or otherwise.

iv. a description of any other measures taken to attenuate possible impacts on amenity that may arise from the operation of the premises.

c) security and safety

i. details of the measures that are to be employed to ensure the safety of patrons.

ii. details of measures to manage patron behaviour after 10pm when leaving the premises, and for managing customers in and outside the premises at all times.

d) trading Hours

i. details of the proposed opening hours for each day of the week;

e) noise

i. a description of all measures taken to attenuate noise and vibration impacts on adjoining properties and of how such measures will be implemented.

ii. Identification of 'active areas' adjacent to, but outside the boundaries of the premises used for associated activities such as outdoor seating, footway dining, patron queuing and parking;

iii. Identification of the primary pedestrian routes to and from the premises.

iv. Transfer of waste, particularly glass, to outdoor garbage/recycling facilities must not occur after 10pm if the premises are within 50m of residential or sensitive land uses.

Plans of Management for Non-low Impact Premises

C3 A development application for a licensed premises which is not defined as a 'low impact premises' is to be supported by a Plan of Management that demonstrates compliance with the objectives of this part and includes the following information:

a. site

i. location of the site;

ii. all primary and secondary uses of the premises;

iii. summary of surrounding premises that operate up until or beyond midnight;

iv. plans that show the location of external doors, windows and other openings.

v. any other relevant site details as determined by Council.

b. operational

i. the number and type of staff that will be employed on the premises;

ii. methods employed to meet responsible service of alcohol (RSA) requirements as set by the Office of Liquor, Gaming and Racing;

iii. a copy of a house policy that describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol;

iv. description of appropriate signage to be erected, including an external sign with a 24 hour contact number for management for the use of members of the public concerned about operation of the premises;

v. food service arrangements;

vi. waste management procedures, including location of all *waste storage* and disposal areas, hours of cleaning and similar activities.

vii. description of any cleaning and other after hours activities.

viii. identification of 'active areas' adjacent to, but outside the boundaries of the premises used for associated activities such as outdoor seating, footway dining, patron queuing and parking; and

ix. identification of the primary pedestrian routes to and from the premises.

c. security and safety

i. details of the measures that are to be employed to ensure the safety of patrons and methods to ensure the orderly behaviour of patrons both in and outside the subject premises, including:

- crowd control procedures;
- emergency procedures;
- monitoring of patrons;
- security patrol routes;
- security lighting details;
- surveillance;
- queue locations and management procedures;
- 'wind down' and closure procedures, including procedures for closure of outdoor areas; and
- any other relevant security or safety procedures or measures;

I. number and location of security personnel to be employed;

II. the designation of a member of staff to be responsible for security at all times; and

III. details of where an Incident Book will be kept and how and when it will be filled out.

d. trading hours

i. details of the proposed opening hours for each day of the week; and

ii. for existing premises, details of current trading hours for each day of the week.

e. noise

i. details of all measures used to attenuate noise and vibration created as a result of operation of the premises including:

- a noise complaints process and noise control strategies that will be implemented to minimise the potential for complaints (for example liaison arrangements with neighbours and local police, maintaining a complaint register etc)
- for minimising noise from outdoor areas such as rooftops, courtyards, balconies; and
- for noise limiting devices to be installed.

Note that L10 may be taken as the average maximum deflection on a sound level meter.

f. transport

i. details of measures to be taken to ensure the availability of public transport or other alternative modes of transport to patrons leaving the premises at closing times.

Trading hours and trial periods for all licensed premises

C4 Development applications will be considered against the provisions in Council's Live Music Venues Good Neighbour Policy.

C5 Trading hours outside 'late night trading areas' as identified in Appendix F – Late night trading maps of this Development Control Plan are limited to the following:

a. for restaurants and cafes:

- 8am till 10pm. Trading outside these hours will be considered on their merits.

b. for all other licenced venues:

- 10am till 10pm. Trading outside these hours will be considered on their merits,

Note: Liquor licensing requirements may specify more stringent or lenient trading hours. Restrictions on liquor licenses do not override trading hours outlined on Development Consents issued by Council.

C6 Trading hours within **'late night trading areas'** as identified in Appendix F – Late night trading maps of this Development Control Plan are limited to the following:

a. for restaurants and cafes:

- 7am to 12 midnight, Thursday, Friday and Saturday;
- 7am till 11pm Sunday, Monday, Tuesday and Wednesday;
- Trading outside these hours will be considered on their merits.

b. for all other licenced venues:

- 10am to 12 midnight, Monday, Tuesday, Wednesday and Sunday;
- 10am to 1am (the following morning), Thursday, Friday and Saturday;
- Trading outside these hours will be considered on their merits.

Note: Liquor licensing requirements may specify more stringent or lenient trading hours. Restrictions on liquor licenses do not override trading hours outlined on Development Consents issued by Council.

C7 Where premises are within 50m of residential properties, any outdoor seating area should cease trading and use by 10pm except where the seating is fronting a main commercial street. Outdoor seating areas should not be used for functions at any time and music, live or amplified should not be audible outside the premises.

C8 Council may consider extended trading hours beyond the times specified in C5 and C6 above on Thursday, Friday and Saturday nights where it is demonstrated the proposed hours will not have an adverse impact on the amenity of the surrounding area.

C9 Licensed premises seeking extended trading hours will be subject to a trial period of 12 months, after which a further application is required to be submitted to Council to assess whether extended trading hours can be approved for a five year period, for a further trial or are not supported.

C10 If Council determines a trial period to be satisfactory, the licensed premises must lodge a DA every 5 years to renew the extended trading hours.

C11 If Council determines a trial period to be unsatisfactory, trading hours for the licensed premises will revert back to the trading hours specified in C5 and C6 of this part (depending on the sites location), or the trading hours approved for the premises prior to the commencement of this Development Control Plan.

C12 A renewal or extension of extended trading hours will only be permitted if Council is satisfied that the Licensed premises has complied with a Plan of Management and has demonstrated satisfactory management and safety practices following the completion of a trial period.

C4.12 B7 BUSINESS PARK ZONE

Background

This control relates to the B7 Business Park Zone in the *Inner West LEP 2022*. Premises in this zone have the potential to provide a range of environmental, social and economic benefits, including reducing the commuter use of motor vehicles, providing an increased level of casual surveillance and safety in industrial areas and reducing costs associated with renting space for a business.

To ensure these benefits can be achieved, it is critical that the location, siting and design of live/work premises achieves a balance between residential amenity and business viability and does not reduce the capacity of the land to accommodate non-residential uses.

Objectives

O1 To ensure that development within a B7 Business Park zone:

a. enables the co-location of appropriate business and supporting residential uses, in particular for the creative industries;

b. is compatible with the character of the neighbourhood;

c. makes a positive contribution to the visual character of the streetscape;

d. promotes the arts, technology production and design sectors;

e. achieves a high level of environmental performance; and

f. provides an acceptable level of residential amenity.

Controls

General

C1 The predominant use of the premises is for employment generating uses.

C2 Each development is used for a single business.

C3 Only one dwelling may be attached per tenancy as ancillary to the primary use; they are to be linked by internal stairs.

C4 The dwelling is located above or behind the workspace.

C5 The non-residential and residential uses on the site will not be separately occupied.

Amenity

C6 Development does not cause noise, odour, vibration or other emissions to be experienced in the residential parts of the use or other tenancies.

C7 The hours of operation where the business component of the property is open to the public is limited to 8:00am – 6:00pm Monday – Friday and 9:00am – 1:00pm Saturday.

Note: Where the proposal is able to demonstrate that it will have minimal impact on the amenity of the surrounding area, an extension in operating hours to 6pm on Saturdays may be considered by Council.

Note: General exceptions to allow extended hours may be considered by Council where the use includes an activity that requires longer trading hours on an infrequent basis, such as for an exhibition or gallery opening.

C8 The residential component of this use provides acceptable levels of amenity through providing cross ventilation of living areas and meeting the provision of Part C3.9 – Solar Access within this Development Control Plan.

Design

C9 Development achieves a high standard of architectural design and visual quality, including:

a. façade modulation in the form of balconies, eaves and other recesses and projections;

b. variations in roof form;

c. high quality materials, including variation in texture and colour;

d. landscaping within the front boundary setback; and

e. vehicle access, parking and manoeuvring not being visually dominant when viewed from the street.

C10 Development activates the street through including large, transparent windows on the street elevation that enable perception of indoor activity to be obtained from the public domain.

Environmental Performance

C11 Development is to comply with the provisions of Part D1.0 – Energy Management within this Development Control Plan.

Arts and creative industries

C12 Internal layout, design and roof to ceiling heights are high enough to accommodate the requirements of the arts and creative industries where applicable.

C4.13 MARKETS

Background

Markets have the potential to provide an affordable, well located venue for local business, in particular those in the arts and creative industries, to showcase their products.

Objectives

O1 To ensure that development for the purpose of markets:

a. does not have a significant adverse impact on the functioning or amenity of the neighbourhood in terms of noise, appearance, traffic generation and car parking;

b. promotes the arts and creative industries in a manner that is compatible with the character and amenity of the neighbourhood;

c. contributes to the vibrancy of the public realm and provides a safe, healthy environment for community interaction;

d. makes a positive contribution to the local economy; and

e. stall layout ensures safe and accessible space for pedestrians.

Controls

Documentation

C1 A plan of the market is required with each development application. The plan shall detail:

a. proposed layout of stalls;

b. accessible access through the stalls and all emergency access points;

c. site context and adjacent surroundings;

d. access to toilets;

e. loading and unloading facilities for the set up and removal of stalls and goods; and

f. parking for stall holders.

C2 The development application must include a Plan of Management that details the following:

a. sources of noise, nearby sensitive receiving environments and measures to mitigate the transmission of noise to these sensitive receiving environments;

b. hours of operation. These are to be limited to between 7am and 5pm, including set up and dismantling;

Note: Council may consider extended hours for evening markets or specific activities where it can be demonstrated that the objectives of this part will be satisfied.

c. number of trading days per month;

Note: The number of trading days per month and/or year will be limited and at the discretion of Council.

d. adequate waste disposal, storage and collection is provided to cater for forecast demand;

e. toilet facilities adequate to cater for projected demand are provided on site; and

f. emergency exits and procedures for emergencies.

Amenity

C3 Where the market occurs on public land, the land is returned to its pre-existing condition immediately following the cessation of each occurrence of the market.

C4 Development does not involve the establishment of new permanent buildings or structures.

C5 Development does not obstruct the physical access to or operation of existing nearby businesses and residences.

C6 The market stalls will not prohibit pedestrian circulation and pathways within and around stalls will have a minimum width of 2m and be kept free of obstruction.

C7 Where the market is located adjoining a public road a minimum 1.2m wide clearance is provided between the kerb and any structure.

C4.14 MEDICAL CENTRES

Objectives

O1 To ensure that development for the purpose of medical centres:

a. does not have a significant adverse amenity impact on the amenity of the neighbourhood, in particular through hours of operation and traffic generation or parking; and

b. makes a positive contribution to streetscape quality.

Controls

Amenity

C1 Development does not disturb the amenity of the neighbourhood or create a nuisance by way of noise, odour, vibration or any other emission.

C2 Hours of operation are limited to between 8am and 6pm.

Note: Council may consider extended hours, including allowing 24hr medical centres, where it can be demonstrated that the objectives of this part will be satisfied and the operation of the medical centre will not have a negative impact on surrounding residential uses.

C3 Adequate car and bicycle parking is provided on site in accordance with the provisions of Part C1.11 Parking within this Development Control Plan.

C4 Where practical, provision is to be made on site for the access and parking of an ambulance.

C4.15 MIXED USE

Background

Mixed use development is an appropriate use within most centres where this DCP applies, particularly along Norton Street and Darling Street. Mixed use development can have a number of benefits, including localising life, improving safety, reducing car dependence and improving the vibrancy, vitality and viability of centres.

Established commercial areas on land where this DCP applies are vibrant places for business and community interaction. Associated with this role is a higher level of noise and other emissions. Therefore, whilst new and prospective residents are entitled to enjoy a reasonable level of amenity, they should not expect the same level of residential amenity in other, more suburban locations or residential zones.

Many existing buildings in the area are potentially suitable for adaptive reuse to mixed use buildings. Due to existing built form, it is not possible to comply with all controls in this part. However, Council will require that dwellings are provided with an acceptable level of amenity.

Objectives

O1 To ensure that development for the purpose of mixed use:

a. enhances the vibrancy of centres;

b. ensures that residential uses are complementary to the primary role of centres for commercial activity;

c. provides an acceptable level of residential amenity;

d. provides for a wide range of housing types; and

e. improves environmental performance by locating jobs close to homes.

Controls

General

C1 The ground floor street frontage is used for small scale, active commercial uses.

C2 Residential uses are provided above the ground floor of the building.

C3 Facilities that have the potential to adversely affect residential amenity, including ventilation flues, are located away from residential uses.

C4 Buildings incorporate construction methods and materials that insulate residential uses from noise transmission from non-residential uses.

C5 Separate areas for business and resident access may be required for new development and where practical for:

a. vehicle parking;

b. building entries;

c. stairs and lifts; and

d. waste.

Note: Waste requirements are provided in Part D Section 2 – Resource Recovery and Waste Management of this Development Control Plan.

C6 Subject to suitable design, operational management and security arrangements being available, the use of business car parking for residential uses in the same building after normal business hours is encouraged.

C7 Where possible, access to the residential part of the development is from the main street frontage where:

a. it is compatible with the streetscape and any heritage conservation considerations;

b. pedestrian entries to residential uses are separate from the entry to the commercial part of the building; and

c. the access is not visually dominant in the building façade.

C8 Dwellings are provided with an acceptable level of residential amenity in terms of:

a. access to sunlight to main living areas and adjoining main areas of private outdoor recreation space such as courtyards and balconies;

b. access to daylight to all habitable rooms;

c. natural ventilation either in the form of cross ventilation or the stack effect; and

d. obtaining visual privacy.

e. Compliance with Part C3.8 – Private open space, C3.9 – Solar access, C3.10 – Views, C3.11 – Visual privacy and C3.12 – Acoustic privacy of this Development Control Plan.

Note: Where natural ventilation is not practicable, devices that move air such as fans are preferred over air-conditioning for internal cooling purposes

C9 Living areas such as living rooms, dining rooms and bedrooms will face and overlook the street for passive surveillance.

C10 The building form of a mixed use development must comply with the provisions of, C4.2 – Site layout and building design, C4.4 – Elevation and material, and C4.5 – Interface amenity of this Development Control Plan.

C4.16 RECREATIONAL FACILITY

Background

This section relates to recreational facilities including indoor, outdoor or major as defined in the *Inner West LEP 2022.*

Objectives

O1 To ensure that development for a recreational facility:

a. does not have a significant adverse amenity impacts on the neighbourhood; and

b. makes a positive contribution to streetscape quality.

O2 Encourage use of sustainable transport modes.

Controls

General

C1 Development does not significantly impact the amenity of the neighbourhood or create a nuisance by way of car parking, traffic generation, noise, vibration or any other emission.

C2 Hours of operation will be established considering the following:

a. proximity to the R1 Residential Zone;

b. impacts on amenity of surrounding areas, including noise and light;

c. intensity of the proposed use; and

d. accessibility, traffic and parking considerations.

Note: Council may consider extended hours, including for 24hr gyms, where it can be demonstrated that the objectives of this part will be satisfied, in particular that the impacts of the use are consistent with reasonable expectations for amenity in the neighbourhood.

C3 Adequate car and bicycle parking is provided on site in accordance with the provisions within Part C1.11 – Parking in this Development Control Plan.

C4 Where an application is made for development for the purpose of a Recreation Facility (Outdoors) or for any Recreation Facility with extended hours of operation, a detailed Plan of Management (POM) is to be submitted. The POM shall address at a minimum the following:

a. proposed hours and days of operation;

b. provisions or management to reduce impacts on amenity of surrounding areas, including noise and light;

c. intensity of the proposed use;

d. numbers of patrons and numbers of staff, including maximum numbers;

e. accessibility, traffic and parking considerations;

f. proposed facilities (e.g. toilets) to be used; and

g. emergency procedures.

C5 Where for a Recreation Facility (Outdoors), lights incorporate measures to ensure that light spill does not occur on adjoining or nearby land in a residential zone.

C6 Where otherwise prohibited, food and drink premises and retail premises are ancillary and subordinate to the primary use of the site for recreational activities.

C7 The floor area of the premises which can be used for food and drink premises or retail premises shall be no more than 5% of the gross floor area.

C4.17 SEX SERVICES PREMISES

Background

Sex services premises cover a range of business uses that involve the sale of sex or involve sex related activities. These uses include:

a. brothels;

b. adult entertainment venues and strip clubs; and

c. massage premises where sex acts are involved.

Objectives

O1 To ensure that development for the purpose of sex service premises:

a. does not cause a significant adverse impact on residential amenity, in particular through hours of operation or parking and traffic;

b. is compatible with the character of the neighbourhood;

c. is visually unobtrusive when viewed from the street;

d. does not result in a concentration of sex services premises in one location;

e. is not located close to residential zones or other sensitive uses;

f. provides a high level of patron and worker safety; and

g. is accessible.

Controls

Siting and design

C1 Development for the purpose of a sex services premises is not located:

a. within 200m of another sex services premises; and

b. within proximity to schools, churches or other community facilities.

C2 Development does not adversely affect the amenity of the neighbourhood through hours of operation.

Note: Specific hours of operation are not set by the Development Control Plan. Rather, when assessing a development application for Sex Services Premises, Council will consider the nature of surrounding uses and their hours of operation, and whether the proposed use is incompatible with these uses or will create or exacerbate an existing amenity issue such as traffic or noise.

C3 The scale, form, materials and colour of the development is compatible with the character of the surrounding area.

C4 Entries are not visible from residential areas.

C5 The development will be designed in accordance with Crime Prevention through Environmental Design (CPTED) principles outlined in Part C1.9 – Safety by Design of this Development Control Plan.

C6 Access for all patrons and employees is provided in accordance with CPTED principles.

Note: Refer to Part C1.9 – Safety by Design of this Development Control Plan for CPTED principles.

Social impact statement

C7 A Social Impact Assessment is required for development applications in accordance with Part B3.1 – Social Impact Assessment of this Development Control Plan.

Plan of Management

C8 Plan of Management (POM) is required for development applications for new sex services premises or alteration or additions to an existing sex services premises. The POM will demonstrate compliance with the objectives of this part and includes the following information:

a. location of the site;

b. summary of surrounding premises and operation hours;

c. the number of staff that will be employed on the premises;

d. waste management procedures, including location of all waste storage and disposal areas, hours of cleaning and similar activities;

e. details of the measures that are to be employed to ensure the safety of staff and patrons. Measures are to be in accordance with the principles of Crime Prevention Through Environmental Design (CPTED) outlined in Section C1.9 – Safety by Design of this Development Control Plan;

   i. emergency procedures;

   i. monitoring of patrons;

   ii. security lighting and alarm details;

   iii. surveillance; and

   iv. any other relevant security or safety procedures or measures;

f. details of the methods to ensure the orderly behaviour of patrons;

   i. details of the proposed opening hours for each day of the week;

   i. for existing premises, details of current trading hours for each day of the week;

   ii. details of all measures used to attenuate noise created as a result of operation of the premises;

   iii. details of the potential impacts on local parking and traffic networks as a result of the proposal;

   iv. details of any actions to be taken to mitigate any potential traffic and parking impacts;

   v. details of measures to be taken to ensure the availability of public transport or other alternative modes of transport to patrons leaving the premises at closing times; and

   vi. any other relevant site details as determined by Council.

C4.18 VEHICLE SALES OR HIRE PREMISES AND SERVICE STATIONS

Objectives

O1 To ensure that development for the purpose of vehicle sales or hire premises or service stations:

a. is compatible with the character of the streetscape and neighbourhood;

b. does not cause a significant adverse amenity impact on residential amenity;

c. achieves a high standard of safety;

d. makes a positive contribution to the visual quality of the street;

e. provides efficient vehicles access and circulation and does not cause a traffic nuisance or danger;

f. does not cause environmental harm; and

g. maximises environmental performance of buildings and operations.

Controls

General

C1 Development is to meet the objectives and controls within Part C1.11 – Parking within this Development Control Plan.

C2 No spray painting or panel beating is to be carried out on site.

C3 Plan of Management (POM) is required for development applications for new service stations or new car sales or hire premises. The POM shall outline how the ongoing operation of the premises will be managed to reduce its impact upon the amenity of surrounding properties in line with the objectives of this section and include the following information:

a. site operational issues;

b. water quality;

c. noise pollution;

d. traffic;

e. landscaping;

f. waste management;

g. staff numbers;

h. trade waste discharges; and

i. emergency management.

C4 The development must not adversely affect the amenity of the neighbourhood by noise, odour, fumes or other emission.

C5 All components that have the potential to contaminate water systems are roofed and enclosed in bunds, with discharge treated prior to entering the stormwater system.

C6 Vehicle crossovers do not dominate the streetscape.

Service Stations

C7 An Odour Impact Assessment shall be submitted for new developments.

C8 A raised landscaped strip is provided along the street frontage of the site, except for site access points, to reduce the visual impact of building and paving when viewed from the street.

Note: In general, a maximum of 2 vehicle crossovers should be provided per site.

C9 The site is not located in a streetscape where the dominant setback pattern is built to the front boundary or setback less than 6m from the street frontage.

C10 The following site facilities are located a sufficient distance from roads and residential uses so as not to present a hazard or risk or cause noise, odour or fumes to be experienced outside the site:

a. petrol pumps;

b. pump islands;

c. storage tanks;

d. ventilation flues; and

e. vehicle washing and tyre pump facilities.

C11 Restaurants, cafés, and take-away food and drink premises ancillary to the primary use of the premises for sale by retail for fuel and lubricants for motor vehicles:

a. do not occupy more than 10% of floor area;

b. provide only for convenience needs;

c. do not include a drive through take-away food and drink premises; and

d. are not a separate tenancy to the service station.

Where for Vehicle Sales or Hire

C12 Development makes a positive contribution to the quality of the streetscape.

C13 Motor vehicle display areas are to be located on site to provide visual interest and enable engagement and activation of the street.

C14 Motor vehicles are displayed to be visible from the street.

C15 Where setback from the street frontage, a landscaped setback is provided along the entire street frontage, except for vehicle access points.

C16 To maximise engagement with the street, the majority of the front elevation is constructed from transparent glass.

C4.19 VEHICLE REPAIR STATION

Objectives

O1 To ensure that development for the purpose of a vehicle repair station or similar:

a. is compatible with the character of the streetscape and neighbourhood;

b. does not cause a significant adverse amenity impact on residential amenity;

c. achieves a high standard of safety;

d. makes a positive contribution to the visual quality of the street;

e. provides efficient vehicle access and circulation and does not cause a traffic nuisance or danger;

f. does not cause environmental harm; and

g. maximises environmental performance of buildings and operations.

Controls

General

C1 Development is to meet the objectives and controls within Part C1.11 – Parking within this Development Control Plan.

C2 All workspaces must be contained within a building, appropriately ventilated.

C3 All client vehicles must be kept on-site at all times.

C4 The development must not adversely affect the amenity of the neighbourhood by noise, odour, fumes or other emission.

C5 An Odour Impact Assessment shall be submitted for new developments.

C6 Vehicle crossovers do not dominate the streetscape.

C4.20 OUTDOOR DINING AREAS

Background

This element outlines objectives and controls that should be met to obtain Development Consent for the use of footways in association with restaurants or cafes and food shops within the road reserve (public domain). Once Development Consent is obtained, Council may, under the *Roads Act 1993*, issue a licence for the use of a footway for such purposes. Concurrence of NSW Roads and Maritime Services must be obtained where the footway is within the reserve of a classified road.

Kerb-side outdoor dining areas are preferred on land where this DCP applies as they allow a clear path of travel along the building line. However, all applications are considered in relation to the width of the footpath, presence of other street furniture and infrastructure and the location of any established adjacent outdoor seating.

Approval process

The approval process for outdoor dining areas includes:

a. checking the exempt and complying schedule within *Inner West LEP 2022* as to whether a development application is required;

b. submitting a development application and obtaining development consent (*Environmental Planning and Assessment Act 1979*);

c. obtaining approval under the *Roads Act 1993* through an 'Application for Outdoor Dining & Footpath Trading Licence' Form. This is available from the Inner West Council website; and

d. determining whether additional permits, approvals or requirements under the *Roads Act 1993,* the *Local Government Act 1993*, or *AUSTROADS Guide to Road Design Part 6A – Pedestrian and Cyclist Paths* may be required. There may also be additional requirements for development on classified roads.

Objectives

O1 Ensure comfortable, attractive and safe pedestrian environments.

O2 Ensure footpath uses are positive elements in the streetscape.

O3 Ensure footpath uses enrich the social function and community enjoyment of streets but do not unreasonably prejudice accessibility.

O4 Protect pedestrians and patrons of footpath eating areas from traffic and vehicle dangers.

O5 Ensure principles of crime prevention underpin the design of these uses within public footpaths and road reserves.

Controls

Location and accessibility

C1 Outdoor dining areas should be located in accordance with any relevant, adopted Council streetscape or urban design Masterplan (where prepared).

C2 Outdoor dining areas should be located beside the kerb unless there is insufficient space or footpath width, the site is adjacent to a bus stop, taxi stand or disabled parking space or where the location would adversely impact on the continuous path of travel.

C3 Building line dining areas may be considered where site specific conditions preclude kerbside dining areas.

Notes:

1. *Streets with narrow footpaths or very high pedestrian volumes may not be suitable for outdoor dining areas.*
2. *Street trees, furniture, bus stops and the like may affect the ability to use a footpath for outdoor dining.*

C4 Areas are required to be licensed by Council. Applicants shall be required to obtain a license for any proposed kerb-side, footpath or Council owned outdoor dining area from Council pursuant to the provisions of the *Roads Act 1993* before carrying out development for the purpose of outdoor dining in that area.

C5 Licensed areas are to be delineated by neat and unobtrusive markings that do not pose a safety hazard. Options include corner marking in the pavement, landscape features such as trees or bollards, or corner markings fixed to an existing or proposed awning directly above the area.

Kerb-side dining areas

C6 A 600mm setback is required to the kerb to allow for passengers alighting from cars and the like.

C7 A 1.5m wide clear path of travel (free of obstruction) is required between any street furniture, public infrastructure or outdoor eating area and the building line.

C8 Street furniture, public infrastructure and outdoor dining areas are not to present an unreasonable hazard to pedestrians (including those that use mobility aids), diners or vehicular traffic.

Note: Refer to Figure C143: Outdoor dining along the kerbside below.

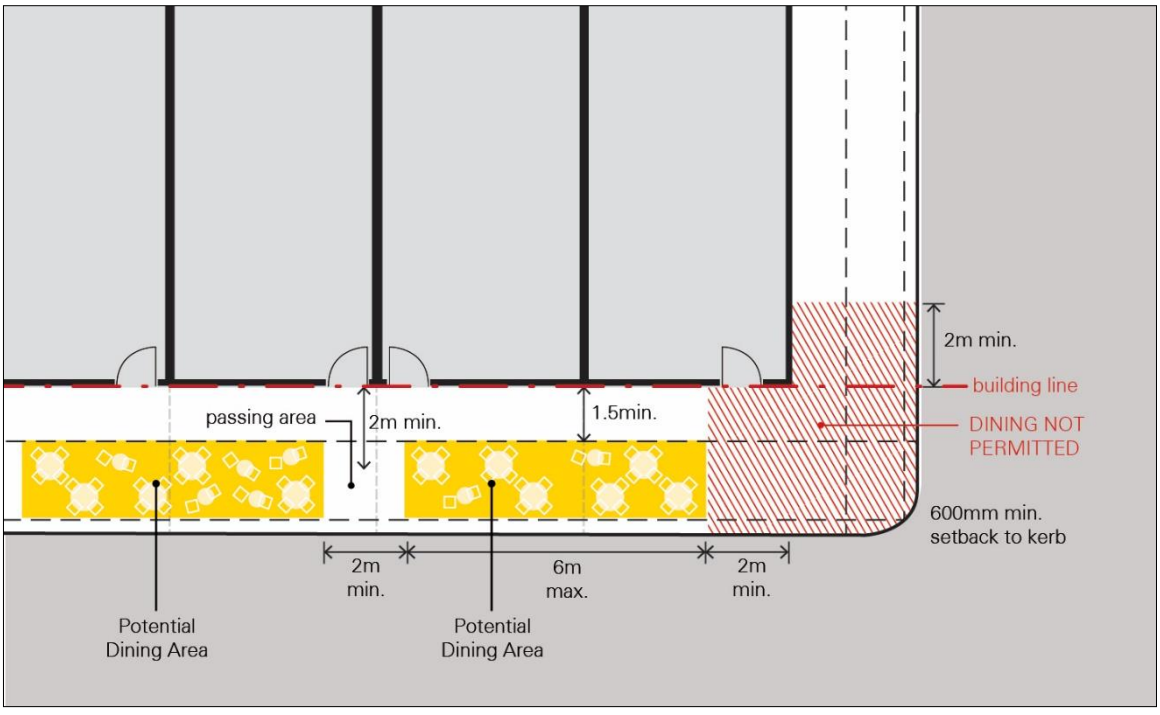

Figure C143: Outdoor dining along the kerbside

Building line dining areas

C9 Dining areas on Council owned land may be considered adjacent to the building line where a 1.5m wide unobstructed path of travel can be maintained between the edge of the proposed licence area and the kerb.

Note: Refer to Figure C144: Outdoor dining at the building line below.

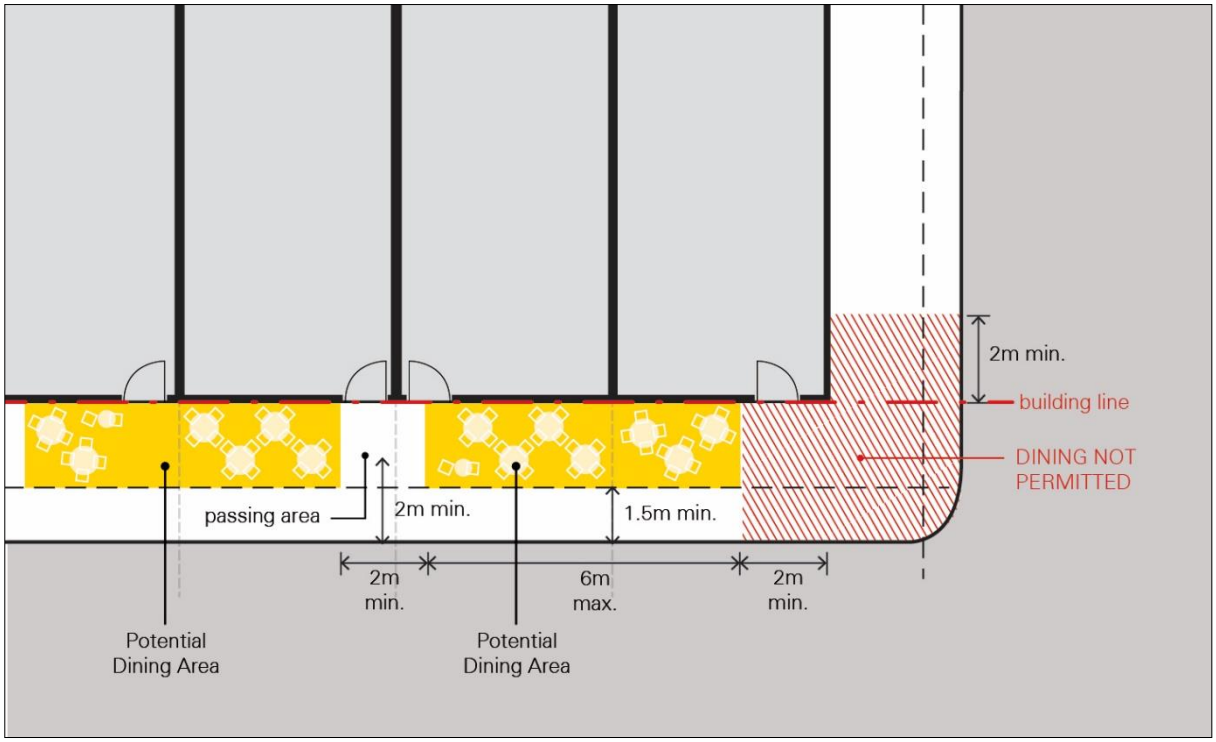

Figure C144: Outdoor dining at the building line

All outside dining areas on the footpath

C10 Tables and chairs are to be located directly in front of the premises. Use of an adjoining footpath area requires ongoing consent from the land owner and tenant/s of the affected premises.

C11 Passing areas are required at 6m intervals (minimum) where the clear path of travel is less than 1.8m wide. Passing areas are to be at least 2m in width and depth to be suitable for wheelchairs.

C12 Corner sites require a setback of 2m along the faces of the building from the corner of the building for outdoor seating. No seating will be permissible between this setback and the roadway. This setback may be required to be increased on major or classified roads.

Outdoor furniture

C13 Outdoor dining areas are to be sensitive to, and enhance urban character, heritage and streetscape qualities.

C14 Tables and chairs are required to be of commercial grade, clean, undamaged, level, safe and sturdy and a suitable size in relation to the available area.

C15 Freestanding umbrellas are to be safely anchored and secured for stability and have a clearance height of 2.1m to the footpath.

C16 Outdoor dining areas can use vertical barriers in conjunction with planter boxes provided they are not higher than 900mm, do not pose a trip hazard to pedestrians or clutter the streetscape. Screens including blinds are not to be permanent or to enclose the public space.

C17 Consideration will only be given to umbrellas and other such temporary structures where the awning does not extend to the kerb.

Public safety and crime prevention

C18 Clear sight lines are to be maintained from the indoor premises across the outdoor dining area.

Temporary footpath signs

C19 Signs associated with outdoor dining areas are not to be illuminated or attached to moveable items such as chairs or tables.

C20 Signs are to be safely anchored and secured and not be an obstacle for pedestrian movements, particularly for the mobility impaired.

C4.21 CREATIVE INDUSTRIES

Background

Creative industries include uses such as media, advertising, fine arts and craft, design, film and television, music, publishing, performing arts, cultural heritage institutions or other related purposes.

These industries have the potential to generate local employment opportunities within the municipality, through the generation and use of intellectual property.

Often these businesses are micro or small to medium sized and are an appropriate buffer between industrial and residential development. Managing external impacts such as noise, traffic and parking remain relevant considerations.

Objectives

O1 To support creative industries in Inner West LGA.

O2 To encourage the adaptive reuse of existing buildings wherever possible.

O3 To manage the activities of creative industries and their impacts so as to minimise land use conflicts.

O4 To encourage active streetscapes.

O5 To provide a buffer between traditional industrial land uses and residential areas.

Controls

C1 The development shall not have more than 300sqm of gross floor area.

C2 Development must respond to the desired future character of the area with regard to bulk and scale.

C3 Development shall have minimal amenity impact on any surrounding residential development.

C4 Existing buildings must be retained and reused wherever possible and practical to promote flexible spaces which accommodate varying uses.

C5 The street interface between private and public domains are encouraged to be vibrant and accessible places.

C6 The display of creative industry products and services is encouraged.

PART D: ENERGY

CONTENTS

SECTION 1 – ENERGY MANAGEMENT

Objectives

Council promotes optimisation of environmental performance of new and existing buildings through minimisation of energy consumption as a means of achieving the principles of ecologically sustainable development and minimising the negative impacts of development on the environment, in accordance with the objectives of the *Inner West LEP 2022*. Cutting energy demand is the first and most affordable step towards reducing emissions. Council encourages residents and property owners to minimise energy consumption by undertaking alterations and additions to existing buildings or the construction of new buildings in a manner which will minimise the use of manufactured energy to heat, cool or light the building. The building siting and layout, solar access, landscaping and ecologically sensitive design provisions of this Development Control Plan have been developed to reduce energy consumption whilst maximising the amenity of building occupants.

Where passive heating, cooling or lighting is not sufficient for the needs of occupants, Council encourages the use of renewable energy sources. The installation of renewable energy technologies, such as photovoltaic panels, is to be undertaken in ways which reflect Council's heritage, amenity and urban design objectives.

Council supports a reduction in car dependency as a way of minimising energy consumption, as reflected in the objectives of the *Inner West LEP 2022*. To achieve this Council promotes the enhancement of walkable neighbourhoods through the implementation of the urban design principles outlined in Part C – Place of this Development Control Plan. The urban design principles relate to the accessibility, amenity, connectedness, adaptability and sustainability of places and spaces in the municipality.

Objectives

O1 To promote energy minimisation in the development and operation of residential and non-residential buildings.

O2 To encourage the implementation of renewable energy production technologies in residential and non-residential buildings.

Controls

Energy minimisation

C1 Energy consumption minimisation measures are to be implemented in:

a. new residential and non-residential buildings; and

b. alterations and additions to residential and non-residential buildings.

Council will apply the relevant solar access, landscaping, building siting and layout provisions of this Development Control Plan to minimise energy consumption.

Energy efficiency

C2 Energy efficiency measures to reduce energy consumption are to be implemented in alterations and additions to an existing dwelling or commercial building. Energy reduction measures are to include but should not be limited to:

a. the installation of low energy light bulbs;

b. the installation of smart technology such as HVAC (heating, ventilation and cooling) controls to limit/set indoor climate;

c. improved insulation;

d. repairs to damaged windows, doors and seals;

e. ensure windows are operable to enable cross ventilation (where this does not compromise visual and/or acoustic privacy);

f. avoid blocking up windows or reinstate windows (where previously blocked up) for cross ventilation purposes (where this does not compromise visual and/or acoustic privacy)

g. unblock ceiling vents and flues to enable the escape of heat through the roof;

h. ensure the location of windows, doors and internal layout of the building promotes air movement for cooling.

Renewable energy production technologies

C3 Energy production technologies should, wherever possible, use renewable energy sources. Council may approve the implementation of new or emerging renewable energy technologies where the necessary infrastructure:

a. will be of a design, including colour of trim and siting, that is sympathetic to the character of the building and its streetscape context;

b. will not;

i. have an adverse impact on the amenity and solar access of the property or nearby or adjacent properties and occupants;

ii. restrict the development potential of nearby and adjacent properties;

iii. result in the production of noise, air or water pollution or other adverse environmental impacts;

iv. reduce the structural integrity or have an adverse impact on the setting or significance of any property listed as a Heritage Item in Schedule 5 of the *Inner West LEP 2022*; and

v. result in negative impacts on amenity, building fabric or heritage values of the building and its setting including streetscape;

c. the use, location and placement of solar collectors is to take into account the potential permissible building form on adjacent properties.

C4 Development consent is required for the installation of renewable energy technologies where the works will not meet the requirements of the following:

a. Exempt and Complying Development provisions of the *State Environmental Planning Policy (Infrastructure) 2007*

Photovoltaic panels

C5 Photovoltaic systems are prohibited on any part of a slate roof with decorative features where the property is in a Heritage Conservation Area or is identified as a Heritage Item in Schedule 5 of the *Inner West LEP 2022*.

C6 Installation of a photovoltaic system on a property located in a Heritage Conservation Area or that is listed as a Heritage Item in Schedule 5 of the *Inner West LEP 2022* may be granted development consent where it can be shown that the installation will:

a. be located where:

   i. the potential for overshadowing by adjacent trees, buildings or general infrastructure is minimal; and

   ii. orientation of the photovoltaic panel (direction and angle) will ensure an optimum power output;

b. be of a design, siting and materials, including colour of trim, that is sympathetic to the character of the building and its streetscape context and which will have minimal visual impact;

c. not reduce the structural integrity of or involve structural alterations to any building to which it is attached that may adversely impact the significance of the building;

d. not result in negative impacts on amenity, building fabric or heritage values of the building and its setting in the streetscape; and

e. not result in any irreversible alteration or damage to the fabric of the building.

C7 The impact of development on the operation of installed photovoltaic cells on adjoining or near-by sites will not be a ground for refusal of development or modification applications.

C8 Photovoltaic panels should be cleaned and serviced regularly to ensure optimal power output.

C9 When obsolete, photovoltaic panels should be removed from the roof and where possible, sent to a recycling facility.

SECTION 2 – RESOURCE RECOVERY AND WASTE MANAGEMENT

Background

Waste and resource consumption is a major environmental issue. This is particularly the case as landfill sites become scarce and the environmental and economic costs of waste generation and disposal rise. Government, business and society alike are exposed to the issue of managing the increasingly large volumes of waste generated. Sustainable resource management and waste minimisation are essential in the quest for ecologically sustainable development and accordingly achieving the objectives of *Inner West LEP 2022.*

Waste is inextricably linked to energy and water use, greenhouse gas production, pollution and habitat destruction.

Differing types of development are dealt with below and have differing requirements. All applications will require the submission of a Site Waste Minimisation and Management Plan.

D2.1 GENERAL REQUIREMENTS

Objectives

O1 Reduce the demand for waste disposal in line with Federal and NSW State Government reduction targets and the Waste Avoidance & Resource Recovery Act 2001.

O2 Consider the use of resources at all phases of development.

O3 Provide criteria for the disposal of demolition and construction waste and the design and management of recycling, composting and waste storage and collection facilities within developments.

O4 To encourage sorting and separation of material to maximise reuse and recycling of building and construction materials, household generated waste and industrial and commercial waste.

O5 Encourage building design and construction techniques that will minimise waste generation.

O6 Encourage new technologies to influence and solve waste management including small scale local technologies that can provide local solutions.

O7 Minimise the overall environmental impacts of waste, in line with the principles of ecologically sustainable development. Waste is inextricably linked to energy and water use, greenhouse gas production, pollution and habitat destruction.

O8 Provide advice on the preparation of Site Waste Minimisation and Management Plans and other appropriate documentation for submission with applications for development.

O9 To consider the ongoing management of recycling and waste for the life of the building and uses.

Controls

Site Waste Minimisation and Management Plans

C1 A Site Waste Minimisation and Management Plan (SWMMP) will be required to be submitted for *all forms of development that* involve any construction, demolition or change to the use of the premises and for the ongoing use of a building or place.

The SWMMP is to be submitted with the development application.

Note: The design and location of recycling and waste management facilities should be investigated at an early, (i.e. pre development application) stage of the proposal.

C2 The SWMMP should outline, as appropriate to the proposed development, the:

- volume and type of waste and recyclables to be generated;
- storage and treatment of waste and recyclables on site;
- disposal of residual waste and recyclables;
- operational procedures for ongoing waste minimisation, resource recovery (reuse and recycling) and management once the development is complete; and
- the method of reuse, recycling or disposal and the recycling/ waste management service provider.

A template of a SWMMP is provided in Part 1 of Appendix D "Site Waste Minimisation and Management Template".

In the absence of project specific calculations, the rates specified in Appendix D2.4 "Waste and Recycling Generation Rates*"* should be used to inform the compilation of a SWMMP.

Plans and Drawings

C3 For applications that require a SWMMP*,* plans and drawings (to scale) must be submitted with the application.

C4 For applications that include demolition and construction, the plans and drawings must show the material storage areas for reusable and recyclable materials during the demolition and construction phases, indicating the areas to be excavated, the types and numbers of storage bins required, appropriate signage and the vehicular access to material storage areas.

C5 For the ongoing operation of the use, the plans and drawings must indicate the location and provision for the storage and collection point of waste and recyclables, the access routes and path of travel for moving bins (if collection is to occur away from the storage area/room), design of internal areas, traffic flow, path of travel for collection vehicles and amenity details.

C6 A checklist at Appendix D (Part 2 – Plans and Drawings) must be completed in regards to the requirements for the plans and drawings for all development other than single dwellings*,* dual occupancies and secondary dwellings*.*

Further details of these requirements are provided in Appendix D (Part 1) "Site Waste Minimisation and Management Plan Template".

D2.2 DEMOLITION AND CONSTRUCTION OF ALL DEVELOPMENT

Controls

C7 Where material cannot be reused or recycled it should be disposed of at a lawful/ licensed waste facility as per the NSW government regulatory authority

C8 Waste and or recycling bins such as skips may only be placed by persons or companies that hold a current licence from Council. On street placement, insurance and other standard conditions apply.

C9 An area within the development site must be allocated for the storage of materials for reuse, recycling and disposal. Recyclable materials should be separately stored apart from other left over materials for collection by a recycling contractor. This can be facilitated by the process of “deconstruction” where various materials are carefully dismantled and sorted.

C10 Separated materials should be kept clean where appropriate and protected from weather damage.

C11 The bins and storage areas at a development site shall be clearly signposted outlining their purpose and content.

C12 Minimise site disturbance and limit unnecessary excavation.

C13 Pursue adaptive reuse opportunities of buildings and structures.

C14 Evidence such as weighbridge dockets and invoices for waste disposal or recycling services must be retained.

D2.3 RESIDENTIAL DEVELOPMENT

Controls

C1 For the development of new dwellings, the site must provide suitable area/s capable of accommodating Council's standard waste and recycling bins as indicated in Appendix D (Part 3) "Indicative Bin Sizes*"* with convenient access for all dwellings*,* suitable manoeuvrability space and within easy access to the collection point.

C2 All dwellings must provide an internal storage area for recyclable and compostable material, of a sufficient size to hold a minimum of a single day's recyclable, compostable and waste material.

C3 Areas for composting should be available for all residents in rear yards for single dwellings and in the communal area for multi-unit housing. This area should not impact on adjoining properties.

C4 In sink waste disposal systems are strongly discouraged.

C5 Consideration of the use of standard material sizes, prefabricated construction methods and by ordering materials "to fit", to limit waste.

Multi Dwelling Housing/Residential Flat Buildings

C6 Communal on-site waste storage and recycling areas or rooms should be provided where:

a. each dwelling does not have a separate area at ground level for the storage of bins;

b. the number of dwellings and number of bins would visually detract from the appearance of the development and surrounding streetscapes (i.e. generally when more than 20 dwellings are proposed);

c. it is necessary for ensuring an efficient collection service; and

d. it is required by Council.

C7 Communal waste storage and recycling areas (or rooms) should be provided which are:

a. located behind the main building alignment;

b. appropriately screened to minimise visual impacts on the development and streetscape;

c. designed in an appropriate manner and size to allow suitable manoeuvrability of bins;

d. designed to accommodate a servicing garbage truck;

e. designed with clearly defined loading areas for collection adjacent to waste and recycling storage rooms; and

f. within easy access for all dwellings and to the collection point.

Note: These communal waste storage and recycling areas should be located within the basement car park (or in the case when there is no basement, another accessible area that abides by the design criteria above).

Appendix D (Section 4) "Waste Recycling/Storage Rooms in Multi Dwelling Housing/Residential Flat Buildings" and (Section 7) "Example of a waste and recycling

storage room(s)" provides further specifications. Appendix D (Section 5) "Garbage Truck Dimensions for Residential Resource Recovery/Waste Collection", Appendix D (Section 7) "Example of a Waste and Recycling Storage Room(s)" and Appendix D (Section 8) "Vehicle Access and Turning Circles" should be referred to for further information.

C8 Developments that are four storeys or higher are to provide waste chute rooms on each floor. Chute rooms are to provide a chute for the disposal of general waste as well as space for co-mingled and paper and cardboard 240L recycling bins and 240L organic waste bin(s). Enough bins are to be provided to accommodate the equivalent of two days' of material for the dwellings serviced.

Note: Waste chute rooms are to be designed in accordance with the provisions under Appendix D (Section 9) "Waste chutes".

C9 Council may require developments to provide interim storage areas within the development or on separate floors. The interim storage areas must be large enough to accommodate and manoeuvre the number and size of bins required by Council (for waste, recycling, paper/cardboard and organics and the like).

An appropriate system for the transportation of recycling and waste bins from each floor must be provided.

C10 Communal on site waste storage and recycling areas or rooms must be capable of accommodating and manoeuvring Council's required number of standard waste and recycling bins as set out below.

C11 For multi-unit developments that propose 20 or more dwellings or where required by Council, a dedicated room or caged area must be provided for the temporary storage of discarded bulky items which are awaiting removal for reuse or disposal. This room is to provide a minimum area of 0.63m² per unit. The storage area must be readily accessible to all residents and must be located close to the main waste storage room or area.

C12 Communal waste storage and recycling areas or rooms must have bin wash facilities (trapped gully and water taps) and be clearly labelled with appropriate signage that indicates recycling and waste bin areas. It is preferable that residents and building maintenance staff have access to a hot and cold water supply for the cleaning of bins and the waste storage areas. These areas should be weatherproof and easy to clean, with the wastewater discharged to the sewer.

C13 The waste storage and recycling areas or rooms must be serviceable by Council's own waste and recycling vehicles and/or private collection contractors. Where collection vehicles must enter private property, design should be carried out in accordance with the requirements specified in Appendix D (Section 8) "Vehicle access and Turning Circles" and the *Australian Standard 2890.2 Parking Facilities* as amended.

C14 Within multi unit residential developments, an area is required to be nominated onsite for communal composting. This area is to be incorporated in any submitted landscaping plans. The operation of the facility is to be the responsibility of the owners' corporation. In determining the siting of this communal composting facility the following should be considered:

a. location and proximity to proposed and adjoining development, odour and the location of the drainage system;

b. the facility should be purpose built in design; and

c. appropriate signposting, to ensure that inappropriate waste is not added.

C15 The use of waste and recycling compaction equipment is prohibited.

Waste

Single Dwellings

C16 The amount of waste (domestic garbage) service provision is a maximum of 120 litres per dwelling per week.

Note: Households can choose a 55-litre, 80-litre or 120 litre bin which will result in differing rates of payment of the Domestic Waste Charge according to bin capacity.

Multi Dwelling Housing/Residential Flat Buildings

C17 Multi-unit housing generally share 240 litre garbage bins (red lid) for domestic garbage. All calculations for waste and recycling storage rooms are to be based on the dimensions of a 240L bin. The maximum garbage service for a single unit is 120 litres per week.

Note: The waste/recycling room needs to be designed to ensure that it can accommodate this maximum 120L service per unit. Waste bin allocation will be rounded up to the nearest 240L bin.

Recycling

Single Dwellings

C18 A 120L yellow lid recycling bin for comingled containers (i.e. bottles / cans) per household.

C19 A 120L blue lid bin for paper and cardboard per household.

Multi Dwelling Housing/Residential Flat Buildings

C20 Multi-unit housing developments generally share both 240L co-mingled and 240L paper and cardboard recycling bins. The maximum recycling service is 60L per dwelling per week (collected fortnightly). It is evenly split between the two recycling bin types.

C21 Allocation of the 240L recycling bins is to be rounded up to the nearest 240L bin for each bin type (co-mingled and paper & cardboard).

Example of recycling bin allocation calculation:

A 12 dwelling development generates 720L of recycling per week (60L x 12 dwellings). As recycling is collected fortnightly, the bin capacity to store this recycling is doubled. 1,440L of recycling bin capacity is therefore required. This is split between the two recycling bin types (comingled and paper & cardboard), resulting in the need 3 x 240L of each bin type, or 6 x 240L recycling bins in total.

C22 Accommodation for potential swap over to 660L bins must be made if waste or recycling material storage requirements meet or exceeds 660L for any waste or recycling bin type.

Garden Organics Bin

Single Dwellings

C23 A 240L lime green lid bin for organics per household

Multi Dwelling Housing/Residential Flat Buildings

C24 Where the development generates garden organic material (contains open space areas) a 240L bin (green lid) is provided which is generally shared as required based on the landscape component of the development.

Appendix D (Section 3) *"*Indicative Bin Sizes*"* provides Council's standard bin sizes

Ongoing Management of Residential Development

C25 For single dwellings, each dwelling shall have their own bins with individual householders taking responsibility for on-street placement and removal.

C26 For multiple residences, agents of the owners' corporation are to ensure that waste is transported to the collection areas at appropriate times on collection days. Arrangements must be in place in regards to the management, maintenance and cleaning of all waste/recycling management facilities.

Note: Bins are to remain in their on-site storage area at all times other than for their placement at the collection point on the nominated collection day and then returned to their storage area within 12 hours of collection.

D2.4 NON-RESIDENTIAL DEVELOPMENT

Controls

C1 Typical waste generation rates for various non-residential uses are provided in Appendix D (Section 2) *"*Waste Generation Rates*"*. These rates should be considered in the design of all developments.

C2 Waste and recycling storage and collection areas and/or rooms are to be provided that:

a. ensure that the system for waste management is compatible with the collection service;

b. provide for the onsite separation of reusable and recyclable materials;

c. provide for appropriate signage;

d. are suitably enclosed, covered and maintained;

e. ensure an acceptable method for the transportation of waste from each level or tenancy to the waste and recycling storage and collection areas;

f. provide for an appropriately designed and well located waste storage and recycling area and/or room with suitable manoeuvrability; and

g. provide for clear access for staff and collection services.

Further details can be found in Appendix D (Section 6) "Non Residential Development Waste and Recycling Storage Areas".

C3 Where these waste and recycling storage and collection areas are not internally located, they should be located behind the main building alignment and appropriately screened to minimise visual impacts on the development and streetscape.

C4 Communal waste and recycling areas shall be provided in the following circumstances:

a. for multiple occupancy tenancies; or

b. where design and/or site characteristics make it impractical for all tenancies to have separate collection points.

C5 Each tenancy within the building or complex shall have a designated and clearly defined space within a communal waste and recycling area, if provided. Each designated space shall provide sufficient commercial containers to accommodate the quantity of waste and recyclable material generated.

Appendix D (Section 7) "Example of a Waste and Recycling Storage Rooms" provides further details.

C6 Where collection vehicles must enter private property, design should be carried out in accordance with the requirements specified in Appendix D (Section 8) "Vehicle Access and Turning Circles" and the *Australian Standard 2890.2 Parking Facilities* as amended.

C7 Details are to be provided of compliance with any environmental health and safety requirements relating to on site storage and removal of waste materials such as refrigerated waste rooms, grease traps and the like.

C8 Waste disposal and recycling areas should be flexible in design allowing for future changes of use or tenancy.

C9 An internal waste/ recycling cupboard must be provided for every kitchen area in a development which is of a sufficient size to hold at a minimum a single day's recyclable, compostable and waste material.

C10 Consideration should be given to the provision of composting areas and/or organics recycling on-site. Composting equipment may also be considered providing that it's usage meets any state and federal legislative requirements.

C11 The use of waste and recycling compaction equipment is prohibited.

C12 In sink waste disposal systems are strongly discouraged.

Ongoing Management of Non-Residential Development

C13 For all developments, details must be provided in the Site Waste Minimisation and Management Plan which indicate the ongoing management of waste on site, such as lease conditions, caretaker on site and the like.

C14 Non-residential developments with multiple tenancies shall provide an acceptable method for the transportation of waste and recycling from each level or unit to a waste and recycling storage area. This should provide direct and convenient internal access which is available to all levels and tenants such as a goods lift or by a caretaker.

In these circumstances, space must be provided per floor for the temporary storage of waste and recyclables.

C15 All commercial tenants must keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of the waste and recyclables that are generated on site.

C16 Consideration should be given to the following:

a. where separation of glass is undertaken it should be carried out within the premises during the hours 8am to 5pm to ensure minimal noise impacts on surrounding properties;

b. production of hazardous waste requires particular attention and should be checked with the Council and NSW Department of Environment and Heritage; and

c. premises which generate at least 50 litres per day of meat, seafood or poultry waste must have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until collection.

C17 Grease traps must be provided, where appropriate in accordance with Sydney Water's Trade Waste Pre-treatment Guidelines. Where possible, grease traps must be installed outside the building or in a dedicated grease trap room. Grease traps must not be accessed through food handling and storage areas.

Note: A Trade Waste Agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewerage system.

D2.5 MIXED USE DEVELOPMENT

Controls

C1 Mixed use development must incorporate separate and self-contained waste management systems for the residential and non-residential components.

C2 The residential waste management system must be designed in accordance with the controls related to residential development and the non-residential waste management system must be designed in accordance with the controls for non-residential development.

An example of a waste and recycling storage room is provided in Appendix D (Part 7) "Example of a Waste and Recycling Storage Room(s)".

PART E: WATER

CONTENTS

SECTION 1 – SUSTAINABLE WATER AND RISK MANAGEMENT

Objectives

Inner West is characteristic of an urbanised landscape with roads, buildings and footpaths creating significant surface area which is impervious to water. In this context, Council promotes water sensitive urban design as a means of minimising the impacts on the water cycle and resultant economic, environmental and social consequences.

O1 To ensure that development is carefully designed, constructed and maintained to minimise impacts on the water cycle and counteract the impacts of urban development by utilising measures in the design and operation of development that:

a. protect and restore aquatic and riparian ecosystems and habitats;

b. maintain and restore natural water balance;

c. reduce and manage the social, environmental and economic risks and impacts associated with major flood or tidal inundation events;

d. reduce erosion of waterways, slopes and stream banks;

e. improve water quality in streams and groundwater;

f. make more efficient use of water;

g. reduce the cost of providing and maintaining water infrastructure; and

h. contribute to reduction in the heat island effect by promoting growth of trees and vegetation.

i. minimise erosion of land from stormwater, minimise impacts to surrounding properties and ensure effective drainage of stormwater both via topography, natural resources and piped systems.

O2 To ensure that water management is considered at the site analysis stage of any development with consideration given to site characteristics such as soil type, slope, groundwater conditions, rainfall, the position within the catchment and the floodplain, and the scale and density of development. Planning and design of development is to incorporate site specific water sensitive urban design responses which may include such measures as:

a. use of roof water in place of mains supply for non-potable uses, especially for toilet flushing, laundry use and irrigation;

b. reuse of surface runoff for irrigation purposes;

c. use of greywater treatment systems to supplement water supply;

d. infiltration of stormwater to underground aquifers;

e. landscaping designed for cleansing runoff and conserving water;

f. protection of native vegetation to minimise site disturbance and conserve habitat; and

g. protection of stream corridors for their environmental, recreational and cultural values.

Note: The NSW Officer of Water Aquifer Interference Policy (AIP) applies to aquifers, and all of the considerations in the AIP would need to be incorporated in any such proposal.

O3 To maximise retention and absorption of surface drainage water on site.

O4 To minimise obstruction to the surface and underground flow of water.

O5 To avoid, minimise and mitigate adverse impacts:

O6 on any existing drainage pattern, waterway or drinking water catchment;

O7 of stormwater runoff on public and private property, the stability of watercourses and river banks, native bushland and receiving waters.

O8 To implement risk management measures in relation to flooding which:

a. minimise the adverse consequences of floods on the community and environment including potential danger to personal safety and damage to property, whilst taking into account the potential effects of climate change and sea level rise;

b. implement risk management measures in relation to tidal inundation and wave impact from Parramatta River and Sydney Harbour which minimise the adverse consequences on the community and environment including potential danger to personal safety and damage to property, taking into account the potential effects of climate change and sea level rise.

E1.1 APPROVALS PROCESS AND REPORTS REQUIRED WITH DEVELOPMENT APPLICATIONS

Council may require the submission of reports to accompany a development application. Some applications may require multiple reports to be submitted. The requirements of these reports are indicated in each section below.

E1.1.1 Water Management Statement

A Water Management Statement is to be included with all development applications where building works or subdivision is proposed.

The Water Management Statement should summarise how proposed water management measures comply with the water management controls contained in this Development Control Plan and how they are to be integrated into the development, including the following:

a. water conservation measures;

b. stormwater management and treatment;

c. stormwater disposal method;

d. any additional wastewater measures, if proposed;

e. on site stormwater detention facilities design, if applicable; and

f. flood or foreshore risk management, if applicable.

In a development affected by the NSW Building Sustainably Index (BASIX), the BASIX certificate is the appropriate response for the residential component of such development.

E1.1.2 Integrated Water Cycle Plan

The Integrated Water Cycle Plan is a design, management and implementation plan for large scale developments.

An Integrated Water Cycle Plan is required for all applications which are for:

a. 15 or more dwellings or residential lots; or

b. the provision of accommodation for 50 or more residents, occupants or employees; or

c. the creation of 2,500sqm or greater of impermeable surface; or

d. the subdivision of 2,500sqm or greater of land for commercial or industrial purposes; or

e. proposals which are expected to generate a water demand of 5,000 litres per day or more.

Where an Integrated Water Cycle Plan is required for BASIX affected development then, specifically regarding water conservation measures, the BASIX certificate is acknowledged as the appropriate response for the residential component of such development proposals and the Integrated Water Cycle Plan should respond to remaining aspects of water management, including water conservation measures for non-residential components of a proposal, if applicable.

Appendix E – Part 1: Integrated Water Cycle Plan of this Development Control Plan provides further information.

E1.1.3 Stormwater Drainage Concept Plan

A Stormwater Drainage Concept Plan is required for all applications that include alterations or additions to existing roof areas, new roof areas, or as required elsewhere in this Development Control Plan.

The purpose of a Stormwater Drainage Concept Plan is to demonstrate how stormwater will be managed on the site, how it will be collected, conveyed and disposed of from the site and any stormwater management measures that are required by this Development Control Plan. A Stormwater Drainage Concept Plan is not intended for use as a construction plan. Further details of design and specification may be required for the issue of a Construction Certificate.

E1.1.4 Flood Risk Management Report

A Flood Risk Management Report is required for applications that are identified as flood control lots on the maps in Appendix E – Part 4: Flood Control Lot Maps.

The Report must be informed by a Flood Certificate issued for the subject property, to be obtained by application to Council. The Certificate provides relevant flood information for the subject site and surrounds, including the 1% AEP Average Recurrence Interval flood level, Flood Planning Level, Probable Maximum Flood (PMF) level and the Flood Hazard Category.

The report is not required where the assessed value of the works is under $50,000 except where, in the opinion of Council, those works are likely to substantially increase the risk of flood to the subject or adjoining or nearby sites.

The Report may be limited to a short report (Flood Risk Management Statement) for single residential dwellings, alterations and additions or change of use developments where the property is confirmed by the Flood Certificate as being subject only to low hazard flooding.

Some applications for sites identified as a flood control lot will require both a Flood Risk Management Report and a Foreshore Risk Management Report (see below).

Appendix E – Part 2: Flood Risk Management Report provides further information on how to prepare a Flood Risk Management Report or Statement.

E1.1.5 Foreshore Risk Management Report

A Foreshore Risk Management Report is required for sites identified as foreshore flood control lots on the maps in Appendix E – Part 5: Foreshore Flood control lot Maps.

This report is not required where:

a. the value of works is under $50,000; or

b. there are no new works proposed below RL 3.5m Australian Height Datum (AHD); or

c. there are no existing habitable structures or buildings below RL 3.5m AHD; or

d. any proposed jetties, bridging ramps or pontoons are located on the seaward side of the foreshore edge.

Unless Council considers that the works are likely to substantially increase the risk of flooding to the subject or adjoining or nearby sites.

The Foreshore Risk Management Report must establish the Foreshore Planning Level and an on-site response and evacuation plan. Some applications for sites identified as flood control lots will require both a Flood Risk Management report and a Foreshore Risk Management Report (see above).

An application for a Flood certificate can be made to Council to obtain information on flooding of the subject site and surrounds. The information within the Flood certificate can be utilised to inform the preparation of the Flood Risk Management Report.

Appendix E – Part 3: Foreshore Risk Management Report provides further information.

E1.2 WATER MANAGEMENT

E1.2.1 Water Conservation

There is a need to use water more efficiently due to the limitations on potable water supply systems and the increasing urban population.

Objective

O1 To design development to improve water conservation and increase on-site storage of rainwater for reuse.

Controls

C1 These controls are complementary to BASIX. For all applications where BASIX is not applicable the following water efficiency design elements must be included and indicated on submitted plans:

a. new or altered showerheads are to have a flow rate of no greater than 9 litres per minute or a 3 star or better water rating;

b. new or altered toilets are to have a flow rate no greater than 4 litres per average flush or a 3 star or better water rating; and

c. new or altered taps must have a flow rate no greater than 9 litres per minute or a 3 star or better water rating.

C2 Site landscaping should be designed with water efficient gardens. Planting schedules indicating suitable indigenous and low water use species from the relevant local native vegetation community should be provided. These should be chosen from the following list: https://www.basix.nsw.gov.au/basixcms/basix-help-notes/water/landscape-2/plantspecies.html

C3 Where on site retention facilities for rainwater reuse and/ or stormwater reuse are proposed to service all toilets, laundries and outdoor usage, on site detention storage volume (where required) may be reduced. Calculations to justify this reduction must be provided to Council and demonstrate that the equivalent reduction in post development flows are achieved.

E1.2.2 Managing Stormwater within the Site

Council seeks to minimise the effect of new buildings and structures and alterations to the existing topography on the natural flow of stormwater runoff by integrating the general site layout with the design of the stormwater drainage system.

Typical considerations should include:

a. minimising disturbance to the natural surface landform;

b. allowing a gap between buildings or structures and the boundary to allow excess surface flows to pass through the site, consistent with the topography of the land (i.e. downhill);

c. using lightweight or paling fences to allow excess surface flows to pass through; and

d. providing a step up to the building entrances from external finished ground levels.

Objective

O1 To integrate site layout and the drainage system to avoid nuisance flows and flooding within the development and onto neighbouring properties.

Controls

C1 Site layout must be designed to minimise disruption or disturbance of land surfaces or natural drainage patterns. Where natural surface flows from uphill lands, have the potential to flow through the property, notwithstanding the presence of fences, walls and minor structures, they must not be blocked or redirected as a consequence of the proposal.

C2 Buildings are to be setback where overland flow paths are needed in that location due to site constraints to convey flows across the surface.

C3 Solid or masonry boundary fences should not be erected where they will divert stormwater runoff to another property. Boundary fences should be of lightweight or partially open construction in these circumstances.

C4 The site drainage system must be designed to collect and convey flows by gravity and include a pipe system for frequent rainfall events combined with an overland flow path to convey larger flows that are generated during storms.

C5 Where an overland flow path cannot be provided due to the position of existing buildings and structures that are to be retained, the capacity of the pipe system must be designed to capture and convey the 100 year Average Recurrence Interval storm event flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe.

C6 Where the development would cause the existing and/ or natural drainage patterns in the vicinity of the site to be blocked or diverted or otherwise concentrate flows onto another property, an inter allotment drainage system must be constructed to collect and convey those flows, and an associated drainage easement created.

C7 Adequate provision must be provided to minimise the potential for surface waters entering buildings which may cause damage to property. This should include a minimum of 150mm step between the external finished surface level and the finished floor level. A larger step may be required where the surface waters from multiple uphill properties have the potential to enter the site.

E1.2.3 On-Site Detention of Stormwater

Urban development increases the area of impermeable surfaces and causes significant alterations to the hydrological cycle. As older buildings are redeveloped, and drainage systems are replaced, they have the potential to increase the rate of discharge from those sites. These effects can cause the peak flow rates to be increased along the downstream drainage systems and place additional burden on the aging stormwater infrastructure, which has often been installed many years ago to a standard applicable at the time.

This increases the likelihood of flooding to downhill properties, and needs to be mitigated by providing detention storage on the development site which temporarily stores stormwater before slowly releasing it into the public drainage system.

Objective

O1 To reduce the peak stormwater flows into the public drainage system and reduce the probability of downstream flooding.

Controls

C1 On-site detention facilities are required except where:

a. the site drains directly into Parramatta River or Sydney Harbour; or

b. the proposal is for minor works to a single dwelling, commercial or industrial building and where the impervious area is not increased by more than 40 square metres; or

c. subdivision of existing or currently approved dwellings.

C2 The on-site detention facilities design should be designed by an appropriately qualified civil engineer and be supported by calculations demonstrating that the post development flows for the 100 year Average Recurrence Interval (ARI) storm event are restricted to the pre development flows for the 5 year ARI storm event. Additional on-site detention storage may be required where the site does not drain naturally to any street frontage in accordance with controls in Section E1.2.5 C3.

C3 On-site-Retention (OSR) may be used in lieu of OSD in accordance with the following criteria:

a. For attached dwellings, dwelling houses, secondary dwellings and semi-detached dwellings, the OSR storage shall be sized as follows:-

LOT SIZE - sqm	Minimum OSR TANK SIZE per PROPOSED LOT (Strata or Torrens) - Litres
Greater 200	5,000
Less 200, greater 100	4,000
Less 100	3,000

b. For other developments excluded by the above, OSR may be used to offset the calculated OSD storage volume at a rate of 1m3, for every 2.5m3 of OSR storage provided (up to a maximum OSD offset of 10m3).

c. The OSR must supply water to all new and/or upgraded toilet cisterns, laundry washing machine connections, external taps, and irrigation systems. The standard labelling shall be displayed at such outlets.

E1.2.4 Stormwater Treatment

Increased runoff during rainfall events flushes pollutants such as litter, sediment, suspended solids, nutrients, oil, grease and toxicants into the stormwater system which may reach other waterways.

Objective

O1 To minimise the transport of pollutants into the harbour and other waterways.

Controls

C1 For all development applications for building works, other than single dwellings, a water quality filtration basket or similar primary treatment device must be installed on the site stormwater drainage system.

C2 For major or significant development, water quality treatment techniques such as gross pollutant traps, sediment traps, filter strips, grass swales, porous pavers, infiltration trenches, rain garden and sand filters should be provided where appropriate.

C3 For applications for open car parks with 9 or more spaces (including loading bays), an additional device to remove oil and grease from the driveway and stormwater runoff must be installed.

C4 Car wash bays must be provided for applications for multi unit residential development. For developments with more than 3 but less than 16 dwellings, the car wash bay may be provided separately or in one of the visitor car spaces. For developments with 16 or more dwellings, a dedicated car wash bay must be provided at a rate of 1 bay per 60 dwellings or part thereof.

C5 For applications that require an Integrated Water Cycle Plan, water quality treatment measures must be installed that meet the following environmental targets for stormwater runoff leaving the site:

Pollutant	Baseline Annual Pollution Load (kg/ha/yr)	Retention Criteria
Gross pollutants, including trash, litter and vegetation matter greater than 5mm	500	90% reduction of average annual load
Total suspended solids, including sediment and other fine material less than 5mm	900	85% retention of average annual load
Total Phosphorous	2	65% retention of average annual load
Total Nitrogen	15	45% retention of average annual load
Hydrocarbons (Oils and Greases)		90% reduction of annual load – no visible discharge
Toxicants		100% containment of toxicants

(Source: Catchment Management Authority Sydney Metropolitan: Draft Managing Urban Stormwater: Environmental Targets October 2007)

The design of the stormwater treatment system must be incorporated into the Integrated Water Cycle Plan.

E1.2.5 Water Disposal

The public stormwater drainage system is made up of minor and major drainage infrastructure. This infrastructure is both piped and un-piped with different components owned and managed by either Council or Sydney Water.

Stormwater infrastructure

- Council minor drainage systems include kerb and gutter, dish gutters, surface drains and small pipes to take water through road intersections.
- Council and Sydney Water trunk drainage systems include pits, pipelines, culverts, open channels and associated overland flow paths located within public land or passing through private property.
- Sydney Water major drainage systems include Whites Creek, Johnstons Creek and Hawthorne Canal.

All properties should be connected to the public drainage system, unless stormwater can be discharged directly to Parramatta River or Sydney Harbour. The scale and nature of the development will determine whether the site discharge should be connected to the minor or piped/trunk drainage system.

The discharge should always be in the same direction and within the same catchment as the site naturally drains. The discharge of subsurface waters from basement structures to the public drainage system should be avoided as it can cause nuisance or public health risks. Where possible subsurface water should be retained on site or otherwise be connected to the piped trunk drainage system.

Objective

O1 To maintain existing natural drainage patterns and avoid nuisance and flooding to the drainage system and downstream properties.

Controls

C1 Where the site drains naturally towards any street frontage, stormwater runoff from all roof and impermeable areas must be drained by gravity to the public drainage system of that street frontage.

C2 Where the site naturally drains away from all street frontages and cannot discharge stormwater directly to Parramatta River or Sydney Harbour, stormwater runoff should be drained to a piped trunk drainage system, if it passes through the site, or an existing registered drainage easement benefiting the site.

Where neither of these options is available but the roof areas of the development may be drained to the street:

a. for minor developments that result in additional roof area of less than 20sqm of roof area (including a garage or carport), the existing site drainage system may be utilised;

b. for minor developments that result in the addition or alteration of more than 20sqm but less than 40sqm of roof area, as much roof and surface areas as practicable should be drained by gravity to the street frontage above;

c. for development to a single dwelling that results in the addition or alteration of more than 40sqm of roof areas, the entire roof areas of the existing dwelling should be drained by gravity to the street frontage above; and

d. for new single dwellings, at least 80% of all paved/impermeable surfaces should be drained by gravity to the street frontage above.

The drainage of any roof and surface areas that cannot drain to the street must be designed to cause no concentration of flows or nuisance to downstream properties.

C3 Where the controls in E1.2.5 C2 cannot be met, a drainage easement over a downstream property to the street below should be sought. Council will not consider alternative solutions unless detailed evidence of the efforts to obtain an easement is provided and the development is for a single dwelling or minor works to a residential, commercial or industrial building.

C4 Connection to the public stormwater drainage system should be undertaken as follows:

a. Where the development is for up to two dwellings or minor works to residential, commercial or industrial buildings, new connections should be made to the kerb and gutter of the street frontage.

The peak discharge to the kerb and gutter is 15 Litres/second for the 100 year Average Recurrence Interval storm event. Where the site discharge exceeds 15 Litres/ second, the outlet pipeline must be connected directly to the public piped drainage system. Alternatively, for developments that require on site detention facilities, the storage volume may be increased such that the peak discharge is limited to 15 Litres/ second;

b. For all other developments, the site must be drained to the downhill extent of the site, generally in the direction that the site naturally drains. The outlet pipeline must be connected directly to the public piped drainage system. Where the piped drainage system is not available at the street frontage, the existing public system must be extended to the frontage of the site as specified by Council.

Council will only consider permitting the site to be drained contrary to the direction that the site naturally drains where it is demonstrated that there is no adverse impacts on the receiving drainage system. At a minimum, additional on-site detention and on site retention storage must be provided to ensure that peak flow rates and flow volumes are not increased in the receiving drainage system.

C5 Basements must be of fully tanked construction such that pump-out systems are not required to drain the subsurface drainage system. Consideration will only be given to the provision of a pump-out system where it can be demonstrated by detailed geotechnical investigation that groundwater flows are minimal or intermittent.

C6 For basements other than for car parking purposes this will only be considered where it is demonstrated that they will not be subject to the ingress and surface stormwater, and where the sump and pump facilities can be housed and accessed for maintenance from an area external to the building above. Floor areas partly below the natural ground surface level will only be considered where it is demonstrated that they will not be subject to the ingress of surface stormwater, and where an overland flowpath can be provided from all adjacent external finished surfaces.

C7 For basements associated with car parking facilities, a pump out system is permitted for minor surface areas that drain to the basement. All other forms of access to the basement must be protected from the weather so that the entry of stormwater runoff to the basement is minimised.

E1.2.6 Building in the Vicinity of a Public Drainage System

The public stormwater drainage system often passes through private property. This system will be owned by Council or Sydney Water and will generally be carrying out dual functions. Water from more common rainfall events is carried by the pipelines below the ground, while the water generated during larger storm events is carried across the surface.

New development in close proximity to these drainage systems must not compromise the functionality of or limit the capacity of the responsible authority to manage the system.

Approval is required from Sydney Water for construction in the vicinity of their piped drainage system and Council must consider the wider implications such as the flood risk.

Objective

O1 To ensure that development in close proximity to the public drainage system does not compromise the functionality of the system and provides adequate access for its future management.

Controls

C1 The construction of permanent structures or placing of fill over Council's piped drainage system is not permitted. Permanent structures include buildings, eaves, balconies, garages, impervious fences, swimming pools and retaining walls.

C2 Where the drainage system is within a drainage easement, these above restrictions extend over the width of the easement. Where the drainage system is not within an easement, the above restrictions are extended by 1500mm to both sides of the centreline of the drainage structure. These restrictions may be extended further due to considerations associated with flood risk management.

C3 Council may permit open structures where it can be demonstrated that they will not increase the risk of flooding to the subject or adjoining properties or Council property. These structures must not prevent or hamper future access to the drainage system for works and maintenance. Examples of open structures include carports or open parking spaces.

C4 The construction of structures over or adjacent to the Sydney water piped stormwater drainage system must be approved by Sydney Water. This Development Control Plan may impose additional conditions to those imposed by Sydney Water.

E1.2.7 Wastewater Management

In addition to the installation of water saving devices and rainwater tanks, water may be conserved by treating wastewater on the site and, where appropriate, reusing it.

Objective

O1 To encourage recycling of the water resources in a safe and sustainable manner.

Controls

C1 All developments must be connected to the centralised sewerage waste disposal system operated by Sydney Water.

C2 On site wastewater treatment must be designed and installed to meet all relevant statutory requirements and any relevant Australian Standards.

E1.3 HAZARD MANAGEMENT

E1.3.1 Flood Risk Management

Much of the Council and Sydney Water owned stormwater drainage systems were designed at a time which preceded the current level of development and have not been upgraded or updated to a corresponding level.

The piped component of the system is designed to carry the runoff from frequent rainfall events. During larger storm events stormwater will flow across the surface following the natural valleys and depressions.

With the increased stormwater runoff that follows development and the greater number and concentration of buildings and dwellings along the creeks and natural depressions, there has been a gradual rise in flooding risk in the area. Careful design is required to ensure that property's current and future landowners, occupiers and the community are not exposed to flooding due to the redirection or removal of flow paths.

Objective

O1 To manage development of flood control lots and flood prone land to reduce the risks and costs associated with flooding**.**

Controls

C1 Applications submitted for a flood control lot must be accompanied by a Flood Risk Management Report supported by a flood study prepared by a relevantly qualified civil engineer. The report must establish the Hazard Category of the site.

Single Dwelling Residential or Dual Occupancy Development

C2 All floor levels including any existing components to be retained, are to be at or above or raised to the Flood Planning Level with the following exceptions:

for alterations and additions to a residential dwelling, some or all of the existing floor levels may be retained below the Flood Planning Level provided that each of the following is complied with:

a. the floor levels of the additions and any altered floor areas must be at or above or raised to the Flood Planning Level;

b. where the alterations and additions affect less than 60% of the total existing habitable ground floor areas, those existing areas that are not to be significantly altered may be retained below the Flood Planning Level;

c. where the alterations and additions affect greater than 60% of the total existing habitable ground floor areas, but raising some or all of the existing floor levels is impracticable due to Heritage or Conservation Area constraints, only those areas so constrained may be retained below the Flood Planning Level;

d. the additions must be designed and constructed such that they do not preclude the raising of the existing floor areas to the Flood Planning Level at a future date;

e. for any addition above ground floor, the floor level of the addition must be at a height that allows for the ground floor below to be raised in the future (if not required to be raised under the above controls) to the Flood Planning Level, whilst maintaining minimum floor to ceiling height requirements;

f. parts (d) and (e) are subject to compliance with other relevant requirements in the Development Control Plan residential controls; and

g. any floor areas of the existing dwelling that are to be retained at the existing level, or below the Flood Planning Level, must be satisfactorily flood proofed (either wet or dry) to the Flood Planning Level.

h. Council will consider a reduction in the freeboard from 500mm to 300mm the property is only affected by areas of minor overland flow(a depth of 300mm or less, or overland flow of 2 cum/sec or less) subject to an adequate alternate flow path being available.

Multi Unit Residential Development for 3 or more Dwellings

C3 All floor levels are to be at or above the Flood Planning Level.

Commercial, Industrial and Mixed Use Development

C4 All floor levels, including any existing components to be retained, are to be at or above the Flood Planning Level or raised to the Flood Planning Level.

Where constructing the floor level or raising the floor level of existing development to the Flood Planning Level may be impracticable, due to site and access constraints, consideration may be given to some or all of the non-residential floor levels having a freeboard of less than 500mm above the 100 year ARI flood level provided that satisfactory flood proofing (either wet or dry) is achievable to the Flood Planning Level. All entrances and evacuation routes servicing any residential components must be above the Flood Planning Level.

Subdivision

C5 Permitted only where it can be demonstrated that as a result of the development or future anticipated development on the proposed lots, that there are adequate building platforms or developable areas such as car parking facilities that can be provided above the Flood Planning Level.

For the subdivision of an existing building or one with a current development consent, the flood risk management options must be implemented where practicable. This is to include, at a minimum, suitable evacuation and emergency response measures.

Special uses (emergency services, accommodation or treatment of children, the aged, disabled or vulnerable)

C6 All floor levels are to be at or above the Probable Maximum Flood Level or Flood Planning Level, whichever is the highest.

Other Developments

C7 The above controls for Commercial, Industrial and Mixed Use Development apply to all other development.

Land with a High Hazard Category

C8 If a development is identified in the Flood Risk Management Report as being in a High Hazard Category, the development must demonstrate that:

a. there is no net loss in flood storage and floodway area as a result of the development;

b. the development will not increase velocity, volume or direction of flood waters;

c. for subdivisions, that there are adequate building platforms or developable areas including car park facilities and access which are not affected by the High Hazard Category;

d. the underside of all new floors are above the Probable Maximum Flood Level or Flood Planning Level, whichever is the highest, and all structures designed to withstand the High Hazard condition;

e. the principle entries to all dwellings and common areas are located above the Probable Maximum Flood Level or Flood Planning Level, whichever is the highest, and an evacuation route is provided clear of the floodway;

f. Basement (below natural ground level) car parking is only permitted where all access and potential water entry points are above the Probable Maximum Flood Level or Flood Planning Level, whichever is the higher, and a clearly signposted flood free pedestrian evacuation route is provided from the basement area separate to the vehicular access ramps; and

g. parts (d) and (e) are subject to compliance with other relevant requirements in the Development Control Plan residential controls.

Car parking Facilities and Basements

C9 The floor level of new enclosed garages must be at or above the 1% AEP flood level plus 200mm. In extenuating circumstances, consideration may be given to a floor level at a lower level, being the highest practical level but no lower than 180mm below the 1% AEP flood level, where it can be demonstrated that providing the floor level at the Flood Planning Level is not practical within the constraints of compliance with Australian Standard AS/NZS 2890.1 Parking facilities as amended.

The floor levels of open car park areas and carports must meet the same criteria as above for garages. In extreme circumstances, for single dwelling residential development, a floor level below the 1% AEP minus 180mm may be accepted for a single car space, subject to bollards being provided along the 'free' perimeter (excluding the vehicle entry on one side only) at 1.2m intervals and the floor level being raised as high as practical within the constraints of compliance with Australian Standard AS/NZS 2890.1 Parking facilities as amended.

On properties with a low flood hazard classification, basement (below natural ground level) car parking must have all access and potential water entry points above the Flood Planning Level and provide a clearly signposted flood free pedestrian evacuation route from the basement area separate to the vehicular access ramps. Refer to C8(f) for basement car parking in properties affected by High Hazard flooding.

Flood Mitigation and Modification Works

C10 Those works that modify the stormwater drainage system or flood behaviour within the development site are permitted subject to the following:

a. they do not have an adverse impact on any surrounding property;

b. a Section 88B notation is to be placed on the title of the land that informs future landowners that flood protection measures, and the associated locations, have been undertaken on the property and/or the dwelling and of the need to retain and maintain these structures and works for future flood mitigation; and

c. where it is demonstrated that flood mitigation works result in the safe diversion of the floodwater away from the proposed development, the floor level may be located below the Flood Planning Level.

E1.3.2 Foreshore Risk Management

Properties along the foreshore land bordering Parramatta River and Sydney Harbour can be affected by inundation and wave impact during storm events. Future global sea level rises will see an increase in this effect.

Floor levels of development along the foreshore need to be constructed high enough to minimise the potential for inundation in the long term and designed to withstand the impact of waves during storm events.

Objective

O1 To manage development along the Parramatta River and Sydney Harbour foreshores to reduce the long term risks associated with tidal inundation and wave impact.

Controls

C1 Applications for a flood control lot on the foreshore must be accompanied by a Foreshore Risk Management Report supported by a flood study prepared by an appropriately qualified civil engineer.

New residential development and alterations and additions to residential development

C2 All floor levels including any existing components of the development (excluding open balconies) must be at or above or raised to the Foreshore Planning Level. However, existing floor levels may be retained below the Foreshore Planning Level for alterations and additions to existing residential dwellings, provided that each of the following controls are complied with:

a. the floor levels of the additions and any altered floor areas must be at or above or raised to the Foreshore Planning Level;

b. where alterations and additions affect less than 60% of the total existing floor areas, those existing areas that are not to be significantly altered may be retained below the Foreshore Planning Level;

c. where the alterations and additions affect greater than 60% of the total existing ground floor areas and raising some or all of the existing floor levels is impracticable due to Heritage or Conservation Area constraints, only those areas so constrained may be retained at the existing level;

d. the additions must be designed and constructed such that they do not preclude the raising of the existing floor areas to the Foreshore Planning Level at a future date or when further additions are proposed;

e. for any addition above ground floor, the floor level of the addition must be at a height that allows for the ground floor below to be raised in the future (if not required to be raised under the above control) to the Foreshore Planning Level, whilst maintaining minimum floor to ceiling height requirements;

f. parts (d) and (e) are subject to compliance with other relevant requirements in the Development Control Plan residential controls; and

g. any floor areas of the existing dwelling to be retained at the existing level, below the Foreshore Planning Level, must be satisfactorily flood proofed (either wet or dry) to the Foreshore Planning Level.

All other development types

C3 Where constructing the floor level, or raising the floor level of existing development to the Foreshore Planning Level is difficult to achieve due to site and access constraints, consideration may be given to some or all of the floor levels being up to 300mm lower than the Foreshore Planning Level provided that satisfactory flood proofing (either wet or dry) is achievable to the Foreshore Planning Level.

Subdivision

C4 Subdivision of foreshore land will only be supported where it can be demonstrated that adequate building platforms or developable areas, including car parking facilities and access, can be provided above the Foreshore Planning Level.

Car parking Facilities / Basements

C5 The floor level of new enclosed garages must be at or above the Foreshore Planning Level. The floor levels of open car park areas and carports are permissible as low as 300mm below the Foreshore Planning Level, subject to them having been raised as high as practical within the constraints of compliance with Australian Standard AS/NZS 2890.1 Parking Facilities as amended.

Basements (below natural ground level) for car parking or other purposes, must have all access and potential water entry points above the Foreshore Planning Level and a clearly signposted pedestrian evacuation route from the basement area separate to any vehicular access ramps.

General Requirements

C6 Mitigation works that modify the wave action or tidal inundation behaviour within the development site, including the filling of land, the construction of retaining structures and the construction of wave protection walls, may be permitted on a merit basis subject to demonstrating that there is not adverse impact on the subject property or surrounding land.

A Section 88B notation under the *Conveyancing Act 1919* may be required to be placed on the title of the land describing the location and type of mitigation works with a requirement for their retention and maintenance.

PART F: FOOD

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SECTION 1 – FOOD

Objectives

Council encourages community gardens and food plots throughout the LGA as a way of implementing its adopted Community Gardens Policy and to help a wide range of residents to grow vegetables, fruits and native plants, encourage the cooking and eating of fresh food whilst fostering a heightened appreciation and a deeper understanding of the natural environment. Additional advantages include the wider usage of public open space and a broader range of community leisure activities. Parallel to this, Council supports markets selling organic produce, public cooking classes and the promotion of healthy eating programs which all contribute to a greater degree of local environmental sustainability, whilst encouraging healthier living and lifestyles throughout the community.

Council is committed to enhancing the sustainability of Inner West in order to better position the community to respond to changes in the social, political and environmental context. Facilitating food production, even at the smallest scale, is one way Council can enhance awareness of long term food security and contribute to sustainability goals by reducing food miles. Worm farming and composting are also important activities in any garden as they recycle green waste and return that energy to the soil to assist in growing food.

Gardening provides essential sustenance, social opportunities to connect with others and personal satisfaction in creating something new through cooking or growing our own food. The use of private open space for supplementation of household food requirements can greatly enhance the amenity of a dwelling.

Council encourages community members to produce their own fruit and vegetables utilising both public and private land, and provides further information regarding:

- Council's "Adopt a Plot" program, where people that are no longer able to maintain their garden are connected with others that want to grow fruit and vegetables;
- development and management of community gardens (see Council's Community Gardens Policy);
- development and management of private gardens, including ensuring soil is not contaminated (see Part C1.8 Contamination within this Development Control Plan); appropriate composting and waste management (see Council's website for information on minimising waste and composting guidelines); and
- the need to consider the quality of soil in relation to potential contamination.

Community garden spaces provide opportunities for members of the community to connect with each other in a shared vision which is focussed on the creation, maintenance and shared rewards of gardening. Community gardens provide food, recreation and therapeutic opportunities for a community. They also provide opportunities for developing new skills, developing friendships through socialisation, promotion of Sustainability principles, improving health and living standards and promoting a sense of community pride and well-being.

Council's Community Garden Policy provides clarity and direction to the community on Council's and the community's role in community gardening – from consulting and setting up a new garden to day-to-day management. It outlines the rights and responsibilities of everyone involved. The Policy should be read in conjunction with this section of the Development Control Plan, and can be accessed at: https://www.innerwest.nsw.gov.au/ArticleDocuments/1453/Community%20garden%20policy.docx.aspx

This section of the Development Control Plan also assists Council in achieving several key objectives of the adopted Leichhardt Community and Cultural Plan: 4 Year Service Delivery Plan, including:

- connecting people to each other by actively encouraging and facilitating people to make neighbourhood connections through programs such as the Community Gardens and "Adopt a Plot" programs;
- developing community strengths and capabilities by effectively resourcing Council's community programs and utilising a capacity building approach; and
- promoting health and well-being by encouraging and supporting healthy and sustainable eating and equitable access to fresh food through programs such as the Community Gardens and "Adopt a Plot" programs.

F1.1 FOOD PRODUCTION

Historic land uses

The area's rich industrial heritage has led to the issue of land being potentially contaminated within the area.

Council's approach and responsibilities for contaminated land management are outlined within Part C1.8 Contamination of this Development Control Plan. The Development Control Plan creates the framework to ensure that while carrying out its planning functions, Council considers the possibility that a previous land use or environmental factors surrounding a specific site have caused contamination at the site.

It is recommended that consideration be given to the following precautions (refer to Table F1: Precautionary measures to consider prior to gardening food below) when gardening.

Table F1: Precautionary measures to consider prior to gardening food

Task or Activity	Common Hazards	Precautionary Control Measures
Garden use	Possible exposure to contaminants within soil Including (but not limited to):	Minor landscaping and planting activities
• Minor landscaping • Planting activities • Residential food production	• Lead and other metals • Asbestos • PAHs • Petroleum hydrocarbons.	Young children are particularly vulnerable to exposure from any contaminants within soil in residential areas due to their hand to mouth activities. The following precautionary control measures should be adopted. **Minor landscaping and planting activities:** • Wear gloves. • Wear a P2 face mask (if dusts are likely to be generated). • Avoid creating dust if possible (e.g. use light water sprays, avoid working in hot or windy conditions). • Do not eat, drink or smoke during activities. • Wash hands and face immediately after activities cease. • Brush or wash loose soil from tools at planting /

Task or Activity	Common Hazards	Precautionary Control Measures
		work location. • Return any surplus (clean) soils to the garden bed. • Wash heavily soiled clothing thoroughly. **Residential food production:** • It is recommended that raised soil beds are used for residential food production (vegetables etc) and soil is regularly replaced with uncontaminated material as required. • Garden beds for food production should be avoided near heavily travelled roads, known industrial premises, near gutter downpipes or near buildings painted prior to 1970. • It is recommended that soil used for food production, if suspected of containing contaminants, should be tested. For further information contact Council. • The testing of soil on residential properties where soil has been 'imported' and the source is unknown. • Leafy vegetables and herbs are known to collect contaminants (e.g. lead) from the air as well as the soil more readily than other vegetables. Gardeners should aim to maintain soil that is high in organic matter at an approximately neutral acidic level (i.e. a pH of approximately 6.5 to 7). • Thoroughly wash all fruit and vegetables prior to storage and eating.

Objectives

O1 To manage and encourage the responsible shared use of the public domain by establishing provisions regarding:

a. general sustainable plant maintenance strategies;

b. use of private balconies for use in food production;

c. roof gardens; and

d. community gardens.

O2 To outline Council's position towards localised household food production.

O3 To facilitate opportunities for members of the community to engage socially through the production and harvesting of food in the Local Government Area.

O4 To promote equitable access to fresh, organic and locally produced fruit and vegetables.

Controls

C1 The following guidelines should be followed in order to facilitate sustainable food production:

a. healthy soil is to be maintained through the incorporation of compost and well-rotted manure without excess nitrogen;

b. regular crop rotation strategies should be implemented to reduce build-up of soil diseases;

c. plant diversity should be maintained through the planting of both native and exotic species that are not weed species, and are not an exempt species as listed in Part C1.14 – Tree Management within this Development Control Plan;

d. plant species for food production should be appropriate to the site conditions such as solar access and site drainage, and should be planted at the right time of year with pest and disease resistant varieties. Further information on this can be obtained from your local nursery;

e. plants should be well-maintained in terms of pruning and watering, and mulching to maintain moisture and insulate soil; and

f. infected and diseased plant growth should be removed from the garden, but is **not** to be composted.

C2 Council supports the use of existing private space for use in food production provided that:

a. the amenity of neighbouring properties will not be adversely affected;

b. there is effective drainage on the site; and

c. the proposed garden is compatible with the structural integrity of any built element to be utilised.

C3 Council supports the use of organic and chemical free agricultural practice in pest management and plant maintenance.

C4 Council supports the sourcing of local fruit, vegetable and herb produce with limited food miles.

F1.1.3 Community gardens

Objectives

O1 To encourage development of community gardens for local food production and permaculture education.

O2 To support community gardens to be self-managed to increase community ownership.

O3 To increase sustainable fauna and flora microclimates.

Controls

C1 The requirements outlined in the Community Gardens Policy are to be fully complied with.

C2 Applicants are to submit a development application to Council for development of a Community Garden on private land or land owned by or control vested in Council. The development application is to demonstrate to Council that:

a. there is wide community support for a community garden in a particular neighbourhood and that such needs cannot currently be met locally;

b. where parkland is proposed to be utilised, the open space values of the park as a whole are not adversely affected and the potential for conflict with existing users and neighbours is minimised;

c. the garden group has established an agreed framework for governance and self-management of the proposed community garden e.g. a “Code of Conduct”;

d. the design and function of the proposed community garden is one which will have long term benefits for the community as a whole;

e. where the garden is to be located on community land, the proposed community garden is in keeping with any adopted plan of management or master plan for the site;

f. there has been robust community consultation on the development of the garden; and

g. the group has a level of match funding to assist in the establishment of the community garden (through a successful grant application, voluntary contributions, fundraising or otherwise).

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PART G: SITE SPECIFIC CONTROLS

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SECTION 1 – SITE SPECIFIC CONTROLS OVERVIEW

Background

This element outlines provisions relating to sites with a pre-existing Development Control Plan, Masterplan (deemed Development Control Plan's) or Masterplan Development Consent. All development in the area to which the *Leichhardt Development Control Plan 2013* applies.

Introduction

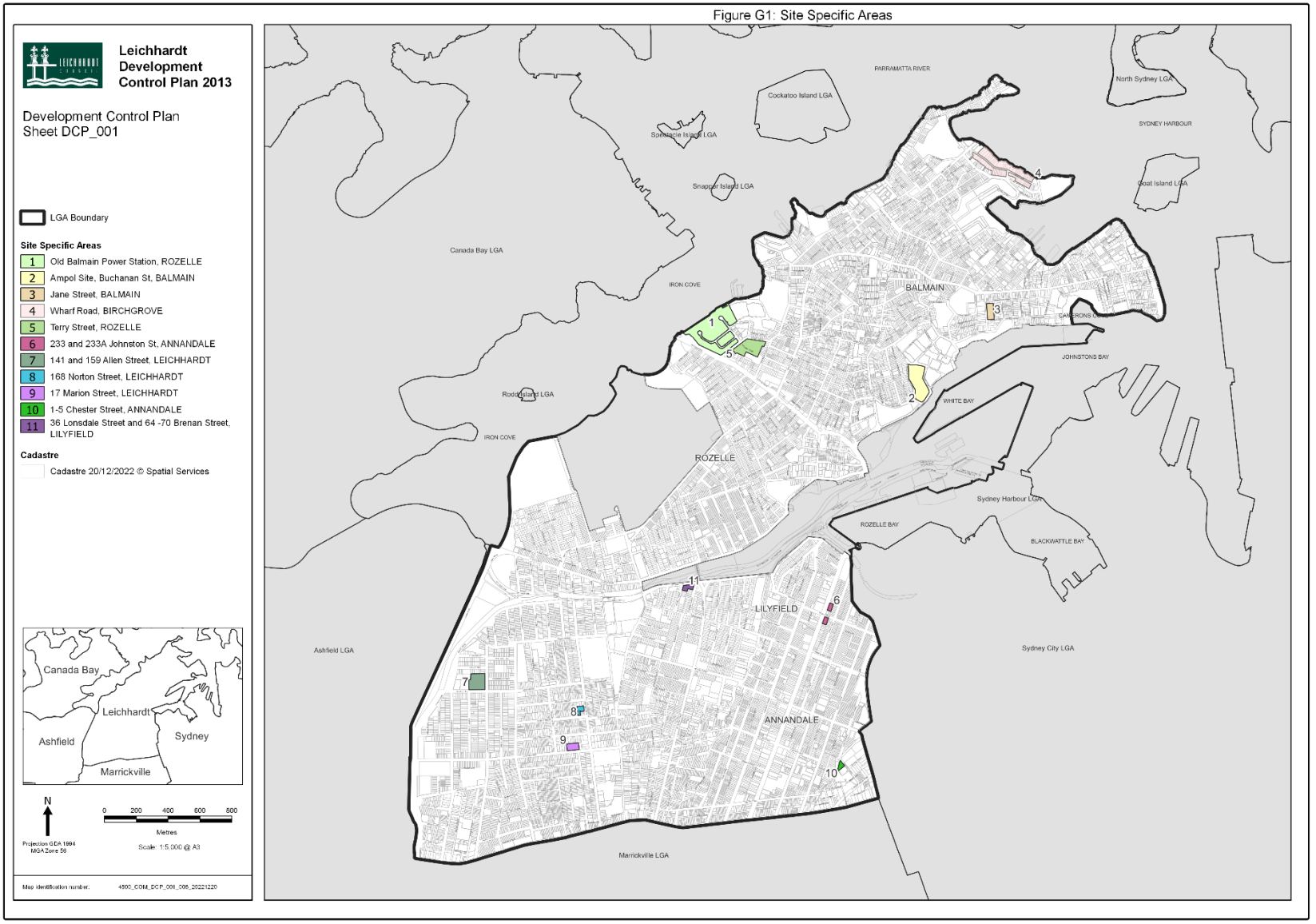
This section contains provisions for each of the sites identified in the map at Figure G1 - Site Specific Areas. Provisions are included for sites with a pre-existing Development Control Plan, Masterplan (deemed Development Control Plan) or pre-existing masterplan Development Consent. Where there is an inconsistency between this and any other section of this Development Control Plan, this section applies to the extent of the inconsistency.

Sites Identified in Previous Development Control Plans, Masterplans or Development Consents

This Development Control Plan repeals the Development Control Plans listed in Part A of this Plan as well as all deemed Development Control Plans (Masterplans) that have previously applied within the Leichhardt Local Government Area.

The objectives and provisions of the following sites are a translation of the controls of repealed Development Control Plan's (including Masterplans) and relevant development consents.

Figure G1: Site Specific Areas



SECTION 2 – OLD AMPOL LAND, ROBERT STREET, BALMAIN

Map Reference

Refer to Area 2 on the map in Figure G1 – Site Specific Areas.

Background

Recent development of this site incorporated employment uses, such as retail and commercial with residential development. The residential development benefits from the provision of services and facilities on the Balmain peninsula, such as public transport, shopping centres and schools. This site takes advantage of views across White Bay to the City skyline.

Future development of this land will need to complement the established character of Balmain; to be an interesting place for people to live, work and visit; and to maintain or enhance the local environmental amenity for existing residents in the area.

G2.1 PLANNING AND URBAN DESIGN

Objectives

O1 To ensure that buildings complement the established character of the locality.

O2 To provide a development that incorporates view-sharing principles.

O3 To promote employment generating uses on the site.

O4 To provide an active and stimulating streetscape.

Controls

C1 Building shall front and closely align with the street and open space systems. Buildings shall complement the context, and reflect the variety and complexity of the area in terms of building and roof form (including height), materials and architectural detail.

C2 The ground floor should provide for active uses that service the needs of local residents, can be incorporated into the street frontage and add excitement to urban living, or may simply provide a place of employment (e.g. small offices and workshops for local residents).

C3 Along the cliff top area, a separation distance of 8m shall be provided between buildings, in order to provide view corridors. This separation distance may incorporate a single storey structure of up to 3m in width such as a garage or carport with the remainder of the land being landscaped.

C4 All garage openings visible from the street frontage shall have a width no wider than 3m.

G2.2 PUBLIC DOMAIN

Objectives

O1 To integrate public open space areas into the existing and future foreshore open space systems.

O2 To provide and maintain open space that takes advantage of the views from the site to the City skyline and other parks on headlands.

O3 To maintain pedestrian links throughout the site.

O4 To maintain existing and create new landscape opportunities on and around the site.

Controls

C1 The interface edge between public open space and private open space is to be delineated by walls or fences, changes in levels, plantings or pathways.

C2 Public spaces are to have good sight lines, be overlooked and well lit at night.

C3 Tree planting along the surrounding streets is to be provided in accordance with Council's requirements.

C4 Species used in the landscaping are to be indigenous to the area where they are suitable for the purpose and site conditions.

C5 Any new plantings shall minimise view loss from existing buildings within and adjacent to the site.

G2.3 ACCESS, TRAFFIC MANAGEMENT AND PARKING

Objectives

O1 To provide for the safe movement of vehicles on and around the site.

O2 To maintain footpaths with adequate pedestrian amenity within and around the site.

Controls

C1 Provide secure cycle parking to serve the needs of residents, visitors and users of the commercial centres and open space.

C2 Provide safe access for pedestrians to and from the site.

SECTION 3 – JANE STREET BALMAIN

Map Reference

Refer to Area 3 on the map in Figure G1 – Site Specific Areas.

Background

This element outlines objectives and controls for the development of the site known as 14-18 Jane Street, Balmain.

The Catholic Church group started with the small stone church at 3 Jane Street and the Convent opposite from about 1850, and was dramatised particularly by the construction of St Augustine's in Federation Gothic style, commenced in 1906. The last building in this group was The Presbytery, built in 1922. This group marks the hilltop and is the major landmark for Balmain in views from the City approaches from the south and east. The hill town character is probably the major attribute forming the identity of the suburb.

The only significant development sites in the precinct are the two parcels known as 16 and 18 Jane Street comprising the former School grounds bounded by Jane, Vincent, and Fawcett Street and the former Convent at 14 Jane Street. There is a steep cross fall from the north west to the south east on these sites. These sites are terraced with stone retaining walls to provide flat areas for playgrounds and courts. The sites are generally cut below the level of Jane St, and raised slightly above Vincent and Fawcett Street but the land rises well above Fawcett Street to the north end behind the Convent.

The former Convent School site is defined by neutral edges of low stone and brick walls, wire fencing, and dramatic tree planting.

There is a cluster of conifers to Jane Street, mostly recent Eucalypts to Vincent Street, and a regular line of Brush Box along Fawcett Street. There is also an established Magnolia grandiflora behind the Convent.

Objectives

O1 To protect and enhance the historic townscape of this precinct particularly with respect to the views from the east and south, to the focal point of St Augustines.

O2 Conversely protect and enhance the public and private views to the south down Jane Street and east across the development sites to the City skyline.

O3 To ensure development respects the historic patterns in terms of topography, scale, character, siting, materials, and the landscape of the precinct.

O4 To encourage restoration and conservation of the historic fabric of the former Convent, with any new development being complementary and largely seamless change.

O5 To conserve the shared landscape of mature trees.

Controls

C1 Jane Street – A 3.6m wall height and envelope measured above the alignment along Jane Street is appropriate. Development should step finely with slope, with detached or semi- detached forms and rhythms of roofs, hips or frontal gables, one storey above Jane Street only, at any point. Buildings should be closely aligned to the frontage, stepping back only where a curtilage for trees is required.

C2 Vincent Street - A 6m wall height is appropriate, subject to solar access being sustained to the properties on the south side of the street. A two-storied terrace form, closely aligned except to avoid substantial trees is appropriate.

C3 Fawcett Street - The neutrality of this street/lane as a one sided street with a walled and treed edge opposite must be retained. The wall should be reinforced by continuation of a higher wall to Vincent Street in matching common brick. To maintain a low scale terracing with slope, requires a stepped form with a two storey maximum, with the upper floors stepped back, and flat or low roof lines.

C4 Parking to the corner site is best located with access at the lowest point possible off Vincent Street in a tight footprint substantially below the building footprint and below grade and clear of the drip line of the major trees.

C5 Any garage entry from Fawcett Street shall be a single entry door, flush with the wall, and recessive in treatment.

C6 The easterly view to the City skyline should be maintained above the principal line of Brush Box (not the higher canopy trees).

C7 The view of the Balmain townscape focussed on St Augustine's tower, from the City, the waterways and the bridge approaches from the east and south should be maintained.

C8 Modern buildings are appropriate, in recessive tones and colours.

C9 Retention of a stepped stone wall to the street frontage is desirable. Parts shall be at sitting height, to provide seating opportunities for passers-by.

C10 It is not appropriate to use stone for the main wall claddings of any new buildings. Coloured, rendered, or bagged masonry or painted timber are appropriate wall materials.

C11 An Interpretation Plan for conveying the history of the site by means such as signage or artworks in the pavements is to be incorporated in the development.

C12 The history and heritage of the site shall be interpreted to the Jane Street frontage by a plaque or work either wall mounted or inset into the pavement to explain the values of the context of the Church buildings.

C13 The exterior form as seen from the surrounding streets and the longer views from the Harbour are to be conserved and/or restored.

C14 There may be scope (subject to the density limits) for either a low scaled preferably detached pavilion style building to the south eastern corner, and/or for extending the northern wing to the east.

C15 The exterior fenestration pattern, joinery and details shall be conserved / restored as far as possible. However recessed balconies may be accepted to the southern and/or eastern faces behind existing openings.

C16 If outdoor space is required in association with residential use, any new balconies to the eastern face may be external to the existing building and shall be light weight and transparent elements which must not obscure the existing building form as seen in the long views.

C17 The principal internal spaces shall be conserved and any partitioning or mezzanine floors added in light weight and reversible materials and methods of construction.

C18 Off street parking should be minimised in order to minimise the impacts of excavation and access requirements on the curtilage of the Convent and the amenity of the area.

C19 The existing hardstand parking off Jane Street shall be replaced with landscaping.

C20 Car entries should be single width, and hard paving should be replaced with landscaping wherever possible.

SECTION 4 – OLD BALMAIN POWER STATION

Map Reference

Refer to Area 1 on the map in Figure G1 – Site Specific Areas.

Background

This element provides guidance and controls for housing and commercial development and principles for the development of open space on the Old Balmain Power Station site. This element establishes the detailed site planning and design, open space and traffic/parking provisions. Part G4.1 applies to all development on the land bound by Victoria Road, Terry Street, Margaret Street, Elliott's Cove Site and Iron Cove.

A major foreshore park and the foreshore promenade are the key open space features on the site. The open space includes the rock features of the cliff around the site of the old power station and the fig tree at the top of the south-east corner of the cliff. The open space network is linked to the Elliott's Cove (35 Terry Street) site at the foreshore and the mid-site levels, with connections to Victoria Road at the intersection with Terry Street and at Iron Cove Bridge.

The cycle and pedestrian network utilises the open space links on the site to connect through the Elliott's Cove site to Terry Street (at the High School boundary) and also along the foreshore. Pedestrian access to the foreshore is provided directly on the site as well as from below the Iron Cove Bridge and from Victoria Road.

The housing, mostly in the form of residential flat buildings and townhouse development, encloses three sides of the open space, and from there it steps up the hill to Terry Street.

The site is also home to a number of common Bent-Wing Bats and any impact on this threatened species will need to be assessed.

G4.1 PLANNING AND URBAN DESIGN

Objectives

O1 To utilise the topography to ensure that buildings maximise the northerly aspect and facilitate views from the site.

O2 To provide a variety of housing types and sizes on the site, including affordable housing.

O3 To develop an enclosing built edge to the open space that provides a sense of public space.

Controls

C1 Building shall front and closely align with the street and open space systems. Buildings shall complement the context, and reflect the variety and complexity of the area in terms of building and roof form, materials and architectural detail.

C2 Buildings to be setback a minimum of 4m from open space (except for 3m to side boundaries) excluding balconies, which shall be setback a minimum of 2.5m (excluding corners).

C3 Commercial and community activities to serve the development and locality are appropriately located along Terry Street, in the heritage buildings and near the waterfront and accessible from Margaret Street.

C4 Commercial uses ancillary to open space and the Harbour as well as recreation services are also encouraged.

C5 An acoustic report is to accompany any development application for development of the section of the site fronting Victoria Road.

C6 Structures fronting Victoria Road should not be higher than four (4) storeys above the road centre line at any adjacent point and should be designed in a manner, which will enhance the streetscape appearance of the development.

C7 Buildings located on the point shall not have a height in excess of four (4) storeys above existing levels at any point.

G4.2 OPEN SPACE

Objectives

O1 To provide for a variety of spaces on the site catering for a mix of recreation activities, including children's play, informal games and sitting areas related to views.

O2 To provide a pedestrian access system through the site to facilitate access to the waterfront.

O3 To facilitate pedestrian and cyclist links through the site and along the foreshore.

Controls

C1 Maintain pedestrian access, bicycle access and landscape corridors that are provided adjacent to the foreshore, below the Iron Cove Bridge rising through the middle level of the site to the end of Margaret Street, joining the mid site corridor through to Terry Street at the Balmain High School boundary and down the centre of the site from Terry Street to the foreshore.

C2 Maintain a large multi-purpose open space on the former Powerhouse building platform as a focal point, with easy access from Margaret Street and Victoria Road and broad views out.

G4.3 COMMUNITY SERVICES

Objectives

O1 Explain on site, the history of the site.

O2 Ensure that the development of buildings, public facilities and open space provides equitable access.

Controls

C1 Maintain a centrally located interpretation facility, preferably over-viewing the site, explaining the history of the site.

C2 Ensure that any development complies with the relevant requirements for Disabled Access.

G4.4 TRANSPORT, TRAFFIC AND PARKING

Objectives

O1 Provide adequate access and parking on and off Victoria Road and through a public street system on this site to service all needs, including open space.

O2 Provide for future servicing of the site by public transport including bus and ferry.

Controls

C1 Maintain street access via Margaret Street to Terry Street.

C2 Maintain visitor parking as easily accessed kerbside parking.

C3 Provide secure cycle parking to serve the needs of residents, visitors and users of the commercial centres, open space and public wharf.

C4 Provide safe access for pedestrians to and from the site.

G4.5 LANDSCAPING

Objectives

O1 To encourage landscaping on the site representative of the species indigenous to the area, with more formal plantings to the foreshore promenade and street system.

O2 To maintain a feature of the rock cliff exposed by removal of the power station.

O3 To utilise the foreshore open space as a multi-purpose park.

Controls

C1 Plantings to provide screening between buildings/dwellings and between buildings / dwellings and open space.

C2 Plantings to provide a carefully designed layout of faster and slower growing species to provide and then maintain optimum effect.

C3 Landscaping shall be a mix of formal plantings to the foreshore promenade and street system, with contrasting informal plantings of native species, and permaculture gardens in the open space corridor.

C4 Surface rock and rock cuttings are to remain exposed wherever possible.

C5 Retain and re-establish the habitat and flora of the site as appropriate.

C6 Retain the fig trees as a feature above the cliff and on the boundaries.

SECTION 5 – WHARF ROAD, BIRCHGROVE

Map Reference

Refer to Area 4 on the map in Figure G1 – Site Specific Areas.

Background

Wharf Road is located within the Balmain Heritage Conservation Area under *Inner West LEP 2022* and is of high value as one of the few surviving, mostly intact Victorian and Federation period waterfront streets in Sydney. Many of the older houses were constructed to address the water with little or no attempt to address the street frontage. This has led to many of the significant characteristics of the area being viewed primarily from the water, such as the sandstone seawall, various docks, slips and steps to the water's edge.

The character of the street has been dictated largely by the topography, with rock face on the southern side and two/three storey houses above. On the northern side, the houses present as single or double storey with multiple storeys stepping down toward the water. In many places the only available views are between or over houses fronting the water. The built form of this street is enhanced by many established gardens and landscaping.

The objectives and controls aim to conserve the established character of the street and to allow development to take place that is compatible with existing structures and established landscaping and natural topography.

Historical context

The Site Context Plan

Wharf Road developed incrementally from the mid-19th century into the early 20th century as a highly desirable street of mostly detached individual houses. The primary aspect of the houses is to the water. The houses were well setback from the water with terraced gardens taking advantage of the north aspect, views, and water access. Waterfront industry arrived in the 20th century. The remaining facilities contribute to its flavour.

The area developed from the mid-19th century, with stone and timber houses constructed with their orientation to the water, the street being subservient for primarily service access. The houses were well built and detailed, but relatively modest by later standards. These structures now have a significant and important place, particularly on the water frontage. Many of the structures remain significant and contributory even when incorporated within later structures.

Development from the late-19th century saw some of the early houses incorporated into larger structures and a series of new villas of various styles being constructed. They were generally built further up the site, of two or three storeys and had a street frontage and a water frontage. They were situated on larger lots, most of which have been subdivided for additional residential dwellings. A range of other houses were built of various styles including the Victorian terrace at No 3, the eclectic Maybanke and Normanton, the Italianate mansion at No 39, the arts and crafts style of No 43 and the Californian bungalow at No 31.

The first part of this century saw a number of developments, changes and additions to the street, including the activities of the Stannards site on Wharf Road, the additions of many boatsheds, most since removed and the addition of several major houses including No 31. Not much new development took place between the 1920s, when a number of properties were substantially upgraded, and the

1970s, when the area again became a desirable address and the pressure for development, in particular subdivision, intensified.

From this time a number of properties have been subdivided, including Nos. 7, 9, 13, 15 and 29. This allowed a range of buildings to be added to the street which have fragmented the pattern of development. It is largely these new buildings and structures that have affected the consistency of building setbacks and reduced them, covering larger parts of sites. The sense of a building sitting in the surrounding landscape has consequently been eroded for some of the sites. Some of the newer buildings are mostly neutral or benign in form and not sympathetic to earlier architectural design.

Existing Character Statement

Attributes of streetscape

The streetscape of Wharf Road is of high heritage value. The scale and pattern of development enhances the heritage and streetscape value of the individual properties.

Topography

The topography of the waterfront changes from east to west in a significant way. The eastern end of the street has a large rock escarpment that once formed the natural harbour edge. It divides the built- up areas of the site from the waterfront and has meant that all of the houses are set back from the water with garden areas extending to the rock face and stairs leading to the reclaimed waterfront areas which are flat, close to water level, and contain pools and waterside structures such as boatsheds. This has the effect of the houses being seen well back from the water, generally two or more storeys and when viewed from the water largely obscuring houses in the street behind.

While still evident at the western end of the street, the rock face has reduced substantially in height and has been incorporated as a number of smaller steps in garden areas. This has meant that the earlier houses such as Nos. 33, 35 and 37, as well as the later No. 31, are set down closer to the water with a much closer relationship of house to water's edge. The overall effect of this change in topography is a 'softer' and more integrated relationship between houses and water.

Streetscape features result in a range of car parking issues. The increasing number of garages reduces available street parking and this limited availability and the narrowness of the street restricts footpath use. Both issues will result in adverse visual and view impacts. These impacts incrementally increase with additional development on the street.

Waterfront edge and structures

A key component of the waterfront is the water's edge which is a defining element of the area when viewed from the water and provides a high level of consistency and continuity.

The predominant form is a stone sea wall with various indents and projections to suit former and present boatsheds and water activities. These include slipways, small harbours, steps or combinations of them. They are of high significance, particularly structures from early development periods and definitive character of the waterfront.

The waterside structures are another defining element with early photographs indicating that the waterfront was predominantly boatsheds and jetties.

The character of the waterside of a number of properties has been enhanced by garden structures such as conservatories, gazebos, ornaments and fountains.

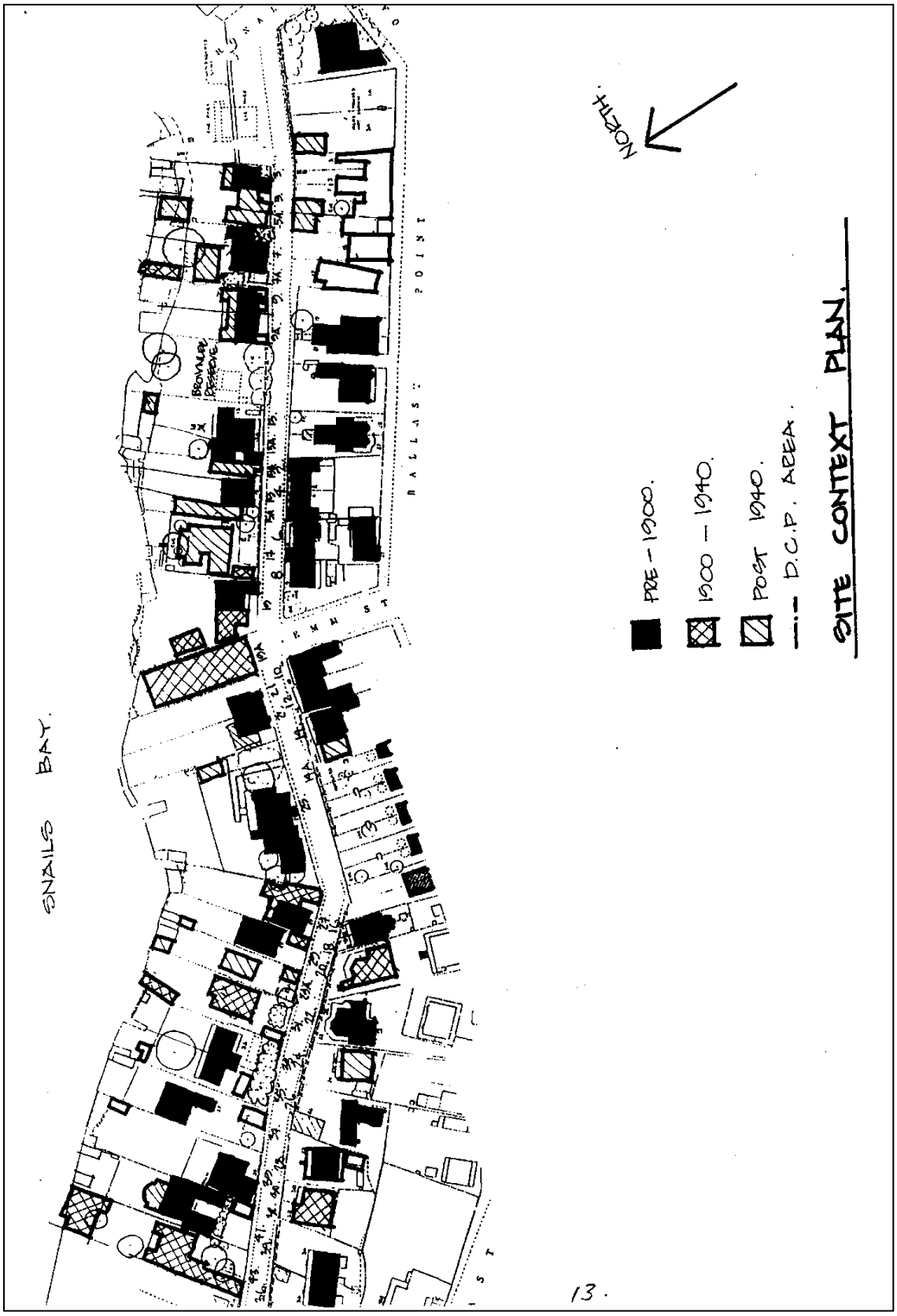


Figure G2: Site Context Plan

G5.1 HERITAGE

Objective

O1 The buildings and structures which contribute to the heritage significance of Wharf Road should be conserved.

Controls

C1 The following properties are Heritage Items listed within *Inner West LEP 2022* and must be retained:

a. Wharf Road, Birchgrove

Nos. 6, 7, 7A, 8, 11, 13, 13A, 19, 19A, 20, 21, 22, 23, 25, 31, 33, 34, 35, 36, 39 and 43; and

b. Ballast Point Road, Birchgrove

Nos. 25 and 27.

C2 Any development application for demolition must be accompanied by an assessment of the impact of the demolition on all heritage, streetscape and waterscape elements and include the impact on surrounding properties and the continuity of the street.

C3 Any development on land covered by this Development Control Plan requires the submission of a heritage management document.

The document shall set out:

a. the impact of the proposed works in regard to the heritage significance of the site, streetscape, waterfront and townscape values of the neighbourhood; and

b. address the objectives of Part G5.1 of this Development Control Plan.

C4 In line with Clause 5.10(6) of the *Inner West LEP 2022*, Council may require the submission of a Conservation Management Plan for Heritage Items where, due to the extent of change proposed to the item and its level of significance (i.e. state significance), it is deemed necessary.

C5 Sandstone kerbing is an important element in the streetscape and should be retained when future development is proposed and works undertaken.

C6 In addition to the Heritage Items mentioned above, the following buildings, structures and fences should be conserved as contributory elements of the streetscape and waterscape on Wharf Road:

Wharf Road No.	Contributory elements to be retained
2 & 4	Victorian semis
3	House
5A	Waterfront elements and boatsheds
9	Remains of stone house, recessed front facade, street fence
9A	Remains of stone house, street fence

10 & 14	Matching Victorian gable fronted cottages
15	House
16 & 18	Weatherboard semis
17	Garage and street fence
26	Sandstone villa
27	Stone section of house and garden structures
29	Main timber house under gable roof
30/32	Modified Federation semis (scope to restore)
37	House
41	House

C7 The following boatsheds and summerhouses have contributory value and should be retained:

Wharf Road No.	Contributory elements to be retained
31	Boatshed
43	Summerhouse/boatshed

Structures at Nos.13, 27, 29A and 35 should be retained and future changes encouraged to enhance significance by allowing rebuilding and upgrading.

C8 The following items are noted for removal consideration or modification to a form compatible with the objectives and controls contained within this part of the Development Control Plan.

Wharf Road No.	Structures to be considered for removal at the time of any future alterations to the properties
5	Garage
13A	Boatshed
23	Additions for flat conversion
25	Chain link fence
27	Solid fence
29	Solid fence
29A	Solid wall (part)
35	Part solid fence
37	Solid fence
39	Later additions including infilling of verandahs.
41	Garage and concrete parking area
43	Solid fence

G5.2 LANDSCAPING

Objective

O1 The topographic and landscape features of Wharf Road, including the escarpment, exposed rock, significant trees and the use of sandstone, should be retained and enhanced when development occurs.

Controls

C1 Landscaping works to a Heritage Item are to be addressed within either a Conservation Management Plan or a Statement of Heritage Impact (SOHI) (refer to Part C1.4 – Heritage Conservation Areas and Heritage Items). In addition, refer to Part C1.14 – Tree Management for relevant controls.

C2 Established landscapes which contribute to the character of the street are to be conserved.

C3 Contributory trees which are to be retained are:

a. foreshore of 7A – Moreton Bay Fig;

b. No. 7 and No.7A – Palms;

c. No.15A – Magnolia;

d. No.17 – Fig and Eucalypt on waterfront side;

e. No.25 - Eucalyptus to west;

f. No.35 - Waterside Fig;

g. No.37 – Palms; and

h. No. 41 and No.43 – Trees in waterside gardens.

C4 The shape and overall form of the escarpment is to be retained both to the water and street.

C5 The escarpment is not to be further excavated or filled against.

C6 All natural rock edges are to be retained in their intact form.

C7 All significant cut rock faces are to be retained.

G5.3 BUILT FORM AND URBAN DESIGN

Objective

O1 The built form of Wharf Road, as a series of detached individual buildings, their scale, architecture style and siting in relation to the escarpment, should be retained and complemented when development occurs.

Controls

C1 The Building Line (Refer to Figure G3 – Building Line Map) is advisory in seeking to protect both the public amenity, the view from the water of significant house fronts and provide amenity in mutual access to views, sun, light and privacy from houses on the waterfront side of Wharf Road.

The building line follows the waterside building frontages of key properties (stepping to allow inclusion of existing buildings constructed beyond the line). Development is required to be setback from the foreshore in locations to 'fit in' between and adjacent to existing buildings.

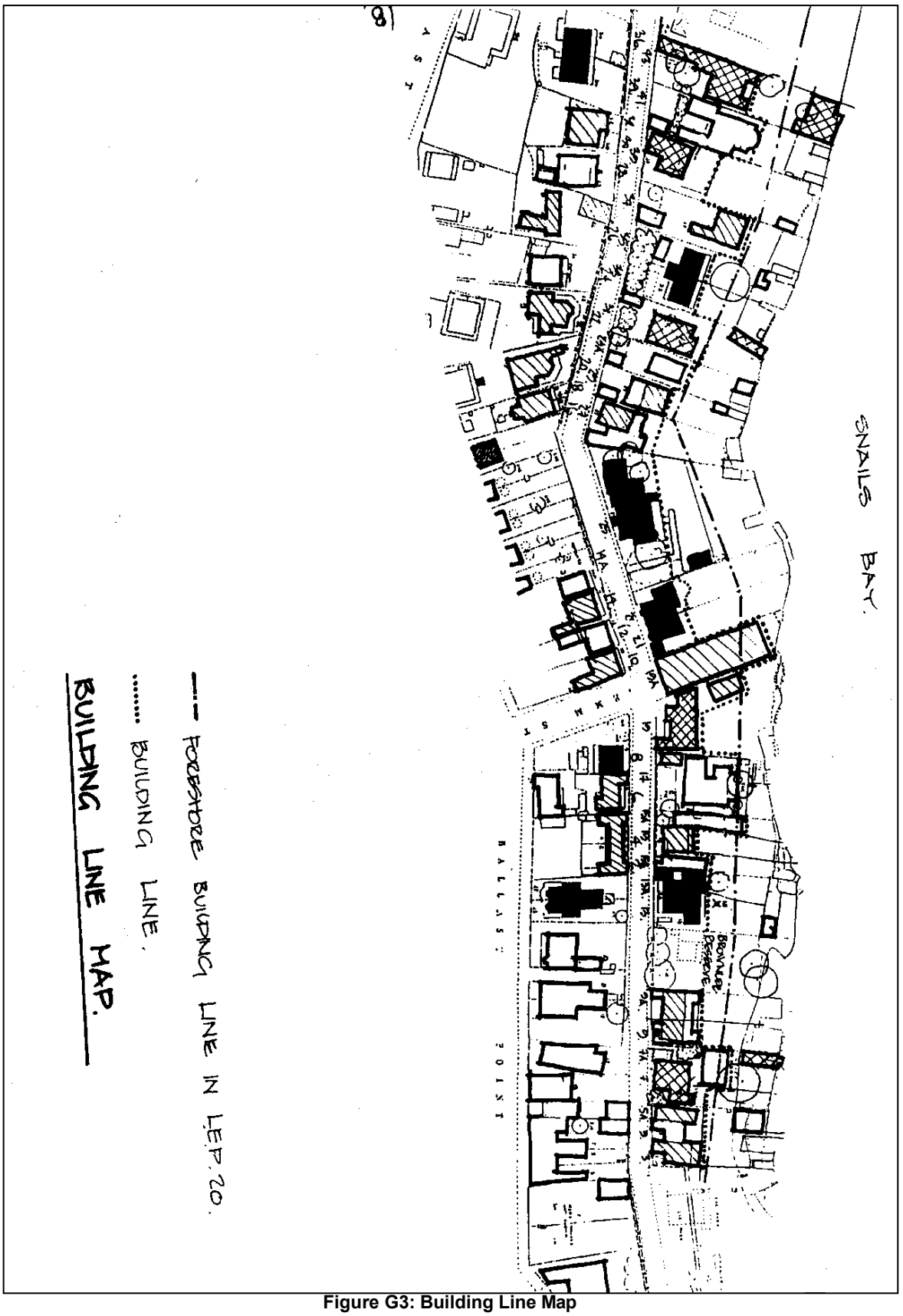


Figure G3: Building Line Map

Note: Figure G3 is an original map and references the Foreshore Building Line from LEP 20.

G5.4 ADDITIONS

Objective

O1 The built form of Wharf Road, as a series of detached individual buildings, their scale, architectural style and siting in relation to the escarpment, should be retained and complemented when development occurs.

Control

C1 The form of proposed additions is to relate to the existing building as follows:

a. the use of pitched roofs is preferred over flat roofs, except in circumstances where flat roofs are to be utilised to minimise the visibility of additions from the public domain;

b. the use of wings to buildings of smaller scale than the original building;

c. to minimise the scale of additions when viewed from both the water and the street by the use of articulated forms, changes in levels and other devices seen in the existing buildings in the street;

d. roof dormers should only be used on buildings where determined to be appropriate (i.e. appropriate to historic character of building. Refer also to Part C3.4 – Dormer Windows of this Development Control Plan); and

e. existing materials, such as slate and iron, should be conserved and not replaced with modern, alternate materials. If replacement is necessary it should be undertaken using a similar material.

G5.5 BOATSHEDS/WATERSIDE STRUCTURES

Controls

C1 Boatsheds/summerhouses are permissible on the waterfront as follows:

a. preferably located where early structures were built and should be of similar scale and form;

b. should not dominate the view from the water or compromise the open landscaped edge to Snails Bay; and

c. development applications lodged including waterside structures will be assessed on their compatibility with the residential use of the waterfront.

C2 New or replacement boatsheds and waterside structures are to:

a. have a maximum plan area of 18 sqm;

b. be single storey (potentially incorporating attic space);

c. have a maximum side wall height of 3m;

d. have pitched roofs;

e. not be greater in width than one-third of the frontage and not to exceed 4m in width; and

f. have a compatible style, proportion and built form with the main building on the site.

Note: Reconstruction of historic boatsheds would be required to be supported by documentary evidence. Refer to Burra Charter.

G5.6 GARDEN STRUCTURES LOCATED WITHIN PRIVATE OPEN SPACE

Control

C1 Garden structures can be provided on the waterside of properties as follows:

a. not exceed 18sqm plan area;

b. be single storey;

c. not contain bathrooms;

d. be of predominantly lightweight construction;

e. be roofed with open sides;

f. not have a side height exceeding 2.7m above existing ground levels; and

g. not have a width greater than one third of the water frontage.

G5.7 SUBDIVISION

Control

C1 Any further subdivision in Wharf Road must ensure:

a. that the alignment of any new building must not encroach on the existing setbacks of existing buildings;

b. that the principal aspect from the street be a dwelling façade and not garaging;

c. that there will be a side setback on one side a minimum of 1.5m preferably related to an existing setback, to retain and enhance views to the water;

d. gardens on the waterfront are not further subdivided with the introduction of fences and variations in garden treatment to existing garden settings; and

e. that if a building is to be subdivided there must be consistency in the treatment of the subdivided sections of the property in such matters as facade treatments, colour, roof materials and overall built form. How this is to be achieved must be indicated with the subdivision application.

G5.8 FRONT FENCES/WALLS

Control

C1 New or replacement fences should:

a. conserve significant elements of existing fences and walls where possible;

b. reinstate original fences where possible, based on documentary evidence (refer to Burra Charter);

c. provide replacement fences of open or semi-open structures where fences are currently solid. A maximum of 50% solidity will apply;

d. have a maximum height of 1.2m;

e. fencing on the waterfront side should be open railed, of either metal palisade or timber construction;

f. substantially retain existing stone retaining walls; and

g. new materials are to be compatible with the predominant sandstone facing in texture and colour.

G5.9 VIEWS

Objectives

O1 Existing public and private views to and from the water shall be retained and enhanced when development occurs.

O2 The public enjoyment of Wharf Road's built form and setting should be facilitated by maintaining, conserving and improving the aspect, both from the road and from the water.

Controls

C1 Existing side setbacks shall be preserved and reinstated to retain view corridors through to and from the water.

C2 Open railed fencing, gates and structures shall be erected to preserve, reinstate or create views.

C3 Garaging or car ports which obstruct views will not be permitted.

C4 Prevailing building heights and ridgelines shall be retained if substantial view lines are enjoyed.

C5 Trees should not be removed to enhance or achieve views and any proposed extensions that exceed the current building envelope in height or from the line of view from properties behind require a full view assessment to establish that significant loss of views and vistas does not occur.

G5.10 ACCESS, TRAFFIC MANAGEMENT AND PARKING

Objective

O1 To minimise the impact of parking on streetscape and heritage values, view lines and landscaping.

O2 To achieve a balance between the conservation of street parking and provision of off-street parking.

Controls

C1 Parking and garaging provision must not detrimentally effect the presentation of houses and their landscape setting.

C2 On-site parking is to be limited to a single vehicular crossing per site and that a single garage only be provided.

C3 Multiple car spaces may be achieved by tandem spaces, spaces accessed off a single driveway or garage door, or a car lift enclosed within a garage.

C4 The minimum frontage to provide on-site parking is 5m.

C5 Parking is not to be provided in front of the main building facade where there is a building setback of less than 7.5m from the street.

C6 Gates are to be provided for open car parking spaces consistent with adjacent fencing.

C7 Garage openings should have a predominantly vertical rather than horizontal emphasis.

C8 Garages or car spaces are not to exceed 2.7m in width at the boundary line.

C9 Garages and carports should have a compatible style, proportion and form to the main building on the site.

C10 Where houses front Ballast Point Road and back on to Wharf Road, the following additional controls will apply

a. new materials are to be compatible with the predominant sandstone facing in texture and colour;

b. a maximum of half the frontage is to be available for vehicular access and garaging; and

c. vehicular crossings are to be constructed in washed concrete to reduce brightness.

C11 The demolition of or cutting into of rock faces will not be permitted to facilitate additional off street parking.

SECTION 6 – ANKA SITE – NO. 118-124 TERRY STREET ROZELLE

Map Reference

Refer to Area 5 on the map in Figure G1 – Site Specific Areas.

G6.1 LAND TO WHICH THIS SECTION APPLIES

The site is known as 118-124 Terry Street Rozelle being Lot 3 Sec D DP 119 , Lot 2 DP 234045 and Lot 1 DP 540118 (herein referred to as the 'site').

The site has an area of 14,180sqm and is within a block bound by Victoria Road, Terry Street and Wellington Street Rozelle.

G6.2 FUTURE VARIATIONS

Council may grant consent to a proposal that does not comply with all the relevant site specific controls providing the principles of the controls are achieved. Each application will be considered on its merits. Consent may be refused despite compliance with set standards. Justification for variations to the Development Control Plan must be made in writing, accompanied by documentation as stipulated by Council and must clearly demonstrate the grounds for varying the requirements of the Development Control Plan (i.e. how the proposed development meets the relevant principles of the Development Control Plan) and achieves a good outcome.

Background

The purpose of these site specific controls is to set out the desired future character, local area character, principles and development controls for this site within Rozelle. Council will assess future development applications against these principles and controls. High quality urban design outcomes for the development site within the context of environmental, social and economic sustainability are promoted.

Council commissioned Allen Jack & Cottier to undertake an Urban Study of the Rozelle Industrial Area which includes this site. The results of this study and the community consultation on the study were reported to Council on 24th November 2009.

Subsequently, the owner of the site lodged a Planning Proposal for the site.

G6.3 OBJECTIVES

To provide objectives and controls to govern the redevelopment of the site so as to ensure that the development is compatible with the area, and meets the desired future character and needs of the community. In particular these objectives and controls aim to achieve:

O1 design of the development:

a. is of high architectural and urban design merit;

b. is respectful of the scale of the adjoining and nearby existing industrial and residential development with articulated height and massing providing a high quality transition to the existing streetscape; and

c. does not exceed six storeys from street level.

O2 The external impacts of the development are well mannered and minimise overshadowing of Crystal Street properties.

O3 The development minimises the use of private motor vehicles and the traffic generated by the development does not have an unacceptable impact on traffic on Terry Street, Wellington Street, Merton Street, Nelson Street and Victoria Road, Rozelle.

O4 The non-residential uses serve the needs of people who live and work in the surrounding neighbourhood and do not adversely impact on the high street.

O5 The development provides and facilitates pedestrian and cycle access through the site to Merton Street and Margaret Street.

O6 The development incorporates leading environmental sustainable design principles.

O7 The development includes the necessary design and acoustic measures to ensure the existing industrial uses do not adversely impact on the amenity of future residents.

O8 The retail and commercial uses do not adversely impact on the high street but rather complement and meet the needs of the community.

O9 The industrial uses of Crystal Street are enhanced by new industrial uses.

O10 The new development is well shielded from the nearby non-residential uses to ensure the viability of those uses into the future.

Desired Future Character Statement

The site currently lies within the Rozelle Commercial Distinctive Neighbourhood (section C2.2.5.5 of this Plan) and next to the Iron Cove Distinctive Neighbourhood (section C2.2.5.4 of this Plan).

The rezoning of the site to Residential will result in a new character that will need to be compatible with these adjoining neighbourhoods. The new character of the site shall:

C1 respond to the topography of the site, the character of existing streets, adjacent residential and industrial uses; maintain the character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials;

C2 improve the streetscape amenity by improved design and layout of buildings as well as increased attention to site usage, signage and ancillary uses;

C3 promote a mix and variety of uses and building styles that enhance and contribute to the character and identity of the neighbourhood, whilst protecting local townscape;

C4 improve pedestrian and cycle accessibility, safety and facilities to take full advantage of low cost/public transport services in the area;

C5 protect and enhance the residential amenity of dwellings in and adjoining the neighbourhood;

C6 encourage appropriate lighting and signage consistent with the character of the area; and

C7 encourage sympathetic colour schemes, corporate identity and signage for commercial buildings that define the character of the area, yet retain the individual identity of each property.

These Desired Future Character requirements will create a new Local Area Character for the site.

G6.4 PUBLIC DOMAIN

Objectives

Integration with existing road network

O1 To ensure that the public domain components of the development contribute to an activated, human scale street environment.

O2 To ensure that intersection design, streetscape elements and landscaping support the pedestrian, cyclist and vehicular movement system in and adjacent to the development.

O3 To provide for the construction and integration of a new public road, incorporating a four way intersection with Terry Street and Margaret Street and which establishes the potential for a physical link to Merton Street.

O4 To ensure that where modifications to road layout and alignment are implemented that all areas of land within the road reserve are dedicated to Council.

O5 To ensure that Terry Street, the new road and intersection can accommodate a safe environment for all road users, including pedestrian, bicycle and vehicular traffic on both sides of the road.

O6 To make provision for a 'shared' or 'slow' zone to be designed and constructed in the new street.

Controls

New road

C1 The design, layout and alignment of the new road is generally to be in accordance with Figure G5: Intersection Terry Street & Margaret Street and Figure G6: Public Domain, subject to detailed design development in consultation with Council.

C2 The final design of the new road is to be considered at the development application stage.

C3 The design of the new road must comply with the requirements of Austroads, all relevant Australian Standards and Council's Roadworks Specifications.

C4 The new road is to incorporate the following elements as a minimum requirement:

a. total width of road reserve = 16.0m; and

b. generally consisting of:

- 900mm out from property boundary, both sides, to be set aside for services, street lights, etc;
- 1800mm footpath, both sides;
- 2300mm from face of kerb for parallel parking, both sides;
- 3000mm lane width x 2;

except where varied in accordance with Council approved plans, sections and specifications for the provision of a 'shared' or 'slow' zone.

C5 The new road is to be constructed in accordance with Council requirements:

a. all land within the new road reserve is to be dedicated to Council in accordance with the requirements of any applicable Development Consent granted;

b. approval must be granted by Council's Manager – Assets for any turning area to be provided at the Merton Street end of the new street;

c. the design of the setback to the new street frontage must be in accordance with Council approved sections and plans.

Intersection of Terry Street, Margaret Street and the new road

d. the design and construction of the new intersection and road is generally to be in accordance with Figure G5: Intersection Terry Street & Margaret Street and Figure G6: Public Domain, subject to detailed design development in consultation with Council;

e. Council approval of design details, including dimensions, alignment, landscaping, materials, threshold treatments and parking will be required prior to construction of the intersection;

f. all land within the modified road reserve is to be dedicated to Council;

Terry Street

g. land required to accommodate minor modifications to Terry Street near the intersection of Wulumay Close, as identified in Figure 7: Terry Street Road Alignment, is to be dedicated to Council; and

h. the design of the 3m setback to Terry Street building frontage must be in accordance with Council approved sections and plans.

G6.5 THROUGH SITE LINKS

Objectives

O1 To facilitate pedestrian access through the site to link the new road and Crystal Street.

Controls

C1 A pedestrian path providing unobstructed public access is to be provided between the new street and Crystal Street as shown on Figure G8: Neighbourhood Centre Integration, Active Frontages and Vehicle Access.

G6.6 ACTIVE FRONTAGES PROVISIONS

Objectives

O1 To ensure that uses and frontages of buildings adjacent to the intersection of the new street and Terry Street contribute to the activation of the public domain and facilitate and support a vibrant neighbourhood centre, which serves the local community.

O2 To ensure that the non-residential character of Crystal Street is maintained.

O3 To ensure that design of residential frontages maximises surveillance of the public domain and reinforces the activation of the street environment.

O4 To ensure that façade articulation and elements within the building setback areas facilitate an active street environment.

Controls

Neighbourhood Centre

C1 The ground floor of buildings in locations as indicated in Figure G8: Neighbourhood Centre Integration, Active Frontages and Vehicle Access are to accommodate active uses including shops, cafes and restaurants and appropriate commercial uses and access to buildings.

C2 Informal/outdoor eating areas associated with food and drink premises may be provided within the public domain and will be subject to the controls contained within *Development Control Plan No. 48 Approvals Policy Managing Activities on Footpaths and Verges.*

Live/Work development

C3 Active light industrial/commercial floor space is to be located fronting Crystal Street at ground floor level (refer to Figure G8: Neighbourhood Centre Integration, Active Frontages and Vehicle Access).

C4 Live/work units are to be designed to provide active light industrial/commercial floor space at ground level with the residential component located above and must be accessible via an internal stairway.

C5 Any dwelling in the live/work development must be on the same title as the corresponding ground floor active employment use and must not be an individual lot in a strata plan or community title scheme.

Residential – General

C6 Direct pedestrian access from the street to ground floor apartments should be provided where possible.

C7 The design of the building setback area to the new street building frontage must be in accordance with Council approved sections and plans.

C8 Building frontages are, wherever possible, to incorporate balconies, direct street access, windows, terraces and other built form elements to maximise opportunities for visual surveillance of the street environment and physical access from the buildings to the street environment directly adjacent.

Residential – Terry Street south of the new road

C9 Direct pedestrian access from the street to ground floor apartments should be provided where possible.

C10 Landscaped terraces should be incorporated into the building setback area along Terry Street, where appropriate, to provide a link between the building frontage and the street where there is a change in level.

C11 Low walls which establish informal seating along the street frontage are to be incorporated in various locations.

G6.7 VIEWS

Objectives

O1 To protect views from the public domain, across and over the site consistent with the planning controls in this Development Control Plan.

Controls

C1 A view analysis is to accompany any development application and is to identify any private views currently obtained from neighbouring residential properties.

C2 In the event that such views are compromised by the proposal, the development application is to be accompanied by an analysis and justification having regard to *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*.

G6.8 AWNINGS

Objectives

O1 To ensure that awnings or weather protection structures serve to enhance public use and amenity of non-residential ground floor buildings and the streetscape.

Controls

C1 Buildings with non-residential ground floor uses along Terry Street and the new street are to incorporate an awning or weather protection structure at first floor level.

C2 The setback from the kerb of any awning or weather protection structure is to be a minimum of 300mm and may be up to 600mm.

C3 Awnings and weather protection structures are to be complementary to the building and streetscape in terms of materials, detailing and form.

C4 Awnings and weather protection structures will not be permitted at the entry to the buildings where the ground floor use is residential if they encroach upon the public domain.

G6.9 STREET TREES

Objectives

O1 To ensure that street tree planting is consistent with Council's Street Tree policy.

Controls

C1 Street tree planting along Terry Street is to be *Lophostemon confertus* (Brush Box) – 100 litre container stock.

C2 All planting in the public domain, including the new street is to be in accordance with Council approved landscape plans and specifications.

G6.10 BUILDING HEIGHT

Objectives

O1 To ensure that height of the buildings in the development responds to the scale, character and form of existing streetscapes.

O2 To ensure that new buildings are modulated in height so that there is no additional overshadowing on adjacent properties beyond that shown in Figure G10/G11: Indicative Shadows as at 21st June.

Controls

C1 Except as defined for the purposes of calculating Floor Space Ratio ground level is defined by *Inner West LEP 2022.*

C2 The maximum height of buildings and number of storeys is to be determined from ground level and is to be in accordance with clause 6.15 of *Inner West LEP 2022.*

C3 The number of storeys permissible is not to exceed six storeys in the centre of the site and three (3) storeys around the perimeter of the site, in accordance with Figure G9: Heights and must not result in additional overshadowing of adjacent properties, Crystal Street properties and Wellington Street properties beyond that shown in *Figure G10/G11: Indicative Shadows as at 21st June.*

C4 Structures including 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.

G6.11 BUILDING BULK

Objectives

O1 To provide buildings which have a bulk and scale which reflect their context and include setbacks and modulation to reduce visual bulk.

Controls

C1 A 1.5:1 Floor Space Ratio limit applies to the subject land in accordance with *Inner West LEP 2022.*

C2 Floor space ratio is to be calculated in accordance with the provisions and definitions as contained in *Inner West LEP 2022.*

C3 Modulation of building bulk is to be in accordance with other provisions, including height, setback and active frontage controls as contained in this Development Control Plan.

G6.12 SETBACKS AND ARTICULATION

Objectives

O1 To ensure that buildings are modulated and articulated to respond to streetscape, visual bulk and amenity issues.

O2 To ensure that the fourth storey of Building C fronting Terry Street south of the new road is to be setback so that it is not visible from the east side of Terry Street.

O3 To minimise impacts on the solar access of the rear of properties in Wellington Street.

Controls

C1 Setbacks are to be provided in accordance with the details in Figure G12-G19: Setbacks.

C2 The four storey component of Building C is to be setback 8m from the property boundary along the Terry Street frontage, south of the new road.

C3 In instances where there is a conflict between setbacks and the approved shadow line as indicated in Figure G12-G19: Setbacks the approved shadow line will apply.

C4 Additional articulation of building forms and elements may be permitted to encroach within the nominated building setback subject to Council consideration of detailed elevations and sections.

C5 The fourth floor of Building B is to be reduced in size at the north-east corner and setback an additional 3.15m from the Wellington Street properties rear boundary increasing the Figure G12-G19: Setback at this location to 9.15m and reducing the upper two floors of Building B setback at the same location from 21.7m to 16m in accordance with Figure G23: Building B Eastern Gable setbacks and modulation.

G6.13 BUILDING SEPARATION

Objectives

O1 To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site.

Controls

C1 Separation between buildings should be provided as required by the *Residential Flat Design Code* (RFDC) which forms part of *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).*

G6.14 BUILDING MATERIALS AND FINISHES

Objectives

O1 To ensure that buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Building and landscape materials are to be fit for purpose and reflect the Desired Future Character Statement, be appropriate for climatic conditions and be of high specification to ensure long term quality and sustainability of the development.

C2 Materials to be used may include:

a. heavy materials for the base structure: concrete, masonry, render;

b. lightweight materials for the top of the building to allow flexibility in roof form: steel, aluminium and other metallic materials; and

c. screening elements: to provide enhanced privacy to the occupants of the development as well as to adjoining residential properties.

G6.15 DESIGN OF BUILDING ELEMENTS

Objectives

O1 To ensure that fronts, backs and tops of buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Buildings are to be designed in accordance with the Desired Future Character Statement.

C2 The design of building elements should provide an appropriate interface between the older, more traditional areas on the slopes leading up to the Darling Street shopping strip and the contemporary residential developments leading down to the shores of Iron Cove to the north and west.

C3 The design of the buildings should be of contemporary design, be fit for purpose for those visiting, working, or residing within the development and nearby.

C4 Buildings and landscape elements, including balconies, entries, rooflines and screening are to contribute to the character of the streetscape, enhance opportunities for visual supervision of the public domain, reduce overlooking, enhance residential amenity and make a positive contribution to place identity.

G6.16 DISABILITY ACCESS

Objectives

O1 To ensure that access to the development and its surrounds is maximised for people of all abilities and needs.

Controls

C1 The provisions of Part C1.10 Equity of Access and Mobility within this Development Control Plan apply.

G6.17 SIGNAGE

Objectives

O1 To allow the neighbourhood centre and light industrial space to provide appropriate signage whilst ensuring that such signage does not result in visual clutter and is compatible with its context.

Controls

C1 All signage is to be located on those parts of the building used for non-residential purposes.

C2 Signage must be for non-residential purposes and be in accordance with controls contained in Part C1.15 Signs and Outdoor Advertising of this Plan.

G6.18 SOLAR ACCESS

Objectives

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

Controls

C1 All development is to be constructed in accordance with *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).*

G6.19 CROSS VENTILATION

Objectives

O1 To ensure that dwellings have good access to fresh air and that energy efficiency is maximised.

Controls

C1 All development is to comply with the provisions contained in C3.7 Environmental Performance of this Plan.

C2 60% of residential units should be naturally cross ventilated in accordance with the *Residential Flat Design Code (RFDC)* which forms part of *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).*

G6.20 OPEN SPACE

Objectives

O1 To ensure that areas of open space are allocated for the communal use of residents of the site for relaxation and recreation.

Controls

C1 Open space is to be provided in accordance with Figure G20: Open Space.

C2 A minimum of 2000sqm of communal open space should be provided in accordance with Figure G20: Open space or as approved by Council.

C3 A minimum of 2,690sqm of open space is to be provided between the northern building (Building A) which fronts Terry Street and the building which fronts the northern side of the new road (Building B), or as approved by Council.

C4 Roof tops may be used as communal open space where there is minimal potential for visual and acoustic privacy impacts.

C5 The area on the southern side of the new street that is not intended to accommodate built form should be utilised for communal open space that is publicly accessible, or for the purpose of a shared or slow zone.

G6.21 VISUAL PRIVACY

Objectives

O1 To protect the visual privacy of adjoining dwellings by minimising direct overlooking of principle living areas and private open space.

Controls

C1 All development is to comply with the provisions contained in C3.11 Visual Privacy of this Plan.

C2 All buildings are to be designed to have no living rooms or balconies where the primary orientation is to the boundary with Wellington Street dwellings.

C3 Any habitable rooms with windows facing the Wellington Street boundary which are capable of overlooking should have either 'highlight' windows or have fixed louvres which restrict overlooking of the adjoining properties (see Figure G22: View Protection Wellington Street).

C4 A 6m building setback plus associated deep soil planting is to be provided to the eastern boundary of Building B (as identified in Figure G22: View Protection Wellington Street) to allow for the provision of significant tree planting.

G6.22 DEEP SOIL LANDSCAPE AREA

Objectives

O1 To ensure that a suitable area of the site is used for open space including deep soil landscaping which will add to the amenity of the site and the public domain.

Controls

C1 A minimum of 2,000sqm of deep soil landscaping (i.e. with no structure below) is to be provided in accordance with Figure G21: Deep Soil.

C2 Private open space for each apartment is to be provided in accordance with Part C3.8 Private Open Space of this Plan.

G6.23 PARKING RATES

Objectives

O1 To provide an appropriate balance between encouraging use of public transport and increasing demand for on-street parking in the area.

Controls

C1 Car parking is to be provided at the following rates to a maximum of 250 spaces:

a. Non-residential uses;

- 1 space/65sqm GFA;

b. Residential uses;

- Studio/1 bedroom units - 1 space;
- 2 bedroom units – 1 space;
- 3+ bedroom units – 1.5 spaces;
- Visitor spaces – 1 space/10 units.

C2 All bicycle parking is to comply with the provisions contained in C1.11 Parking of this Plan.

G6.24 VEHICULAR ACCESS

Objectives

O1 To ensure that building vehicular access and egress points are best located to reduce potential for conflict, particularly in the areas where active non-residential frontages are proposed.

O2 To ensure that non-residential areas have adequate loading/unloading facilities.

Controls

C1 Vehicular access is to be generally in accordance with the locations shown on Figure G8: Neighbourhood Centre, Integration, Active frontages and Vehicle Access.

C2 All building vehicular access and egress points are subject to final Council approval.

G6.25 CAR PARK ENTRY DESIGN

Objectives

O1 To minimise the impacts of vehicular entry on the streetscape where possible.

Controls

C1 Vehicular entries are to be designed to minimise the visibility of garage doors on the street. This should be achieved through providing parking below ground level and setting doors back from the street boundary and building edge.

C2 Where service vehicles require access at or above ground level, other methods are to be employed to reduce the visual impact of parking access.

G6.26 SUSTAINABILITY RATING

Objectives

O1 To ensure that a high level of sustainability is achieved by requiring a higher standard to be achieved than would typically apply to such development.

Controls

C1 The environmental performance and any development of the site must consider the following matters:

a. ‘energy’: demand reduction, use efficiency, and generation;

b. ‘water’: reduction in potable water use, water reuse and use of other water sources;

c. ‘management’: sustainable development principles throughout the life of the project;

d. ‘indoor air quality’: enhanced building performance and wellbeing of occupants;

e. ‘transport’: reduction in demand for private car usage and encouraging alternative forms of transportation;

f. ‘building materials’: reduction in resource consumption through material selection, reuse and management practices;

g. ‘land use and ecology’: reduction in the impact on the ecosystem;

h. ‘emissions’: mitigating point source pollution from buildings & building services to the atmosphere, watercourse, and local ecosystems; and

i. ‘innovation’: pursuing innovation that fosters the industry's transition to a more sustainable building as specified by the Green Star Rating System.

G6.27 ACTIVE TRANSPORT

Objectives

O1 To encourage use of active transport including public transport, cycling and walking.

Controls

C1 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.

G6.28 DRAINAGE AND WATER MANAGEMENT

Objectives

O1 To integrate water sensitive urban design into the development to reduce peak stormwater flows downstream, minimise transport of pollutants into waterways and maximise water recycling.

Controls

C1 Stormwater Drainage System: must be designed to Council's satisfaction and when installed must cater for the full length of the new road. It must be also be connected to the Council drainage system in Terry Street and include any upgrade to that system that is necessary to ensure no adverse impact that might be caused by that connection.

C2 Future development: the design of the drainage system will be required to accommodate extension of the drainage system from Wellington Street and uphill lands when the road is extended.

C3 Any development of the site must also consider the following matters:

a. 'water': reduction in potable water use, water reuse and use of other water sources;

b. 'land use and ecology': reduction in the impact on the ecosystem;

c. 'emissions': mitigating point source pollution from buildings & building services to the atmosphere, watercourse, and local ecosystems; and

d. 'innovation': pursuing innovation that fosters the industry's transition to a more sustainable building as specified by the Green Star Rating System.

G6.29 WASTE AND RECYCLABLE MATERIALS TEMPORARY STORAGE AND DISPOSAL FACILITIES

Objectives

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.

O3 To minimise risk to health and safety associated with handling and disposal of waste and recycled material and the potential for adverse environmental impacts associated with waste management.

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 streetscape on Terry Street and the new street.

C3 A completed Site Waste Minimisation and Management Plan (SWMMP) must accompany any development application.

Figure G4: Site Location Map

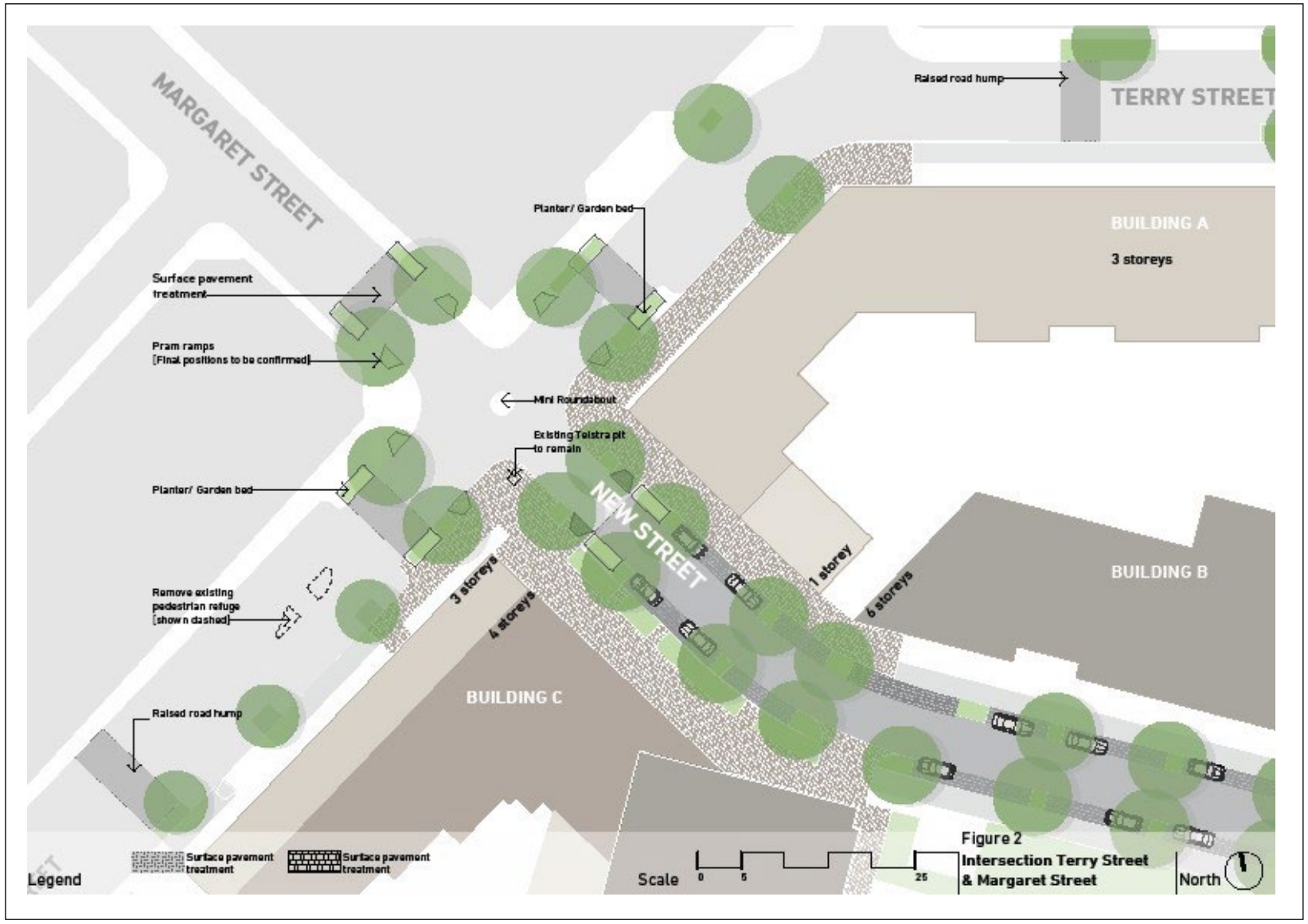


Figure G5: Intersection Terry Street and Margaret Street

Figure G6: Public Domain

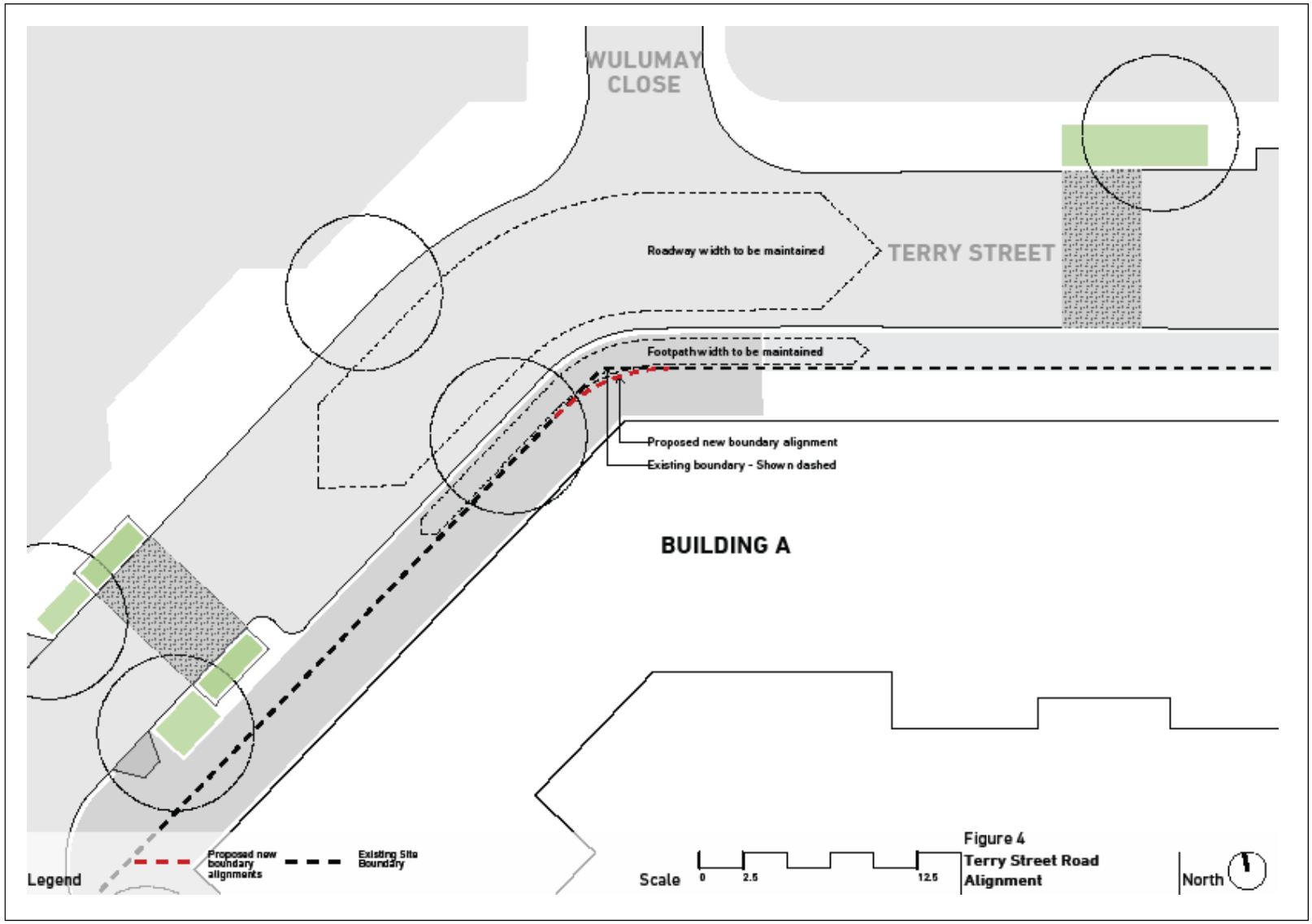


Figure G7: Terry Street Road Alignment

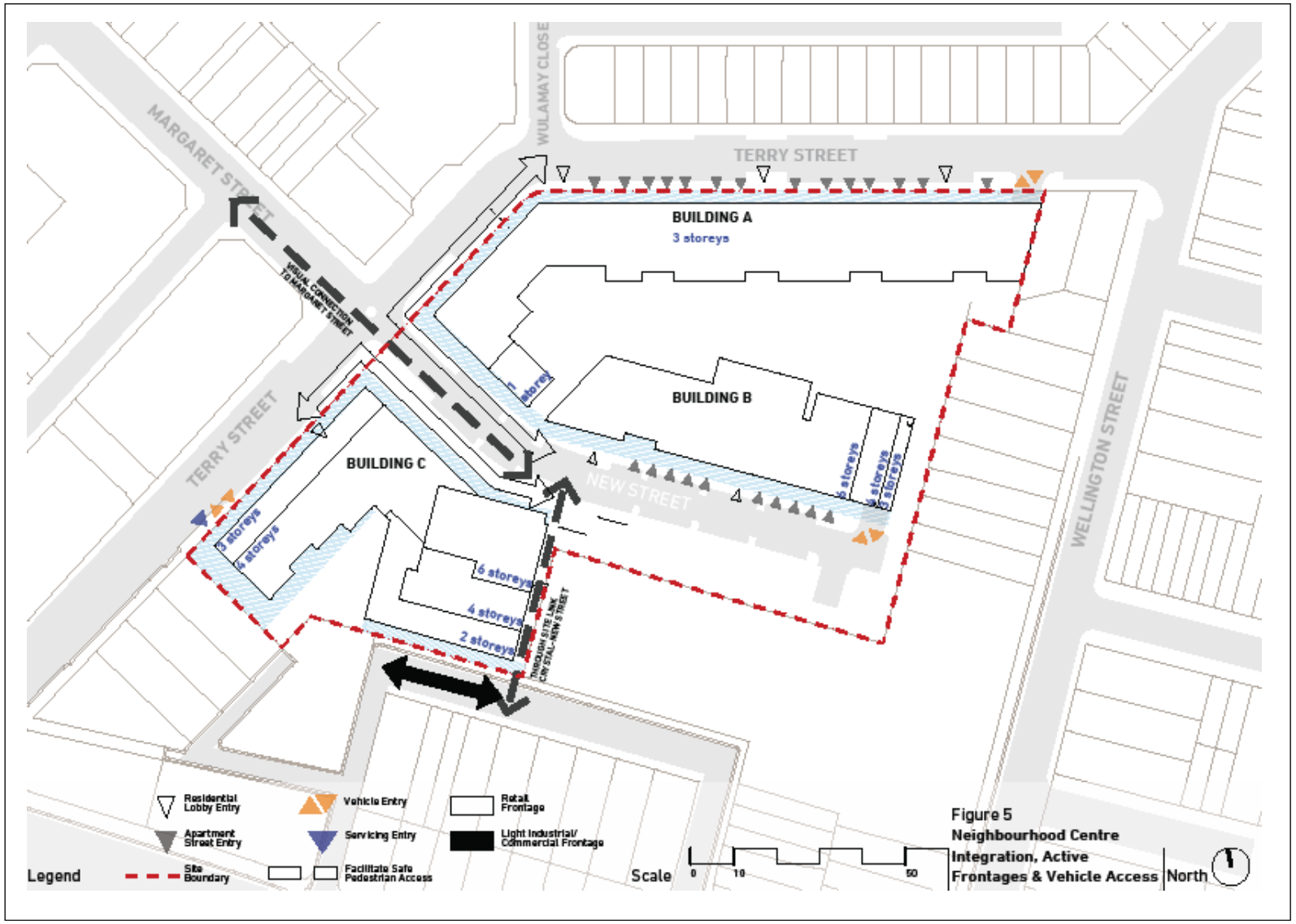


Figure G8: Neighbourhood Centre Integration Active Frontages and Vehicle Access

Figure G9: Height

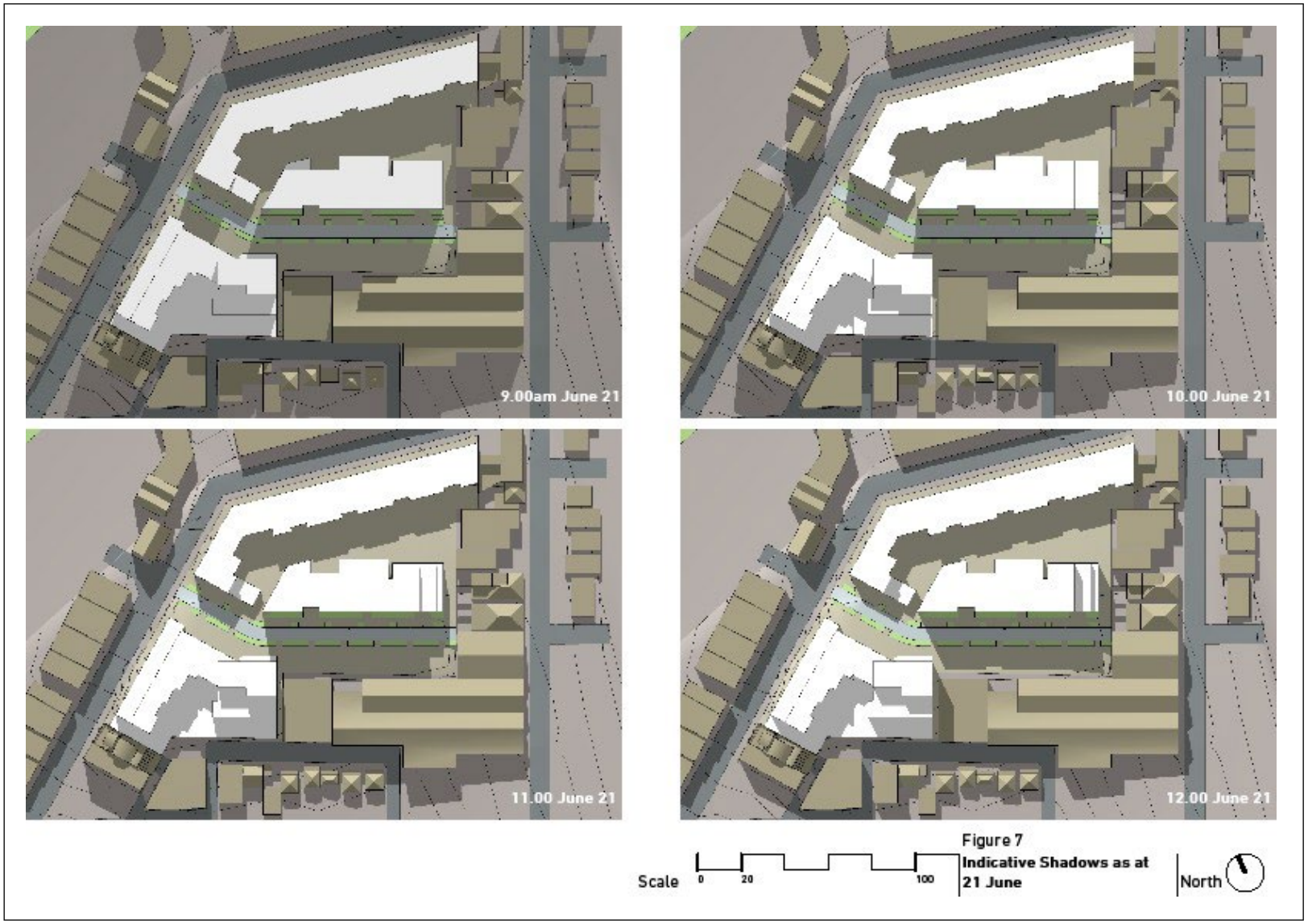


Figure G10: Indicative Shadows as at 21 June

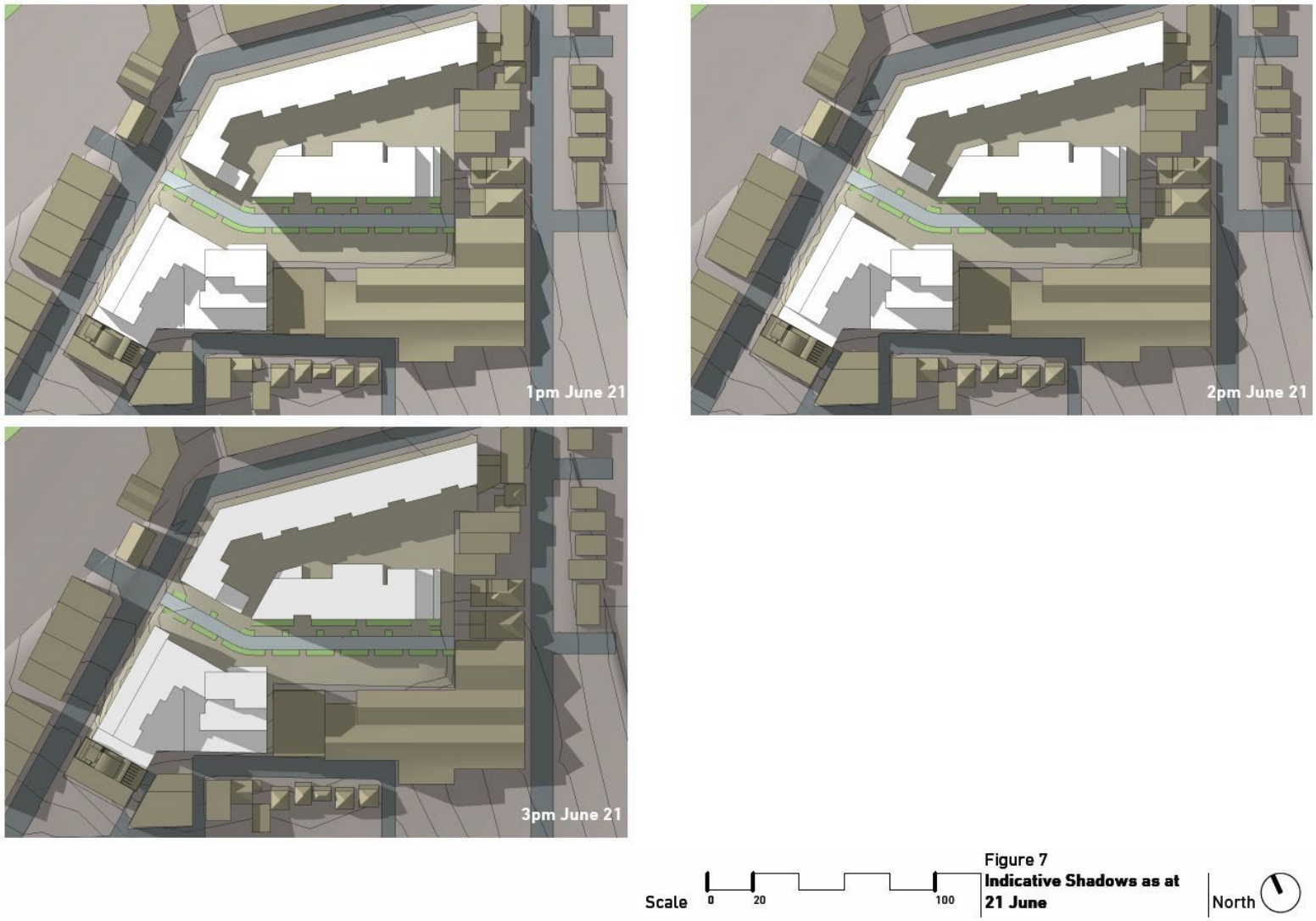


Figure G11: Indicative Shadows as at 21 June

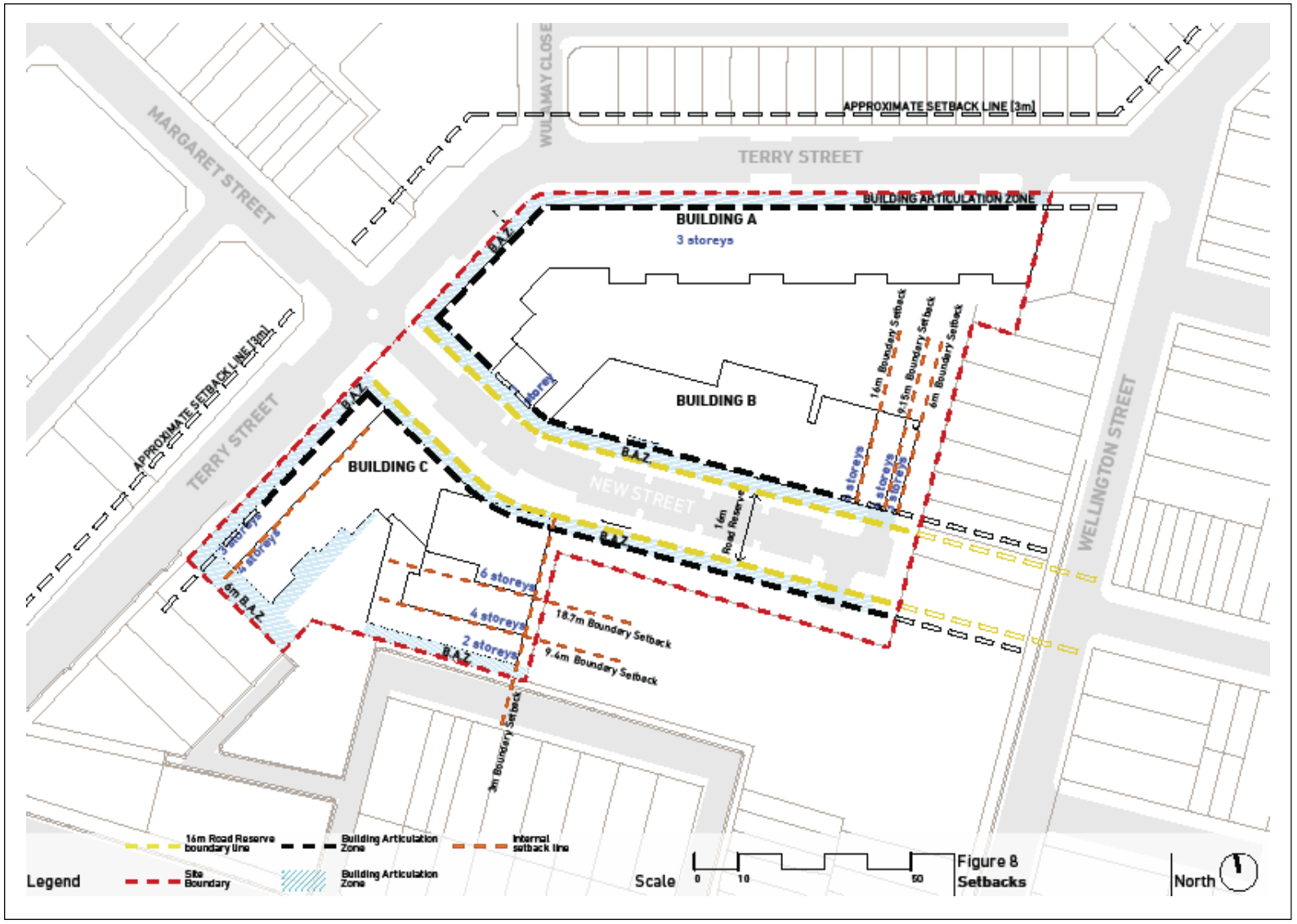


Figure G12: Setbacks

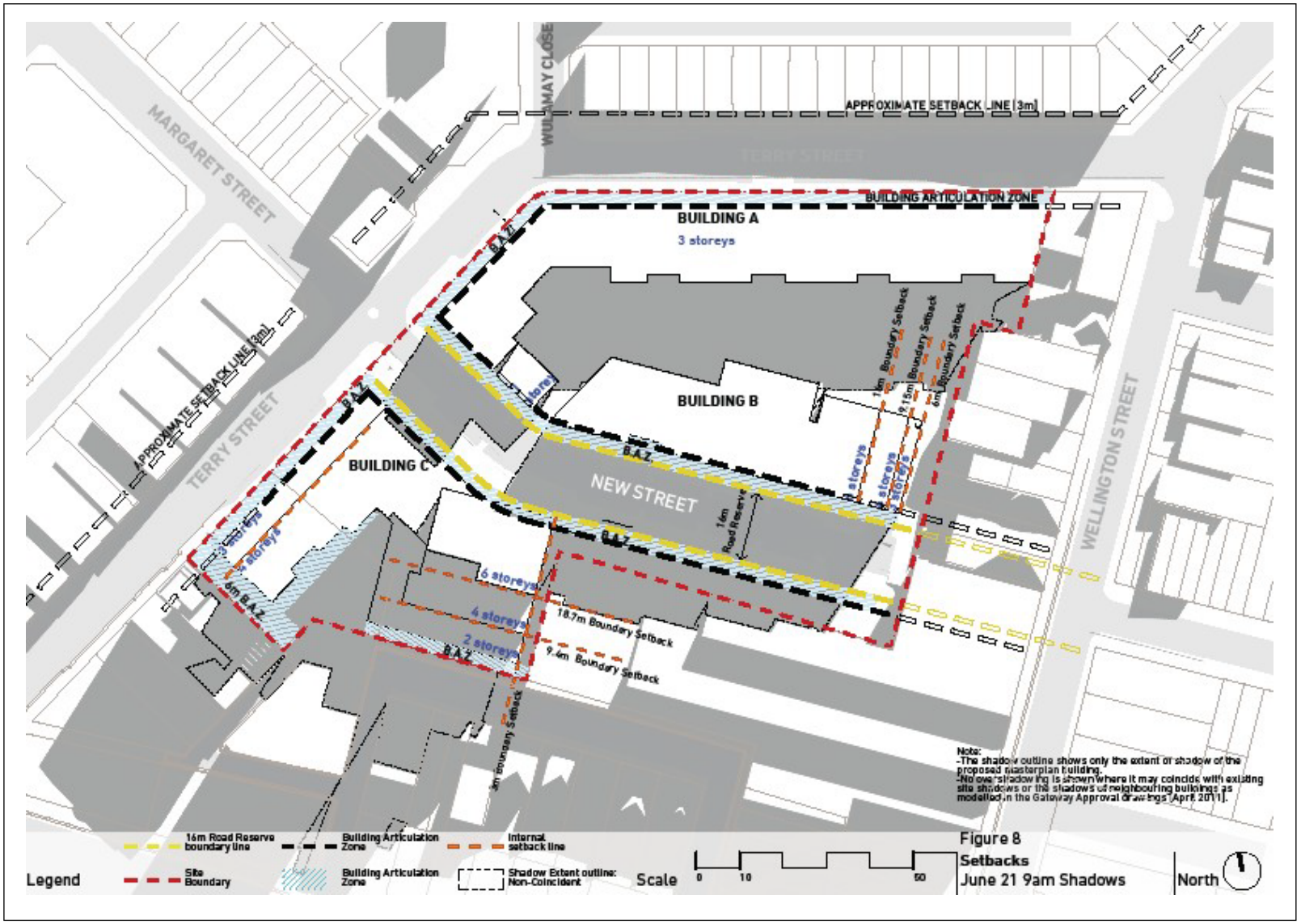


Figure G13: Setbacks June 21 9am Shadows

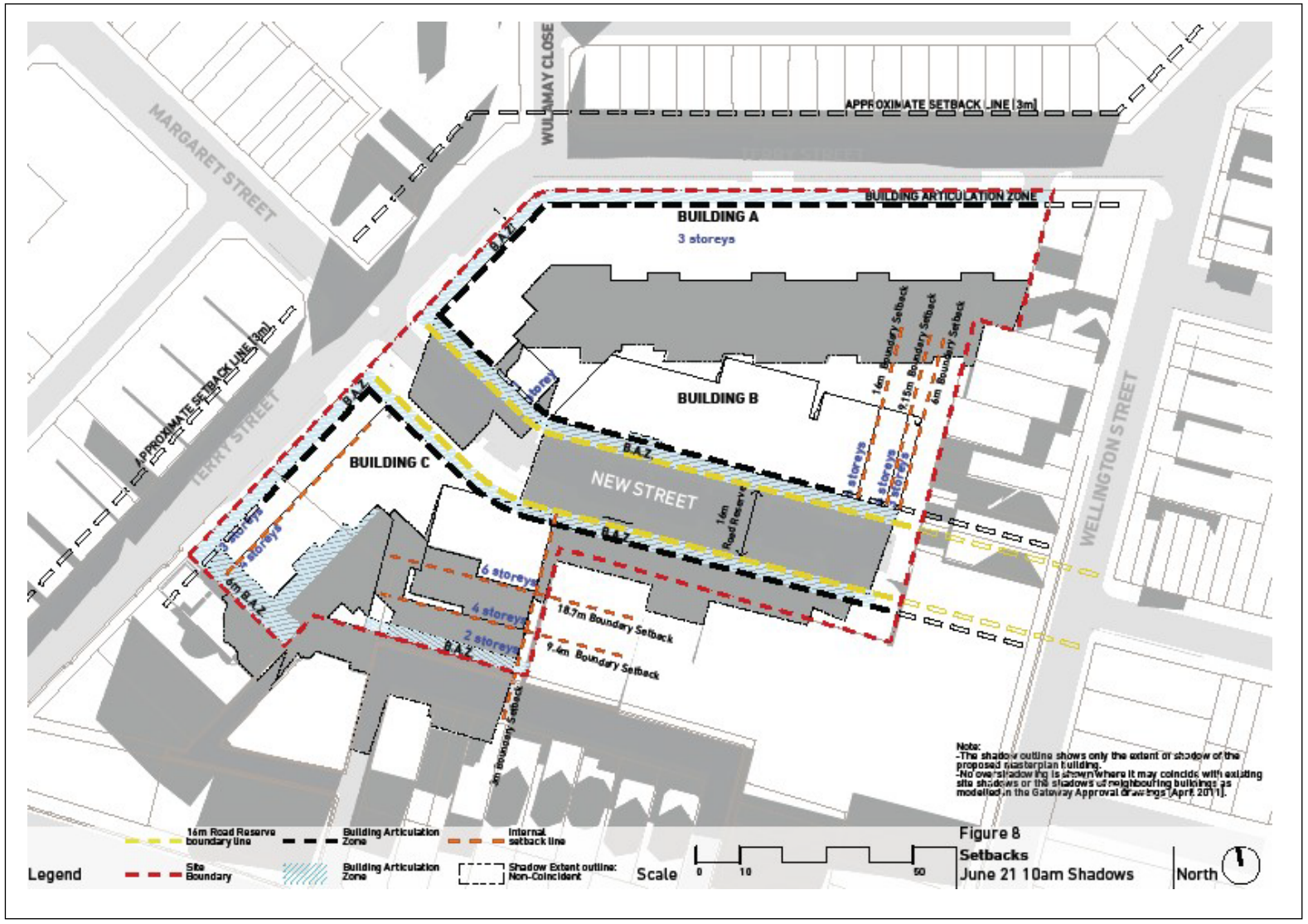


Figure G14: Setbacks June 21 10am Shadows

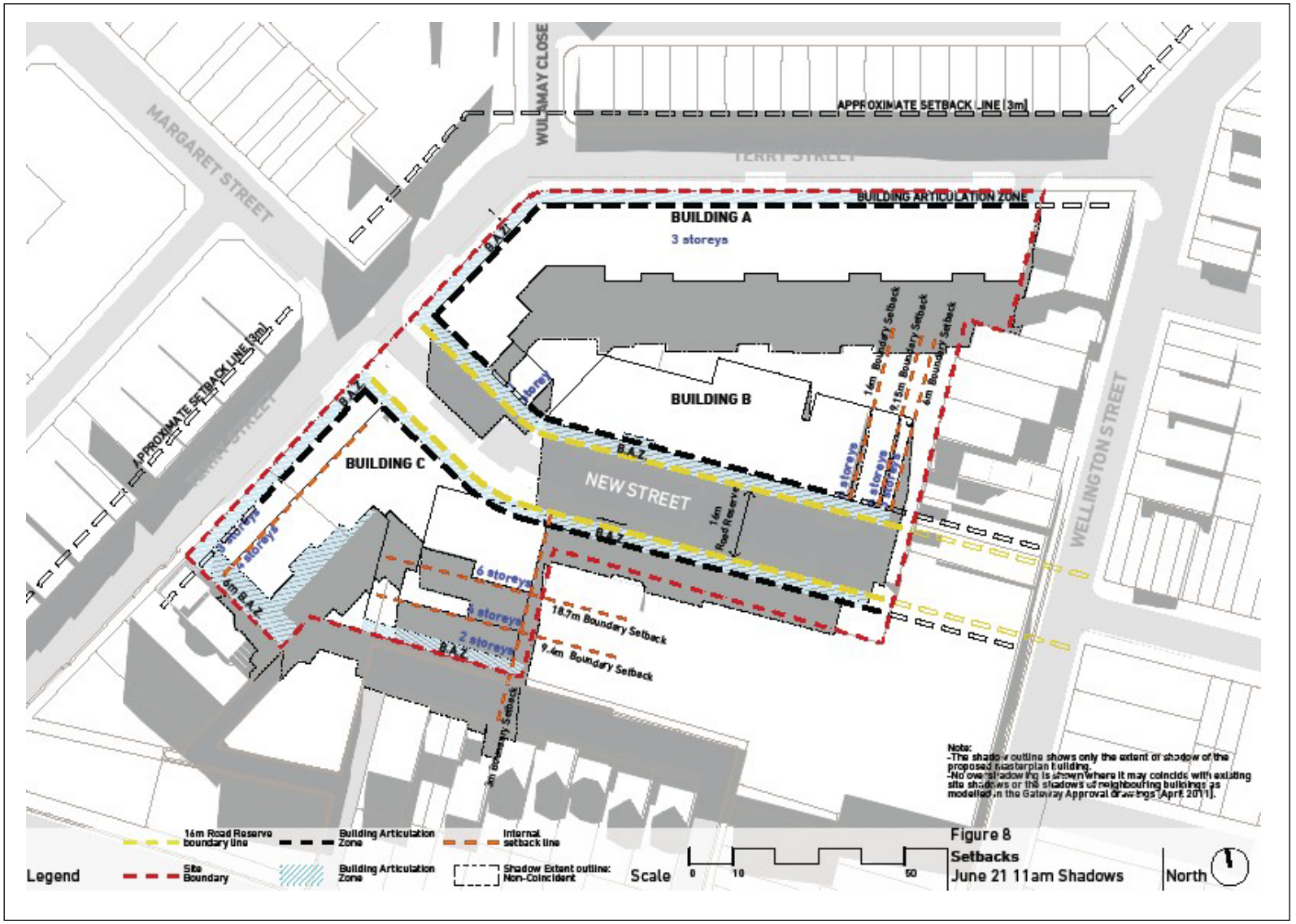


Figure G15: Setbacks June 21 11am Shadows

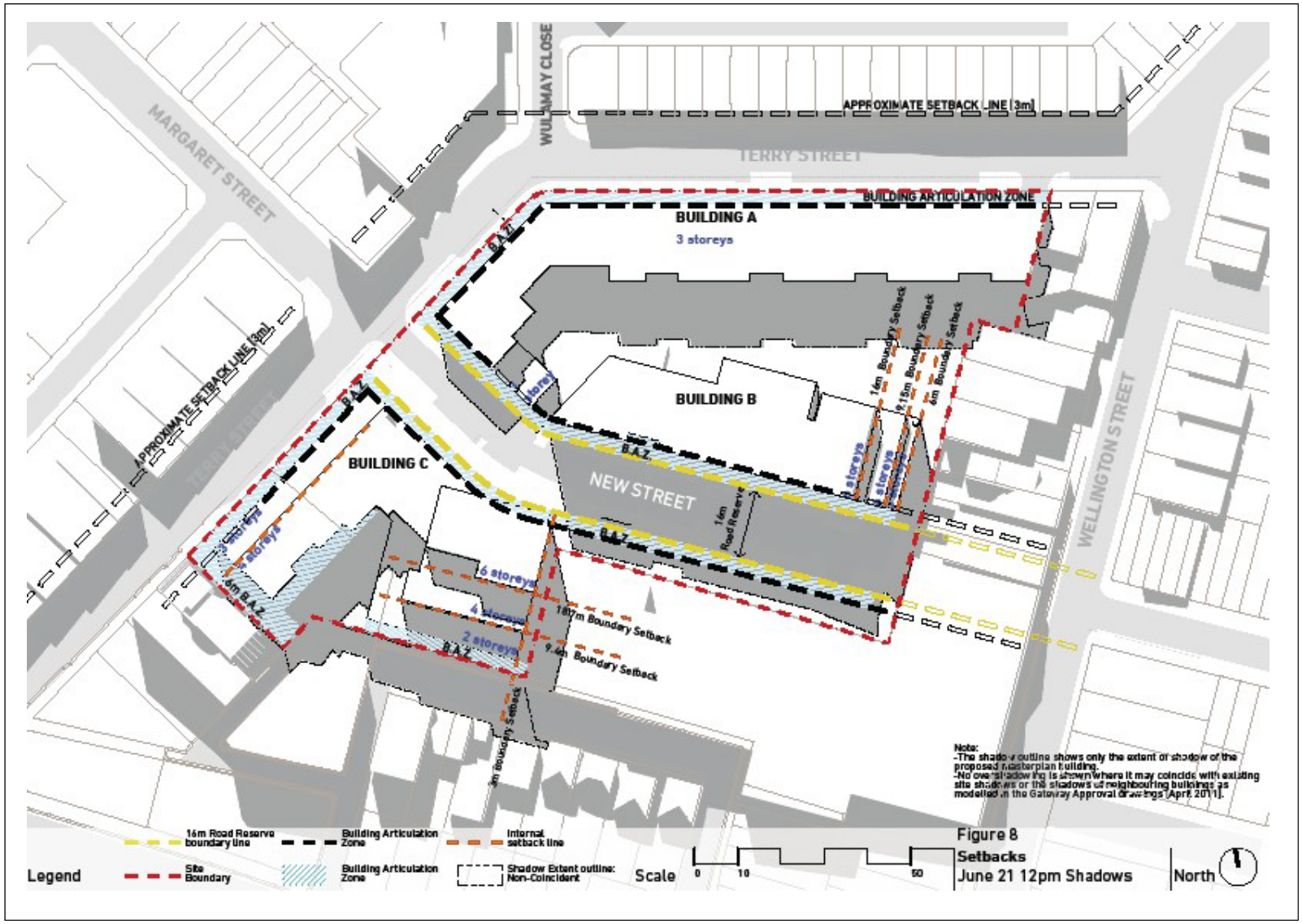


Figure G16: Setbacks June 21 12pm Shadows

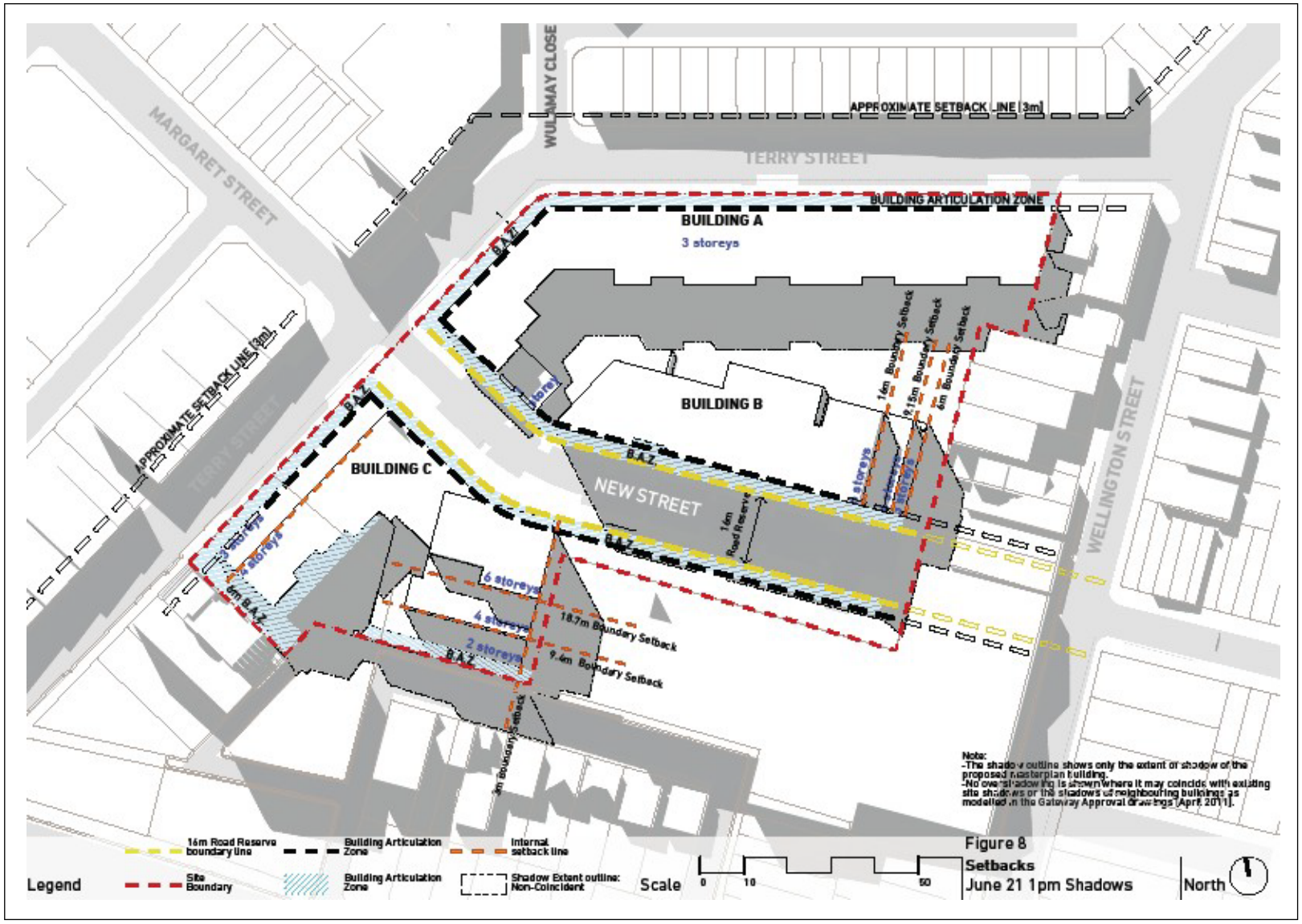


Figure G17: Setbacks 21 1pm Shadows

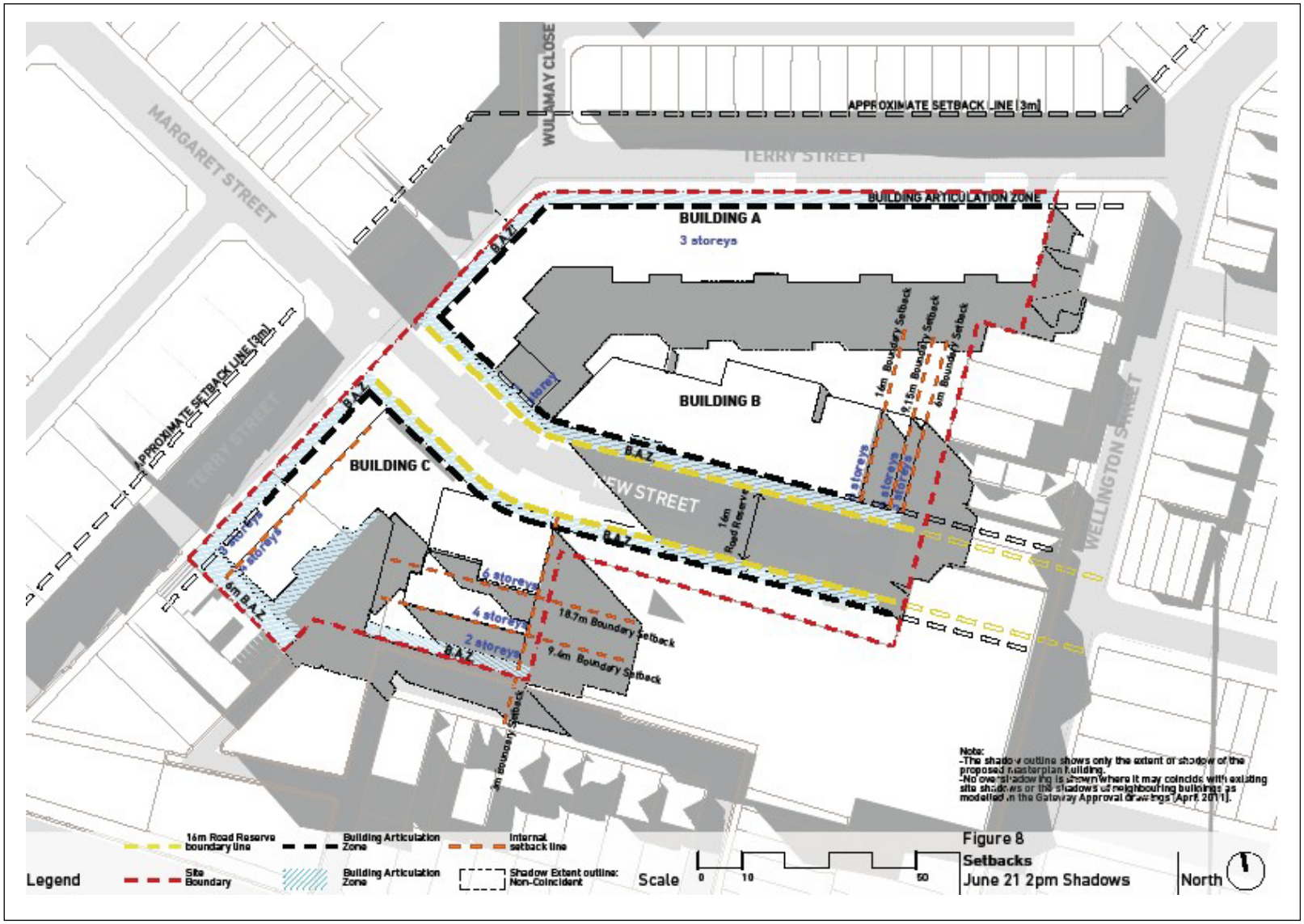


Figure G18: Setbacks June 21 2pm Shadows

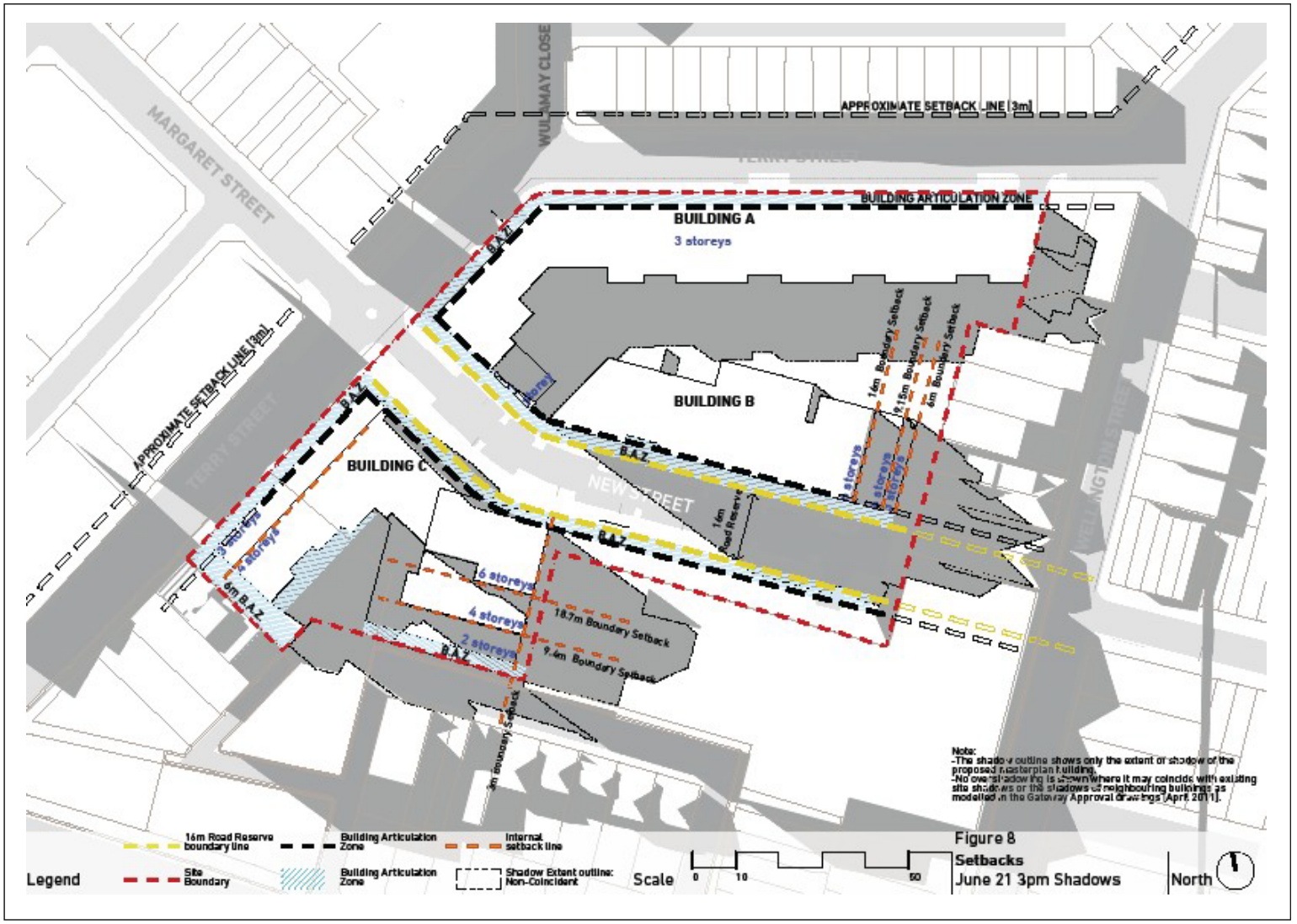


Figure G19: Setbacks June 21 3pm Shadows

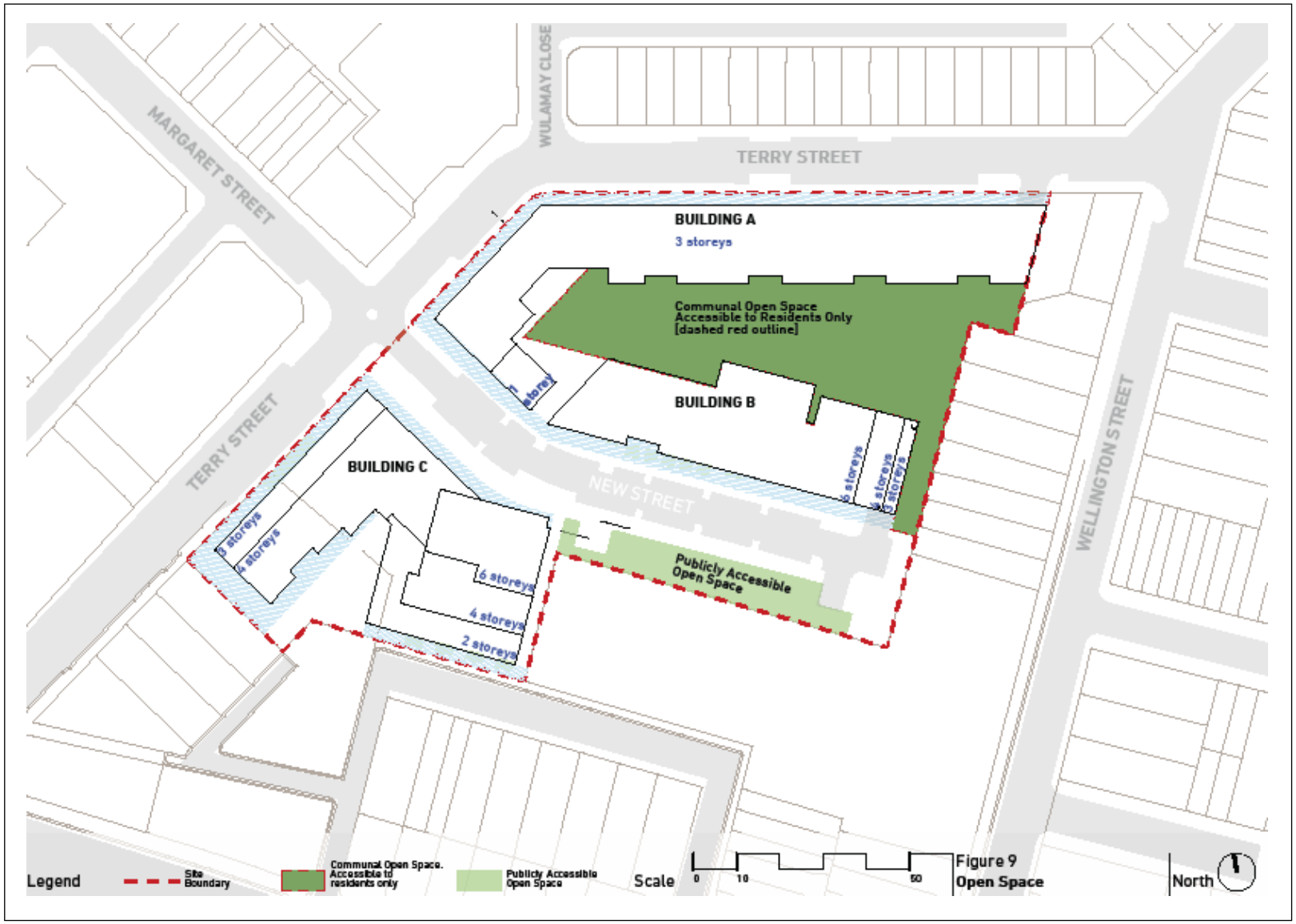


Figure G20: Open space

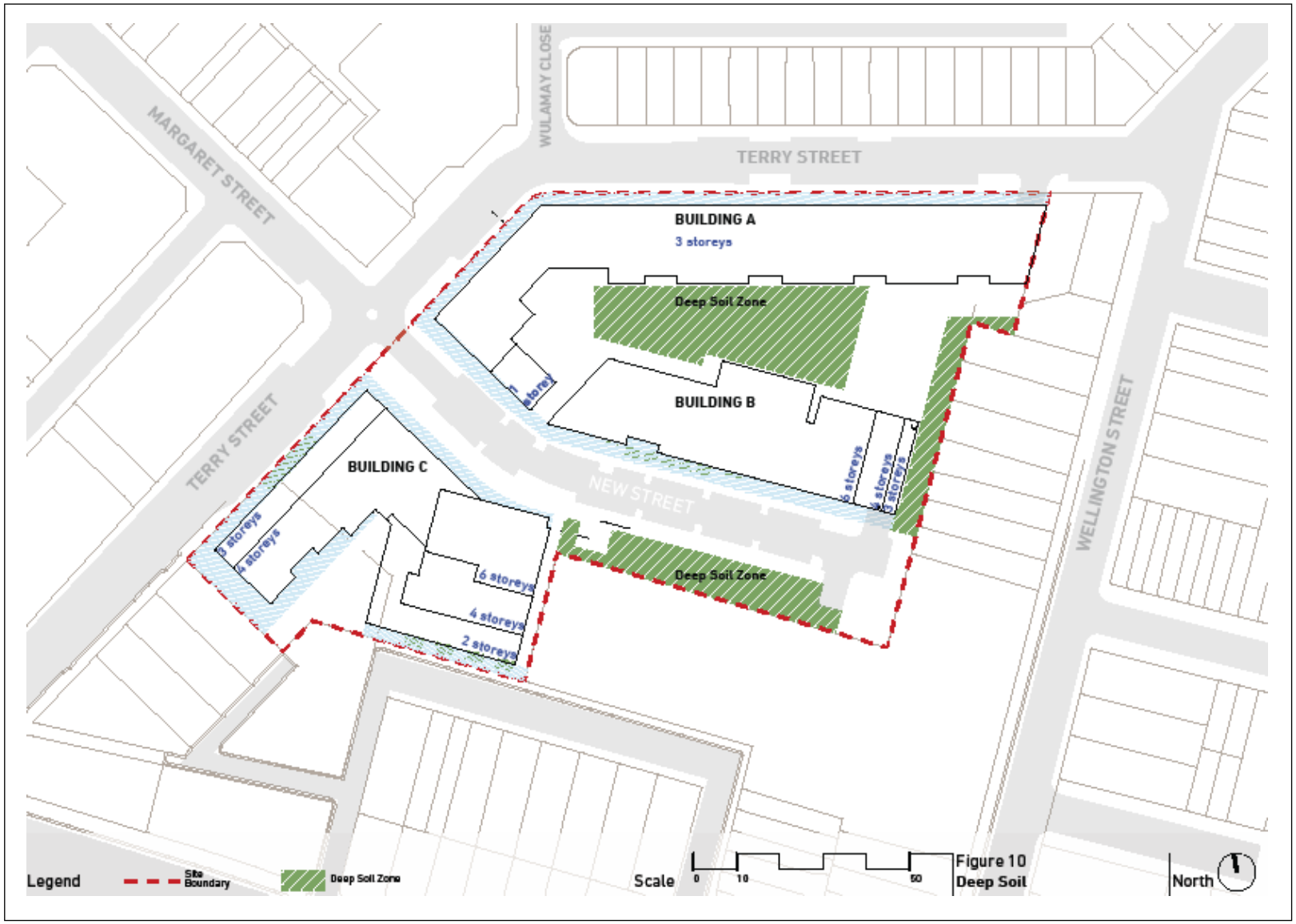


Figure G21: Deep Soil

Figure G22: View Protection Wellington Street

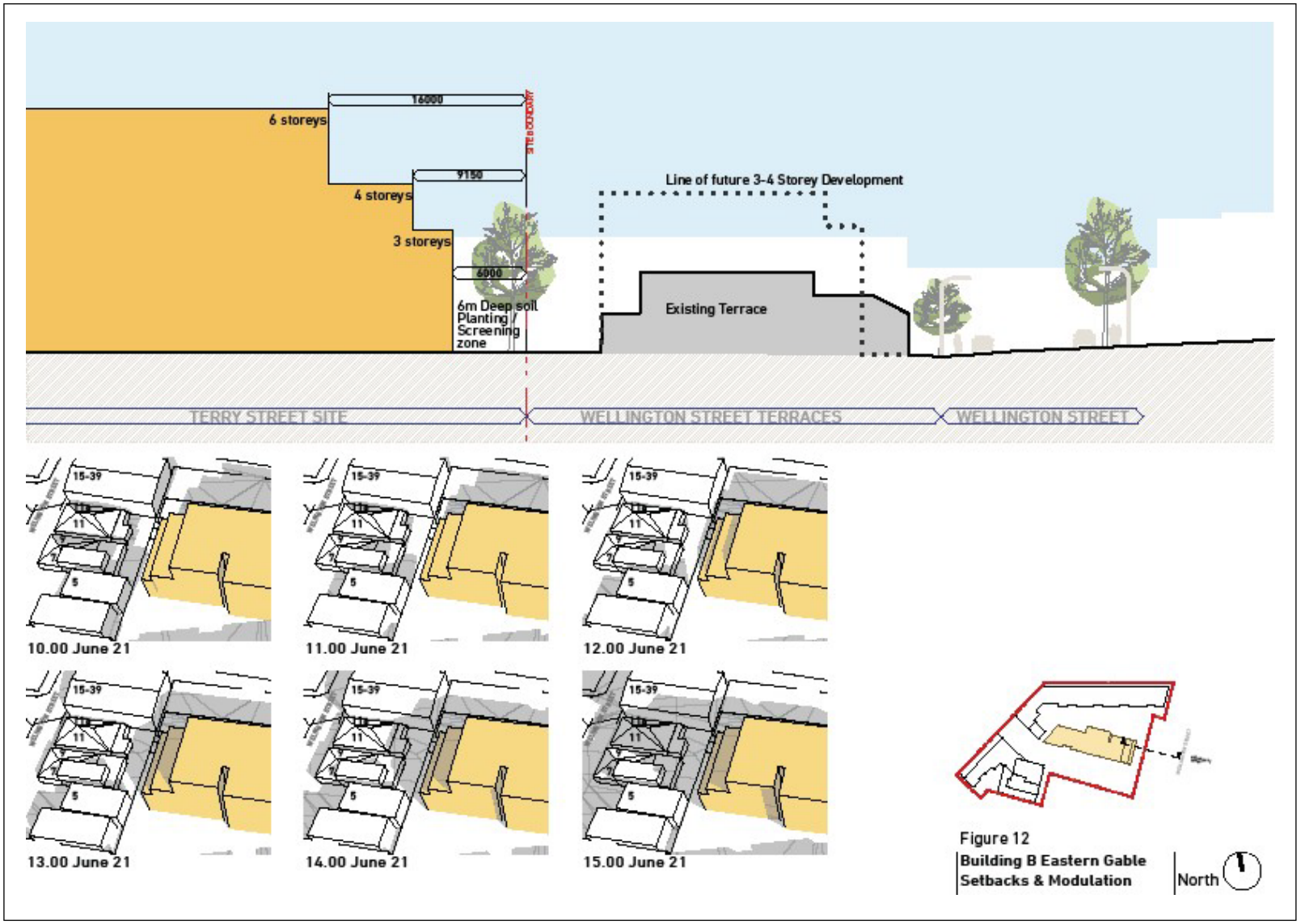


Figure G23: Building B Eastern Gable Setbacks and Modulation

SECTION 7 – 233 AND 233A JOHNSTON STREET ANNANDALE

Map Reference

Refer to Area 7 on the map in Figure G1 – Site Specific Areas.

G7.1 LAND TO WHICH THE SECTION APPLIES

This part applies to the land shown in Figure G24 – Site Location Plan, known as No. 233 and No. 233A Johnston Street, Annandale being Lots 1, 2 and 3 in Sec 13 DP 638 and Lots 58 and 67 to 78 DP 4844 respectively (herein referred to as the 'site').

No. 233 Johnston Street has an area of 1,148sqm and is located on the southern side of Rose Street in the block bounded by Johnston Street, Rose Street, View Street and Piper Street. No. 233A Johnston Street has an area of 1,945.5msqm, inclusive of Nos. 39, 41 and 43 Rose Streets and No. 170 View Street. No. 233A is located on the northern side of Rose Street and is in the block bounded by Johnston Street, The Crescent, View Street and Rose Street.

G7.2 BACKGROUND

In September 2010, in response to development proposals for both 233A and 233 Johnston Street, Council resolved to fund the preparation of development guidelines for the two properties. Council engaged the services of Architects Allen Jack + Cottier to work with the land owner and local community representatives to develop the development guidelines. The draft Development Guidelines were developed via a series of meetings and workshops with interested parties and the land owners.

A Public Information meeting on the draft Development Guidelines was held on 14 December 2011 and nearby landowners/occupiers were notified of the draft guidelines on 19 December 2011. The Draft Design Guidelines were reported to Council on 14 February 2012 where Council resolved to convert the draft Development Guidelines into Council's Development Control Plan.

G7.3 OBJECTIVES

To provide objectives and controls to govern the redevelopment of the site so as to ensure that the development is compatible with the area, and meets the desired future character and needs of the community. In particular these objectives and controls aim to achieve:

O1 A development that responds to the desired future scale and character of the streetscape and surrounding area.

O2 A development that achieves architectural and urban design excellence.

O3 The maintenance of adequate solar access and amenity to the surrounding residences.

O4 The retention of items of heritage significance and other buildings of historic value.

O5 The retention of significant views from the public domain, in particular the Winkworth Steps.

O6 Improved amenity and enhancement of the overall appearance of Johnston Street, Rose Street and View Street.

G7.4 DESIRED FUTURE CHARACTER STATEMENT

C1 The new character of the site should:

a. respond to the topography of the site, the character of Johnston Street, and adjacent residential uses;

b. maintain the character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials;

c. promote building styles that enhance and contribute to the character and identity of the neighbourhood;

d. protect and enhance the residential amenity of dwellings in and adjoining sites;

e. protect and enhance existing Heritage Items and buildings of historical significance;

f. preserve views over the City from the Winkworth Steps; and

g. maintain the prevalence of mature regularly spaced street trees.

G7.5 PUBLIC DOMAIN

G7.5.1 Integration with existing road network

Objectives

O1 To improve the amenity and enhance the overall appearance of Johnston Street, Rose Street and View Street.

O2 Create a safe and secure public domain.

Controls

233A Johnston Street

C1 Improved landscaping and paving is to be provided on Rose Street around the landing of the Winkworth Steps to improve pedestrian amenity and ameliorate conflict between pedestrians and vehicle movements.

C2 Landscaping is to be designed to allow open views and clear passage for pedestrians and avoid dark hidden areas to maintain safety and security.

G7.5.2 Street Trees

Objectives

O1 To improve the amenity and enhance the overall appearance of Johnston Street.

Controls

233A Johnston Street

C1 Infill street tree planting is to be provided along Johnston Street to continue the existing avenue of Brushbox trees. Refer to Figure G25 – Street Tree Planting.

G7.5.3 Views

Objectives

O1 To maintain significant views to the east of the western pylon of the Anzac Bridge, the Harbour Bridge and to the City from the top landing of the Winkworth Steps.

Controls

C1 Development within that part of the site highlighted in red on the view cone on Figure G29: Views is to be limited to a maximum height of RL17.70.

C2 A view analysis is to accompany any development application and is to identify any private views currently obtained from neighbouring residential properties.

C3 Where views are potentially impacted the Development Application is to be accompanied by an analysis and justification having regard to *Tenacity Consulting v Warringah Council (2004) NSWLEC 140*.

G7.6 BUILT FORM AND DESIGN

G7.6.1 Building height and bulk

Objectives

O1 Ensure future development responds to the desired future scale and character of the streetscape and surrounding area.

O2 Minimise the visual impact of any additions to the existing commercial building at 233A Johnston Street from Johnston Street.

O3 To ensure that the scale of development to 233 Johnston Street is broadly reflective of the existing industrial building.

O4 To maintain adequate solar access and amenity to surrounding residences, the public domain and development within the site.

Controls

<u>233A Johnston Street</u>

C1 Development along the Johnston Street frontage is to have a maximum wall height of 7m (i.e. two storeys) above footpath level, with the exception of the existing commercial building. This clause does not include the three areas where there is a maximum wall height of 5m as negotiated with Council and neighbours.

C2 Additions to the existing commercial building are to be setback so as to minimise visibility from Johnston Street.

C3 Additions to the existing commercial building are to be setback so as to maintain existing solar access to the adjoining View Street properties.

C4 Development of the site is to comply with the building envelopes as shown in Figures G31 – G36, which reflect the 32º (at 291 degrees 50 minutes true north) shadow angle taken from the rear boundary of the View Street properties at a height of RL10.71.

C5 Development on 170 View Street is to respect the building heights and roof forms of the adjoining View Street properties and is to have a maximum ridge height of RL 14.5.

233 Johnston Street

C6 Development along the Johnston Street frontage is to have a maximum wall height of 4m and maximum building height of 7.5m (i.e. two storeys) above Johnston Street, except for the portion of the site adjoining the southern boundary where development is to have a maximum wall height of 4m (i.e. one storey plus attic) above Johnston Street (refer to Figures G37-G39).

C7 Any second storey element to the Johnston Street / Rose Street corner is to be setback

C8 Solar access is to be maintained to the top half of the second window from Johnston Street in the northern elevation of 231 Johnston Street in mid-winter.

C9 Building envelopes are to be in accordance with Figures G37-G39.

C10 The top of the southern boundary wall adjacent to No. 231 Johnston Street is to be a maximum of RL18.10 to reduce the overshadowing to the rear yard of No. 231 Johnston Street

G7.6.2 Building setbacks and articulation

Objectives

O1 Maintain a desired level of solar access and amenity to surrounding residences, the public domain and development within the site.

O2 To ensure that the building mass and articulation along Johnson Street reflects the articulation and character of the street, including breaks between buildings.

Controls

233A Johnston Street

C1 The Johnston Street frontage shall have a minimum setback of 1m at street level from the existing heritage wall. A zero setback will be permitted 2.4m above street level.

C2 A minimum setback of 1m is to be provided from the heritage listed sandstone wall below Johnston Street level.

C3 1.5m gaps are to be provided in the Johnston Street wall in accordance with Figure G37: Building articulation.

C4 Rose and View Street frontages are to respect existing front setbacks on adjoining properties and the street alignment generally in accordance with Figure G38: Building setbacks.

C5 Additions to the existing commercial building are to be sufficiently setback to minimise visibility from Johnston Street and maintain the existing solar access to the View Street properties generally in accordance with Figure G38: Building setbacks.

C6 Additions to the existing commercial building are to be setback a minimum of 900mm from the northern boundary to No. 235, with the exception of the lift overrun and fire stair which may encroach on this setback, subject to no measurable additional adverse impacts on No.235.

C7 A minimum 3 metres rear setback is to be provided at ground floor level to the rear boundary of the View Street properties and shown in Figure G38: Building setbacks for any new development.

C8 The rear setback of development on 170 View Street is to align with the rear alignment of the adjoining View Street properties to the north (No. 172).

C9 Side setbacks of No.170 View Street are to be as shown in Figure G38: Building Setbacks. Position 1.1mx 6m slot in plan.

C10 A side setback 1.1m wide by 6.0m long is to be provided adjacent to the windows of No. 172 View Street.

C11 Maintain a gap of a minimum dimension of 1.5m between the southern façade of the existing commercial building at 233A Johnston Street and any new building.

C12 Maintain a minimum 1.5m wide gap between developments, either along the alignment of the existing drainage reserve or within a 10m wide zone north of the drainage reserve as shown on Figure G37: Building articulation.

233 Johnston Street

C13 Setbacks are to be in accordance with Figure G38: Building setbacks.

C14 The Johnston Street frontage shall have a minimum setback of 1m at street level from the existing heritage wall and 2.4m above street level.

G7.6.3 Building separation

Objectives

O1 To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site.

Controls

233A Johnston Street

C1 Buildings should be located within the envelopes shown in Figures G30 to G32 to ensure appropriate separation from the adjoining properties.

233 Johnston Street

C2 Buildings should be located within the envelopes shown in Figures G33 to G34 to ensure appropriate separation from the adjoining properties.

G7.6.4 Building materials and finishes

Objectives

O1 To ensure that buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Building and landscape materials are to be fit for purpose and reflect the Desired Future Character Statement, be appropriate for climatic conditions and be of high specification to ensure long term quality and sustainability of the development.

C2 Materials to be used may include:

a. heavy materials for the base structure: concrete, masonry, render;

b. lightweight materials for the top of the building to allow flexibility in roof form i.e. steel, aluminium and other metallic materials; and

c. screening elements: to provide enhanced privacy to the occupants of the development as well as to adjoining residential properties.

G7.6.5 Design of building elements

Objectives

O1 To ensure that fronts, backs and tops of buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Buildings are to be designed in accordance with the Desired Future Character Statement.

C2 The design of the buildings should be of contemporary design.

C3 Buildings and landscape elements, including balconies, entries, rooflines and screening are to contribute to the character of the streetscape, enhance opportunities for visual supervision of the public domain, reduce overlooking, enhance residential amenity and make a positive contribution to place identity.

G7.6.6 Disability access

Objectives

O1 To ensure that access to the development and its surrounds is maximised for people of all abilities and needs.

Controls

C1 The provisions of Part C1.10 - Equity of Access and Mobility within this Plan apply.

G7.6.7 Signage

Objectives

O1 To allow the existing commercial building to provide appropriate signage while ensuring that such signage does not result in visual clutter and is compatible with its context.

Controls

C1 All signage is to be located on those parts of the building used for non-residential purposes.

C2 Signage must be for non-residential purposes and be in accordance with controls contained in Part C1.15 Signs and Outdoor Advertising of this Plan.

G7.7 RESIDENTIAL AMENITY

G7.7.1 Solar Access

Objectives

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

Controls

C1 Living rooms and private open spaces for at least 70% of residential units should receive a minimum of 2 hours of direct sunlight between 9am and 3pm in mid-winter in accordance with

the Residential Flat Design Code (RFDC) which forms part of the *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).*

G7.7.2 Cross ventilation

Objectives

O1 To ensure that dwellings have good access to fresh air and that energy efficiency is maximised.

Controls

C1 60% of residential units should be naturally cross ventilated in accordance with the Residential Flat Design Code (RFDC) which forms part of *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).*

G7.7.3 Open Space

Objectives

O1 To provide residents with areas of private open space of a size and shape that meets the users requirements for relaxation and recreation.

Controls

C1 Balconies and terraces should be :

a. designed as an integral part of the building's architecture;

b. a minimum width of 2m;

c. located off the main internal living area of the dwelling;

d. not project beyond the street alignment; and

e. preferably face north or towards the view.

C2 All residential units should have a primary balcony with a minimum depth of 2 metres in accordance with the Residential Flat Design Code (RFDC) which forms part of *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).*

G7.7.4 Visual Privacy

Objectives

O1 To protect the visual privacy of adjoining dwellings by minimising direct overlooking of principal living areas and private open space.

O2 To provide landscaping on built structures that maintains the privacy of the neighbouring properties.

Controls

C1 All development is to comply with the provisions contained in Part C3.11 Visual Privacy of this Plan.

C2 Planter boxes (of sufficient soil depth and width to accommodate substantial planting), or similar privacy measures, are to be provided on all east facing balconies of 233A Johnston Street to maintain the privacy of the neighbouring View Street properties.

G7.7.5 Deep Soil Landscape Area

Objectives

O1 To improve the amenity of the existing residences and those of the new development by providing a deep soil landscaped area between properties.

O2 To provide access to the sewer line below.

Controls

233A Johnston Street

C1 A minimum of 3 metres wide, deep soil landscaped zone is to be provided along the rear boundary of the site adjacent to the boundary to No's 162-172 View Street in accordance with Figure G39: Deep soil landscape area.

C2 The deep soil landscaped zone is to be suitably landscaped, including the planting of suitable canopy trees that restrict overshadowing of No. 162-172 View Street.

C3 A Landscape plan is to be submitted with the development application.

C4 A Landscape Plan of Management / Maintenance Plan shall be submitted with the application.

233 Johnston Street

C5 A Landscape plan is to be submitted with the development application for any on podium landscaping.

G7.8 PARKING AND ACCESS

G7.8.1 Parking rates

Objectives

O1 To provide an appropriate balance between encouraging use of public transport and increasing the demand for on-street parking in the area.

Controls

C1 Car parking is to be provided in accordance with Part C1.11 Parking of this Plan.

C2 All bicycle parking is to comply with the provisions contained in Part C1.11 Parking of this Plan.

G7.8.2 Vehicular access

Objectives

O1 To ensure that building vehicular access and egress points are best located to reduce potential for conflict.

Controls

C1 No vehicular access to 233 + 233A Johnston Street from Johnston Street.

C2 All vehicular access is to be via the Rose Street frontage of the site.

C3 All building vehicular access and egress points are subject to final Council approval.

G7.9 ENVIRONMENTAL PERFORMANCE

G7.9.1 Sustainability rating

Objectives

O1 To ensure that a high level of sustainability is achieved by requiring a higher standard to be achieved than would typically apply to such development.

Controls

C1 The environmental performance and any development of the site must consider the following matters:

a. ‘energy’: demand reduction, use efficiency, and generation;

b. ‘water’: reduction in potable water use, water reuse and use of other water sources;

c. ‘management’: sustainable development principles throughout the life of the project;

d. ‘indoor air quality’: enhanced building performance and wellbeing of occupants;

e. ‘transport’: reduction in demand for private car usage and encouraging alternative forms of transportation;

f. ‘building materials’: reduction in resource consumption through material selection, reuse and management practices;

g. ‘land use and ecology’: reduction in the impact on the ecosystem;

h. ‘emissions’: mitigating point source pollution from buildings and building services to the atmosphere, watercourse, and local ecosystems; and

i. ‘innovation’: pursuing innovation that fosters the industry's transition to a more sustainable building as specified by the Green Star Rating System.

G7.9.2 Drainage and Water Management

Objectives

O1 To integrate water sensitive urban design into the development to reduce peak stormwater flows downstream, minimise transport of pollutants into waterways and maximise water recycling

Controls

C1 Stormwater Drainage System must be designed to comply with Part E Water of this Development Control Plan.

C2 Any development of the site must also consider the following matters:

a. ‘water’: reduction in potable water use, water reuse and use of other water sources;

b. ‘land use and ecology’: reduction in the impact on the ecosystem;

c. ‘emissions’: mitigating point source pollution from buildings and building services to the atmosphere, watercourse and local ecosystems; and

d. ‘innovation’: pursuing innovation that fosters the industry’s transition to a more sustainable building as specified by the Green Star Rating System.

G7.10 WASTE AND RECYCLING MATERIALS STORAGE AND DISPOSAL

G7.10.1 Waste and recyclable materials temporary storage and disposal facilities

Objectives

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.

O3 To minimise risk to health and safety associated with handling and disposal of waste and recycled material and the potential for adverse environmental impacts associated with waste management.

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 integrated into the streetscape.

C3 A completed Site Waste Minimisation and Management Plan (SWMMP) must accompany any development application.

Note: Refer Part D2 – Resource Recovery and Waste Management and Appendix D.1 Site Waste Minimisation and Management Plan Template of this Development Control Plan for further information.

Figure G24: Site Location Plan

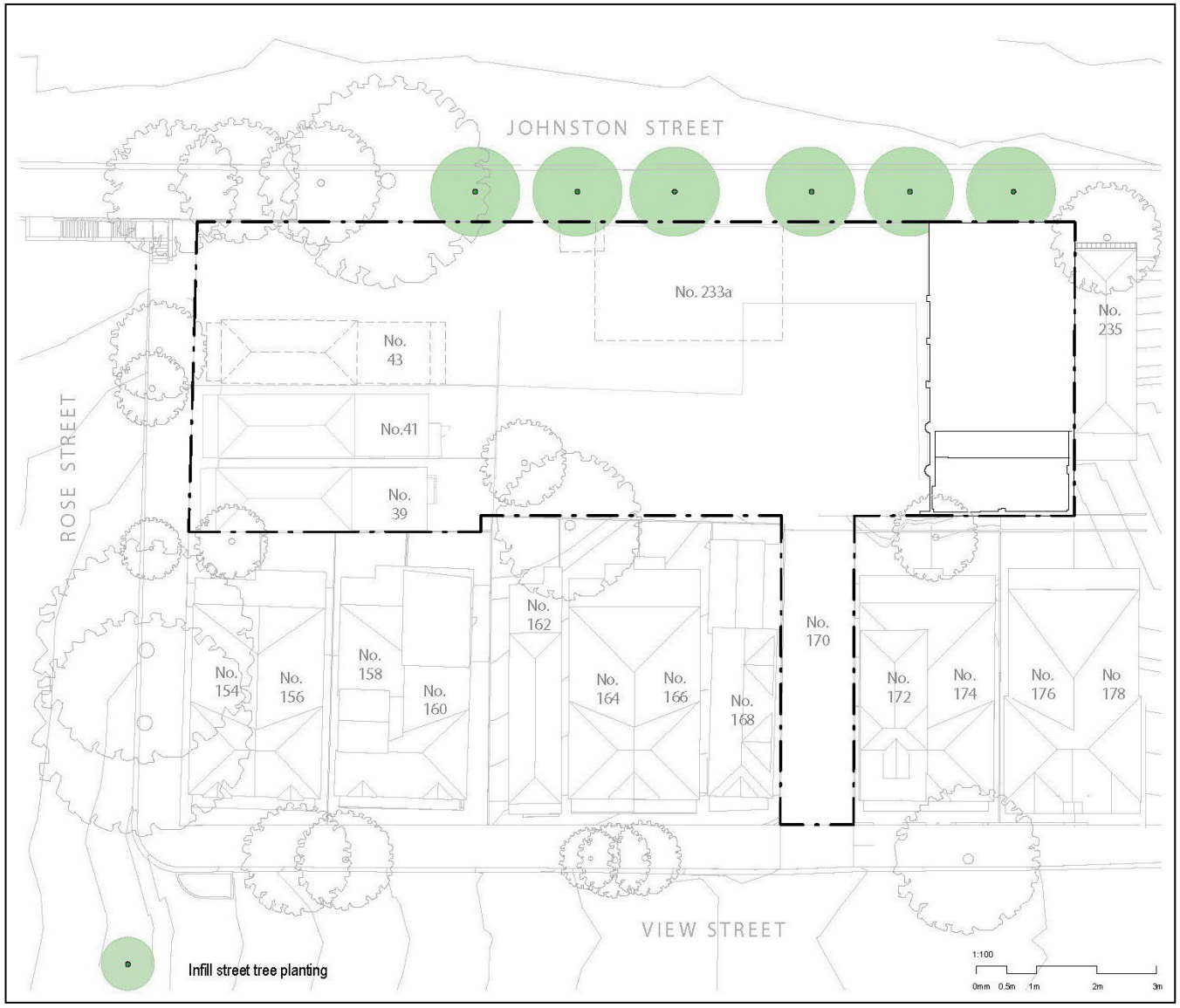


Figure G25: Street Tree Planting

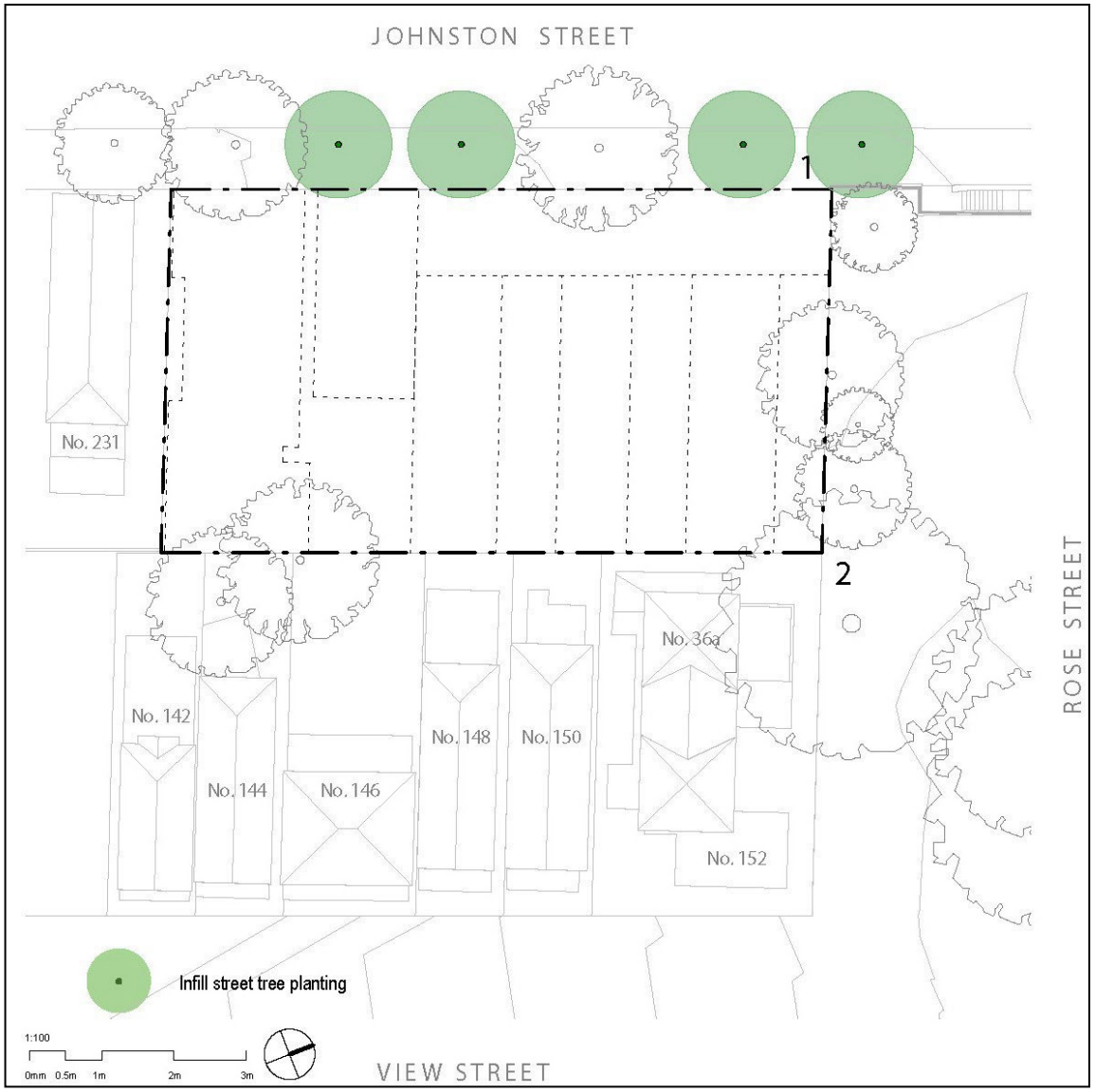


Figure G26: Street Tree Planting

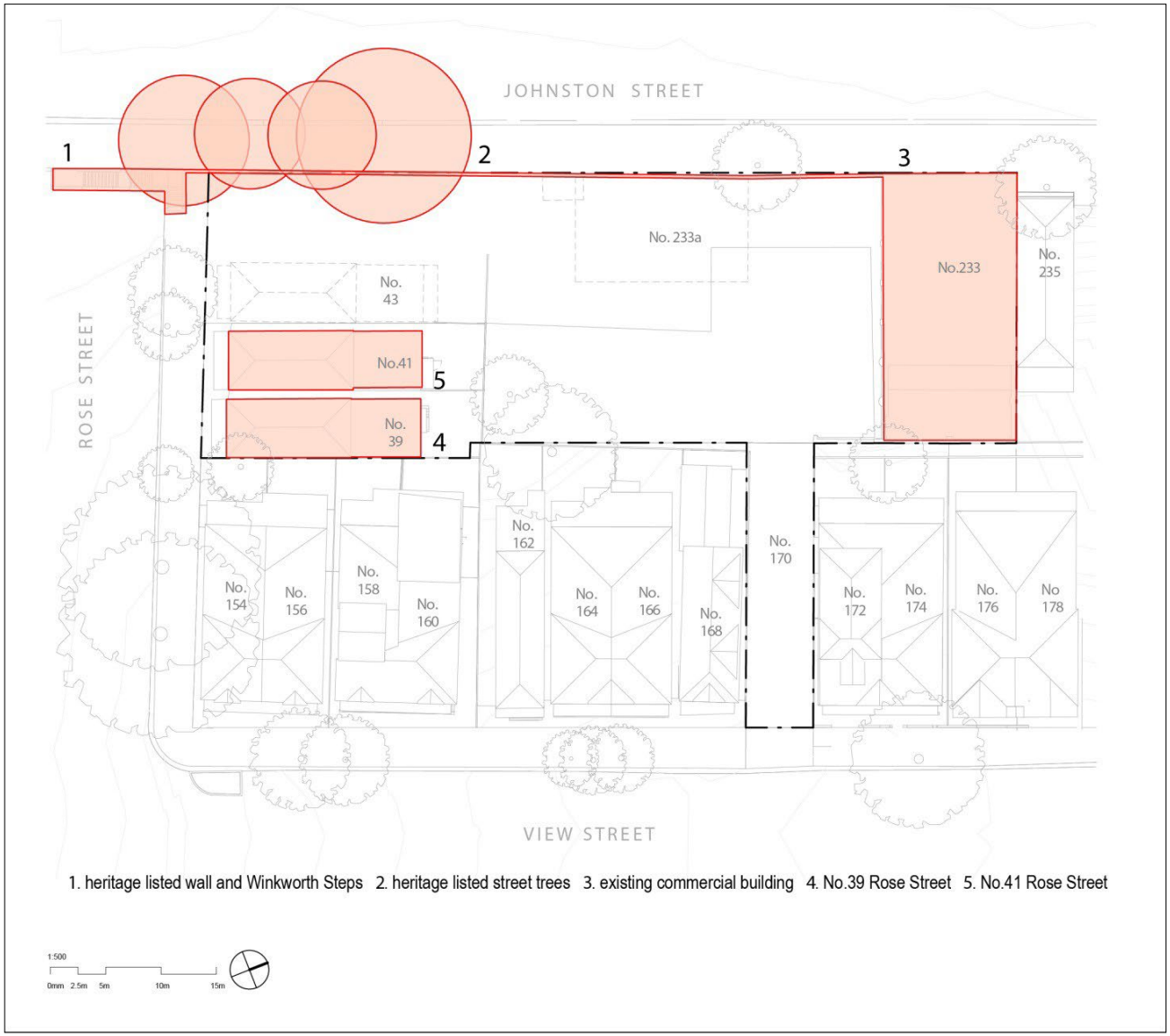


Figure G27: Items to be retained

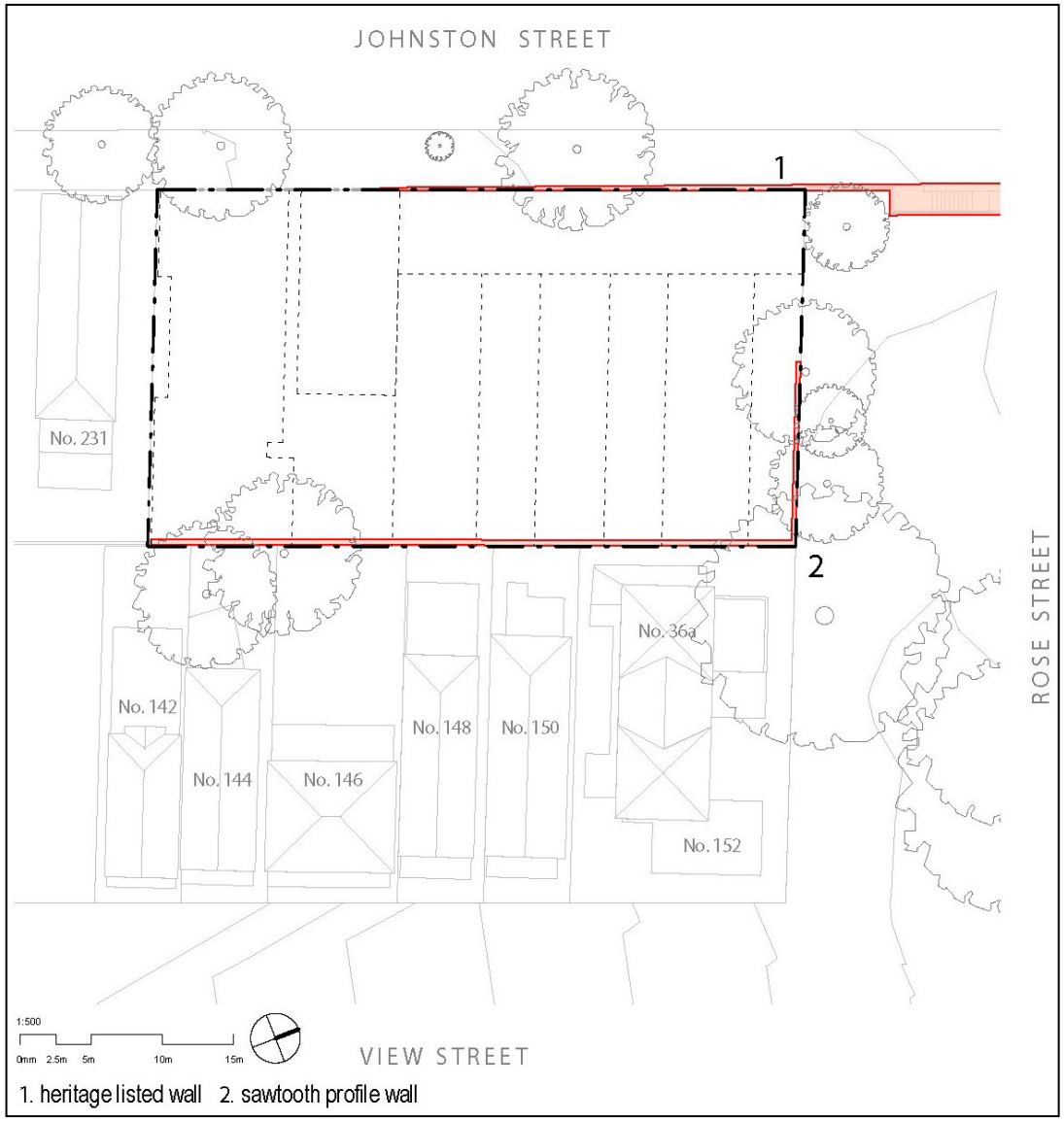


Figure G28: Items to be retained

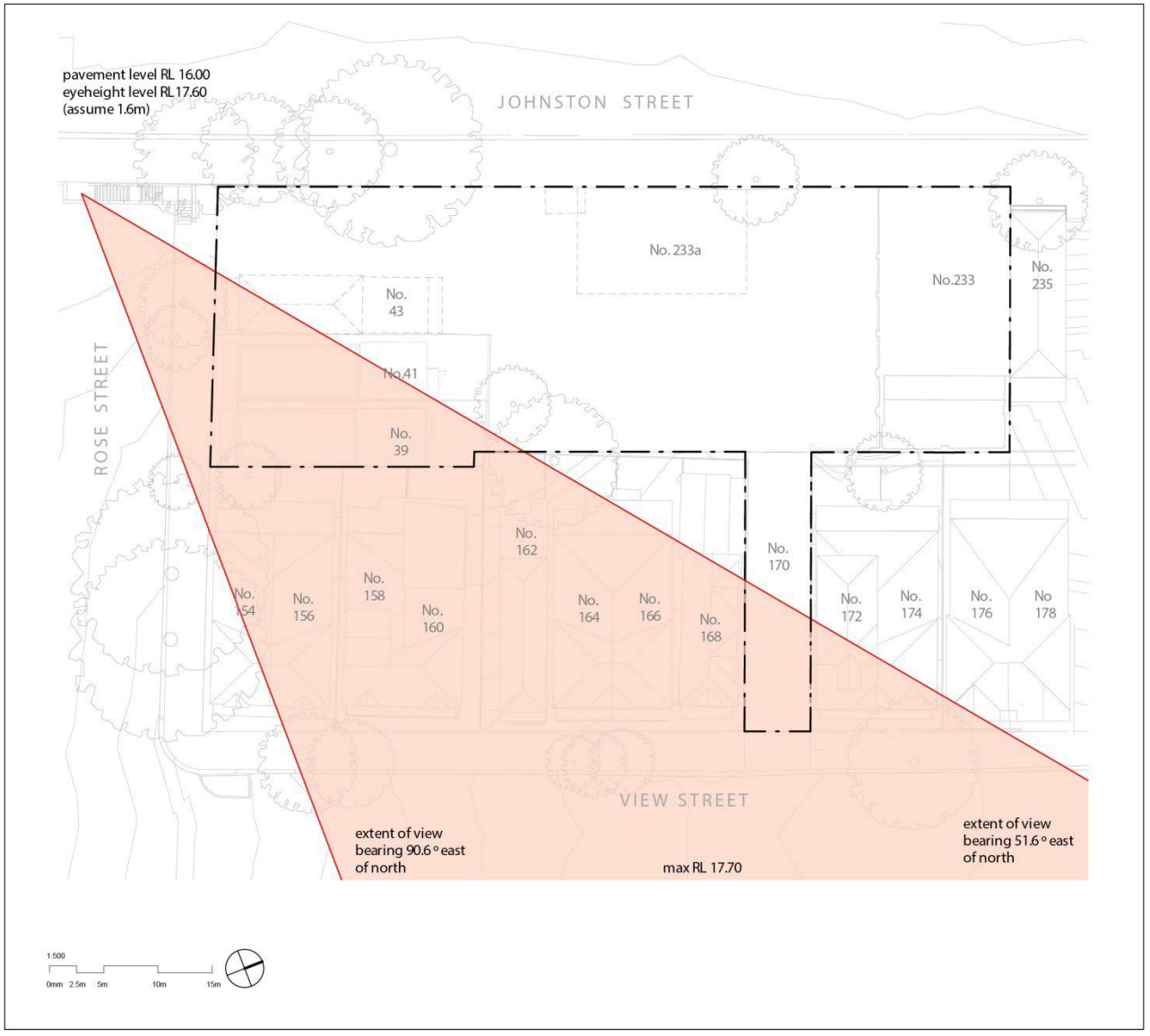


Figure G29: Views

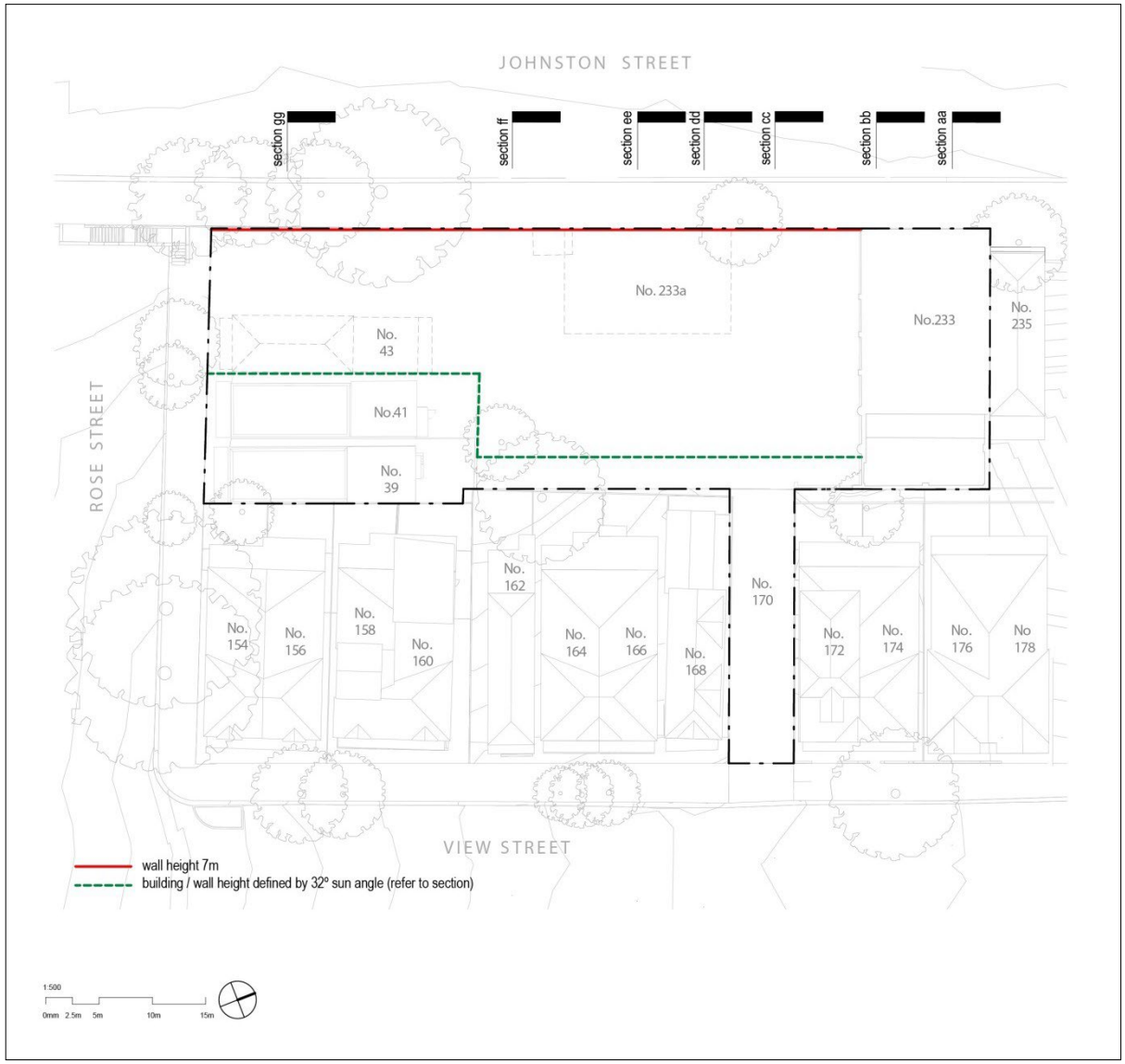


Figure G30: Building Heights and Massing Envelope

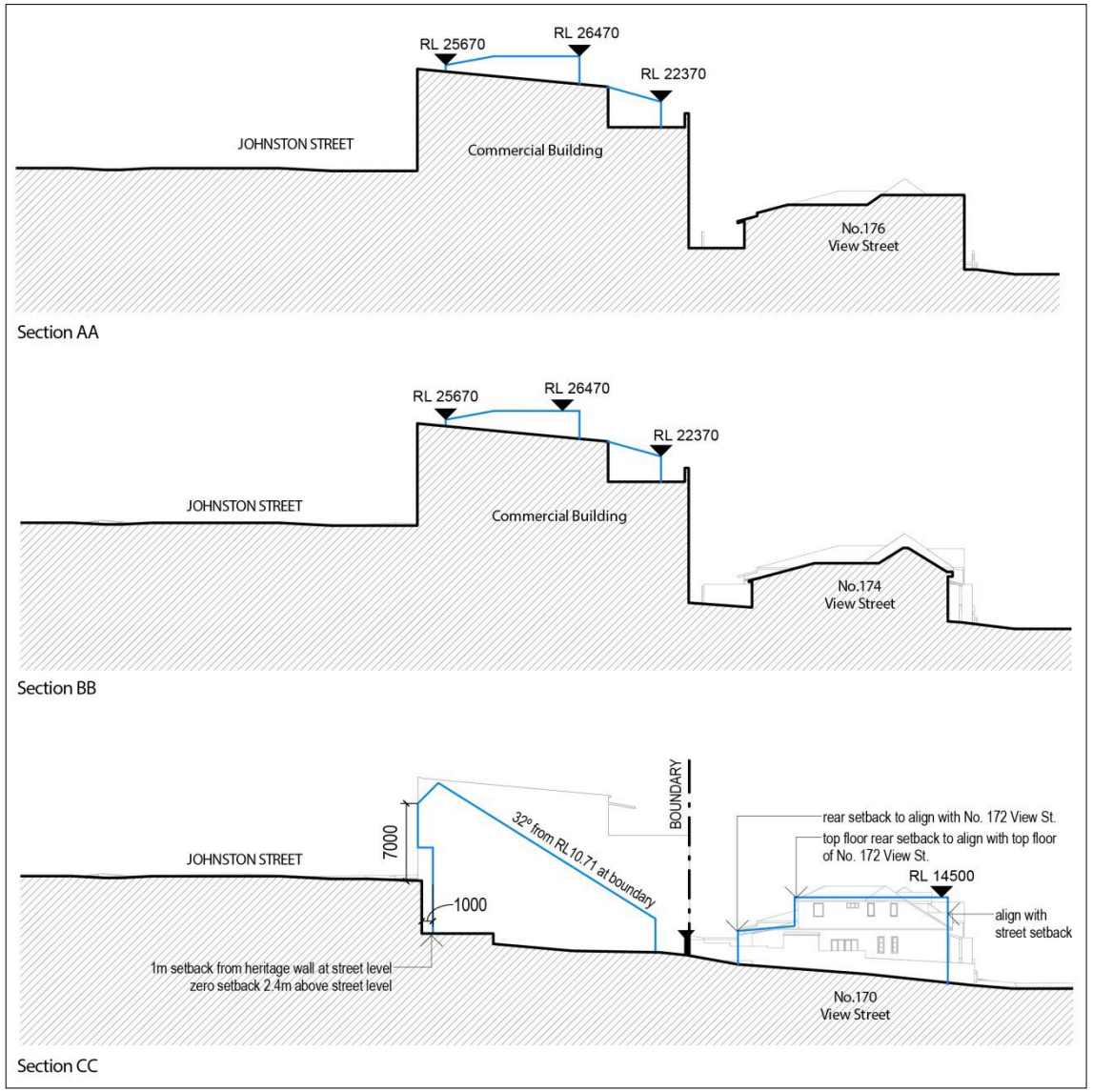


Figure G31: Building Heights and Massing Envelope – Section AA, Section BB & Section CC

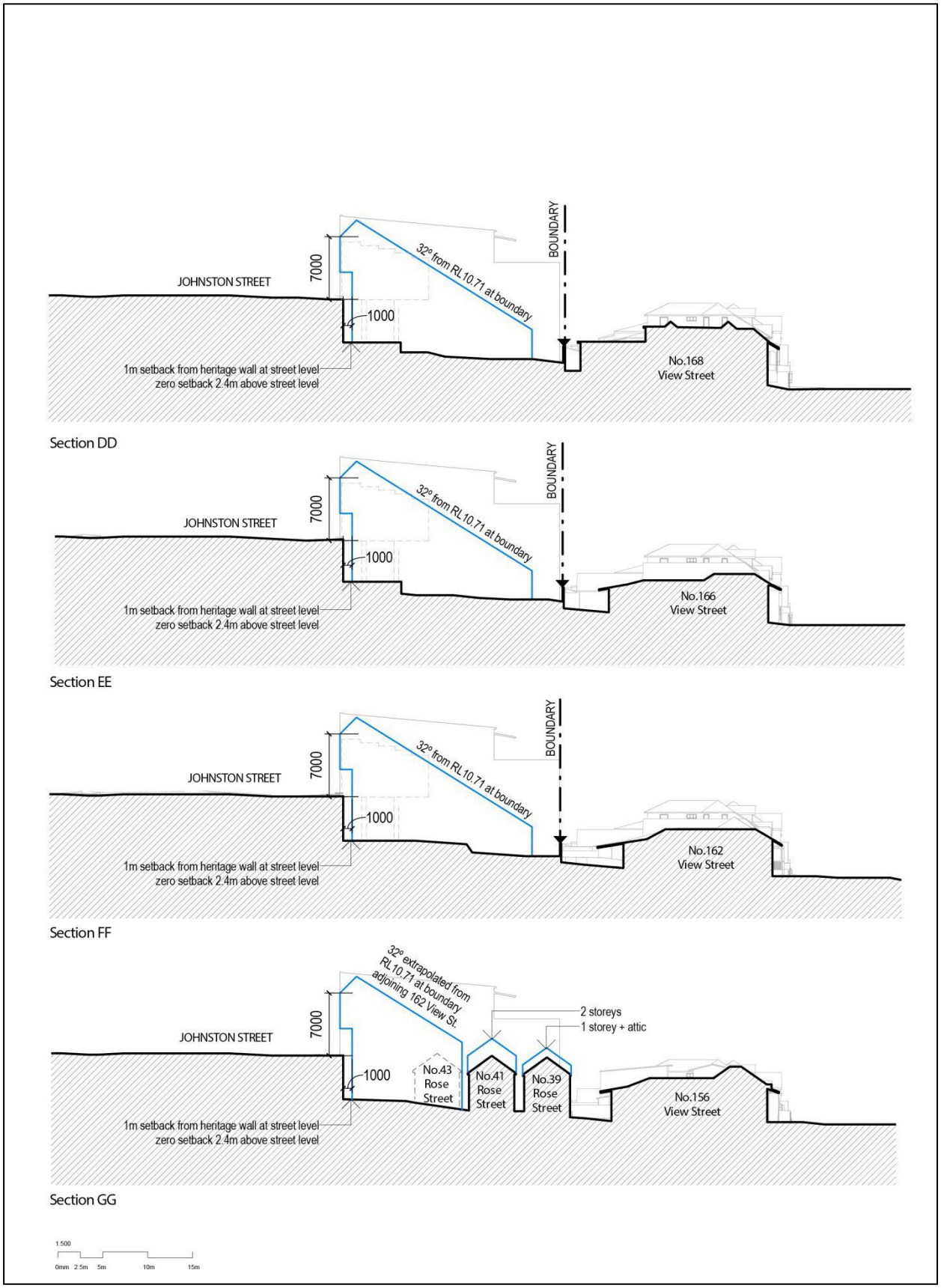


Figure G32: Building Height and Massing Envelope – Section DD, Section EE, Section FF and Section GG

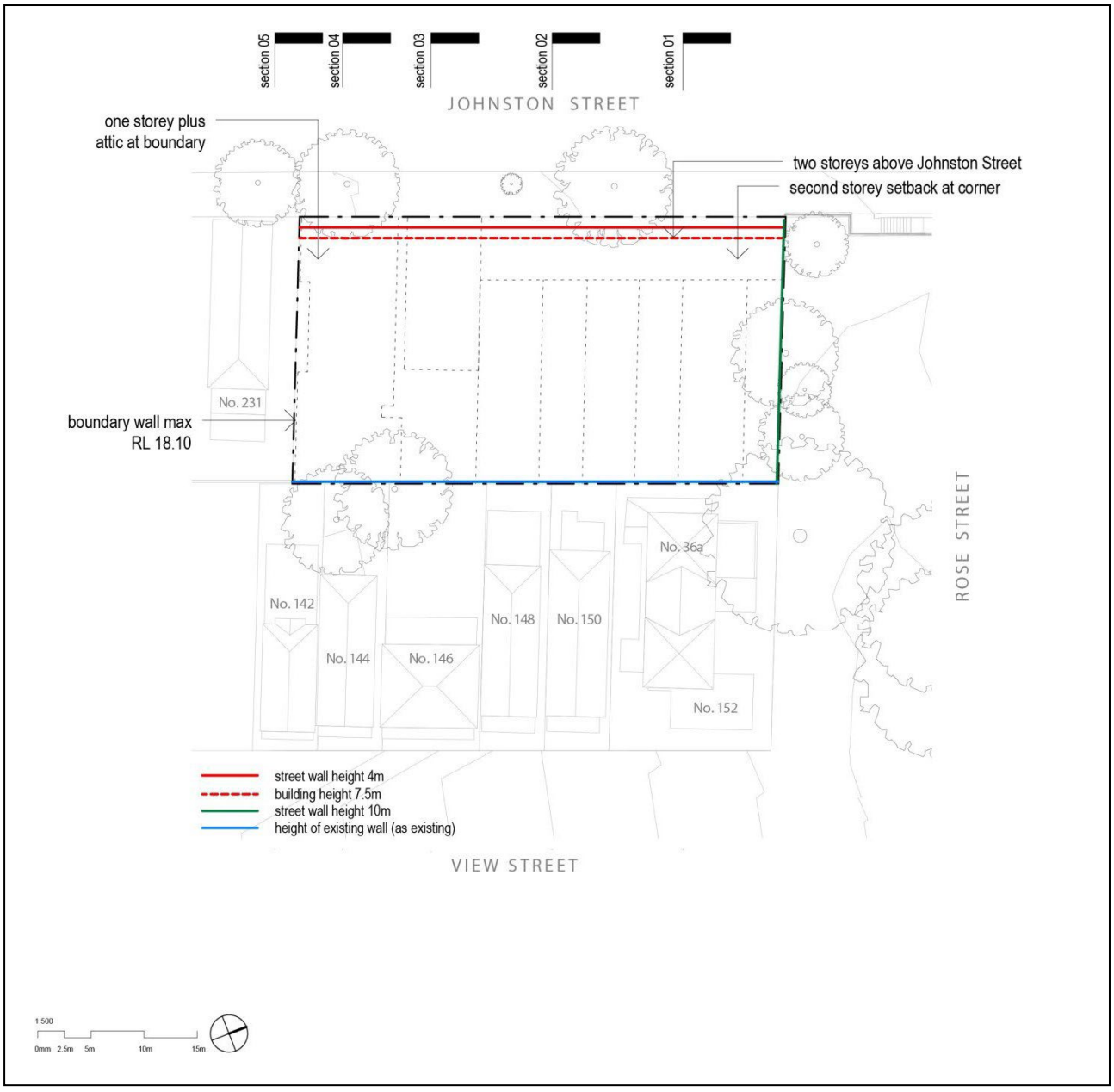


Figure G33: Building Heights and massing envelope

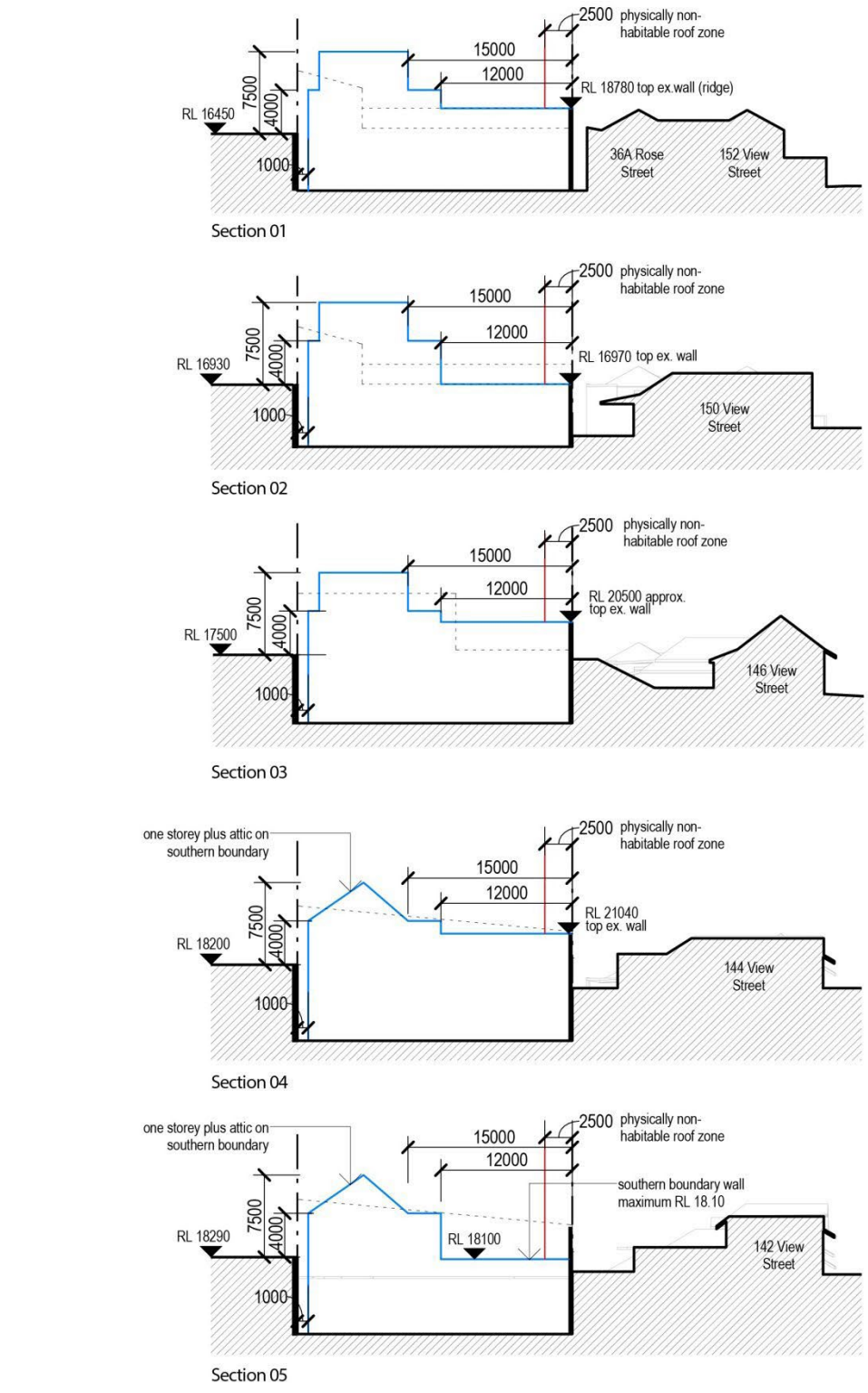
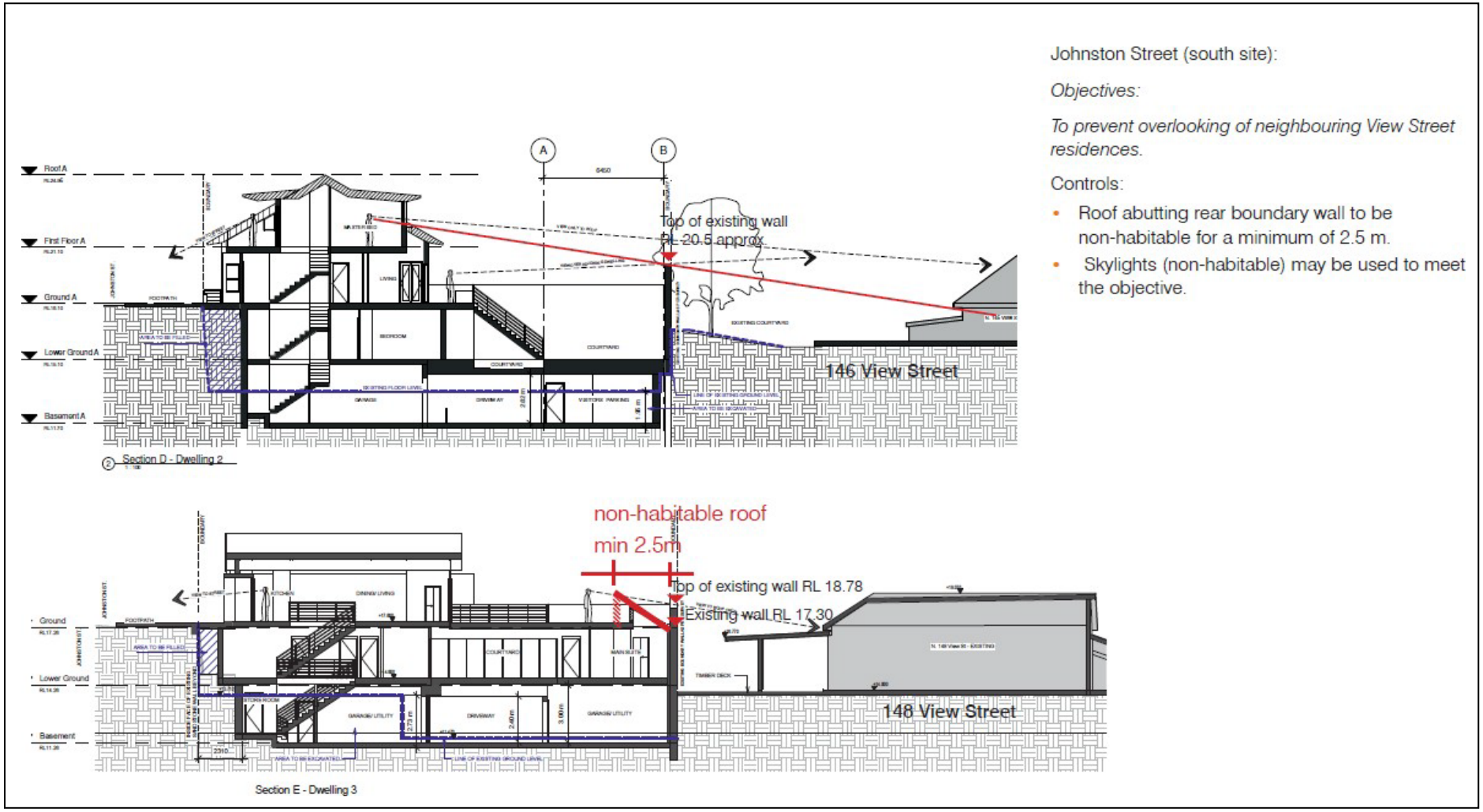


Figure G34: Building Heights and Massing Envelopes – Section 01, Section 02, Section 03, Section 04 and Section 05



Johnston Street (south site):

Objectives:

To prevent overlooking of neighbouring View Street residences.

Controls:

- Roof abutting rear boundary wall to be non-habitable for a minimum of 2.5 m.
- Skylights (non-habitable) may be used to meet the objective.

Figure G35: Upper level setbacks from the rear

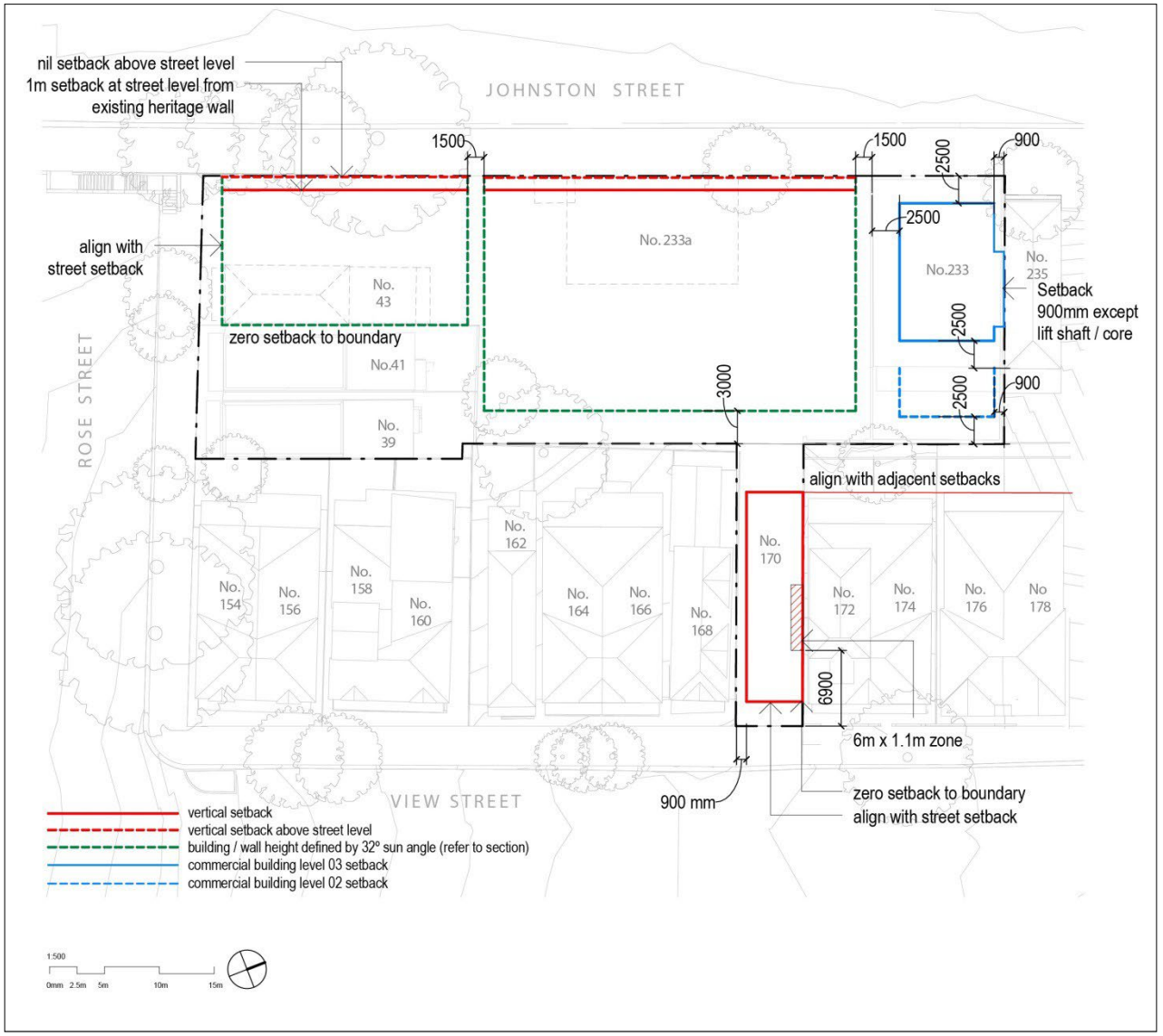


Figure G36: Building Setbacks

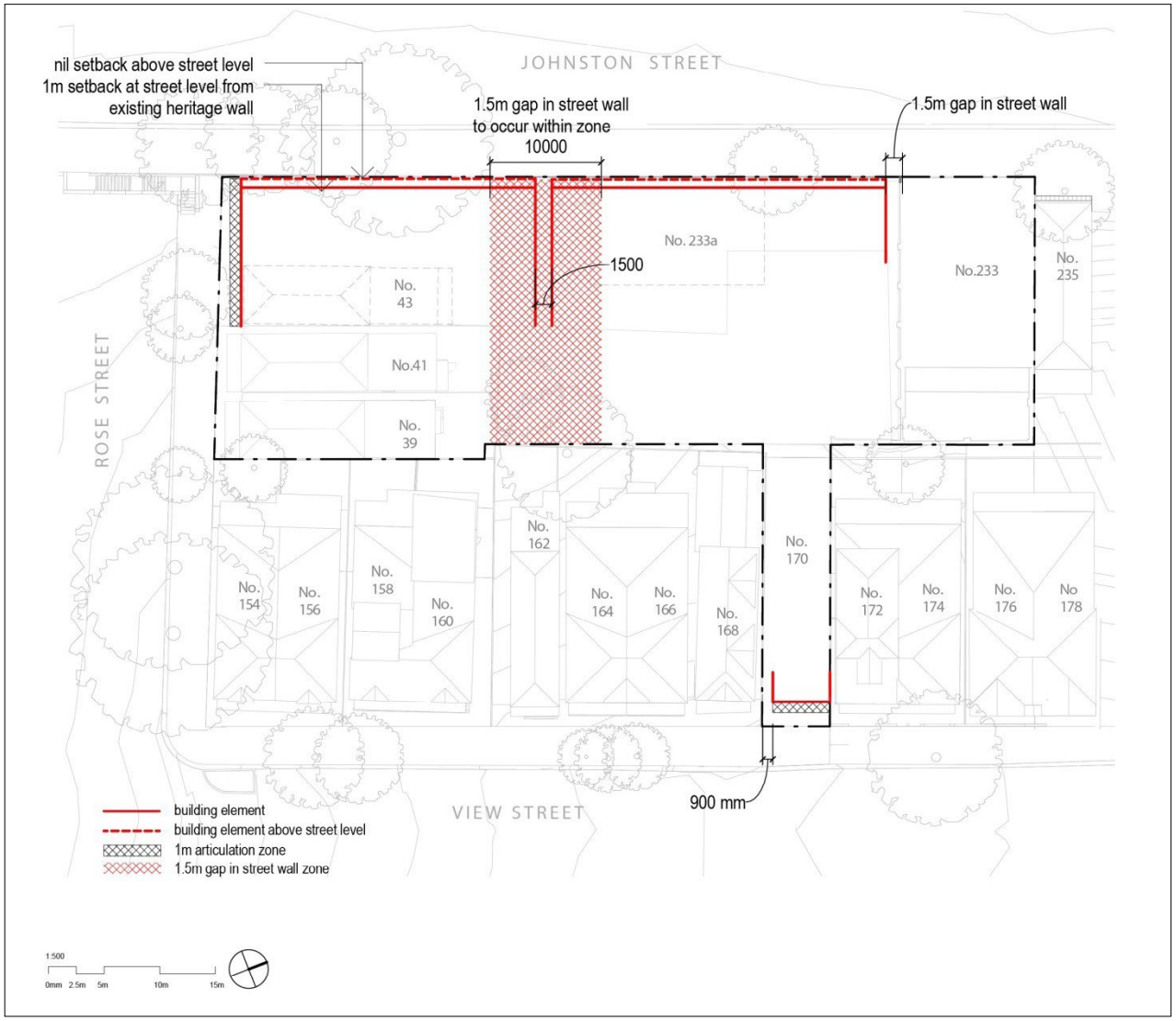


Figure G37: Building articulation

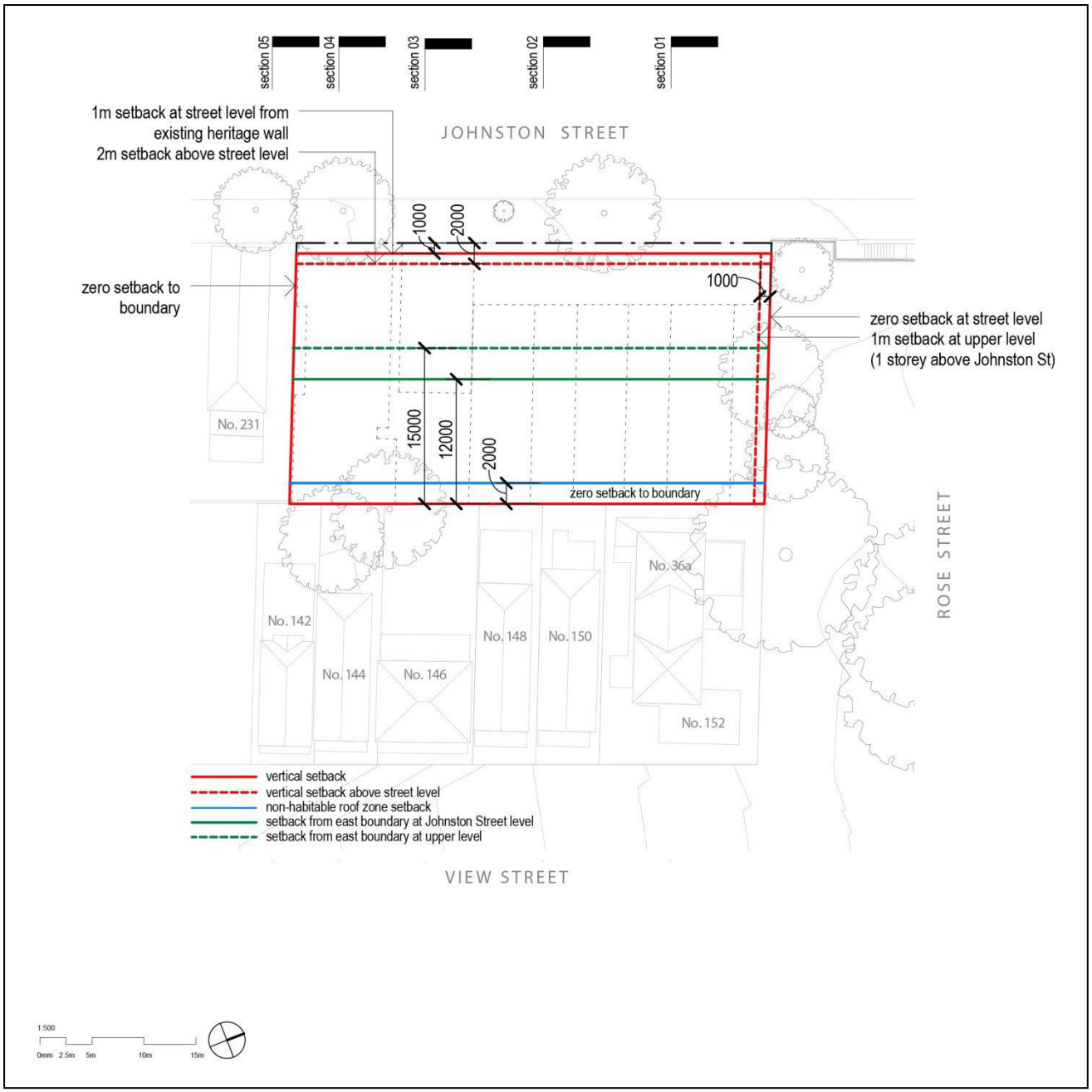


Figure G38: Building Setbacks

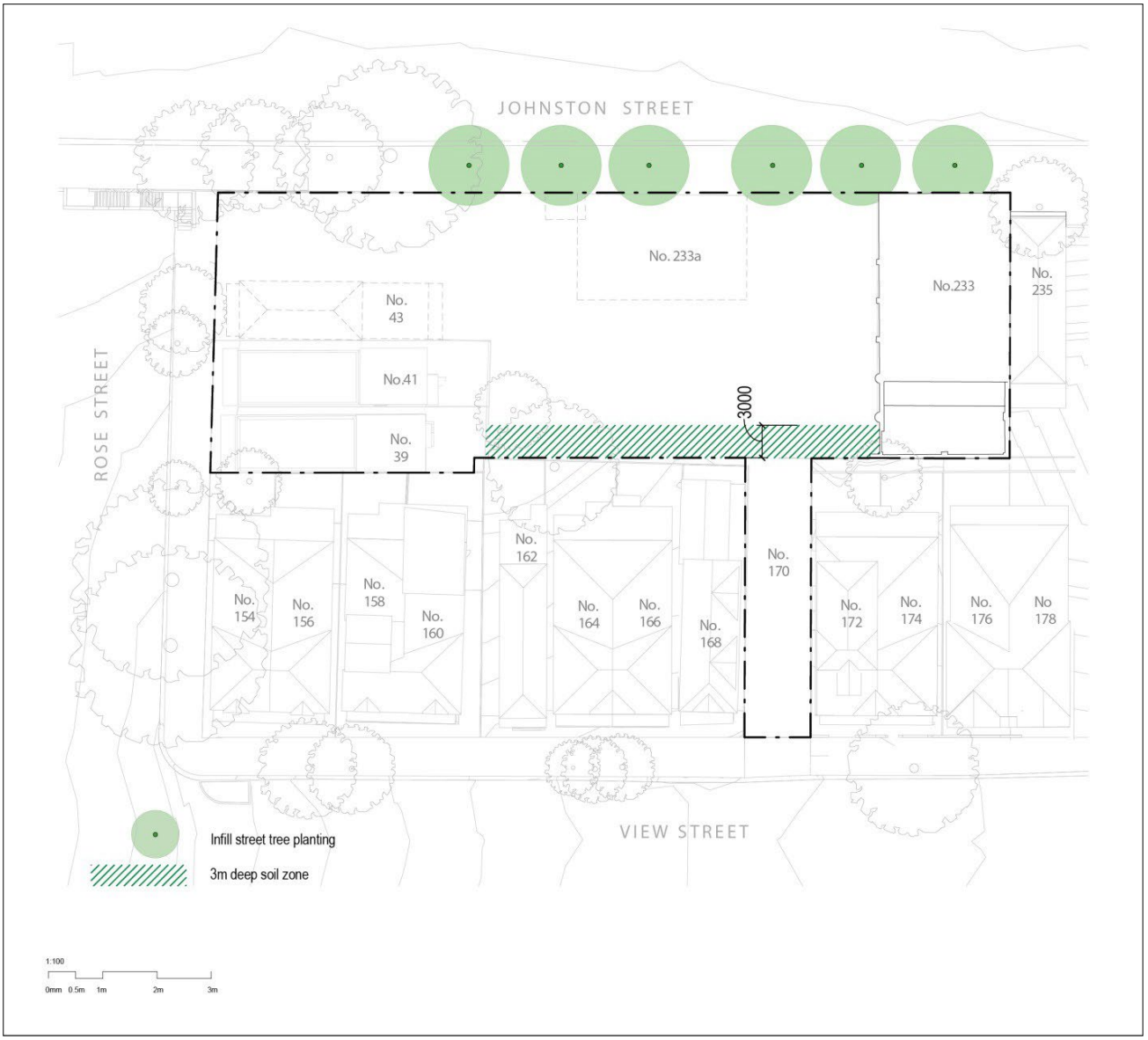


Figure G39: Deep soil landscape area

SECTION 8 – NO. 141 AND 159 ALLEN STREET, LEICHHARDT

Relationship to other plans

The following site specific controls apply to 141 and 159 Allen Street, Leichhardt.

Unless otherwise stated all development should be designed and constructed in accordance with the controls in this section and the provisions of this plan.

Please note that this development is subject to the provisions of State Environmental Planning Policy No. 65 Residential Flat Buildings and accompanying Residential Flat Design Code.

In the event of an inconsistency between this DCP and the Leichhardt DCP 2013 and any other DCP, policy or code, the controls in this section shall prevail in relation to development on the site.

Map Reference

Refer to Area 7 on the site specific map in Figure G1 Site Specific Areas.

G8.1 LAND TO WHICH THIS SECTION APPLIES

This part applies to the land shown as Area 7 in Figure G1 Site Specific Areas, known as 141 and 159 Allen Street, being lot 1 DP 632522 and Lot X DP 381373 respectively (herein referred to as 'the site').

No. 141 Allen Street has an area of approximately 7,143 sqm and 159 Allen Street has an area of 2,777 sqm; combined the site has an area of 9,920 sqm. The site is located on the southern side of Allen Street at its corner with Flood Street in the block bounded by Allen Street, Flood Street, Lyall Street and Darley Road.

G8.2 BACKGROUND

The subject site has a history of industrial use and was previously zoned IN2 Light Industrial. The site was the subject of a Planning Proposal that rezoned the site to R1 General Residential.

G8.3 OBJECTIVES

To provide objectives and controls to guide development of the site so as to ensure that the development is compatible with the surrounding area, meets the desired future character and needs of the community. In particular, these objectives and controls aim to achieve a development that:

O1 Complements the existing fine grain residential sub-division pattern and the desired future character of the streetscape and surrounding area.

O2 Achieves architectural and urban design excellence.

O3 Maintains solar access and amenity to surrounding residences and public domain and the new development itself.

O4 Reinforces and enhances the landscape character of the streetscape.

O5 Improves amenity and overall appearance of Allen Street and Flood Street.

O6 Renews the public domain on the site boundaries to complement the desired future character.

O7 Makes provision for 141 and 151 Allen Street, Leichhardt to be developed separately and independently of one another.

G8.4 DESIRED FUTURE CHARACTER STATEMENT

The site is within the West Leichhardt Distinctive Neighbourhood (Section C.2.2.3.2 of this Plan) in the Industrial/Business Area Sub Area (Section C.2.2.3.2 (a) of this Plan) and borders the North Residential Sub Area on the western boundary.

Objectives

O1 The new character of the site shall:

a. respond to the topography of the site;

b. maintain the varied character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials, and the varied streetscape derived from the prevailing small lot residential sub-division pattern of the surrounding streets;

c. promote building styles that enhance and contribute to the identity of the neighbourhood;

d. protect and enhance the residential amenity of dwellings on adjoining sites;

e. protect and enhance the heritage landscape setting of Allen Street;

f. maintain and enhance the streetscape of Flood Street including landscape elements;

g. encourage appropriate lighting and signage consistent with the character of the area;

h. provide active street frontages with individual residential address points for all ground floor units along Allen and Flood Streets; and

i. incorporate high quality materials and construction finishes.

G8.5 PUBLIC DOMAIN

Objectives

O1 To contribute to a public domain that maximises safety and security.

O2 To improve the amenity and overall appearance of Allen Street and Flood Street.

O3 To reduce the visual impact of new development above the existing predominant street scale of one and two storey houses.

O4 To protect and enhance the heritage landscape setting of Allen Street.

O5 To ensure the retention of the heritage listed street trees of Brush Box on Allen Street.

O6 To ensure new plantings and hard landscape elements complement the desired future character.

Controls

C1 Soft and hard landscaping in the public domain is to be provided in accordance with Council's requirements including heritage matters.

C2 A landscape plan is to be submitted with the Development Application that clearly identifies the palette of soft and hard landscape materials and planting.

C3 Improved landscaping, mature street trees and paving is to be provided on Allen Street and Flood Street to improve pedestrian amenity and ameliorate conflict between pedestrians and vehicle movements.

C4 Landscaping is to be designed to allow open views and clear passages for pedestrians to maximise safety and security in accordance with the principles of Crime Prevention Through Environmental Design.

C5 The location and design of any required electricity infrastructure should be easily accessible and not adversely impact upon the streetscape.

C6 Private open space on the ground floor, at the street frontage should enhance the streetscape through a 'borrowed landscape'.

G8.6 BUILT FORM AND DESIGN

G8.6.1 Building height and bulk

Objectives

O1 To ensure future development responds to the existing and future scale and character of the streetscape and surrounding area.

O2 To maintain solar access and amenity to surrounding residences, the public domain and development within the site.

O3 To minimise overshadowing of surrounding properties and public domain.

O4 To minimise visual impacts of building bulk on neighbouring and nearby properties.

O5 To integrate new buildings with the scale and character of the streetscape and surrounding area through transition of building height reflected in the number of storeys.

Controls

C1 Development shall not exceed the maximum height in storeys as shown in Figure G40.

C2 The location of building forms are to be as shown in Figures G40 and G41.

C3 All buildings are to be integrated with the scale and character of the surrounding neighbourhood.

G8.6.2 Building setbacks and articulation

Objectives

O1 To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site.

O2 To maintain solar access and amenity to surrounding residences, the public domain and development within the site.

O3 To ensure that the building mass and articulation along Allen Street and Flood Street complements the articulation and character of the street, including breaks between buildings.

O4 To minimise visual impacts of the buildings on neighbouring properties.

Controls

C1 Building setbacks and separations shall be in accordance with the minimum setbacks and separation as outlined in Figure G41.

C2 Breaks are to be provided in the street walls fronting Allen Street and Flood Street in accordance with Figure G41.

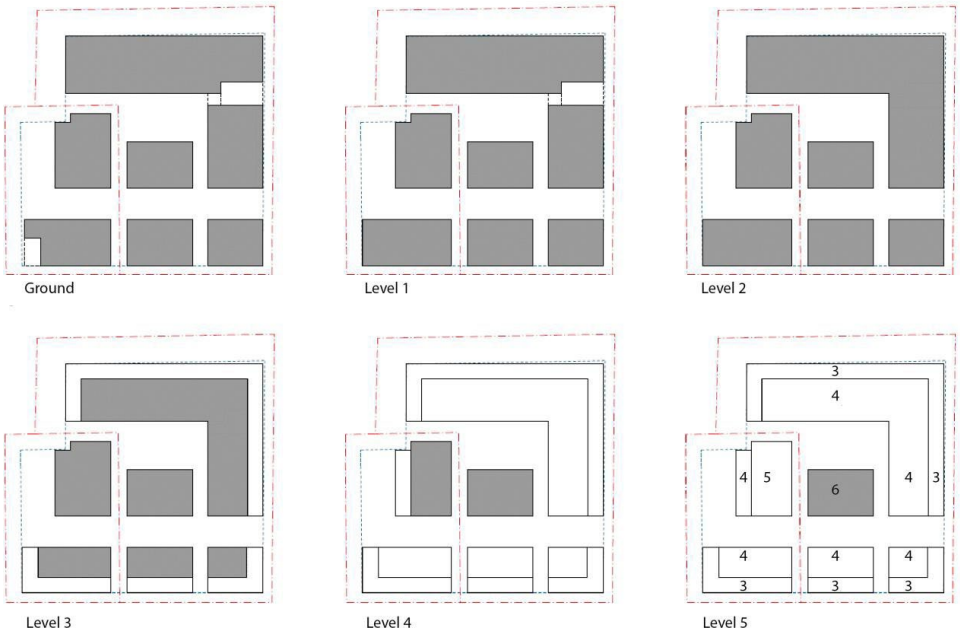


Figure G40: Maximum height in storeys

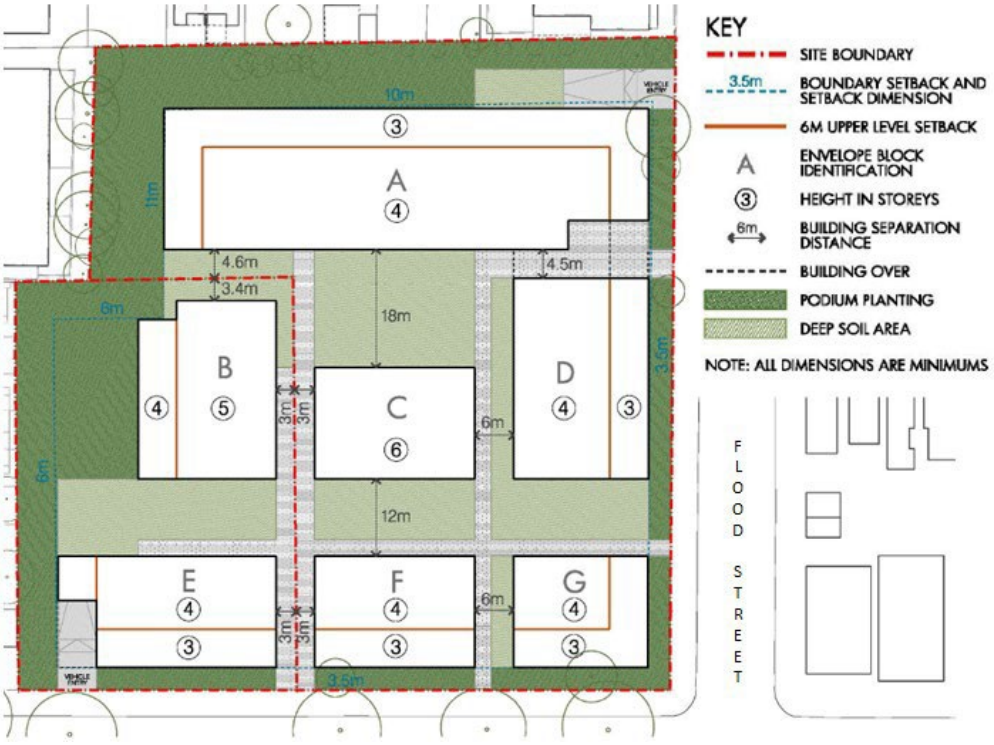


Figure G41: Building heights and setbacks

G8.6.3 Building separation

Objectives

O1 To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site.

O2 To ensure the development is equitable across land ownership.

O3 To assist with development legibility and wayfinding.

Controls

C1 Buildings should ensure appropriate separation from the adjoining properties as per Figure G41.

C2 Building separation should generally meet SEPP 65, unless it can be demonstrated that privacy and amenity can be maintained with a reduced separation.

C3 Buildings should be set back a minimum of three metres from internal lot boundaries.

G8.6.4 Building materials and finishes

Objectives

O1 To ensure that buildings have a high quality appearance and have regard to the character of the surrounding area.

O2 To select materials and construction techniques that contribute to maximising Greenstar rating.

Controls

C1 Building and landscape materials are to be fit for purpose and reflect the Desired Future Character Statement, be appropriate for climatic conditions and be of high specification to ensure long term quality and sustainability of the development.

C2 Materials to be used may include:

a. Heavy materials for the base structure; for example, concrete, masonry or render;

b. Lightweight materials for the top of the building to allow flexibility in roof form; e.g. steel, aluminium or other metallic materials;

c. Screening elements, to provide enhanced privacy to the occupants of the development as well as to adjoining residential properties; and

d. Intended building materials are to be clearly identified on the Development Application documentation.

C3 Any building with a wall greater than 20m in length is to include building material palette options, architectural fenestration elements and insets to articulate the façade and delineate visual massing of buildings.

G8.6.5 Design of building elements

Objectives

O1 To ensure that fronts, backs and tops of buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Buildings are to be designed in accordance with the Desired Future Character Statement.

C2 The design of the buildings should be contemporary in nature but make reference to the form, scale and articulation of the local streetscapes.

C3 Buildings and landscape elements, including balconies, entries, rooflines and screening, are to contribute to the character of the streetscape, enhance opportunities for visual supervision of the public domain, reduce overlooking, enhance residential amenity and make a positive contribution to place identity.

C4 The finished floor level of ground floor dwellings shall be a maximum of 1.0m above natural ground level at the street frontages.

C5 Where the topography results in basement walls exceeding 0.5m above natural ground level, high quality planting or materials are to be used to minimise visual impacts.

G8.6.6 Disability access

Objectives

O1 To ensure that access to the development and its surrounds is maximised for people of all abilities and needs.

Controls

C1 The provisions of Part C1.10 Equity of Access and Mobility "Design for Equity of Access and Mobility" within this Plan apply.

G8.6.7 Activation of street frontages

Objectives

O1 To activate the street by orientating ground floor living spaces to street frontages.

Controls

C1 Ground floor living spaces shall be orientated to face the street frontages.

C2 Ground floor dwellings should address the street frontages and provide direct access through front doors where possible.

C3 Residential frontages maximise surveillance of the public domain and reinforce activation of the street environment.

C4 Fencing along the Allen Street and Flood Street frontages is to implement a scale, materials, and visual permeability which will contribute to implementation of Crime Prevention Through Environmental Design principles and make a positive contribution to the scale, function and character of the streetscape.

G8.7 RESIDENTIAL AMENITY

G8.7.1 Solar access

Objectives

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

Controls

C1 Solar access to existing adjacent and nearby properties is to be maintained.

C2 Buildings are to be located, designed and oriented to minimise overshadowing and loss of solar access to adjacent and nearby properties.

C3 Development on either or both sites, whether carried out separately or together is to satisfy solar access requirements in accordance with in the Residential Flat Design Code (RFDC) (which forms part of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65)).

C4 Living rooms and private open spaces for at least 70% of residential units should receive a minimum of 2 hours of direct sunlight between 9am and 3pm in mid-winter.

G8.7.2 Cross ventilation

Objectives

O1 To ensure that dwellings have good access to fresh air and that energy efficiency is maximised.

Controls

C1 All development is to comply with the provisions contained in C3.7 Environmental performance of this Plan.

C2 60% of residential units should be naturally cross ventilated in accordance with the Residential Flat Design Code (RFDC) which forms part of State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65).

G8.7.3 Open Space

Objectives

O1 To provide residents with areas of private open space of a size and shape that meets the users' requirements for relaxation and recreation.

O2 To ensure there is clear delineations between communal and private open space within the development.

O3 To meet the principles of Crime Prevention Through Environmental Design in the design of communal open spaces.

Controls

C1 Open space areas are to be provided in accordance with Figure G42 and are to be no less than 40% of each of 141 Allen Street and 159 Allen Street.

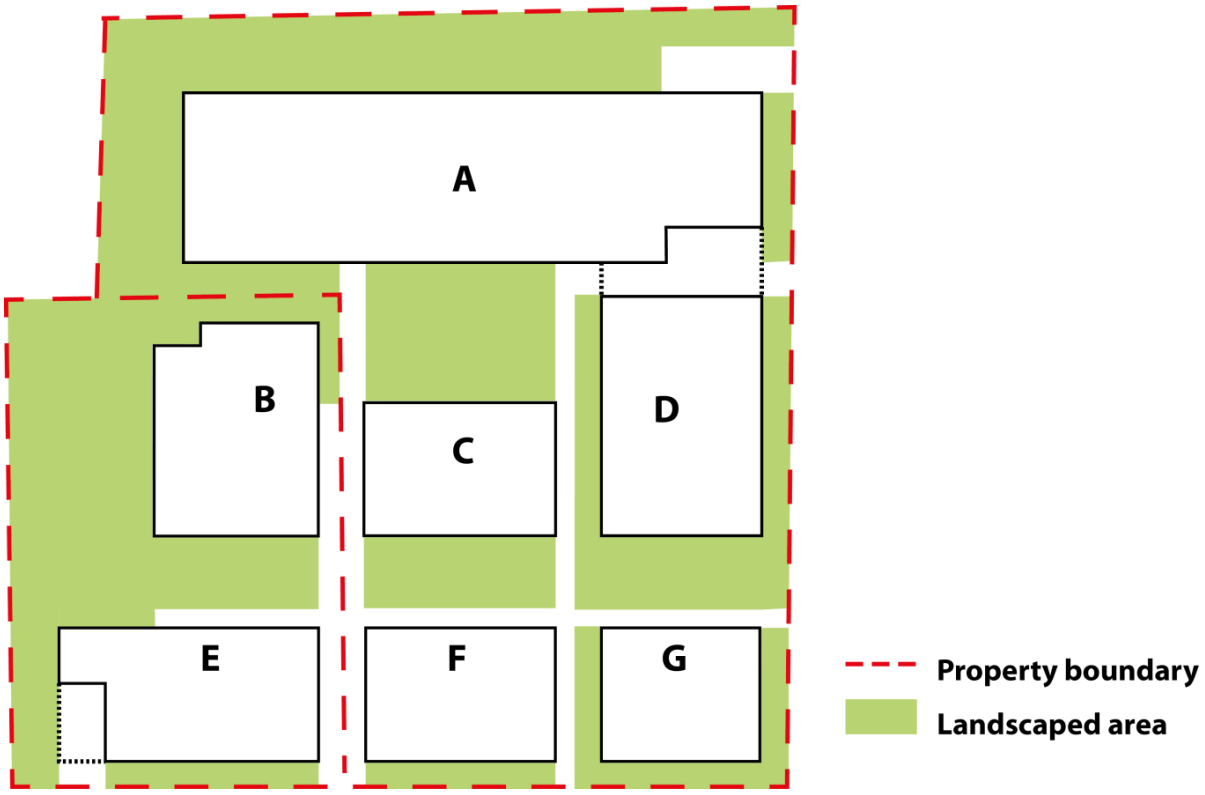


Figure G42: Landscaped area

C2 Communal open space should maximise useable flat areas and be accessible to all residents.

C3 Balconies and terraces should be:

a. designed as an integral part of the building's architecture;

b. a minimum width of 2.5 metres;

c. located off the main internal living area of the dwelling;

d. not encroach on the public domain; and

e. preferably face north.

C4 Private open space should provide a buffer between dwellings and communal open space.

G8.7.4 Visual privacy

Objectives

O1 To protect the visual privacy of adjoining dwellings by minimising direct overlooking of principal living areas and private open space.

O2 To provide landscaping on built structures that maintains the privacy of the neighbouring properties.

Controls

C1 All development is to comply with the visual privacy provisions contained in C3.11 Visual privacy of the *Leichhardt Development Control Plan 2013*.

G8.7.5 Deep soil and podium planting landscaped areas

Objectives

O1 To improve the amenity of the existing residences and those of the new development by providing a deep soil landscaped area between properties.

Controls

C1 Deep soil and podium planting areas are to be provided generally in accordance with Figure G43.

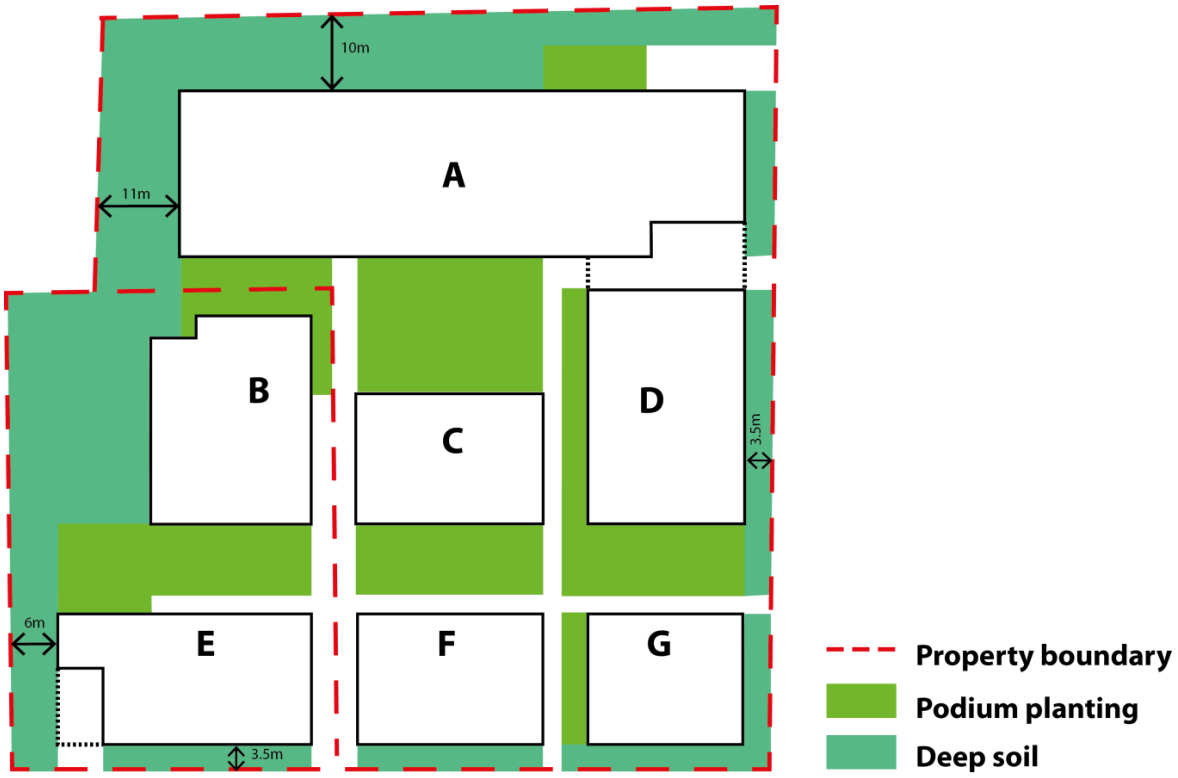


Figure G43: Deep soil and podium planting landscaped areas

C2 A deep soil landscaped zone with a minimum width of 10m is to be provided along the northern boundary of the site, with the exception of the vehicle entry ramps identified in Figure G44, at which point the deep soil zone is to have a minimum width of 4m.

C3 A deep soil landscaped zone with a minimum width of 6m is to be provided along the western boundary of the site with the exception of the vehicle entry ramps identified in Figure G44.

C4 The deep soil landscaped zone is to be suitably landscaped, including the planting of suitable canopy trees that restrict overshadowing.

C5 A landscape Plan of Management/Maintenance Plan is to be submitted with the Development Application.

G8.8 ENVIRONMENTAL PERFORMANCE

G8.8.1 Sustainability rating

Objectives

O1 To ensure that a high level of sustainability is achieved by requiring a higher standard to be achieved than would typically apply to such development.

O2 To maximise Greenstar rating for the new development.

Controls

C1 The environmental performance of the site must consider the following matters:

a. 'energy': demand reduction, use efficiency, and generation;

b. 'water': reduction in potable water use, water reuse and use of other water sources;

c. 'management': sustainable development principles throughout the life of the project;

d. 'indoor air quality': enhanced building performance and wellbeing of occupants;

e. 'transport': reduction in demand for private car usage and encouraging alternative forms transportation;

f. 'building materials': reduction resource consumption through material selection, reuse and management practices;

g. 'emissions': mitigating point source pollution from buildings and building services to the atmosphere, watercourse, and local ecosystems; and

h. 'innovation': innovation that fosters the industry's transition to a more sustainable building as promoted by the Green Star Rating System.

G8.8.2 Drainage and water management

Objectives

O1 To integrate water sensitive urban design into the development to reduce peak stormwater flows downstream, minimise transport of pollutants into waterways and maximise water recycling.

Controls

C1 Stormwater Drainage System must be designed to comply with Part E of this Development Control Plan.

C2 Any development of the site must also consider the following matters:

a. 'water': reduction in potable water use, water reuse and use of other water sources;

b. 'land use and ecology': reduction in the impact on the ecosystem.

G8.9 PARKING AND ACCESS

G8.9.1 Vehicular access

Objectives

O1 To ensure that building vehicular access and egress points are best located to reduce potential for traffic conflict.

O2 To ensure that the two land ownerships can be developed separately and independently of one another.

O3 To ensure that vehicular access points are well-designed and secondary to pedestrian routes.

Controls

C1 Two (2) vehicular access/egress points are to be located as per Figure G44 except if 141 and 159 Allen Street are amalgamated and developed at the same time in which case one (Access/Egress 1) vehicle ingress/egress point immediately north of Building A will be acceptable.

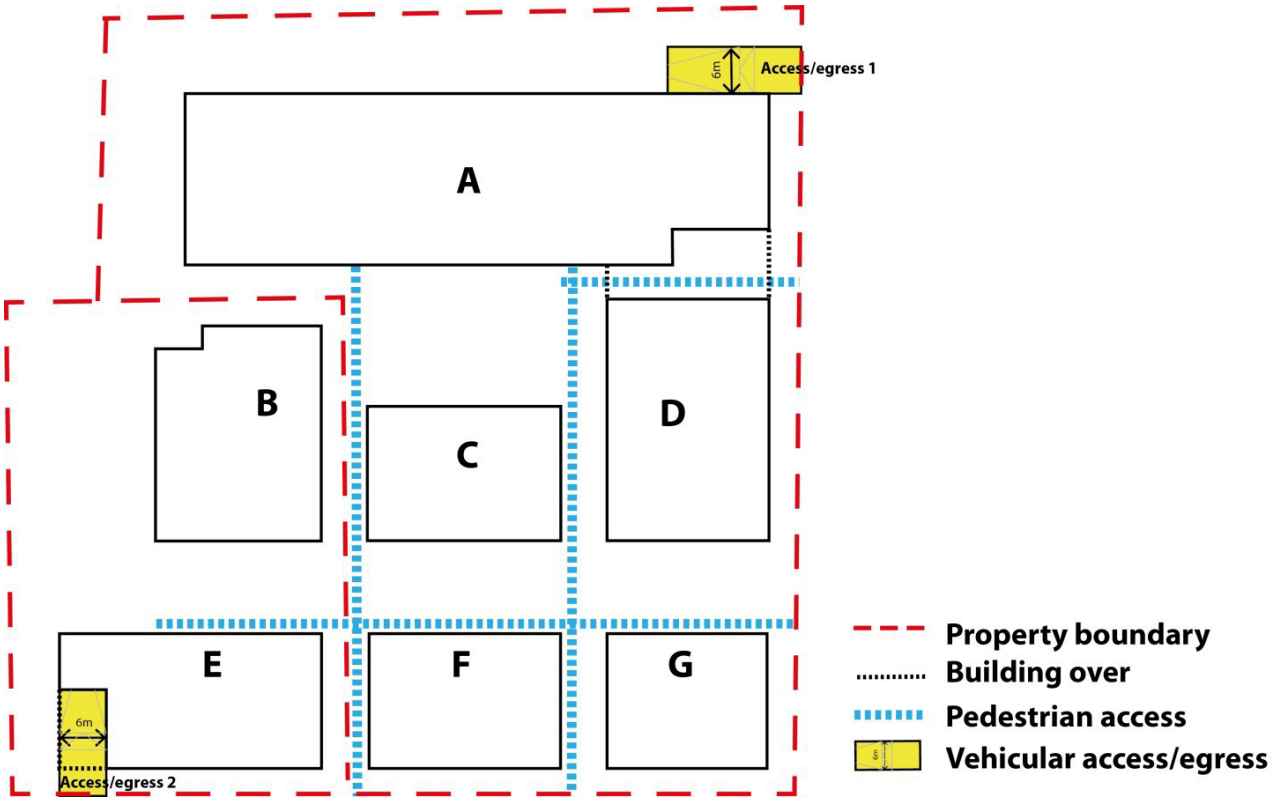


Figure G44: Vehicular and pedestrian access

C2 Ramps and excavation required for vehicle access and egress is to be setback a minimum of 4.5m from the property boundary to allow for urban design outcomes in the streetscape.

C3 Vehicular access and egress is to be no less than 6m in width.

G8.9.2 Parking rates

Objectives

O1 To ensure adequate parking is provided.

Controls

C1 The total number of car spaces for residents and visitors shall equate to the minimum of:

a. 0.6 spaces per 1-bedroom dwelling;

b. 0.9 spaces per 2-bedroom dwelling;

c. 1.1 spaces per 3-bedroom dwelling or any dwelling with a greater number of bedrooms.

C2 All bicycle parking is to comply with the provisions contained in the ‘Parking’ section of this Plan.

G8.10 WASTE AND RECYCLING MATERIALS STORAGE AND DISPOSAL

G8.10.1 Waste and recyclable materials temporary storage and disposal facilities

Objectives

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.

O3 To minimise risk to health and safety associated with handling and disposal of waste and recycled material and the potential for adverse environmental impacts associated with waste management.

Controls

C1 The development is to comply with Part D Energy Section 2 Resource Recovery and Waste Management of this Plan.

SECTION 9 - 168 NORTON STREET, LEICHHARDT

Relationship to other plans

The following site specific controls apply to 168 Norton Street, Leichhardt.

Unless otherwise stated all development should be designed and constructed in accordance with the controls in this section and the provisions of this plan.

In the event of an inconsistency between this section and the remaining provisions of this DCP, the controls in this section shall prevail in relation to development on the site to the extent of the inconsistency.

Map Reference

Refer to Area 8 on the site specific map in Figure G1 Site Specific Areas.

G9.1 LAND TO WHICH THIS SECTION APPLIES

The site is known as 168 Norton Street Leichardt being Lot 1 DP 1119151, Lot 2 DP 1119151, Lot 1 DP 963000, Lot 3 Section 3 DP 328, Lot 4 Section 3 DP 328, and Lot 5 DP111235 (herein referred to as the 'site').

The site has a combined area of approximately 1,811sqm. The site has frontage to both Norton Street (eastern boundary) and Carlisle Street (portion of southern boundary), as well as a narrow laneway located adjacent to the western boundary.

G9.2 BACKGROUND

At its meeting on 23 April 2013, the former Leichhardt Municipal Council resolved to establish a planning agreement for the site to assist the provision of affordable and supported housing. The former Leichhardt Municipal Council subsequently commissioned Allen Jack + Cottier to work with the land owner and local community representatives to develop development guidelines for the site.

Community consultation was initiated in March 2014 to develop a set of 'Guiding Principles' relating to how development should proceed at the site. A draft building envelope and controls for the site were subsequently developed with reference to these principles, which were then subject to additional community exhibition. The guiding principles, indicative building envelopes and proposed development controls were endorsed by the former Leichhardt Council at their ordinary meeting on 16 December 2014.

G9.3 OBJECTIVES

To provide objectives and controls to guide development of the site so as to ensure that the development is compatible with the surrounding area, meets the desired future character and needs of the community. In particular, these objectives and controls aim to achieve a development that:

O1 Complements the existing fine grain sub-division pattern and the desired future character of the streetscape and surrounding area.

O2 Achieves architectural and urban design excellence.

O3 Maintains adequate solar access and amenity to surrounding residences.

O4 Improves amenity and the overall appearance of Norton Street and Carlisle Street.

O5 Renews the public domain on the site boundaries to complement the desired future character.

O6 Activates the Norton Street streetscape and improves pedestrian access and encourages the use of public transport.

G9.4 DESIRED FUTURE CHARACTER STATEMENT

The site is within the Leichhardt Commercial Distinctive Neighbourhood (Section C2.2.3.5 of this plan) and the Norton Street – Centro Sub Area (Section C2.2.3.5(c)) and borders the Civic Area - Collina Sub Area on the southern boundary.

O1 The new character of the site should:

a. respond to the topography of the site, the character of Norton Street, and adjacent residential uses;

b. maintain the varied character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials;

c. promote building styles that enhance and contribute to the identity of the neighbourhood;

d. protect and enhance existing Heritage Items and the heritage significance of the Heritage Conservation Area;

e. reflect the fine-grain character of the area through inclusion of strong vertical 'fine grain' building articulation;

f. maintain and enhance the streetscape of Norton Street and Carlisle Street;

g. incorporate high quality materials and construction finishes;

h. enhance pedestrian amenity by ensuring continuous weather protection within the commercial area; and

i. encourage redevelopment to reflect the small shopfront character of the area.

G9.5 PUBLIC DOMAIN

G9.5.1 Active Frontages

Objectives

O1 To ensure that uses and frontages of buildings on Norton Street contribute to the activation of the public domain.

O2 To ensure that the design of residential frontages maximise surveillance of the public domain and reinforce the activation of the street environment.

O3 To ensure that façade articulation and elements within the building setback areas facilitate an active street environment.

Controls

C1 The ground floor of development located on Norton Street should accommodate active uses such as shops, cafes and restaurants and appropriate commercial uses and access to buildings.

C2 Level pedestrian access should be provided to non-residential ground floor uses.

C3 Building frontages located above the ground floor should include living areas such as living rooms, dining rooms and bedrooms to overlook the street for passive surveillance.

C4 Building frontages should incorporate balconies, windows, fenestration and other built form elements wherever possible to maximise opportunities for passive surveillance of the street.

G9.5.2 Awnings

Objectives

O1 To ensure that awnings or weather protection structures serve to enhance public use and amenity of non-residential ground floor buildings and the streetscape.

Controls

C1 Development located on Norton Street should incorporate an awning or weather protection structure at first floor level.

C2 The setback from the kerb and height above street level of any awning or weather protection structure should generally be consistent with the adjoining properties.

C3 Awnings and weather protection structures are to be complementary to the building and streetscape in terms of materials, detailing and form.

G9.6 BUILT FORM AND DESIGN

G9.6.1 Building Height and Bulk

Objectives

O1 To ensure that the height of development responds to the existing and future scale, character and form of the streetscape and surrounding area.

O2 To maintain solar access and amenity to surrounding residences and the public domain.

O3 To minimise overshadowing of surrounding properties and public domain.

O4 To ensure development has a bulk and scale which reflects the surrounding context.

O5 To minimise visual impacts of building bulk on neighbouring and nearby properties.

O6 To integrate the new development with the scale and character of the streetscape and surrounding area using a stepped transition of the number of storeys in the building.

Controls

C1 Development should not exceed the maximum height in storeys and RL's as shown in Figure 1.

C2 Development along the Norton Street frontage is to have a maximum Reduced Level (RL) of 47.20 equivalent to 4 storeys with the fifth storey setback from the lower levels by 6m.

C3 Development along the Carlisle Street frontage is not to exceed a maximum RL of 43.60 equivalent to 3 storeys with the fourth storey setback from the lower levels by 3m.

C4 Development along the rear laneway on the western site boundary is not to exceed a maximum RL of 43.60 equivalent to 3 storeys with setbacks to the upper two levels.

C5 Development on the northern site boundary is not to exceed a maximum RL of 40.40 equivalent to two storeys with the upper three levels setback by a minimum of 6m from the site boundary.

C6 The maximum height permitted is not to exceed five storeys (RL 50.40) in the centre of the site.

C7 Development of the site is to comply with the maximum building envelopes as shown in Figures 2 - 5, which reflect the 32° winter shadow angle taken from RL 47.20 on the western side of Carlisle Street.

C8 Structures including roof elements and lift overruns may be provided on rooftops, subject to consideration of potential impacts on the streetscape, the amenity of the adjoining properties and the overall character of the area.

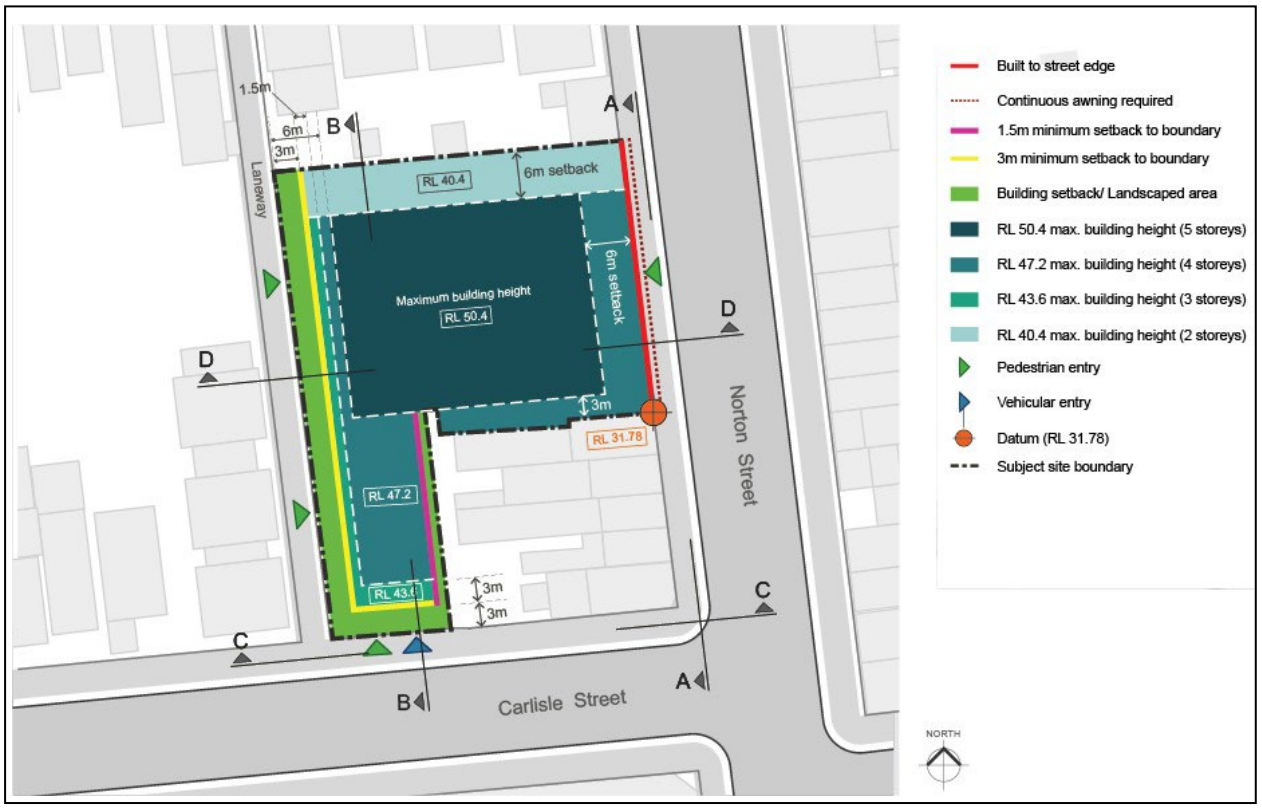


Figure G45: Building heights and Massing envelope

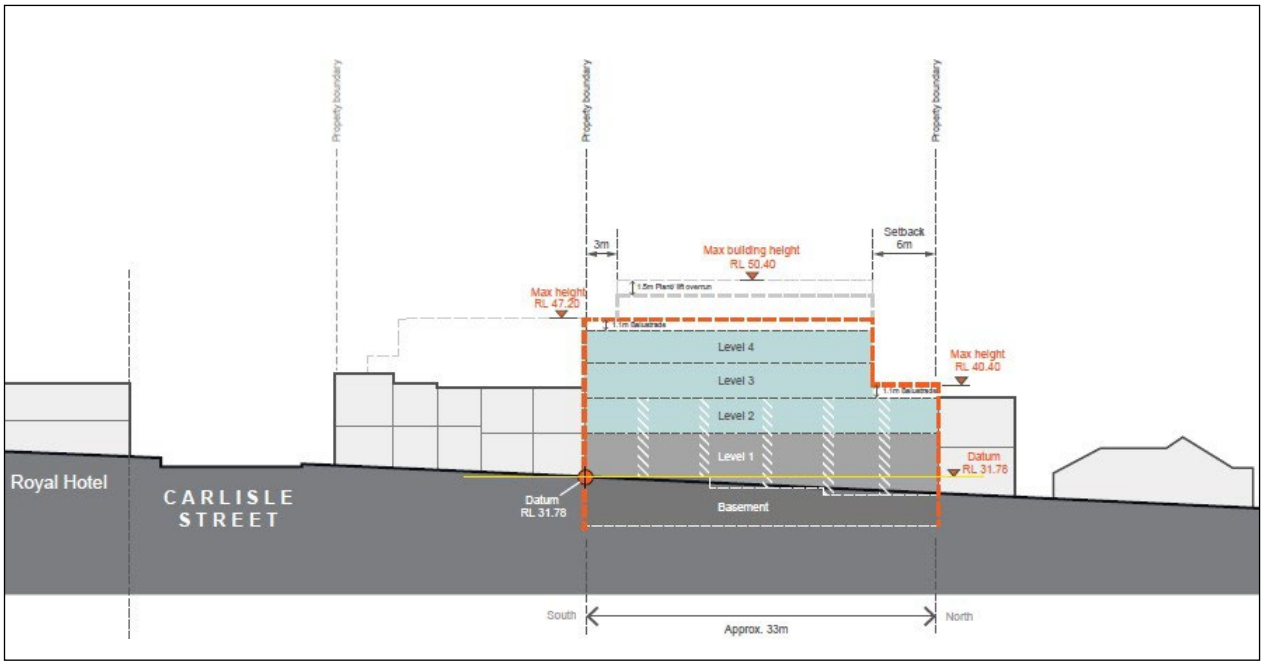


Figure G46: Building heights and Massing envelope - Section A (Norton St elevation)

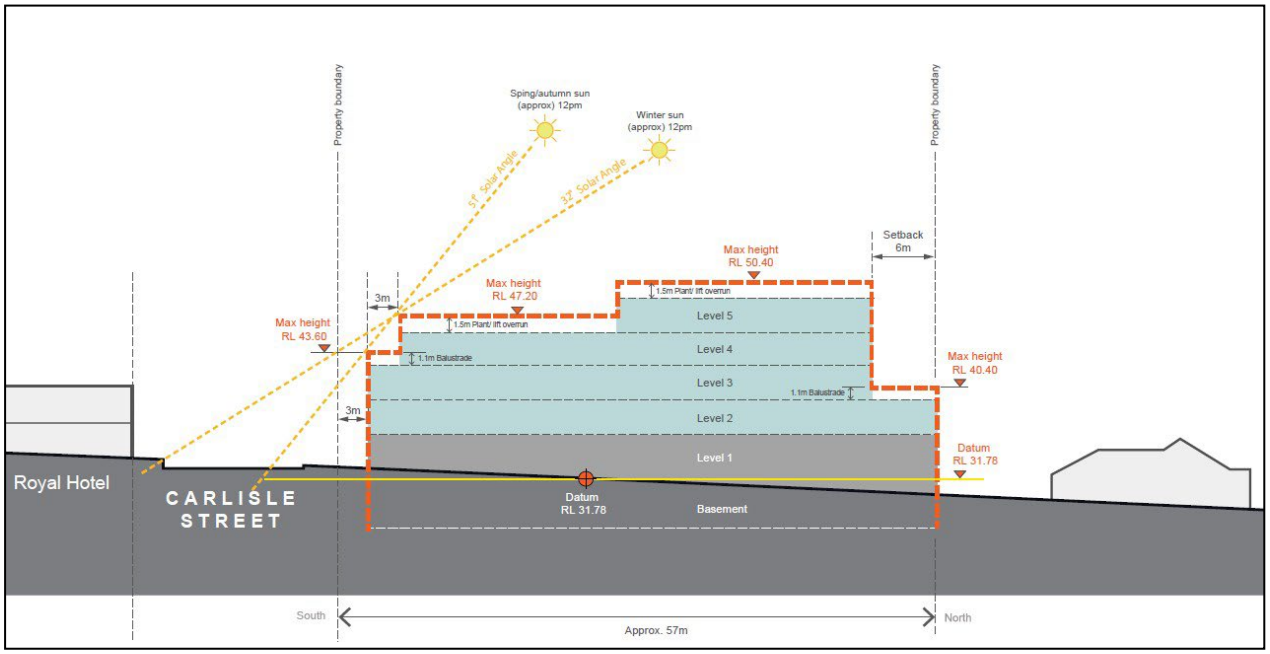


Figure G47: Building heights and Massing envelope - Section C

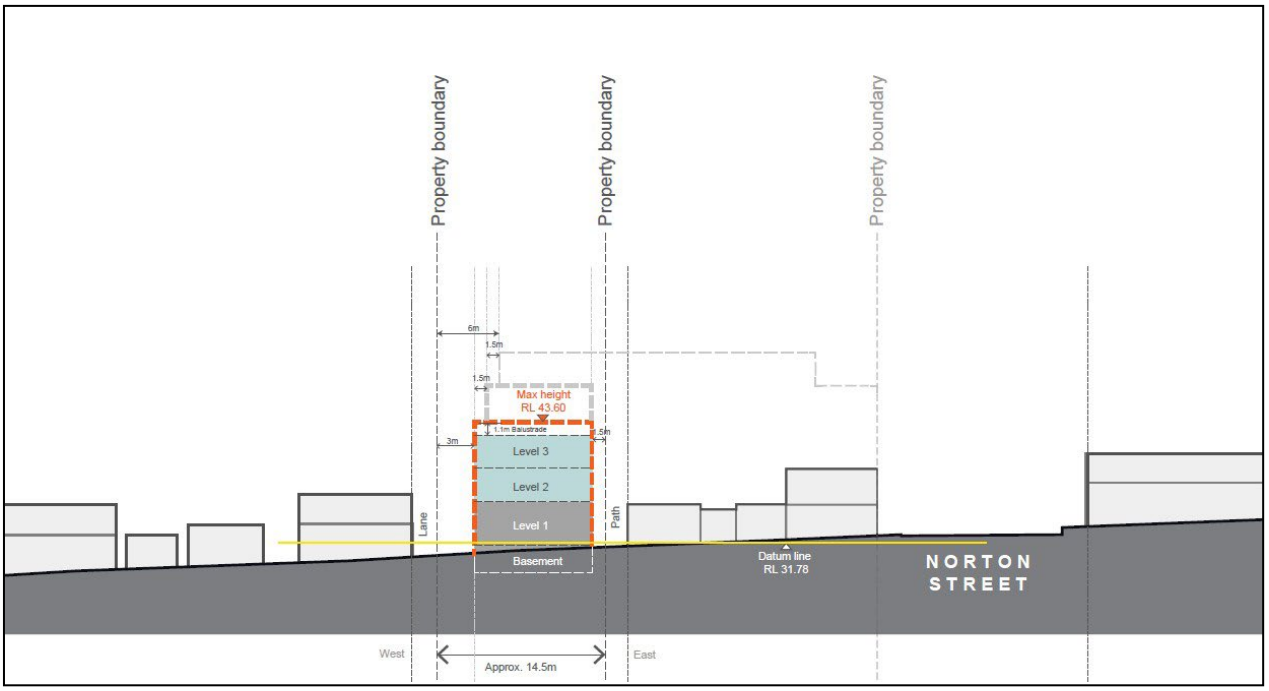


Figure G48: Building heights and Massing envelope - Section C (Carlisle Street elevation)

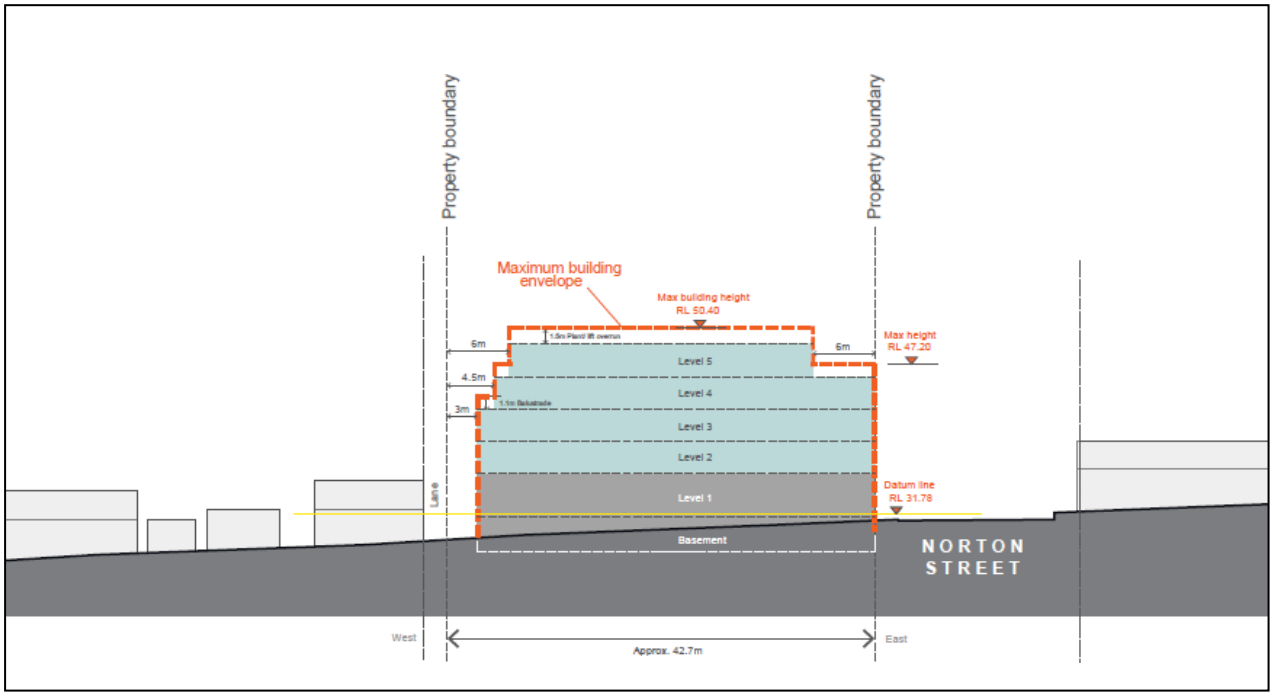


Figure G49: Building heights and Massing envelope - Section D

G9.6.2 Building setbacks, separation and articulation

Objectives

O1 To ensure that buildings are modulated and articulated to respond to streetscape, visual bulk and amenity issues.

O2 To maintain solar access and amenity to surrounding residences, the public domain and development within the site.

O3 To ensure that the building mass and articulation along 168 Norton Street complements the articulation and character of the street.

O4 To create good neighbourhood design by carefully designing the bulk and scale of development to relate to the surrounding properties.

O5 To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site and on the neighbouring properties.

Controls

All Development

C1 Minimum setbacks should be provided in accordance with those specified in this section unless demonstrated that the privacy and amenity of the residents of development on this site and of neighbouring properties can be maintained with smaller setbacks.

C2 Development should be located within the envelopes shown in Figures 2 - 5 to ensure appropriate separation from adjoining properties.

C3 Façades addressing the public domain should be articulated through the use of balconies, windows and fenestration.

C4 Apartments layouts are to be designed to minimize over-looking to surrounding properties.

Norton Street

C5 Development on Norton Street should be built to the street alignment to continue the strong street edge and have a maximum four (4) storey frontage (RL 47.20) addressing Norton Street.

C6 The fifth (5^{th}) Level is to be setback by a minimum of 6m from the Norton Street boundary. The setback is to be sufficient to ensure this level is not obtrusive when viewed from the public domain, and provide a human scale to Norton Street.

Carlisle Street

C7 The building fronting Carlisle Street to have a maximum height of four (4) storeys.

C8 The first three (3) storeys fronting Carlisle Street are to provide a minimum setback of 3m.

C9 The fourth/uppermost storey fronting Carlisle Street is to be setback by 3m from the lower levels to reduce its bulk and scale as viewed from the street and surrounding area.

Rear Laneways

C10 Development on the rear laneway is to be setback by a minimum of 3m from the western site boundary.

C11 Development on the rear laneway is to have a maximum wall height of three (3) storeys with the fourth storey setback by 1.5m from the lower levels and the fifth storey setback by a minimum of 6m from the site boundary.

C12 The building is to be setback approximately 1.5m from the boundary that adjoins the existing service laneway on the eastern boundary.

Northern Site boundary

C13 The 3rd, 4th and 5th storey to be setback by a minimum of 6m from the site boundary.

C14 Despite the above sub clause, any development on the northern boundary must ensure that there are minimal overlooking impacts on the private open space of the adjoining residential properties.

G9.6.3 Building materials and finishes

Objectives

O1 To ensure that buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Building and landscape materials are to be fit for purpose and reflect the Desired Future Character Statement, be appropriate for climatic conditions and be of high specification to ensure long term quality and sustainability of the development.

C2 Materials to be used may include:

a. Heavy materials for the base structure: concrete, masonry, render;

b. Lightweight materials for the top of the building to allow flexibility in roof form: steel, aluminum and other metallic materials;

c. Screening elements: to provide enhanced privacy to the occupants of the development as well as to adjoining residential properties; and

d. Intended building materials are to be clearly identified on the Development Application documentation.

C3 Any building with a wall greater than 20m in length is to include building material palette options, architectural fenestration elements and insets to articulate the façade and delineate visual massing of buildings.

G9.6.4 Design of building elements

Objectives

O1 To ensure that fronts, backs and tops of buildings have a high quality appearance and have regard to the character of the surrounding area.

Controls

C1 Buildings are to be designed in accordance with the Desired Future Character Statement.

C2 The design of the buildings should be contemporary in nature but make reference to the form, scale and articulation of the local streetscapes.

C3 Buildings and landscape elements, including balconies, entries, rooflines and screening, are to contribute to the character of the streetscape, enhance opportunities for visual supervision of the public domain, reduce overlooking, enhance residential amenity and make a positive contribution to place identity.

C4 The design of the buildings should be of contemporary design, be fit for purpose for those visiting, working, or residing within the development and nearby.

C5 Where the topography results in basement walls exceeding 0.5m above natural ground level, high quality materials or plantings are to be used to minimise visual impacts.

G9.7 PARKING AND ACCESS

G9.7.1 Vehicular access

Objectives

O1 To ensure that building vehicular access and egress points are best located to reduce potential for traffic conflict.

O2 To ensure that vehicular access points are well-designed and secondary to pedestrian routes.

Controls

C1 Vehicle access and egress points will be provided from Carlisle Street located on the southern boundary of the site.in accordance with the Figure 1.

C2 Vehicular access and pedestrian entries be designed sympathetic to the surrounding development and integrated with the Carlisle Street frontage landscaped and the overall design.

C3 Vehicle access should be separated from pedestrian entries to avoid pedestrian vehicular conflict.

G9.8 WASTE AND RECYCLING MATERIALS STORAGE AND DISPOSAL

G9.8.1 Waste and recyclable materials temporary storage and disposal facilities

Objectives

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.

O3 To minimise risk to health and safety associated with handling and disposal of waste and recycled material and the potential for adverse environmental impacts associated with waste management.

Controls

C1 Waste management and storage areas are to be located, designed and constructed to ensure integration into the streetscape of the southern boundary on Carlisle Street.

C2 All waste management facilities to comply with the Resource Recovery and Waste Management provisions contained in D2.5 Mixed Use Development of this Plan.

C3 A completed Site Waste Minimisation and Management Plan (SWMMP) should accompany any development application.

G9.9 RESIDENTIAL AMENITY

Objectives

O1 To ensure that the development receives adequate access to sunlight.

O2 To ensure that the development receives adequate ventilation.

O3 To maximise internal amenity to the building.

O4 To ensure adequate privacy and amenity is maintained to adjoining and adjacent properties.

Controls

G9.9.1 Visual Privacy

C1 All development is to comply with the visual privacy provisions contained in C3.11 Visual Privacy of this Plan.

C2 Separation between windows and balconies is to be provided to ensure appropriate levels of visual privacy are achieved.

C3 Reduced separation may be considered where visual privacy has been minimized by preventing direct over-looking to private open space and/or habitable rooms. This can be achieved through carefully positioned windows, openings, and balconies, and/or where other privacy mechanisms, such as privacy screens/planter boxers/balustrades, have been utilized.

C4 No separation is required between blank walls.

G9.9.2 Solar Access

C5 Solar access to existing adjacent and nearby properties is to be maintained.

C6 The building is to be designed and oriented to minimize overshadowing and loss of solar access to adjacent and nearby properties.

C7 For Residential Apartment Development, the following applies:

C8 Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter.

C9 For all other development, direct sunlight is to be maximized within the building. Buildings are designed to reduce energy use and make the best practicable use of solar heating and lighting by locating the windows of living and dining areas in a northerly direction. Where northerly aspect is not possible, ensure these areas maximize access to daylight.

G9.9.3 Cross Ventilation

C10 At least 60% of the total number of residential apartment dwellings within the building are naturally cross ventilated in accordance with the Apartment Design Guide (ADG) which forms part of State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings (SEPP 65)

G9.10 LANDSCAPING

Objectives

O1 To promote landscaping within the site that contributes to the streetscape as well as residential amenity.

O2 To ensure that a suitable area of the site is used for landscaping and deep soil planting which will add to the amenity of the site and the public domain.

Controls

C1 A minimum of 10% of the site area should provide deep soil planting.

C2 Deep soil plantings are to be included within the western boundary setback, and within the setback to Carlisle Street.

C3 A minimum of 85% of deep soil plantings are to be indigenous to the Leichhardt or Sydney area to contribute to the character of the area, as well as the presentation of the site to the public domain.

C4 Plantings on structures are to be maximized where possible, to contribute to the amenity of private open space for the residents.

C5 For the purpose of this Section, Deep Soil plantings are to be taken as any part of the site that are landscaped with vegetation, and does not include any structure, building, or hard paving.

SECTION 10 - 17 MARION STREET, LEICHHARDT

Relationship to other plans

The following site specific controls apply to 17 Marion Street, Leichhardt.

Unless otherwise stated all development should be designed and constructed in accordance with the controls in this section and the provisions of this plan.

In the event of an inconsistency between this DCP and the Leichhardt DCP 2013 and any other DCP, policy or code, the controls in this section shall prevail in relation to development on the site.

Map Reference

Refer to Area 9 on the map in *Figure G1 – Site Specific Areas*.

G10.1 LAND TO WHICH THIS SECTION APPLIES

The site is known as 17 Marion Street Leichardt being Lot 25 Sec 1 DP 328, Lot 24 Sec 1 DP 328, Lot A DP 377714, Lot B DP 377714, Lot 22 Sec 1 DP 328, Lot 21 Sec 1 DP 328 (herein referred to as the 'site').

The site has a combined area of approximately 3,295sqm. The site is located on the northern side of Marion Street within a block bound by Cromwell Street and Norton Street, Leichardt.

G10.2 BACKGROUND

At its meeting on 23 April 2013, Leichhardt Municipal Council resolved to commence negotiations with the land owner to establish a Memorandum of Understanding for the site to assist with the provision of affordable and supported housing. Leichhardt Municipal Council subsequently commissioned Allen Jack + Cottier to work with the land owner and local community representatives to develop development guidelines for the site.

Community consultation was initiated in March 2014 to develop a set of 'Guiding Principles' relating to how development should proceed at the site. A draft building envelope and controls for the site were subsequently developed with reference to these principles, which were then subject to additional community consultation. The guiding principles, indicative building envelopes and proposed development controls were endorsed by Leichhardt Council at their ordinary meeting on 16 December 2014.

G10.3 OBJECTIVES

To provide the following objectives and controls to guide development of the site that are compatible with the surrounding area, help create the desired future character and meet the needs of the community:

O1 Complements the existing fine grain residential sub-division pattern and the desired future character of the streetscape.

O2 Achieves architectural and urban design excellence.

O3 Maintains adequate solar access and amenity to surrounding residences.

O4 Reinforces and enhances the landscape character of the street.

O5 Improves amenity and townscape of Marion Street.

O6 Renew the public domain on the site boundary.

G10.4 DESIRED FUTURE CHARACTER STATEMENT

The site is within the West Leichhardt Distinctive Neighbourhood (Section C2.2.3.2 of this plan).

O1 The new character of the site should:

a. Maintain the varied character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials;

b. Promote building styles that enhance and contribute to the identity of the neighbourhood;

c. Protect and maintain the residential amenity of neighbouring dwellings;

d. Protect and enhance Heritage Items and buildings of historical significance;

e. Allow for contemporary development, which is complimentary to the existing streetscape;

f. Protect existing street trees and mature, visually significant trees on private land;

g. Maintain views from the public domain to the east of the All Souls Church spires and Leichhardt Town Hall by stepping development down contours along the slope of Marion Street.

G10.5 BUILT FORM AND DESIGN

G10.5.1 Building Height and bulk

Objectives

O1 To ensure that height of development responds to the existing and future scale, character and form of the streetscape and surrounding area.

O2 To maintain solar access and amenity for surrounding residences, the public domain and development within the site.

O3 To minimise overshadowing of surrounding properties and the public domain.

O4 To ensure development has a bulk and scale which responds to the surrounding context.

O5 To integrate the new development with the scale and character of the streetscape and surrounding area through a transition of building heights, reflected in the number of storeys.

O6 To minimise visual impacts of building bulk on neighbouring and nearby properties.

Controls

C1 Development should not exceed the maximum height in storeys and RL's shown in Figure 50.

C2 Development of the site is to comply with the maximum building envelopes shown in Figures 51 and 52.

C3 The development is to be integrated with the scale and character of the surrounding neighbourhood.

C4 Structures including roof elements and lift overruns may be provided on rooftops, subject to consideration of potential impacts on the streetscape, the amenity of the adjoining properties and the overall character of the area.

Figure G50: Building Heights and Massing Envelope

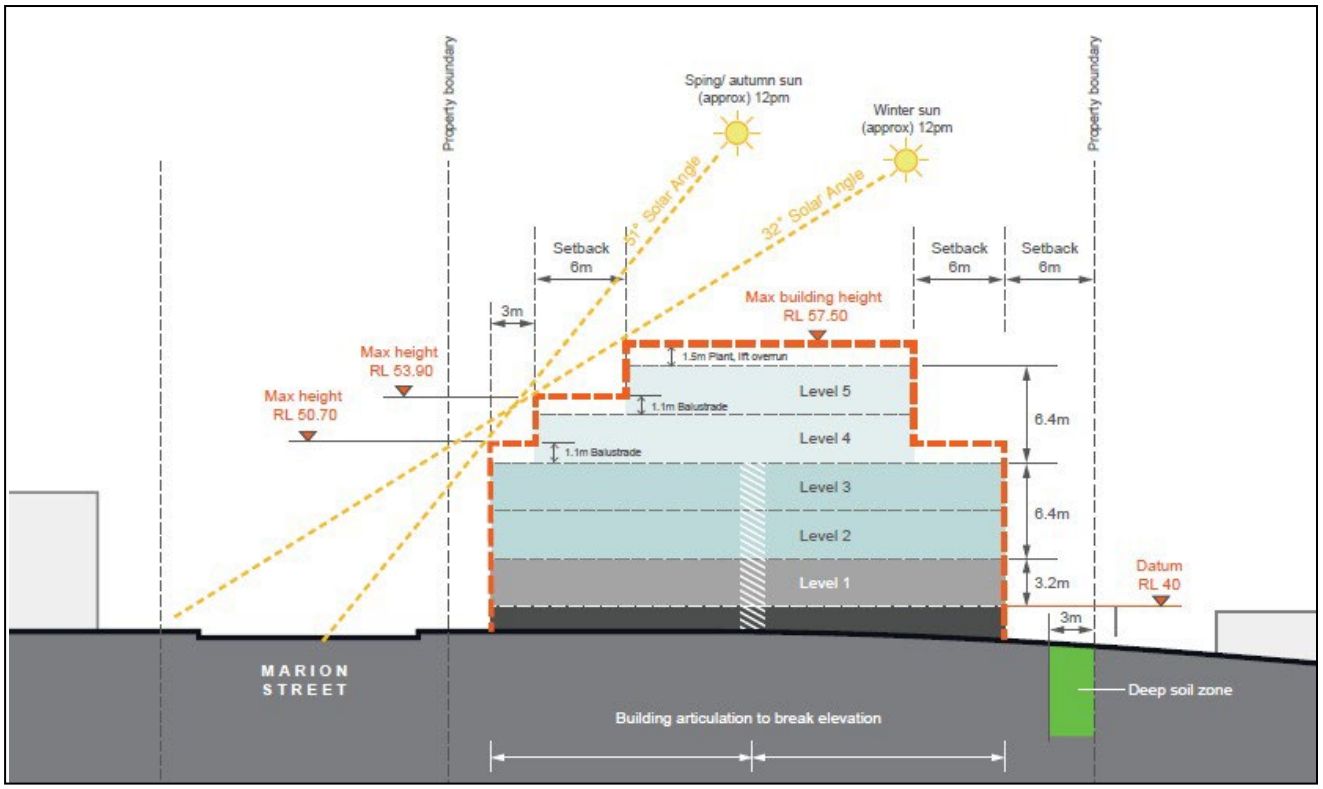


Figure G51: Building Heights and Massing Envelope – Section A (north-south)

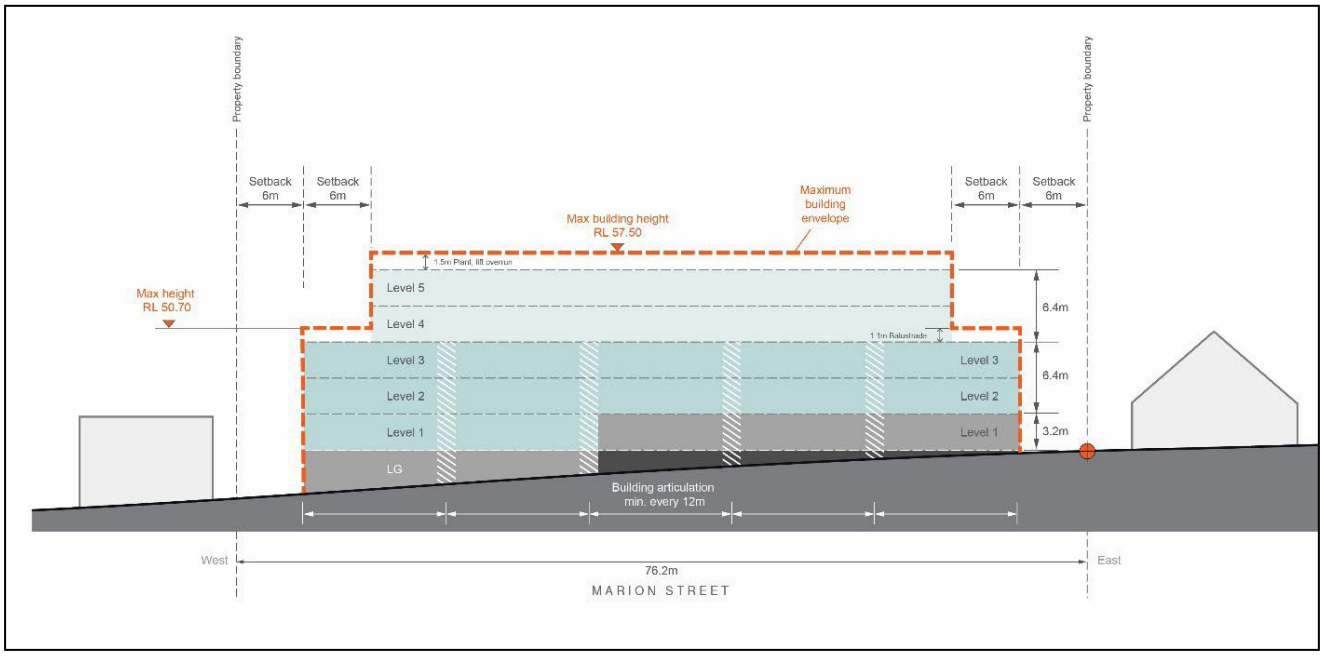


Figure G52: Building Heights and Massing Envelope – Section B (east-west)

G10.5.2 Building setbacks, separation and articulation

Objectives

O1 To ensure that buildings are modulated and articulated to respond to streetscape, visual bulk and amenity issues.

O2 To maintain solar access and amenity to surrounding residences, the public domain and development within the site.

O3 To carefully design the bulk and scale of the building to minimise visual impacts on neighbouring properties.

O4 To maintain views from the public domain to the Town Hall and Church Spire.

O5 To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site.

Controls

C1 Setbacks should be provided in accordance with the details in Figure 1.

C2 Development should be located within the envelopes shown in Figures 2 - 3 to ensure appropriate separation from adjoining properties.

C3 The maximum length of solid wall without modulations along any frontage visible from the nearby properties or public domain will be no greater than 12 metres to create breaks in the building mass.

C4 The development must retain the existing view lines to nearby heritage items and other key features. Additional setbacks may be required to the upper levels along Marion Street to maintain key views.

C5 Building façades are to be articulated into smaller elements or distinctive treatments that reflect:

a. different uses and/or components of the building;

b. the width of historic buildings along Marion Street;

c. building entries; and

d. the ground floor, lower floors , top floor and roof.

G10.5.3 Building materials and finishes

Objectives

O1 To ensure that buildings have a high quality appearance and respect the character of the surrounding area.

Controls

C1 Building and landscape materials are to be fit for purpose, appropriate for climatic conditions and have a high specification to ensure long term quality and sustainability.

C2 Any new building materials and finishes are to complement the prevailing or desired future character of the neighbourhood. The use of face brick and/or painted and rendered brickwork is encouraged.

C3 The use of distinctively modern off-form concrete, glass, steel, aluminium and other metallic materials, for example for walling is discouraged.

C4 Colour schemes are to be compatible with those prevailing in the street.

C5 The building facade to the street is to include building material palette options, architectural fenestration elements and insets to articulate the façade and delineate visual massing.

G10.5.4 Design of building elements

Objectives

O1 To ensure that the front, back and top elevations of the building have a high quality appearance and regard to the character of the surrounding area.

Controls

C1 Buildings are to be designed in accordance with the DCP Desired Future Character Statement for the area.

C2 The design of the buildings should be contemporary, fit for purpose and make reference to the form, scale and articulation of local streetscapes.

C3 Buildings and landscape elements, including balconies, entries, rooflines and screening, are to contribute to the character of the streetscape, enhance opportunities for informal visual supervision of the public domain, reduce overlooking of private property, enhance residential amenity and make a positive contribution to place identity.

C4 Building facades are to consider the established built character of historic buildings in the locality with regards to:

a. The ratio of solid finishes to glazing;

b. The vertical proportions of windows; and

c. The use of vertical timber or metal balustrades for balconies

C5 Where the topography results in basement walls exceeding 0.5m above natural ground level, high quality planting or materials are to be used to minimise visual impacts.

G10.6 RESIDENTIAL AMENITY

Objectives

O1 To ensure that the development receives adequate access to sunlight.

O2 To ensure that the development receives adequate ventilation.

O3 To maximise internal amenity to the building.

O4 To protect the visual privacy of adjoining dwellings by minimising direct overlooking of principal living areas and private open space.

O5 To provide landscaping around built structures that maintains the privacy of the neighbouring properties.

Controls

G10.6.1 Visual Privacy

C1 All development is to comply with the visual privacy provisions of C3.11 Visual privacy of this Plan.

G10.6.2 Solar access

C1 Solar access to existing adjacent and nearby properties is to be maintained.

C2 The building is to be designed and oriented to minimise overshadowing and loss of solar access for adjacent and nearby properties.

C3 The residential component of the development is to satisfy the solar access requirements set out in the Apartment Design Guide (ADG) (which forms part of the *State Environmental Planning Policy No 65 - Design Quality of Residential Flat Buildings (SEPP 65).)*

G10.7 LANDSCAPING

Objectives

O1 To improve the amenity of adjoining residences and those in the new development by providing a deep soil landscaped area between properties.

Controls

C1 Minimum landscaped area is to be provided in accordance with the clause 4.3C *Landscaped areas of residential accommodation in Zone R1* of the *Inner West LEP 2022.*

C2 The deep soil landscaped zone is to be suitably landscaped, including the planting of suitable canopy trees that restrict minimise overshadowing of adjoining properties.

C3 Existing established trees along the northern boundary of the site should be retained and the setback to the boundary augmented with additional trees.

C4 Basement car parking should be located beneath the building footprint where possible to maximise landscaping opportunities.

C5 A Landscape Plan of Management/Maintenance Plan shall be submitted with the development application.

G10.8 PARKING AND ACCESS

G10.8.1 Vehicular access and Parking

Objectives

O1 To ensure that building vehicular access and egress points are best located to reduce the potential for traffic conflict.

O2 To ensure that vehicular access points are well-designed and secondary to pedestrian routes.

Controls

C1 Vehicle access and egress points will be provided from the western part of the site generally in accordance with Figure 1.

C2 Vehicle access will be separated from pedestrian entries to avoid pedestrian vehicular conflict.

C3 All building vehicular access and egress points are subject to final Council approval.

G10.9 WASTE AND RECYCLING MATERIALS STORAGE AND DISPOSAL

G10.9.1 Waste and recyclable materials temporary storage and disposal facilities

Objectives

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.

O3 To minimise risk to health and safety associated with handling and disposal of waste and recycled material and the potential for adverse environmental impacts associated with waste management.

Controls

C1 Waste management and storage areas are to be located, designed and constructed to ensure integration into the Marion Street streetscape.

C2 A completed Site Waste Minimisation and Management Plan (SWMMP) must accompany any development application.

SECTION 11 – 1-5 CHESTER STREET, ANNANDALE

Relationship to other plans

The following site-specific controls apply to 1-5 Chester Street, Annandale.

Unless otherwise stated all development should be designed and constructed in accordance with the controls in this section and the provisions of this plan.

In the event of an inconsistency between this section and the remaining provisions of this DCP, the controls in this section shall prevail in relation to development on the site to the extent of the inconsistency.

Relationship to State Environmental Planning Policy (Affordable Rental Housing) 2009

If there is an inconsistency between the provisions of this DCP and State Environmental Planning Policy (Affordable Rental Housing) 2009, the provisions of the SEPP prevail to the extent of the inconsistency.

G11.1 LAND TO WHICH THIS SECTION APPLIES

This section applies to 1-5 Chester Street, Annandale being Lot 11 DP499846 (the site). Refer to Area 10 in *Figure G1 - Site Specific Areas* and Figure G53 below.

The site has an area of 1,307m^2 and is located on the western side of Chester Street and to the east of Johnstons Creek canal.

G11.2 BACKGROUND

The site is the subject of a planning proposal which rezones the land from IN2 Light Industrial to B7 Business Park with boarding house for student housing as an additional permitted use and changes the height and floor space ratio controls.

The site is within the Camperdown Ultimo Collaboration Area, and the planning proposal supports the implementation of the February 2019 Place Strategy for the Collaboration Area. The Camperdown Ultimo Collaboration Area Place Strategy identified the need for affordable student housing and employment floor space to support innovation, research, creative industries and artists, and collaborative projects.

G11.3 RELATIONSHIP TO OTHER SECTIONS OF THE LEICHHARDT DCP

Unless otherwise stated, development of the site should be designed and constructed in accordance with the controls in this section and all other relevant provisions of this plan.

In the event of an inconsistency between this section and other provisions of this DCP, the controls in this section shall prevail in relation to development on the site.

Figure G53: The site

G11.4 OBJECTIVES

O1 To provide high quality affordable student housing and flexible floor space to accommodate a range of business premises, office premises and light industries in the technology, bio-medical, arts, production and design sectors.

O2 To respond to the existing and future context and character of the area, including the industrial heritage.

O3 To achieve architectural and urban design excellence.

O4 To enhance and activate the public domain.

O5 To maintain adequate solar access and amenity to surrounding residences.

O6 To ensure the amenity of future residents of the development.

O7 To contribute to the rehabilitation and greening of the Johnstons Creek corridor.

O8 To provide for future connectivity along the Johnstons Creek corridor.

O9 To ensure appropriate access arrangements, including supporting commercial and light industrial uses.

O10 To encourage active transport and support public transport mode share.

O11 To ensure an ecologically sustainable development outcome.

G11.5 DESIRED FUTURE CHARACTER STATEMENT

The site is within the Camperdown Distinctive Neighbourhood (Section C2.2.1.8 of this DCP).

The new character of the site should:

O1 Positively contribute to the transition of the Camperdown Ultimo Collaboration Area to a high density health and education precinct.

O2 Achieve design excellence in a high quality built form that responds to the local character, topography and heritage context of the surrounding area through appropriate design and use of materials.

O3 Protect and enhance existing Heritage Items and the Annandale Heritage Conservation Area.

O4 Protect and enhance the residential amenity of neighbouring dwellings and ensure the amenity of residents within the development.

O5 Enhance and activate the surrounding public domain, including by locating lower level non-residential uses facing Chester Street and the Johnstons Creek corridor.

O6 Enhance and re-vegetate the frontage to Johnstons Creek and provide a landscaped section of Johnstons Creek cycle and pedestrian path to facilitate future connectivity.

G11.6 BUILT FORM, HEIGHT AND DESIGN

Objectives

O1 To integrate new buildings with the adjoining and neighbouring buildings with an appropriate transition of building heights.

O2 To ensure building heights minimise impacts on the surrounding area including existing dwellings and open space.

O3 To minimise overlooking and overshadowing of neighbouring properties.

Controls

C1 The built form layout is to be generally consistent with Figure G54.

C2 The maximum height of buildings including any lift-overruns is 17m and no more than 5 storeys.

C3 The proposed building design shall be consistent with that shown in Figure G54 and Figure G55 to minimise visual impacts, excessive building scale, overshadowing issues and facilitate the Johnstons Creek corridor landscaped pedestrian and cycleway.

Figure G54: Indicative site plan

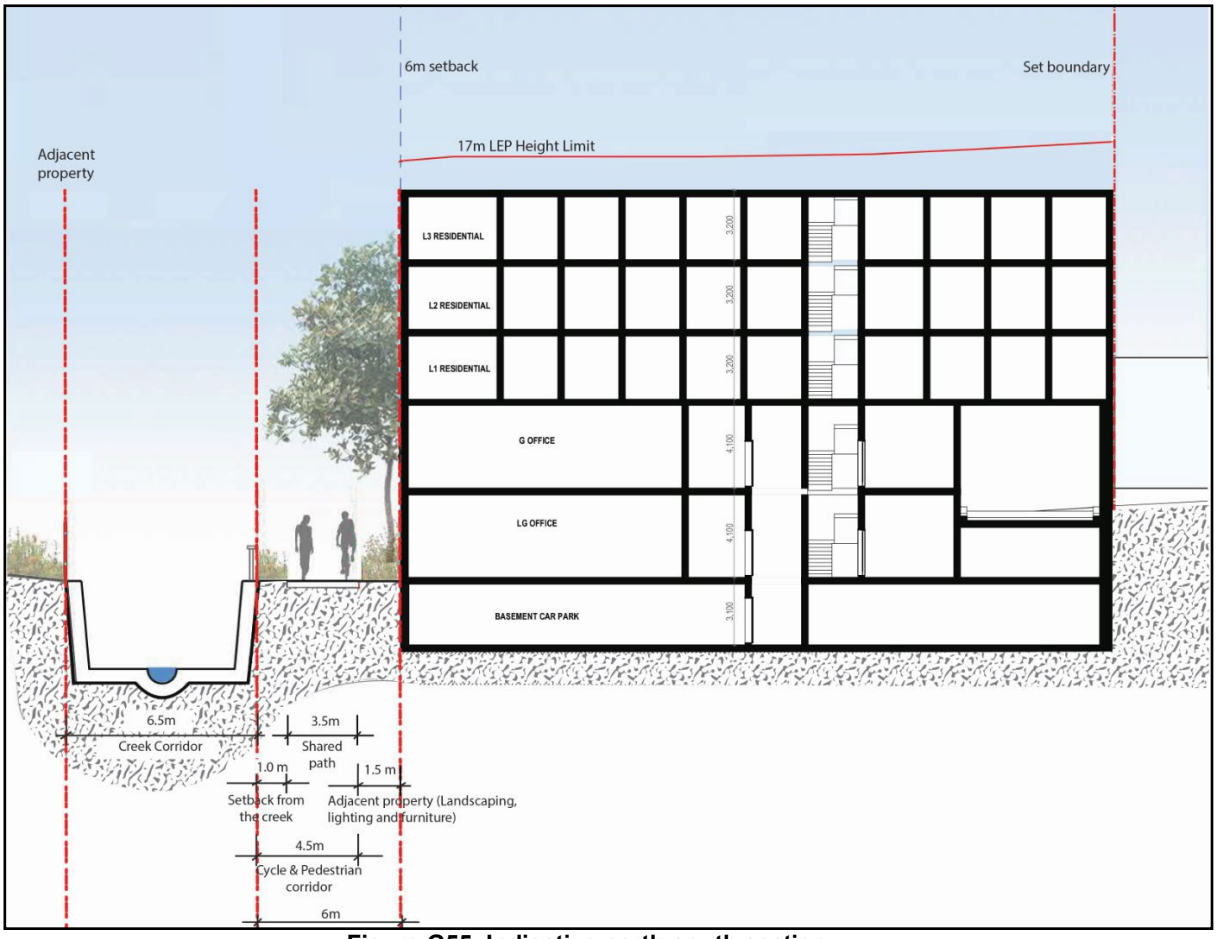


Figure G55: Indicative north-south section

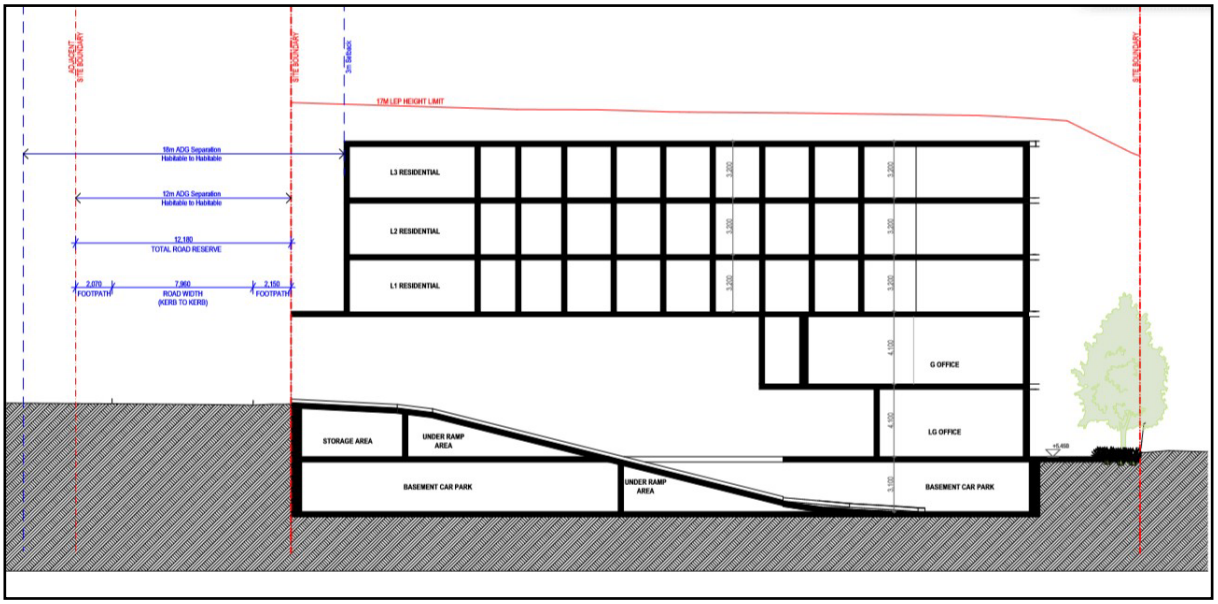


Figure G56: Indicative east-west section

G11.7 LAND USE

Objectives

O1 To contribute to the evolution of Camperdown Precinct into a health and education precinct

O2 To integrate a mix of uses on the site while minimising the potential for land use conflict.

O3 To ensure non-residential uses do not adversely impact on the residential amenity within the site or of the surrounding area.

O4 To ensure that student accommodation on the site does not impact upon the operation and viability of businesses both on the site and in the surrounding area.

O5 To support employment uses including business and office premises and light industries in the technology, bio-medical, arts, production and design sectors.

O6 To provide for boarding house development to accommodate student housing.

O7 To maximise activity and surveillance along main pedestrian routes.

O8 To ensure that any future redevelopment of the site will continue to support the health and education role of Camperdown precinct.

Controls

C1 A minimum 980m2 of flexible floor space is to be provided for a range of business and office premises and light industries.

C2 Student housing is to be provided only on upper levels.

C3 All employment floorspace is to have a minimum floor to ceiling height of 4m.

C4 Residential lobby access should be provided from Chester Street.

C5 The building design should minimise impacts between the employment uses and residential uses by:

a. separating employment pedestrian access from residential pedestrian access

b. designing and locating employment and residential services and equipment (eg. plant) to minimise adverse amenity impacts.

C6 Street activation and passive surveillance of Chester Street is to be provided by locating employment uses fronting the street.

C7 The student housing and employment uses are to be maintained and operated in a single entity. Strata subdivision, company or community title subdivision of the site is not permitted.

G11.8 SETBACK AND SEPARATION

Objectives

O1 To reduce the apparent overall building bulk and scale and to provide a human scaled development when viewed from surrounding streets.

O2 To provide an appropriate setback to Johnstons Creek to support its rehabilitation and greening and facilitate future connectivity along the creek corridor.

O3 To provide a section of the Johnstons Creek pedestrian/cycleway that can become a section of the through-site link.

O4 To allow for future redevelopment of adjacent lots.

O5 To provide an appropriate transition in scale to adjoining properties.

Controls

C1 Buildings (including basement) are to be setback at a minimum of 6m from the boundary fronting Johnstons Creek.

C2 A 3m upper level setback is to be provided to residential uses along the Chester Street frontage as shown in Figure G56.

C3 Appropriate setbacks and design measures to allow future redevelopment of neighbouring properties should be provided.

G11.9 STUDENT ACCOMMODATION

Objectives

O1 Ensure an acceptable level of amenity and accommodation in the boarding house to meet the needs of residents.

O2 Minimise the adverse impacts that can potentially be associated with student accommodation on adjoining properties and the vicinity.

Controls

C1 The student accommodation should be well-designed using best practice examples to deliver a high standard of architectural, urban and landscape design.

G11.9.1 Bedrooms

C2 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.

C3 Ensure the ceiling height in any bedroom containing double bunks is 2.7m. Triple bunks are not permitted.

G11.9.2 Communal kitchen areas

C4 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.

C5 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.

C6 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.

G11.9.3 Communal living areas and open space

C7 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.

C8 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, where appropriate;

c. on each level of a multi-storey boarding house, where appropriate; and

d. where they will have minimal impact on bedrooms and adjoining properties.

C9 Communal open space is to be provided with a minimum area of 190 sqm.

C10 Landscape treatment of the communal open space is to be maximised to promote cooling of the building and consist of native plants to the local area.

C11 Communal outdoor open space is to located and designed to:

a. generally be north-facing to meet the solar access requirements;

b. provide partial cover from weather;

c. incorporate soft or porous surfaces for 50% of the area;

d. be connected to communal indoor spaces, such as kitchens or living areas;

e. contain communal facilities such as barbecues, seating and pergolas where appropriate; and

f. be screened from adjoining properties and the public domain with plantings, such as a trellis with climbing vines.

C12 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.

C13 The use of communal outdoor open space should cease by 10pm. Open space or outdoor areas should not be used for functions at any time and music, live or amplified should not be audible outside the premises at all times.

G11.9.4 Bathroom, laundry and drying facilities

C14 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.

C15 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.

G11.9.5 Amenity, safety and privacy

C16 Boarding house is 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;

C17 Boarding house is 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. screen fencing, plantings, and acoustic barriers in appropriate locations; and

c. double glazed windows where noise transmission affects neighbouring buildings.

G11.10 FINISHES AND MATERIALS

Objectives

O1 To ensure that buildings have a high-quality appearance that enhance and activate the public domain.

O2 To ensure that buildings respond to the character and heritage of the surrounding area.

O3 To provide high quality, durable finishes and materials.

Controls

C1 Building design is to respond to the surrounding industrial warehouse character and industrial heritage buildings including through the following:

a. Façade design which emphasises vertical rhythm (such as through brick pilasters and tall parapet masonry walls),

b. a higher solid to void ratio with similar sized windows at regular intervals, and

c. materials and finishes sympathetic to warehouse character.

C2 Building articulation, design and materials are to provide an appropriate balance between the new development and the older character of the locality.

C3 The use of face brickwork and or corbelling is encouraged.

G11.11 VISUAL AND ACOUSTIC PRIVACY

Objectives

O1 To ensure viability of employment uses and residential amenity by providing appropriate separation of uses and excellent acoustic attenuation.

O2 To minimise visual privacy and acoustic impacts to adjoining properties and in the site itself.

Controls

C1 Employment uses are to include appropriate design and acoustic measures to ensure they do not have a significant adverse impact on the amenity of surrounding residential uses or future residents of the site.

C2 Suitable acoustic attenuation measures are to be provided to the student housing rooms to ensure they are not adversely impacted by business and industrial uses on the site or within the surrounding area.

C3 Implement sufficient slab treatment between employment uses and residential uses to ensure acoustic attenuation.

C4 Incorporate construction methods and materials that insulate residential uses from noise transmission from employment uses.

C5 Residential uses are oriented away from the adjacent industrial use at 17 Chester Street.

C6 An operating 'Plan of Management' is to be submitted with a development application for the boarding house and employment uses to ensure that these operate with minimal impact on adjoining properties and maintain a high level of amenity for residents.

C7 Any development application is to be accompanied by a report prepared by an acoustic consultant verifying the adequacy of the proposed design and the construction methods and materials to achieve appropriate noise levels within the proposed residential accommodation. Consideration should be given to potential noise generated by both existing and future non-residential uses on the site and in the surrounding area.

G11.12 DEEP SOIL AREA AND LANDSCAPING

Objectives

O1 To ensure occupants are provided with a reasonable level of outdoor amenity and access to green space.

O2 To enhance the interface with Johnstons Creek and contribute to its greening and rehabilitation.

O3 To provide a landscaped section of pedestrian/cycle way along Johnstons Creek.

O4 To ensure that the development incorporates consolidated deep soil areas of sufficient size and dimension to accommodate significant tree plantings and other plants, and provide optimal growing conditions.

O5 To ensure the amenity of residents, workers and visitors is enhanced by high quality landscaping.

O6 To enhance the landform and landscape of the interface between the development and Johnstons Creek

Controls

C1 A minimum of 17.4% of the site area is to be provided as deep soil, predominantly fronting Johnstons Creek.

C2 Landscaping and mature tree planting with large canopy trees shall achieve 15% site canopy coverage.

C3 The ground levels and landscaping of the pedestrian and cycle path should provide an appropriate interface to the creek and match the corresponding characteristics of the Douglas Grant Park, where practical.

C4 The through-site link should be constructed to allow seamless integration of the path with the future sections of the path along neighbouring properties to the north and south of the site.

C5 Landscaping along the Johnstons Creek corridor is to contribute to the wider greening and rehabilitation of the creek and enhance the visual outlook of the areas surrounding the creek.

C6 The basement level of the development needs to be appropriately screened to ensure it does not present a blank wall to Johnstons Creek.

C7 Provide a landscaped pedestrian/cycle path adjacent to Johnstons Creek.

C8 Overhead power cables along the frontages of the site must be relocated underground and replaced with appropriate street lighting that relates to the scale of the development and the significant aesthetic benefit that will result from undergrounding including allowing for viable street tree planting.

C9 Incorporate new street trees along Chester Street to contribute to the greening of the street.

G11.13 SOLAR ACCESS

Objectives

O1 To minimise the overshadowing impacts of development within the site and on adjoining properties.

O2 To maximise solar access to the communal indoor and open space.

Controls

C1 Provide an indicative design for 17 Chester Street to test overshadowing impacts and ensure the development potential of this adjoining site is not unduly constrained and that the two sites can be developed in a holistic way.

C2 At least 65% of habitable rooms within the boarding house must provide a window positioned within 30 degrees east and 20 degrees west of true north and allow for direct sunlight over minimum 50% of the glazed surface for at least two hours between 9.00am and 3.00pm on 21 June.

C3 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.

C4 Indoor communal areas are to receive a minimum 2 hours solar access to at least 50% of the windows during 9am and 3pm on 21 June.

C5 The communal open space is to receive a minimum of 2 hours of solar access between 9am and 3pm on the 21 June to at least 50% of its area.

G11.14 PARKING AND ACCESS

Objectives

O1 To ensure safe and efficient access to and from the site for a range of non-residential uses.

O2 To minimise car parking to encourage active transport and car sharing.

O3 Minimise the potential risks of flooding of the underground car park.

Controls

C1 Basement access must accommodate medium rigid vehicles movements to service light industrial uses.

C2 No private car parking will be provided for the student accommodation, with the exception of one accessible space for a boarding house manager.

C3 A maximum car parking rate of 1 per 150m^2 of employment floor space.

C4 Car share spaces should be provided at a rate of 1 space per 50 student housing rooms.

C5 At least one bicycle parking space is to be provided for every 3 student housing rooms, at least 1 visitor bicycle space per 10 student housing rooms and at least 1 motorcycle space per 5 student housing rooms.

C6 Ensure that the car park entry level is above RL5.45 AHD to minimise flood risk.

C7 Vehicular entries are to be designed to minimise the visibility of garage doors from the street.

C8 Provide a clear street address for residential entries.

C9 Vehicular access to the site shall minimise potential pedestrian and vehicular conflicts.

C10 Ingress and egress from the site shall be in a forward direction.

C11 The development application 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.

C12 The traffic report is to demonstrate that manoeuvring of service vehicles associated with the proposed development can be accommodated on site or at the end of the cul-de-sac on Chester Street.

G11.15 ENVIRONMENTAL MANAGEMENT

Objectives

O1 To ensure that the new development applies the principles of ecologically sustainable development.

O2 To reduce environmental impacts of the development.

O3 To encourage improved environmental performance through the use of industry recognised building rating tools.

O4 To future-proof development to accommodate the emergence of electric vehicles.

O5 To reduce the cause and impacts of urban island heat effects.

Controls

C1 The development is to achieve a minimum 4-star Green Building Council rating.

C2 Rainwater capture is to be provided for re-use on site.

C3 Development must increase urban green cover on the site through tree planting, mass planted garden beds, WSUD, green roof and walls.

C4 Basement car parking areas are to be designed so that electric charging points can be installed in the future.

C5 Non-residential development is to be designed to minimise the need for active heating and cooling by incorporating passive design measures related to glazing, natural ventilation, thermal mass, external shading and vegetation.

C6 The installation and use of photovoltaic solar panels is encouraged. Where possible, solar panels should be co-located with green roofs to increase the operational efficiency of the solar panels.

C7 Natural clothes drying facilities are encouraged to reduce energy consumption.

G11.15.1 Water Sensitive Urban Design (WSUD)

C8 The development should adopt an integrated approach to water cycle management and address water conservation, efficiency, stormwater management, drainage and flooding through a coordinated process.

C9 A suitably qualified engineer with experience in stormwater, drainage and WSUD is to assess the site requirements for the proposed development, and prepare the required stormwater, drainage and WSUD plans in accordance with the provisions of this DCP and best practice sustainable water management techniques.

C10 Design the site to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

C11 Where filtration and bio-retention devices are proposed, they are to be designed to capture and provide temporary storage for stormwater.

G11.16 WASTE MANAGEMENT

Objectives

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 recyclable
O2 are integrated into the development.

O3 To minimise risk to health and safety associated with handling and disposal of waste and
O3 recycled material and the potential for adverse environmental impacts associated with waste management.

Controls

C1 Waste and recycling storage areas are to be located, designed and constructed to ensure integration with the Chester Street streetscape.

C2 Residential and commercial waste areas are to be separated with separate accesses.

C3 Waste and recycling facilities must be managed in acoustically treated areas to minimise the noise of collection.

C4 A completed Site Waste Minimisation and Waste Management Plan (SWMMP) addressing ongoing waste and resource recovery for both residential and employment components of the development is to be submitted. The SWMMP is to include details of the following:

- types and estimated quantities of the predicted waste streams
- size and location of recycling and waste storage areas, including bulky waste
- routes of access and transfer from source to storage areas for all users
- routes of transfer from storage areas to collection point
- access route for waste and recycling collection vehicle
- ongoing management, including responsibility for cleaning and transfer of bins between storage areas and collection points, implementation and maintenance of relevant signage, and ongoing education of all residents/tenants

G11.16.1 Residential Waste Controls

C5 Access to garbage and recycling disposal points is to be provided on each residential level, either in the form of inlet hoppers or bin storage areas. A waste chute is advisable for a building that is 4 storeys or more.

C6 A dedicated space (room or caged area) is to be provided within or in close proximity to the bin storage area for the interim storage and management of Council-collected bulky waste and mattresses. A minimum of $8m^2$ is to be provided for every 50 rooms.

C7 Additional communal space is to be provided for the separate recovery of materials including (but not limited to) textiles, hazardous, e-waste, polystyrene, materials under product stewardship schemes and problem wastes. A minimum of 2m2 is to be provided for every 50 rooms.

G11.16.2 Non-Residential Waste Controls

C8 A minimum of $4m^2$ of dedicated space is to be provided for every $500m^2$ of non-residential floor space for the interim storage of bulky or fit-out waste, paper, cardboard packaging, batteries, equipment containing printed circuit boards, computers, televisions, fluorescent tubes or other recyclable resources from the waste stream.

C9 Space must be provided on- site in reasonable proximity to retail or commercial premises to store re-usable commercial items such as crates, pallets, kegs and polystyrene packaging.

G11.17 VISUAL IMPACT TO HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS

Objectives

O1 To minimise visual impacts to the Annandale Heritage Conservation Area (HCA) and heritage items

Controls

C1 A Heritage Impact Statement (HIS) is to be submitted with any development application for the redevelopment of the Precinct, addressing the impact of the proposed works on the Annandale HCA and heritage items in the vicinity of the proposal.

SECTION 12 – 36 LONSDALE STREET AND 64–70 BRENAN STREET, LILYFIELD

G12.1 LAND TO WHICH THIS SECTION APPLIES

This section applies to 36 Lonsdale Street and 64-70 Brenan Street, Lilyfield, being Lots 2–4, DP 1257743, Lots 1 and 2, DP 529451, Lot 22, DP 977323 and Lot 1, DP 1057904.

The site has an area of 2,145m^2 and is located on the southern side of City West Link Road/Brennan Road between Russell Street and Lonsdale Street.

Map Reference
Refer to Area 11 on the map in *Figure G1 – Site Specific Areas*.

G12.2 BACKGROUND

This site-specific section of Leichhardt Development Control Plan 2013 (LDCP) has been developed to support appropriate built form outcomes as per the site-specific provisions contained in Inner West Local Environmental Plan 2022 (IWLEP) Part 6 Additional Local Provisions which allow increased height of building (HOB) and floor space ratio (FSR) for the site.

G12.3 RELATIONSHIP TO OTHER SECTIONS OF THIS DCP

Unless otherwise stated, development on the site should be designed and constructed in accordance with the controls in this section and the provisions of this plan.

In the event of an inconsistency between this site-specific section and the remaining provisions of the LDCP, the controls in this section will prevail in relation to development on the site to the extent of the inconsistency.

Figure G57: Location Plan

G12.4 GENERAL OBJECTIVES

O1 Apply site specific controls/guidelines which take into account the site's unique conditions to ensure an acceptable development outcome.

O2 To respond to the existing and future context and character of the area.

O3 To achieve architectural and urban design excellence.

O4 To enhance and activate the public domain.

O5 To maintain adequate solar access and amenity to adjacent residences in Lonsdale Street and Russell Street.

O6 To ensure good amenity for future residents of the development.

O7 To encourage active transport and public transport mode share.

O8 To ensure an ecologically sustainable development outcome.

G12.5 DESIRED FUTURE CHARACTER STATEMENT

The site is located in the 'Peripheral Sub Area' of the Catherine Street Distinctive Neighbourhood in Lilyfield (Section C2.2.4.1 of the LDCP 2013).

The new development should:

O1 Achieve architectural design excellence using appropriate building composition which enhances the site and is also sympathetic to the local density residential character of Lonsdale Street and Russell Street.

O2 Protect and enhance the residential amenity of neighbouring dwellings and ensure the amenity of residents within the development.

O3 Enhance and activate the surrounding public domain.

O4 Provide a landscaped setting to the foreground of buildings within the site and enhance the streetscape.

G12.6 LOT AMALGAMATION

Objectives

O1 To ensure lot amalgamation promotes the orderly redevelopment of site for intended uses and identified built form.

Controls

C1 New development on the site is to follow the lot amalgamation pattern identified in Figure 2.

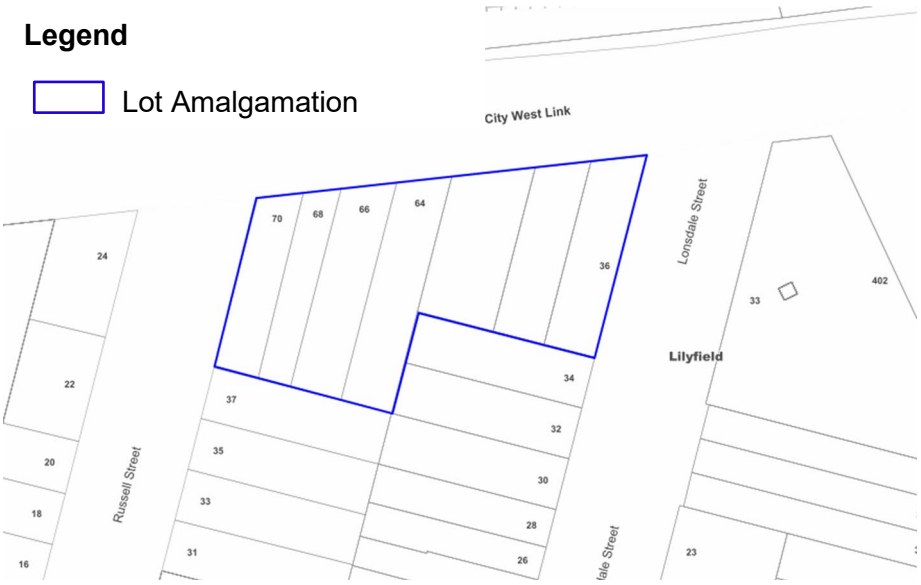


Figure G58: Lot Amalgamation Pattern

G12.7 BUILT FORM, HEIGHT AND DESIGN

Objectives

O1 Achieve architectural design excellence using appropriate building composition which enhances the site and is also sympathetic to the local density residential character of Lonsdale Street and Russell Street.

O2 To integrate new high-quality buildings with neighbouring buildings by having an appropriate transition of building height and scale.

O3 To provide appropriate building form, height and articulation to reduce apparent bulk and minimise impacts on the surrounding area including adjacent dwellings and their open space.

O4 To minimise overlooking and overshadowing of neighbouring properties.

Controls

C1 All roof structures, such as plant and lift overruns shall be integrated into the design of the development, are not to exceed the building heights contained within IWLEP 2022 and are to be fully screened when viewed from street. The maximum height of building is RL 33.2 with a maximum of 5 storeys at City West Link Road and a transition to 2 storeys adjacent to the houses at Lonsdale Street and Russell Street.

C2 The built form height envelopes are to comply with **Figures 4 and 5** with buildings having a transition in height to a maximum of 5 storeys at City West Link Road as follows:

- buildings have a maximum ceiling height of RL 24.7 being an equivalent of a two storey scale relative to the adjacent houses in Lonsdale Street
- buildings have a maximum ceiling height of RL 27.8 an equivalent of a two storey scale relative to the adjacent houses at Russell Street.

C3 No residential uses are to be contained at ground level along City West Link Road.

C4 Minimise blank walls along City West Link Road to provide appropriate streetscape treatment and passive surveillance of the public domain.

C5 Top of building roof structure slab for the five storey building component in **Figure 4 and 5** should be a maximum at approximately RL 30.7 to accommodate roof structures such as lift overrun.

C6 Subject to approval from the relevant consent authority (Transport for NSW), the overhead power cables along City West Link Road must be relocated underground and replaced with appropriate street lighting in accordance with Council's relevant public domain guidelines given the scale of the development and the significant aesthetic benefit resulting from undergrounding, including allowing for viable street tree planting.

If approval from the consent authority (Transport for NSW) is not obtained, then buildings are to be setback along City West Link Road at a sufficient distance to maintain safety and maintenance of high voltage cables.

C7 The proposed building location and site layout should be consistent with that shown in **Figure 3** to achieve buildings oriented predominantly to Lonsdale Street and Russell Street with appropriate amenity for occupants, a landscape setting and tree canopy, middle ground/ podium level communal open space area, landscaped buffer to adjacent houses and to comply with other parts of this DCP.

C8 For part of the site area along City West Link Road beginning at the Lonsdale Street corner, consider provision of employment floorspace as part of an apartment above (live-work units) or as non-residential/ employment floor space permitted in the relevant Zoning under IWLEP 2022. The employment floor space must be setback by at least 3m from City West Link Road with appropriate public domain treatment (including new landscaping, awning at the intersection of Lonsdale Street/ City West Link) and be in accordance with **Figures 3, 4 and 6.**

C9 A minimum of 3m building setback from City West Link is to be provided along ground floor and to all upper level residential storeys in accordance with Section G12.8 Controls and **Figures 3** and **4**.

Continued on next page

LEGEND

- Deep Soil
- Communal Open Space
- Entry to residential lift lobby
- Vehicular access to basement carpark
- St — Residential storeys above basement carpark

Figure G59: Indicative site plan

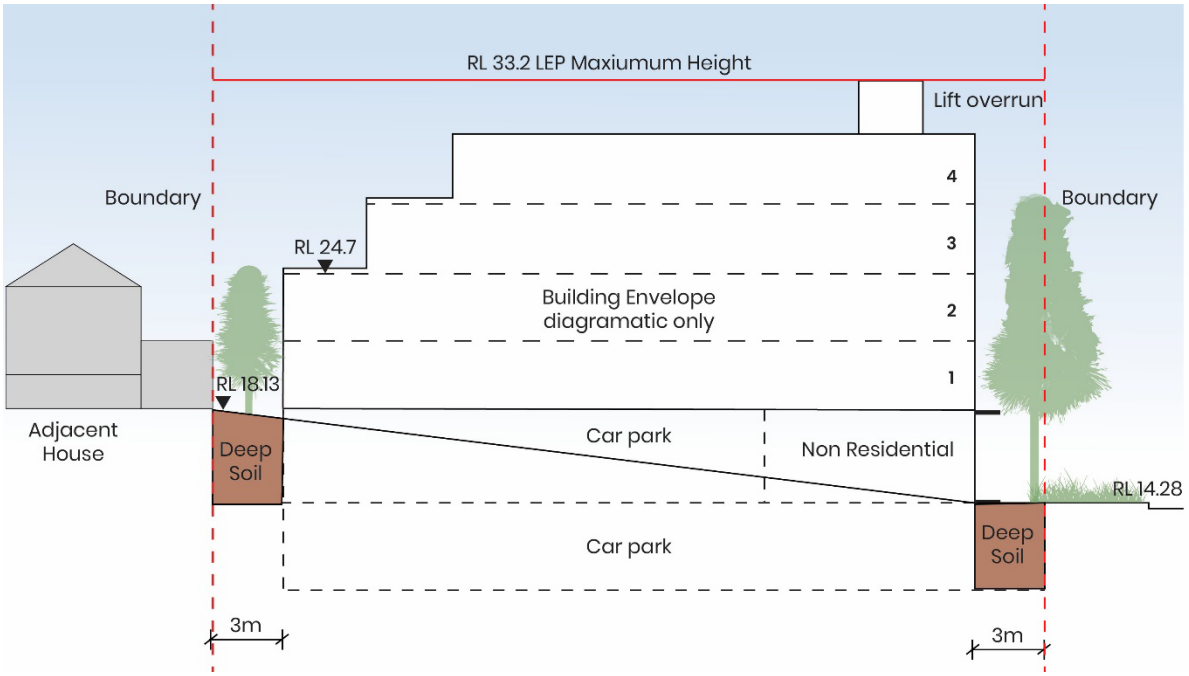


Figure G60: Indicative elevation envelope along Lonsdale Street

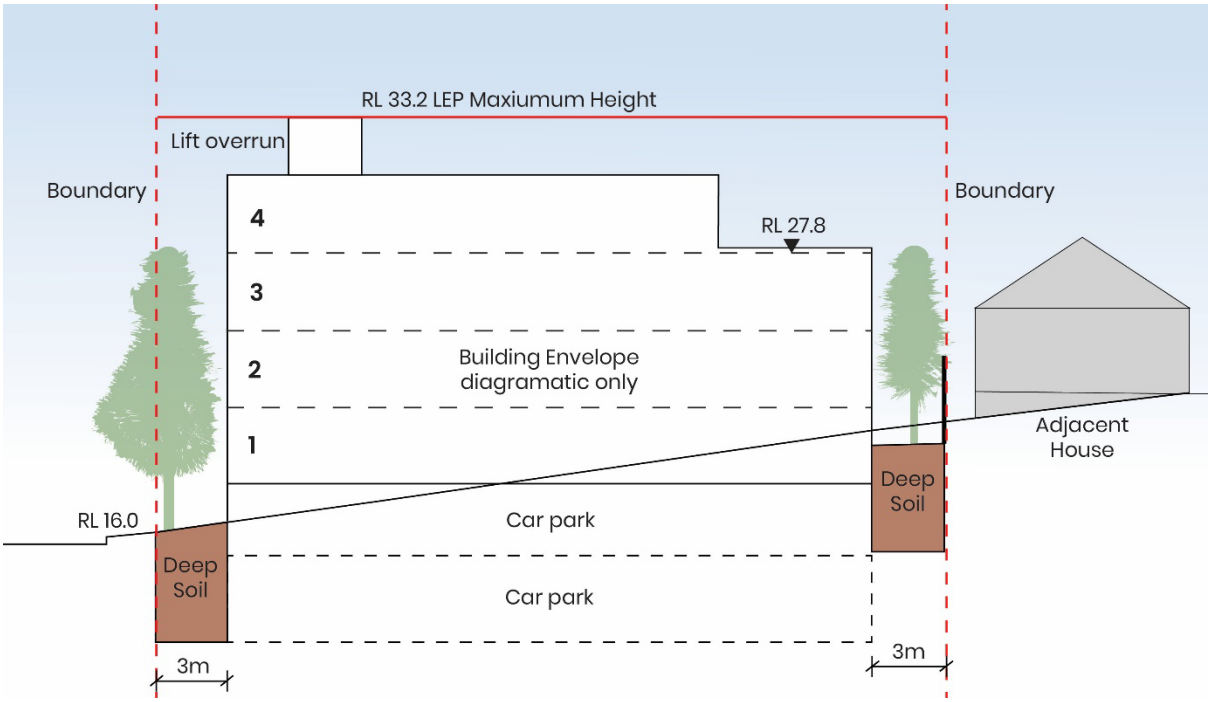


Figure G61: Indicative elevation envelope along Russell Street

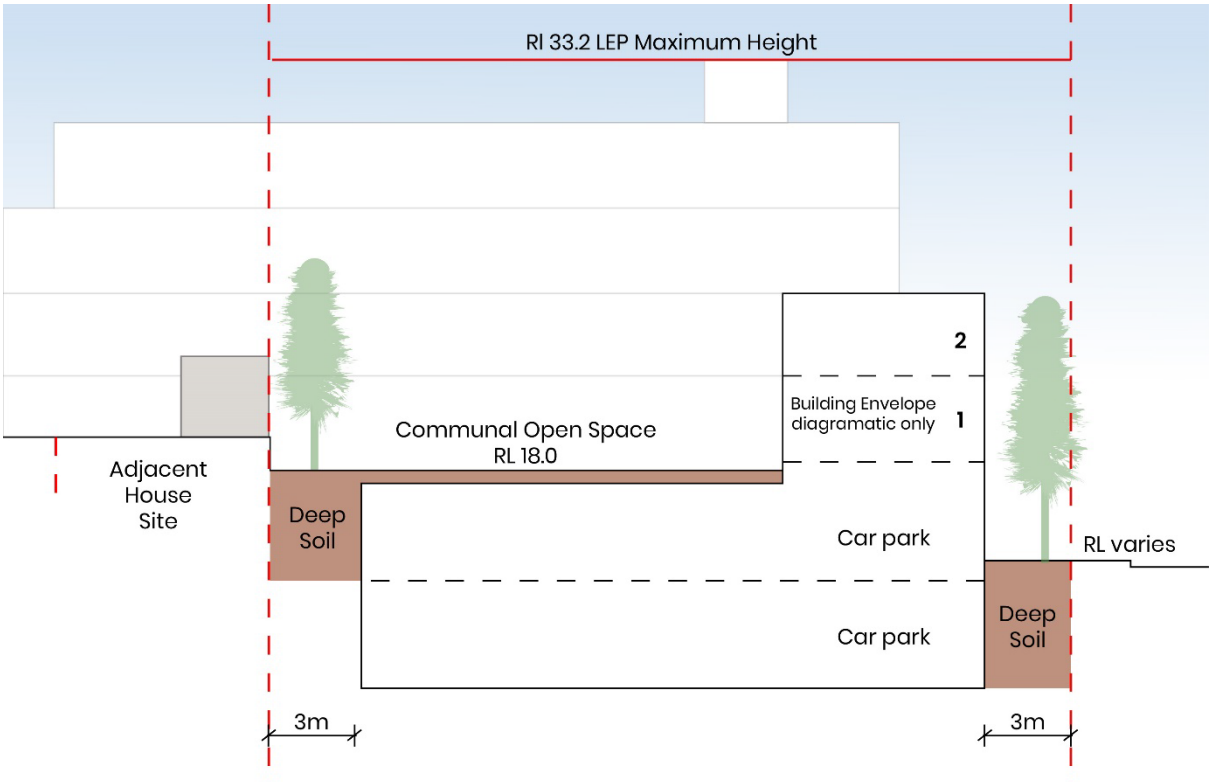


Figure G62: Indicative section diagram through the middle of the site to City West Link

G12.8 SETBACKS AND SEPARATION

Objectives

O1 Achieve adequate building separation to maintain privacy between buildings.

O2 To accommodate deep soil planting and landscaping to enhance the streetscape and provide for tree canopy.

O3 Achieve adequate building separation between buildings and adjoining houses.

O4 Achieve adequate separation from high voltage powerlines along City West Link Road.

O5 To provide appropriate public domain treatment along City West Link which enhances the streetscape.

Controls

C1 Buildings are to be setback a minimum of 3m inclusive of below ground carparks levels from City West Link Road, Lonsdale Street and Russell Street.

C2 Buildings are to be setback by a minimum of 3m from lot boundaries of the dwelling houses fronting Lonsdale Street and Russell Street inclusive of car parking/ basement levels.

C3 Within the site, Building Separation is to comply with the State Environmental Planning Policy 65 Apartment Design Part 2F and be generally in accordance with **Figure 3**.

C4 Building design at the intersection of streets including Lonsdale Street and City West Link is to:

a. be splayed at the corner to reinforce the corner location as appropriate

b. incorporate awning where possible to complement the desired employment use

c. include a 3m wide setback along City West Link frontage which should:
   - provide new landscaping and kerbside treatment as per Figure 6;
   - be made available to public 24 X 7 for walking and cycling; and
   - be registered on title as easement or public right of way.

G12.9 DESIGN, FINISHES AND MATERIALS

Objectives

O1 To ensure that buildings have a high quality appearance and enhance and activate the public domain.

O2 To ensure that buildings respond to the residential character of Lonsdale Street and Russell Street.

O3 To provide high quality and durable finishes and materials.

Controls

C1 Building design is to be well considered and demonstrate that architectural canons for providing well considered composition and proportions and a dialogue between parts of the building have been achieved.

C2 Building design is to provide architectural cues to complement adjacent and nearby houses.

C3 Exterior building finishes should use a variety of materials, including the use of face brickwork.

C4 The ground floor treatment along City West Link Road and surrounds is to be differentiated from the upper parts of the building and conceal any internal carpark use through appropriate use of architectural details and finishes including considering provision of green walls. Use of a tripartite base middle top composition is encouraged.

C5 Relocate existing overhead cables underground, and where possible, co-locate with other underground services. Buildings are to be setback along City West Link Road at a sufficient distance to maintain safety and maintenance of high voltage cables from City West Link Road as required by Transport NSW, where services can't be located underground.

G12.10 VISUAL AND ACOUSTIC AMENITY

Objectives

O1 To minimise the noise impacts of City West Link Road for residents.

O2 To minimise direct overlooking and maximise visual privacy of adjacent dwelling houses in Lonsdale and Russell Streets and within the precinct itself.

Controls

C1 The majority of dwellings should be oriented toward Lonsdale and Russell Street.

C2 A slim building wing no higher than 3 storeys off City West Link Road, or noise screen, shall be provided to the building frontage along City West Link Road to reduce noise in the middle communal open space area for the amenity of residents, as shown in **Figure 3**.

C3 Dwellings should have "winter garden balconies" as defined in Apartment Design Guide Part 4J/Glossary.

C4 Dwellings adjacent or in close proximity to houses on Lonsdale Street and Russell Street shall not have windows which directly face those houses, except for rooms containing highlight windows with a minimum sill height of 1.7m.

C5 Any development application is to be accompanied by a report prepared by an appropriately qualified acoustic consultant verifying the adequacy of the proposed design and the construction methods and materials to achieve appropriate noise levels within the proposed residential accommodation as well as the communal open space.

C6 A tree buffer with deep soil planting shall be provided along boundaries with Lonsdale Street and Russell Street in accordance with **Figure 3**.

G12.11 COMMMUNAL OPEN SPACE, DEEP SOIL AREA AND LANDSCAPING

Objectives

O1 To ensure occupants are provided with usable communal open space in a location onsite which has adequate amenity.

O2 To provide deep soil planting, green walls and landscaping to enhance the streetscape and provide for tree canopy.

O3 To provide for amenity and a visual buffer for adjacent houses in Lonsdale Street and Russell Street.

Controls

C1 Landscaping is to comply with the provisions contained within the LDCP 2013, part C1.12 Tree Management and 40% tree canopy target for an R1 General Residential land use zoning.

C2 Deep soil areas and gardens are to be provided along Lonsdale Street, Russell Street, City West Link Road and the southern boundary of the site adjacent to neighbouring low density dwellings with building setbacks in accordance with Section G12.8, Control C1 and **Figure 3**.

C3 A ground level communal open space area is to be located generally in accordance with **Figure 3**, this should include topsoil above the carpark area sufficient to accommodate small trees and a grass area.

C4 Communal Open Space areas are to be provided in accordance with the requirements of the Apartment Design Guide part 3D.

C5 Any rooftop open space is to provide adequate screening for the privacy of neighbouring dwelling houses.

C6 Provide minimum 35 percent area of green walls being trellises and plantings to the upper building levels façades facing City West Link Road.

G12.12 DISABLED ACCESS

Objectives

O1 To provide for equitable access.

Controls

C1 Compliance shall be demonstrated on the Development Application for provision of access from surrounding streets to areas within the site and up to the point of entry into dwellings, for people with disabilities.

C2 A legible pathway should be provided within the site to shared areas including the communal open space and carpark areas.

C3 Use of platinum level standard Universal Design in encouraged for dwellings.

G12.13 PARKING ACCESS AND WASTE

Objectives

O1 To ensure safe, efficient and equitable vehicular access to and from the site.

O2 To minimise car parking to encourage active transport and public transport.

O3 Ensure that carparking access is provided from Lonsdale Street for the new development.

O4 Basement parking contains required servicing areas including waste storage and deliveries.

O5 Address matters unique to the site pertaining to local roads.

Controls

C1 All car parking and bicycle parking shall comply with the provisions contained in the LDCP 2013, Part C, Parking C1.11.

C2 All vehicular access must be from Lonsdale Street only (in and out). All vehicles need to enter and exit the site in a forward direction. Swept paths should be provided as part of Transport Impact Assessment (TIA).

C3 Basement areas must accommodate waste storage rooms and servicing areas and not be visible from the street. Waste management facilities are to comply with the Resource Recovery and Waste Management provisions contained in D2.5 Mixed Use Development of this plan.

C4 A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hour of operation, access arrangements, locations of the crane(s) and traffic control shall be submitted with the Development Application.

C5 Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is earlier, the following documentation in relation to rail safety shall be provided for the review and endorsement of TfNSW:

- Final geo-technical and structural report / drawings. Geotechnical reports should include and potential impact on the Inner West Light rail corridor;
- Final construction methodology pertaining to structural support during excavation or ground penetration;
- If required by TfNSW, details of the vibration and movement monitoring system that will be in place before excavation commences;
- Detailed survey plan with location of light rail and associated services; and
- Plans regarding proposed crane and other aerial operations.

C6 All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on City-West Link Road.

C7 No direct vehicular access will be provided to / from the site to / from City West Link (Brenan Street).

C8 Vehicular entries are to be designed to minimise the visibility of garage doors on the street.

C9 Pedestrian access to the new development for residential flat buildings is to be provided from Lonsdale Street and Russell Street.

G12.14 ENVIRONMENTAL MANAGEMENT

Objectives

O1 To ensure that the new development maximises the principles of ecologically sustainable development.

O2 To reduce the cause and impact of the urban island heat effect.

Controls

C1 Dwellings are required to comply with the BASIX State Environmental Planning Policy. In addition, consideration is to be given to maximizing dwellings with “cross through” apartment layouts to achieve increased cross ventilation and solar access.

C2 Deep soil areas for dense Tree Canopy are to be provided in accordance with Section G12.8, Controls, clauses C1 and C2 and **Figure 3**.

C3 Landscaping is to be provided to the communal open space area in accordance with Section G12.11, Controls, clause C3.

C4 The development is to achieve a minimum 4-star Green Building Council rating and incorporate Water Sensitive Urban Design to its communal open space areas.

APPENDIX A: GLOSSARY

Activity application means an application made under section 68 of the *Local Government Act 1993* for an activity listed in the 'table' in S68.

Amenity means the enjoyment of the environment whether by the community or an individual arising from the day to day use of property including dwellings or publicly accessible land, community facilities or open space and includes, but is not limited to, the enjoyment of:

a. Sunlight, privacy and views; and

b. Residential and community life free from nuisance arising from the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit.

Aquifer is a groundwater system that can yield useful volumes of groundwater. This also implies that the water is of good enough quality to be used for purposes such as irrigating crops or for town or stock drinking water. Aquifers are not underground rivers or streams. (Refer NSW Office of Water)

Australian Height Datum means the level from which heights in Australia are measured and which is based on mean sea level having a value of 0.000m.

Australian qualification framework (AQF) is a quality assured national framework for education and training. This system provides nationally recognised and endorsed qualifications through a competency based training system.

Average recurrence interval (ARI) means the long-term number of years between the occurrence of a flood or storm event that is equal to or larger than the selected event.

Building Sustainability Index (BASIX) and BASIX Certificate. The Building Sustainability Index is defined by State Environmental Planning Policy (Building Sustainability Index: BASIX 2004) and the BASIX Certificate can be generated on the NSW Government website: www.basix.nsw.gov.au.

Busy road has the same meaning as provided in the NSW Government publication: *Development near rail corridors and busy roads – Interim Guideline (2008)*

Catchment means an area of land from which all runoff water flows to the same low point in a waterbody or drainage depression (creek, river, harbour, etc)

Classified road means any of the following:

a. a main road,
b. a highway,
c. a freeway,
d. a controlled access road,
e. a secondary road,
f. a tourist road,
g. a tollway,
h. a transitway,
i. a State work.

(As defined under the *Roads Act 1993).*

Compatibility means capable of existing together in harmony and is different from sameness.

Compost means vegetative material capable of being converted to humus by a biological decay process.

Conservation may, according to circumstance, include the processes of: retention or reintroduction of a use*;* retention of associations and meanings; maintenance, preservation, restoration, reconstruction, adaptation and interpretation; and will commonly include a combination of more than one of these.

Contaminated land means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment. (As defined in s145A *Environmental Planning and Assessment Act 1979)*

Contributory item means a building in a Conservation Area that is not individually listed as a heritage item but by virtue of age, scale, materials, details, design style or intactness is consistent with the conservation area, and therefore reinforces its heritage significance. (As defined in *Helou v Strathfield Municipal Council [2006] NSW LEC 66*).

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. (As defined in the Burra Charter - The Australia ICOMOS Charter for Places of Cultural Significance).

Daylight means the diffused natural light of the day.

Dead tree means a tree with no remaining living foliage or vascular tissue that is incapable of photosynthesis.

Drainage easement is a restriction on a parcel of land that benefits another parcel of land and gives it the legal rights to use part or all of the land for the purpose of draining water.

Dying tree means a Tree showing signs of significant, immediate and irreversible overall decline.

Encroachment means encroachment by overhang of any part as well as encroachment by intrusion of any part in or upon the land.

Flood certificate means a certificate obtained from Council which provides flooding information for the area in the vicinity of a particular property including peak water levels, depths and flow rates for the 100 year ARI and peak water levels for the Probable Maximum Flood event.

Flood control lot means a lot identified as a flood control lot on the maps in Appendix E of this Development Control Plan (DCP). Also referred to as: Flood Hazard Area as defined in the Building Code of Australia (BCA) Note: All flood control lots are also within flood hazard areas as defined by the BCA.

Floodplain *means* an area of land which is subject to inundation by floods up to and including the probable maximum flood event, that is, flood prone land.

Flood planning level means the level of 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. Also referred to as: Flood Hazard Level as defined in the Building Code of Australia.

Flood proofing means a combination of measures incorporated in the design, construction and alteration of individual buildings or structures subject to flooding, to reduce or eliminate flood damage.

Flood risk means the potential danger to personal safety and potential damage to property resulting from flooding.

Flood risk management report means a report detailing the flood risks associated with a particular property or area, along with recommendations on measures to address those risks.

Flood storage areas means those parts of the floodplain that are important for the temporary storage of floodwaters during the passage of the flood. The loss of flood storage can increase the severity of flood impacts by reducing natural flood attenuation.

Flood study means an analysis of local stormwater drainage catchment to determine the flood characteristics affecting a particular property or area.

Floodway area means those areas of the floodplain where a significant flow of water occurs during floods and they are often aligned with naturally defined channels. Floodways are areas that even if only partially blocked, would cause a significant redistribution of flood flow, or a significant increase in levels.

Foreshore planning level means a combination of the tidal and wave levels generated during the designated storm event with a freeboard applied above.

Foreshore risk means the potential danger to personal safety and potential damage to property resulting from tidal levels and wave impacts.

Foreshore risk management report means a report detailing the foreshore risks associated with a particular property or area, along with recommendations on measures to address those risks.

Foreshore risk study means an analysis of the tidal and wave characteristics of a water body such as Sydney Harbour to establish how they impact on a particular property or area.

Freeboard means a factor of safety typically used in relation to the setting of floor levels and is included in the Flood Planning levels and Estuarine Planning levels. Freeboard tends to compensate for factors such as wave action localised hydraulic effects, 'greenhouse' and climatic change, as well as sensitivity of flood modelling data.

GreenWay (also known as "The Greenway") is an environmental and sustainable transport corridor running adjacent to the Inner West Light Rail corridor, between Cooks River and Iron Cove. The corridor includes areas of Leichhardt, Ashfield, Marrickville and Canterbury local government areas, and incorporates bushcare sites, active transport, public art and informal educational and community facilities.

Greywater means waste water that does not contain human excreta, such as water from the laundry or from the bathroom (but not toilet).

Gross pollutants means materials made up of litter and debris that is transported by urban runoff and that is not less than 5mm in diameter and/or is retained by a 5mm mesh screen.

Gross pollutant trap means a structure that acts as a water pollution control measure by intercepting and retaining gross pollutants

Hazard means a source of potential harm or a situation with a potential to cause loss. In relation to this Development Control Plan (DCP) the hazards are flooding, inundation or wave impacts which all have the potential to cause damage to the community.

Hazardous waste means any waste that:

a. because of its physically, biologically or chemically damaging properties, is capable of causing a danger to the life or health of any living thing if it is released into the environment, and

b. is, or contains, a substance specified in Schedule 1 of the Protection of the Environment Operations (Waste) Regulation 2005

High Hazard Category means a hazard where there is potential danger to personal safety; evacuation by trucks is difficult; able-bodied adults would have difficulty in wading to safety; and there is potential for significant structural damage to buildings.

Hydraulics means the term given to the study of water flow in stormwater drainage systems and waterways. In particular, it relates to the evaluation of flow parameters such as water level and velocity.

Hydrology means the term given to the study of the rainfall and runoff process. In particular, it relates to the evaluation of peak flows, flow volumes and the derivation of hydrographs for a range of floods.

Impermeable surfaces means those surfaces that are not readily penetrable by water.

Integrated water cycle plan means a design, management and implementation plan for large-scale developments detailing the proposed stormwater management measures that are to be integrated into the development.

Inter allotment drainage means a private stormwater drainage system that carries stormwater from one property, or a number of properties, through other properties.

Invert means the lowest point of a channel or gutter, or the internal base of a pipe.

Landscape Significance means a Tree that rates as 1, 2 or 3 when assessed against the criteria contained in the table in Appendix 5 of the *Tree Management Technical Manual.*

Light well means unroofed space, bounded on all sides, which provides daylight to one or more storeys of a building and may provide ventilation.

Litter means all material of human origin that is capable of being mobilised by stormwater runoff.

Living areas means living rooms, dining rooms and kitchens (excluding bedrooms, studies, bathrooms, laundries, parking facilities and the like).

Main living room means a lounge room, family room, sitting room, TV room or rumpus room (but does not include kitchen or other utility rooms). The main living room within a dwelling is the main recreation area for the occupants. If the dwelling has more than one living room, preference shall be given to the room which is the main recreation area for the occupants by virtue of design, location and access to private open space.

Mechanical parking installations means mechanical car stackers, car lifts and turntables

Minor architectural details means and includes, but is not necessarily limited to eaves, brackets, window sills and frames, cornices, plinths, balustrades, signs and light fixtures but does not include a wall.

Minor encroachment means encroachment by a minor architectural detail and includes encroachment by overhang of any part as well as encroachment by intrusion of any part in or upon the land.

Natural water balance means the relative balance between runoff, infiltration and evapotranspiration under natural (pre-development) conditions, so as to maintain appropriate groundwater, soil salinity and streamflow characteristics.

Nutrients means substances that provide nourishment to another organism. In the context of stormwater, they consist primarily of Total Phosphorous and Total Nitrogen.

On site detention (OSD) is a facility used to temporarily store stormwater on site so that it can be released at a controlled discharge rate.

On site retention (OSR) is a facility used to temporarily store stormwater on site so that peak and total volume discharges during and after storm events can be reduced by ensuring that water is reused on the site.

Orifice plate means a thin sheet of stainless steel metal that has a hole with a set diameter to restrict the discharge of stormwater to a predetermined rate.

Overland flowpath means a section of land that carries stormwater or flood flows across the surface; usually those flows that cannot be contained in the piped drainage system.

Peak discharge means the maximum discharge occurring during a flood or storm event.

Permissible site discharge (PSD) means the maximum rate of stormwater discharge from a site, often controlled by the orifice plate in an on-site stormwater detention facility.

Pervious surface is a surface that is penetrable by water.

Porous pavement is a type of pavement that is designed to allow the infiltration of water to an underlying sub-base, thereby producing less surface runoff than conventional (non-porous) pavements. The permeability of porous pavement declines with time unless it is adequately maintained.

Prescribed tree – is a tree:

a. of more than six (6) metres in height and having a trunk diameter of more than 200 millimetres when measured at a height of 1.4 metres from the ground, growing on privately owned land; or

b. that is or forms part of a heritage item or is within a heritage conservation area; but

c. excludes any tree listed as an exempt species as outlined within Part C1.14 (**C1.14.2)** of this Development Control Plan.

Probable maximum flood (PMF) is the largest flood that could conceivably occur at a particular location.

Public stormwater drainage system is made up of minor and major drainage infrastructure; including kerb and gutter, dish gutters, pits and pipelines and open channels, with different components owned and managed by either Council or Sydney Water.

Public art means an artistic work that is located in or can be clearly seen from the public realm such as a street, park, urban plaza or public building. It may be temporary, freestanding or integrated into building exteriors and streetscapes and may take the form of unique functional objects such as a seat or gate but does not include architectural design, advertising signs or commercial branding and it may be temporary or ephemeral.

R-Value of a material describes its thermal resistance - how much the material inhibits the transfer of heat. The higher the R-value, the more effective the level of insulation.

Rainwater Reuse means the collection of water discharged from non-trafficable roof areas within a development site to use for purposes such as toilet flushing, laundry, garden irrigation and other household end uses.

Recognised Shopping Street – are sections of: Norton and Marion Streets Leichhardt, Darling Street and Balmain Road Rozelle, Darling Street Balmain, Johnston and Booth Streets Annandale, Parramatta Road Leichhardt and Annandale (Refer to Maps in Part C, C1.6.7).

Recyclable means capable of being reprocessed into useable material.

Reusable means capable of being used more than once for the same or different purpose.

Scale means the relative size of two or more things.

Sediment means solid material, either mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, wind, water or gravity.

Significant Tree means any 'tree' that is either, listed as a Heritage Item, located within a property that is listed as a Heritage Item and/or that is assessed as being significant against the criteria in Appendix 5 Tree Management Technical Manual – Trees on Private Property

Site facilities means something designed, built, installed, etc., to serve a specific function affording a convenience or service to that site.

Soft landscaping area is an area containing deep soil zones to promote the healthy growth of gardens, lawns, shrubs or trees and is exclusive of any area taken up by swimming pools, pathways, planter boxes, non-porous paving or stormwater detention pits.

Special event means an event that lasts no more than 7 days (either consecutively, or over the course of one year).

Special waste means a waste that posed or is likely to pose an immediate or long-term risk to human health or the environment.

Stacked parking means sharing a parking space vertically through use of a mechanical car stacker.

Stem means the part of the Tree which supports branches, leaves, flowers and fruit and is also referred to as "the trunk".

Stormwater means untreated rain water that runs off the land onto which it falls

Stormwater Drainage Concept Plan means a plan that shows how stormwater will be managed within a development site, in particular demonstrating how the measures required by this DCP will be implemented.

Stormwater Management is the means by which stormwater is collected, conveyed, treated or utilised within a particular property or area.

Stormwater Reuse means collection of water discharged from trafficable surfaces, including paved or ground surfaces, within a development site. When untreated, the water can be used for garden irrigation, and should not be applied to edible plants. When treated, the water can be used for purposes such as garden irrigation, toilet flushing and cold water washing machine supply, providing it meets the requirements set by NSW Health.

Structural root zone (SRZ) means the portion of the root plate comprised primarily of structural woody roots (integral with the soil profile) providing the main mechanical support and anchorage of a Tree. See AS 4970:2009 Protection of trees on development sites for guidance on calculating an SRZ.

Sunlight means direct light from the sun.

Tandem parking means two or more vehicles sharing a parking space at the same level configured nose to tail.

Total nitrogen is the sum of nitrate (NO_3), nitrite (NO_2), organic nitrogen and ammonia.

Total phosphorous is a nutrient essential to the growth of organisms, and is commonly the limiting factor in the primary productivity of surface water bodies. Total phosphorus includes the amount of phosphorus in solution (reactive) and in particle form.

Total suspended solids are very small particles remaining dispersed in a liquid due to turbulent mixing that can create turbid or cloudy conditions.

Travel plan is a set of measures designed to reduce private car dependency for a development by encouraging use of more sustainable transport modes. Such a plan should contain a series of complementary measures which will act in unison to discourage private car dependency.

Tree is a woody, perennial and long lived plant that has a self-supporting trunk (or trunks) with lateral branching initiating at some distance from the ground and supporting a definitely formed canopy.

Tree protection zone (TPZ) is a specified area at a given distance from the trunk set aside for the protection of a trees root system and canopy during land development works to ensure the long term viability and stability of a tree, calculated in accordance with AS 4970:2009

Trunk drainage means a component of the public stormwater drainage system, owned by either Council or Sydney water,that includes pits and pipelines below the road, or passing through private property, culverts, open channels and Whites Creek, Johnston's Creek and Hawthorne Canal.

Urban forest means the conglomerate of Trees growing within urban areas on public and privately owned lands, including those growing within parks, reserves, streets and institutional land.

Volume reduction equipment means devices, which reduce the volume of waste or recyclable material including compressing devices such as compactors and balers, and shredding, pulverising or crushing devices.

Walkable neighbourhood means a built environment that encourages people to walk when living, shopping, visiting or spending time in an area. The built environment of a walkable neighbourhood includes connected streets, a mix of land uses, a variety of building types which are oriented to the public domain, streetscapes and other spaces which are distinctive, at human scale and which lead to places as well as links to public transport. Walkable neighbourhoods provide a safe means for pedestrians.

Waste includes:

a. Any substance (whether solid, liquid or gaseous) that is discharged, emitted, or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

b. Any discarded, rejected, unwanted, surplus or abandoned substance, or

c. Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by a separate operation from that which produced the substance, or

   Any substance prescribed by the regulation to be waste for the purpose of the Protection of the Environment Operations (Waste) Regulation 2005

Waste chute means a duct in which the deposited material descends from one level to another within the building, due to gravity.

Waste collection area means the location where garbage, compostable material or recyclable materials is transferred from a building's storage containers to a collection vehicle for removal from the site.

Waste collection point means the usual (or agreed) point on the footpath/roadway, or onsite, where the garbage and recyclables are loaded onto vehicles.

Waste management plan means a checklist showing the volume and type of waste to be generated, storage of reusables, recyclables and waste and treatment on site, and how the residual is to be disposed of.

Wastewater sewage can be greywater or water that is contaminated by human or commercial processes, and includes water from a domestic pool.

Waste storage and recycling area or room means a designated area or room or combination of designated areas or rooms upon the site of a building for the housing of approved containers to store waste and recyclable material likely to be generated by the buildings occupants.

Water management statement means a summary of the proposed stormwater management measures that are to be integrated into the development.

Water sensitive urban design is an integrated approach to urban planning and design to ensure that development is carefully designed, constructed and maintained so as to minimise impacts on the natural water cycle.

APPENDIX B: BUILDING TYPOLOGIES

CONTENTS

SECTION 1 – EARLY STREET FRONTING HOUSE

Background

The defining characteristics of Early Street Fronting Houses:

- generally constructed up to the 1860s;
- one or two storeys;
- simple, unadorned rectangular form with no verandah or balcony;
- elevation proportions are vertical;
- in the solid:void ratio, the masonry front wall predominates over openings, which are vertically proportioned, regularly spaced and Georgian in style;
- roofs of corrugated steel are pitched or skillion roofs behind a parapet with a simple cornice;
- houses are built to the street boundary with steps up to the front door on sloping sites;
- doors may be right on the street frontage or recessed under an archway and often lead directly onto a front room; and
- wall materials are typically stone and sometimes brick.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the simple character and proportions of the elevations visible from the street;

b. maintain the original form and integrity of the building as it presents to the street and public domain; and

c. restore, reconstruct, protect and maintain original details.

C2 Sandstone or brick wall surfaces are not to be painted or rendered.

C3 Original façade openings and/or detailing which are visible from the street are to be retained;

C4 Alterations to elevation openings visible from the public domain, forms and/or detailing (including external hoods, shutters and the like) may only be approved where there is evidence that such details previously existed at that property.

C5 Original forms and details are to be reconstructed where there is evidence that they existed at that property. Unsympathetic changes are to be reversed.

1.1 SUGGESTED DESIGN APPROACH 1

Single storey street fronting house

A detached pavilion with lightweight link, one or two storeys maintains the integrity of the simple, single storey building form and its roof profile when set back on the site. The link should be set below the eaves line. The scale of the detached pavilion must not have an overbearing visual impact on the original dwelling. The development proposed should retain the original internal layout of the original dwelling.

1.2 SUGGESTED DESIGN APPROACH 2

Single storey street fronting house

The rear wing addition can preserve the streetscape presentation of the house if set below the ridge line and if it is not prominent in oblique views between buildings.

SECTION 2 – COTTAGE

Background

The defining characteristics of a Cottage are as follows:

- C.1840s – 1930s;
- single storey, detached, generally modest in size;
- one or two rooms wide with a hallway;
- generally a simple, rectangular form with a street fronting entrance and full-width front verandah (some Victorian examples with a small room projecting on one side;
- roofs are simple and symmetrical, most frequently hipped with some gabled examples
- setbacks are small and the cottage may be built close to the side and/or front boundary;
- wall materials are typically timber or sandstone with some brick examples (usually from the late C19 – early C20;
- roof material most commonly corrugated iron;
- fences are timber picket, around 1 metre high and plainly detailed, except where the house is of more elaborate design, when the top of the fence may be scalloped; and
- the front setback is treated as a garden, even when narrow.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the curtilage and setting of the cottage;

b. retain the presentation and form of the building to the street; single storey scale, roof form and façade proportions; and

c. restore, protect and maintain original details of the house and fence.

C2 Ground floor wing and rear additions are not to compromise the form or setting of the cottages.

C3 Additions to the sides of cottages are to be set back at least the depth of the front room and are not to dominate the form of the original building.

C4 Verandahs and balconies are to be open.

C5 Fences are to be timber picket or other fence types typical of the period of the cottage.

C6 Original forms and details are to be reconstructed where there is evidence that they existed at that property. Unsympathetic changes are to be reversed.

2.1 SUGGESTED DESIGN APPROACH 1

Cottage – single storey to the rear

A single storey addition behind the main house that is not visible from the street with the roof of the rear addition set lower than the main ridgeline so that the existing roof remains dominant.

2.2 SUGGESTED DESIGN APPROACH 2

Cottage – pavilion addition

A pavilion addition with a lightweight, flat roofed 'bridge' structure that links the original with the new building and is recessed at the junction to ensure that the form of the main house is retained. This approach is well suited to corner sites. The scale of the pavilion addition must not have an overbearing visual impact on the original dwelling.

2.3 SUGGESTED DESIGN APPROACH 3

Cottage - Sloping site (sloping down from rear)

Two storeys may be possible on a site sloping to the rear if the addition is not visible from the street. Sloping sites can facilitate floor level additions. Skylightsin the plane of the roof are visually less obtrusive than dormers. Skillion dormers allow the ridge line of the roof to be kept low and the upper floor to be contained within the attic. The lower sides of the upper floor can be used for storage.

2.4 SUGGESTED DESIGN APPROACH 4

Cottage – corner sites

Corner sites can allow more latitude where neighbour amenity is not affected. A sympathetically designed two storey linked pavilion addition set behind a simple cottage. The link roof element should be set below the eaves line of the cottage.

SECTION 3 – HOUSE

Background

The defining characteristics of a House are as follows:

- late 1880s to mid-twentieth century. Earlier examples in the local government area date from the late Victorian period;
- many are bungalow style dating from the 1890s – 1920s and exhibit the wide eaved, lower pitch roof 'American' style pre-WWI forms or the 1920s California Bungalow characteristics;
- Federation period house styles are predominantly Queen Anne or Arts and Crafts;
- usually medium size, single storey and detached;
- occasionally have attic rooms in the roof with small skillion dormer windows;
- usually two rooms wide with a hallway;
- most commonly asymmetrical in plan and elevation;
- symmetrical designs are less common and floor plans may be varied by a forward bay, one room wide, under a gabled roof while the roof over the main building behind may be hipped or gabled;
- gables face the street and may be decorative;
- front verandahs under a separate low pitched or near flat roof is a distinctive feature, covering the remainder of the façade and sometimes returning down one side;
- setbacks are small to the side;
- wall materials are brick (usually face brick with tuck pointing to the street and common brick to the sides and rear) sometimes with render details;
- roofs are unglazed terracotta tiles or slate with terracotta capping with finials and crests on Queen Anne style houses;
- chimneys are an important part of the roof profile;
- houses setback from the street have front gardens set to lawn, edged with shrubs and divided by a central path to the front door;
- planting immediately behind the front fence may partially screen the front garden; and
- fences are around 1m high and are either:
- timber picket;
- Arts and Crafts style wrought iron with brick base wall and piers; or
- brick with pipe rail (for later Californian Bungalows).

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the curtilage and garden setting of houses;

b. retain the amenity of the house and its neighbours;

c. retain the presentation of the building to the street including the single storey scale, roof form and façade proportions;

d. retain and/or restore or reconstruct the original materials and architectural details of the house and fence visible from the street; and

e. maintain the aesthetic integrity of more complex roof forms, including chimneys.

C2 Additions to the sides of Houses are to be set back at least the depth of the front room and are not to dominate the form of the original building.

C3 Rear additions are to be subservient to the original roof form.

C4 Fenestration arrangements of the original building, whether asymmetrical or symmetrical, are to be retained.

C5 Carports are:

a. to be located a minimum of 1m behind the front wall building line;

b. to be of lightweight construction;

c. to have a low roof profile; and

d. not to block windows.

C6 Gates to off street parking areas are required to:

a. be in the same style as the fence;

b. maintain the continuity of the front boundary treatment;

c. be appropriate to the setting; and

d. contribute positively to the streetscape.

C7 Verandahs and balconies are to be open.

C8 Original detailing including window hoods, face brick and tuck pointing are to:

a. not be painted or rendered (unless already painted);

b. be retained; or

c. be reconstructed where evidence exists of original forms, finishes and details.

3.1 SUGGESTED DESIGN APPROACH 1

House – Rear wing addition

A rear wing addition, with the roof set down below the ridgeline of the primary roof and designed to the same pitch and with a skylight window in the plane of the roof (No. 2 in Figure 7). This addition also has no impact on the appearance of the building on the street. There is a timber picket fence appropriate to the building style.

3.2 SUGGESTED DESIGN APPROACH 2

House – Single storey pavilion

A single storey pavilion addition behind the main house not visible from the street. It is connected by a recessed, lightweight linking structure, observes the existing side setback and may position solar panels on the roof with the hot water cylinder concealed within the roof space. Contemporary design solutions are acceptable provided they are complementary to the existing house form, bulk, scale, proportion and materials.

SECTION 4 – LARGE HOUSE

Background

The defining characteristics of a Large House are as follows:

- all periods up to 1930s;
- styles vary widely from early simpler Georgian form (in parts of Balmain) to Italianate in Leichhardt and Annandale and the 'witches houses' in Johnston Street, Annandale;
- two storeys or grand Victorian single storey houses, detached;
- building envelopes and roof forms are larger than other detached housing types and houses are set on larger lots with deeper front setbacks. This building type often has asymmetrical massing, including projecting bays and diagonal corner rooms, wrap around verandahs and tower elements;
- roofs are moderate to steeply pitched with subsidiary gables and multiple chimneys breaking up the planes of the main roof;
- roofs are slate;
- some Georgian examples in Balmain have stone walls and slate roofs;
- wall materials are brick and render, enlivened with decorative mouldings and elaborate timber detailing;
- cast iron palisade fences are associated with the larger Victorian houses in parts of Annandale and Balmain;
- timber picket fences associated with most other examples;
- fences are characteristically stepped with sloping topography.

Objectives

O2 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the curtilage and generous garden setting of large houses;

b. protect the amenity of the house and its neighbours;

c. retain the presentation of the building to the street, including the scale, complex roof forms and chimneys and façade proportions;

d. preserve the skyline of the existing ridgelines, chimneys and towers in views from the street; and

e. retain and/or reconstruct the original materials of the house and architectural details from the street and of the front fence.

C2 Rear additions are to be subservient to the original roof form.

C3 Dormer windows may only be approved on the rear roof plane of any building unless it can be demonstrated that a dormer window on a front roof plane or the sides of hipped roof was an element of the original building;

4.1 SUGGESTED DESIGN APPROACH

Large House

Where the site area permits, a linked rear addition can retain the form and streetscape presentation of a large house even on a corner site (in some circumstances). The linking element should sit below the existing eaves and preferably be articulated by a recess. Contemporary design solutions are acceptable provided they are complementary to the original house in form, bulk, scale, proportion and materials.

SECTION 5 – SEMI-DETACHED HOUSE

Background

The defining characteristics of a Semi-detached House are as follows:

- c.1880-1930s;
- single storey attached or, less commonly, two storeys;
- one of a pair sharing a party wall, a roof form and with openings to the front, one side and the rear;
- main roofs are a combination of hip and gable, with separate skillion roofs to the rear;
- the pair of dwellings may be symmetrical with front or side entry doors or may be designed to look like a single house from the street, with one entry to the front and the other to the side and a corresponding asymmetry to the ground floor;
- semi-detached houses have a narrow side passageway leading to the rear garden; and
- fences vary from timber picket fences to low brick fences with lawn and edging shrubs behind. Gates are correspondingly low and in wrought iron or timber.

Objectives

O3 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the curtilage and setting of the pair;

b. retain the presentation of the building to the street including the single storey scale, roof form, building massing and façade proportions;

c. maintain the original symmetrical character and appearance of pairs of houses where it is still evident;

d. protect the amenity of each house and its neighbours; and

e. restore/reconstruct original forms, finishes and details.

C2 Alterations and additions to either house are:

a. to be subordinate to the main form of the pair such that they do not dominate one or both houses;

b. not to compromise the symmetry and/or proportions and massing of the pair; and

c. not to incorporate materials and finishes on the front elevation which could detract from or dominate the appearance of the other.

C3 Rear additions to either dwelling are to be carefully sited and designed to:

a. optimise daylight and natural ventilation to both dwellings of the pair;

b. minimise overshadowing and privacy impacts; and

c. provide sun access to private open space.

Note: Adjoining land owners are encouraged to develop an integrated design approach to any additions to the pair of dwellings. In some circumstances it may not be possible for only one of the pair to be extended, due to the adverse impacts on the other.

C4 Side setbacks are to be maintained.

C5 Dormer windows may only be approved in the following circumstances:

a. on the rear roof plane of any building;

b. to be vertically proportioned and with the same pitch as the main roof; or

c. may be a skillion type dormer at the rear of the property.

5.1 SUGGESTED DESIGN APPROACH 1

Semi-detached house - rear dormer / skylight

A modest conversion with opening skylight windows and a rear dormer (maintains the integrity of the main roof and does not impact on the streetscape.

5.2 SUGGESTED DESIGN APPROACH 2

Semi-detached house – single storey pavilion

A single storey pavilion addition is linked to the main house by a simple, lightweight structure set below the level of the eaves and provides a small courtyard at the rear. The location and design of the pavilion should respond to site orientation, to minimise overshadowing, visual bulk and amenity impacts on adjoining properties.

5.3 SUGGESTED DESIGN APPROACH 3

Semi-detached house – extension to the rear

The optimum approach to additions for semi-detached houses is for both properties to be developed together. Here the main roof is extended over the whole building to provide new ground floor and attic accommodation. Dormers, including shed types are possible in the new roof where they are set far enough back to ensure they do not detract from the building's appearance from the public domain.

5.4 SUGGESTED DESIGN APPROACH 4

Semi-detached dwelling – contemporary two storey addition

A contemporary two storey addition set well back to retain the main roof form may be possible when site factors and orientation enable neighbours' amenity to be protected from overshadowing and overlooking.

SECTION 6 – SINGLE STOREY TERRACE

Background

The defining characteristics of a Single Storey Terrace are as follows:

- 1850s - c.1915;
- most commonly in the LGA, terraces are of the late Victorian or early Federation period (1880s-1900);
- terraces are characteristically attached pairs, groups or rows of dwellings;
- some examples of stand-alone terraces;
- Usually 4-5m wide and typically have a main (front) building two rooms deep built to the side boundary with a rear wing set back from one side boundary;
- roof forms are simple gables with the ridge parallel to the street, skillion roofs behind parapets;
- entry, verandah, balcony and primary rooms address the street;
- minimal setbacks to the street or may be built with verandah or the main facade up to the front boundary;
- usually aligned with and strongly define the street;
- open front verandahs are a key characteristic of the building;
- side wall profile of end terraces is often a prominent element in streetscapes, particularly at corner sites;
- painted render or exposed brick;
- Some examples of stone terraces;
- early roofs were of slate or corrugated steel and later examples were tiled; and
- fences are wrought iron palisade atop a low masonry base and are around 1m in height with a high degree of transparency.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the integrity of the original building;

b. character of consistent terrace groups/rows;

c. single storey scale to the street;

i. maintain the relative importance, in scale and detailing of the main (front) part of the building;

ii. protect streetscape character;

iii. retain the architectural character and detailing of corner terraces;

iv. retain the rhythm of roofs and chimneys on the skyline; and

v. maintain the integrity of common roof ridgelines and parapet lines when viewed from the street.

d. protect the amenity of each terrace and the neighbouring properties, in particular solar access to rear ground floor living areas and private open spaces; and

e. reverse unsympathetic changes.

C2 Alterations and additions are to respect the massing, alignment and façade proportions of the group or row of terraces.

C3 The proportional relationship of the front elevation, formed by party walls, parapets or eaves lines, floor plates, door and window openings and balustrading are to be incorporated into any alterations.

C4 Rear wing additions are to be subordinate to the main building form in size and appearance when viewed from the street.

C5 Rear additions are to be carefully sited and designed to optimise daylight and natural ventilation to the house and adjoining terraces.

C6 Pavilion type additions connected to the main house by a lightweight linking structure below the eaves line of the main building may be appropriate where the site is deep enough to provide consolidated private outdoor space.

C7 The profile of the original party walls, parapets and chimneys is to be retained.

C8 Verandahs are to be open.

C9 Breezeways (rear side passages) may be infilled only where the privacy, sun access and ventilation to the adjoining property are not adversely affected.

C10 Original detailing and materials including chimneys, balustrades, render and palisade fences are to be retained.

C11 Original fences are to be retained or reconstructed as appropriate to the style and period of the terrace.

C12 Fences are to be less than 1.2m in height and are to be of an open design.

6.1 SUGGESTED DESIGN APPROACHES 1 – 6

Single storey terrace – six possible design treatments

Six possible design treatments:

1. Traditional rear dormer;

2. Outbuilding addition at the rear boundary, limited to single storey and only possible where there remains adequate private open space at ground level, is consistent with the siting controls of this

Development Control Plan and where the new structure will not have unacceptable amenity impacts on neighbours;

3. Skillion type dormer, set down from the ridge and in from the side boundary to retain the prominence of the main roof;
4. Attic room with skylight in the plane of the roof;
5. Breezeway is filled in: note that the addition may not extend further back than the consistent rear building line of the row of terraces; and
6. Two storey set back addition with attic upper floorwhere at the south end of a row and preferably at the street corner to minimise impacts on neighbours.

SECTION 7 – TWO AND THREE STOREY TERRACES

Background

The defining characteristics of Two and Three Storey Terraces:

- 1880s – c. 1915

Objectives

O2 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain the integrity of the original building and the character of consistent terrace groups and rows;

b. maintain the relative importance, in scale and detailing of the main (front) part of the building;

c. retain streetscape and skyline character;

d. retain the architectural character and detailing of corner terraces;

e. retain the rhythm of roofs and chimneys on the skyline and maintain the integrity of common ridge lines and parapet lines when viewed from the street;

f. maintain the amenity of the terrace and adjoining properties;

g. protect sun access to rear ground floor living areas and private open space; and

h. reverse unsympathetic changes.

C2 Rear additions that may be suitable for this building typology include the following forms:

a. single storey ‘lean to’;

b. rear wing; or

c. pavilion.

and are to have a ridge line located below the eaves line.

C3 Pavilion style rear additions are to be connected to the main house by a lightweight linking structure below the eaves line of the main building where the site is deep enough to provide consolidated private outdoor space.

C4 Skillion type dormers may be located on the rear roof plane of buildings or in new additions to a building where they will not be seen from the principal street frontage and are to be set:

a. a minimum 200mm below the ridge line;

b. a minimum of 500mm from the side wall; and

c. a minimum of 200mm up from the rear wall plate.

C5 Retain the profile created by original wing walls, parapets and chimneys.

C6 Verandahs and balconies are to be open.

C7 Rear breezeways (side passages to rear wings) may be infilled at ground level only and only where the privacy, sun access and ventilation to the adjoining property are not adversely affected.

C8 Original detailing, and materials, including chimneys, balustrades, render and wrought iron palisade fencing are to be retained/reconstructed and restored.

C9 The proportions of vertical and horizontal lines formed by wing walls, parapet or eaves lines, floor plates, door and window openings and balustrading are to retained and also reflected in any additions to the building.

C10 Fences are to be less than 1.2m high and of visually permeable materials.

C11 Fences appropriate to the style and period of the building are to be retained or reconstructed.

7.1 SUGGESTED DESIGN APPROACH

Two and three storey terrace

Where a row of terraces with intact, consistent massing at the rear exist, the options for additions may be more limited than where variation to the rear already exists. Where the row is generally intact and consistent the most appropriate additions may include:

- skillion type dormer in the rear roof plane;
- outbuilding addition at the rear boundary, limited to a single storey and only possible where there remains adequate private open space at ground level and where the new structure will not have unacceptable amenity impacts on neighbours;
- traditional, vertically proportioned dormer window in the roof plane; and
- single storey boundary to boundary addition behind the rear wing (subject to adequate private open space for the dwelling) Enclosure of the breezeway at ground level would also be possible where solar access and natural ventilation to ground floor rooms are not compromised.

SECTION 8 – FLAT BUILDINGS – WALK-UPS

Background

The defining characteristics of Flat Buildings – Walk ups are as follows:

- inter-war (1920s-1940s) and post WW11 (1950s);
- multi-unit (attached);
- inter-war buildings are two or three storeys with 2 – 8 dwellings accessed from a central common foyer and stairwell, while the 1950s flats include early, larger Housing Commission projects in Balmain;
- buildings are simple and rectangular in form with windows 'punched ' in flat unadorned facades. Where facades are embellished it is to a limited extent, with a row of horizontal banding between floors or brick patterning around the main front door;
- flat roofs are concealed behind parapets designed to emphasise the symmetry of the building around the central front entry;
- Housing Commission flats also feature red terracotta tiled roofs and have even less embellishment;
- the inter-war buildings are close to front and side boundaries and feature small front gardens usually set to lawn behind low, brick fences. The Housing Commission flats are on larger sites within a landscape setting; and
- walls and fences are of red or dark red face brick.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. maintain the contribution that the flats make to the streetscape and to area character;

b. retain the original form and detailing of the flat buildings;

c. protect and enhance residential amenity; and

d. retain the curtilage and garden setting of the building or group of buildings.

C2 Alterations and additions to flat buildings are not to compromise the cohesiveness and visual balance of the building as a whole.

C3 Additions to the street elevation of an inter-war flat building are not encouraged.

C4 Additions to the side or rear elevations will only be supported where they will not adversely affect the overall form and character of the building or the amenity of the neighbours. Such additions may include balconies to the rear and awnings and canopies to the rear and sides.

C5 Additions to the building shall not adversely impact on areas of communal open space.

C6 Balconies and verandahs are to be open. Recessed balconies that have been filled in are to be restored or reconstructed as open structures where possible.

C7 Vertical additions shall only be permitted where there is sufficient space in the roof area for an attic and where this can be achieved without re-pitching the roof or raising the wall height.

C8 Face brick is not to be painted or rendered.

C9 Original embellishments including decorative brickwork, terracotta or decorative concrete panels are important features and are to be retained and/or restored or reconstructed.

C10 Fences are to be very low to reinforce:

a. the openness of the front garden; and

b. the clear and direct visual connection between the street and the front door.

C11 Where lifts or ramps are to be incorporated into the building the original character and design of inter-war buildings is to be retained.

8.1 SUGGESTED DESIGN APPROACH

Due to the varied nature of residential flat buildings, and the potential implications of State Environmental Planning Policy 65, it is encouraged that applicants undertake PRE-DA meetings with Council's Planners on concept designs for residential flat buildings

SECTION 9 – SHOPS

Background

The defining characteristics of a Shop are as follows:

- 1880s-1930s;
- most commonly two storeys and found in main street shopping precincts;
- building type is essentially a commercial terrace;
- often attached shop front buildings with large display windows and doors opening directly onto the footpath under continuous awnings;
- commercial or residential uses above the ground floor shops;
- often built as a row with a unifying parapet that creates a strong horizontal datum at the top of the building;
- individual shops are distinguished by vertically proportioned bays that correspond to the property divisions;
- openings above ground level are also vertically proportioned;
- many upper level openings were originally recessed balconies which have been infilled;
- buildings are built to the property boundary at the front with built form massed at the street front boundary with lower scale service wings at the rear;
- walls are rendered or face brick; and
- most common roof form is a corrugated steel skillion roof behind a parapet; some shops have pitched roof forms with corrugated steel or tiles.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. maintain the retail strip streetscape character and fine urban grain;

b. protect and restore or reconstruct original shopfront elements;

c. ensure that alterations and additions do not compromise the consistency and integrity of a row of buildings;

d. retain the prevailing street wall height and the distinctive pattern of parapets against the skyline;

e. reinforce the scale, massing and proportions of traditional shopfronts;

f. maintain and enhance pedestrian amenity;

g. encourage active use of upper floors for commercial or residential uses; and

h. encourage coordinated paint colour schemes and signage in rows of shops.

C2 The building alignment to the street boundary is to be maintained and entry doors may only be recessed where the recess was characteristic of the building type.

C3 Shopfronts and building entries should be designed to be clearly visible and with direct access from the street.

C4 Vertical additions are not to interrupt a clear view of the skyline above the parapet when viewed along and from across the street.

C5 Characteristic elements as outlined above are to be retained, and where possible restored or reconstructed, particularly where the shop forms part of a coherent group.

C6 Awnings are to be continuous, provided to the full width of the shop and over the footpath, for weather protection and to define the 'base' of the building.

C7 Horizontal and vertical proportions, established by the location and arrangement of lot boundaries, awnings, parapets, facade bays and window openings, should be retained and used as guides for any infill development.

C8 The characteristic ratio of solid:void above the ground level on the front facade is important. Smaller, vertically proportioned windows are not to be replaced with one large horizontally proportioned window.

C9 Upper level recessed verandahs are not to be infilled. Where possible, they should be opened up.

C10 Roller shutters detract from the appearance of shops and the amenity of footpaths, and are not permitted on the front facade. Security screens, gales and bars are to provide minimum 60% transparency.

C11 Co-ordinated paint schemes for a whole building are encouraged. Colours are to be compatible with the style and character of the building and streetscape.

9.1 SUGGESTED DESIGN APPROACH

Vertical additions to shops with parapets are:

a. not to interrupt a clear view of the skyline above the parapet when viewed from across the street or when viewed obliquely from the footpath; and

b. are to have a simple roof form.

SECTION 10 – CORNER SHOPS

Background

The defining characteristics of a Corner Shop are as follows:

- 1880s-c. 1915;
- modest two storey buildings, very occasionally one storey attached;
- Many corner shops were stand-alone retail uses in residential or industrial areas. Some terminate a row of shops at a street intersection, or terminate a row of residential terrace houses and have the same domestic scale and floor to ceiling proportions;
- The upper floor was traditionally the shopkeeper's residence. Today the LGA has a mix of corner shops that retain a commercial function and those that have been converted to full residential use;
- Corner shops are built to both street boundaries and with an awning that wraps around the primary and part of the secondary street frontage. Some have a corner splay with the entry door set to the corner;
- Shop windows usually present to both frontages;
- Roofs may be parapet roofs or hipped and gabled in the same plane as the terrace row they terminate. The level of detailing varies, although it is comparatively modest compared to the larger corner hotel form; and
- Corner shops are rendered or in face brick, with corrugated metal suspended awnings.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. retain and enhance the original characteristics of corner shops; and

b. maintain the potential for the upper floors of corner shops to be used for commercial or residential purposes and the ground floor to be used for retail purposes and commercial activity where permissible.

C2 Vertical additions are:

a. not to interrupt a clear view of the skyline above the parapet when viewed from across the primary street or when viewed obliquely from the footpath;

b. not to detract from the appearance of the building along the secondary street; and

c. not to detract from the amenity of adjoining properties.

C3 Important elements of corner shops are to be retained and/or restored, including:

a. awnings and awning posts;

b. shopfront windows;

c. corner entries;

d. upper level verandahs, windows, doors and balustrade detailing;

e. chimneys); and

f. early painted signs.

C4 The characteristic ratio of solid:void and the proportions of openings on both facades are to be retained and/or restored or reconstructed.

C5 Smaller, vertically proportioned windows above the ground floor are not to be replaced with one large, horizontally proportioned window.

C6 Large shopfront windows on the ground floor are not to be partially infilled or replaced with smaller openings, however translucent or frosted glass may be used for privacy.

C7 Alterations to the rear wing of the building are to ensure that the visual dominance of the main (shop) part of the building is retained.

C8 Alterations and additions to the rear of the building are to be comparatively simple in design and suit their function as 'back of house'

C9 Roller shutters are not permitted and security screens, grilles and bars are to have a minimum of 60% transparency.

10.1 SUGGESTED DESIGN APPROACH

Corner shops

Additions to the rear or side of the building may be possible provided that the:

a. building will be complementary to the form and architectural character of the corner shop;

b. allow for the original building to be predominant; and

c. junction of the old and new building at the main wall is articulated by a recess or other architectural treatment including colour, materials, form, moulding, setback, height etc.

SECTION 11 – CORNER HOTELS

Background

The defining characteristics of a Corner Hotel are as follows:

- 1880s – 1930s;
- two to three storeys;
- the buildings terminate street blocks and mark corners;
- the elements that distinguish them from corner shops is the larger scale and the weight given to the detail and finish of both facades;
- corner hotels have a more imposing presence than their neighbours because of their additional height, their often distinctive parapet profile and strongly modeled facades with ornate architectural features;
- awnings run the length of both street frontages to cover multiple entries to different ground floor spaces;
- pressed metal ceilings were an important feature of the awnings however few are left in the local government area;
- hotels were typically of rendered brick in the late C19 and early C20;
- Inter-war examples are often face brick above the awning with decorative mouldings above the more utilitarian ground floor, to the parapet and around the windows;
- Walls below awning level were commonly tiled; and
- traditional hotel signs and advertising have a character specific to this building type, including painted glass advertising for beer brands.

Objectives

O1 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. maintain the important role of corner hotels as 'place markers' that assist in establishment of place identity;

b. retain the massing and scale, facade modulation and proportion of openings;

c. maintain the prominence of the parapet on the skyline; and

d. contribute positively to the public domain and to pedestrian amenity.

C2 Traditional signs and beer brand advertising are to be retained.

C3 The importance of corner hotels in the streetscape is to be reinforced by maintaining the architectural character and detailing of both facades.

C4 External design elements including:

a. pressed metal and patterned awning soffits;

b. balconies and verandahs;

c. doors and windows;

d. wall tiles;

e. traditional signs applied (hotel name) or painted (beer advertising); and

f. decorative render and joinery are to be retained, restored and/or reconstructed

C5 Internal design elements are, where possible to be retained, restored and/or reconstructed and may include:

a. bars;

b. ceiling details;

c. tiles;

d. fittings and joinery;

e. original stairway details;

f. light fittings.

C6 Brick, render and tiles are not to be painted over.

C7 Alterations that open up original rooms to create larger spaces should retain significant interior features that reflect the original layout for example ceilings, bulkheads, fireplaces and joinery.

C8 New verandahs extending over awnings may be permitted where they previously existed.

C9 Original external openings are not to be blocked up or the glazing details altered to enclose gambling areas.

11.1 SUGGESTED DESIGN APPROACH

Corner hotels vary considerably in their relationship to sites and the actual building design. Specific examples of design approaches would be largely hypothetical and may have limited application. Applicants, architects and designers are encouraged to take careful note of the objectives and guidelines when seeking to alter or add to a hotel building.

SECTION 12 – WAREHOUSES AND FACTORIES

Background

The defining characteristics of a Warehouse or Factory are as follows:

- 1880s – 1930s;
- two to five storeys with high floor to ceiling heights and an open floor plan giving one very large space;
- warehouses and factories are large, simple rectangular buildings that are often built to the lot boundary. They are of face brick with regularly spaced, recessed, 'punched' openings and little ornamentation;
- façade decoration is generally limited to brick detailing around windows; and
- roofs are either flat or near flat and concealed behind simple, horizontal parapets or have a distinctive sawtooth pattern or large gables.

Objectives

O2 To facilitate development that is compatible with this Building Typology.

Controls

C1 Development shall:

a. ensure that alterations and additions to a warehouse or factory do not compromise their structural integrity;

b. retain the significant fabric and building elements;

a. contribute to the streetscape and character of the municipality; and

b. maintain the contribution that warehouses make to area character through their characteristic form, massing, scale and proportions.

C2 The scale and form of the factory or warehouse is to be retained.

C3 Lightweight balconies, canopies and sun shading devices may be affixed to the facades so long as there is a clear distinction between the original fabric and the contemporary addition and they don't detract from the original industrial character of the building.

C4 The robust masonry form of the building is to remain visually dominant.

C5 The rhythm of openings is to be respected. Two smaller openings may be combined where there is no removal of original significant elements.

C6 Existing painted signs that contribute to the buildings significance and to the streetscape character are to be retained.

C7 Vertical additions are only possible for flat roofed buildings which are well set back behind a parapet and with a horizontal profile in keeping with the simple building form and strong parapet line.

C8 Decorative roof elements that undermine the strong horizontal parapet line are strongly discouraged.

C9 Contemporary additions should be distinguishable from the original fabric.

C10 Sawtooth roof profiles must not be altered.

12.1 SUGGESTED DESIGN APPROACH

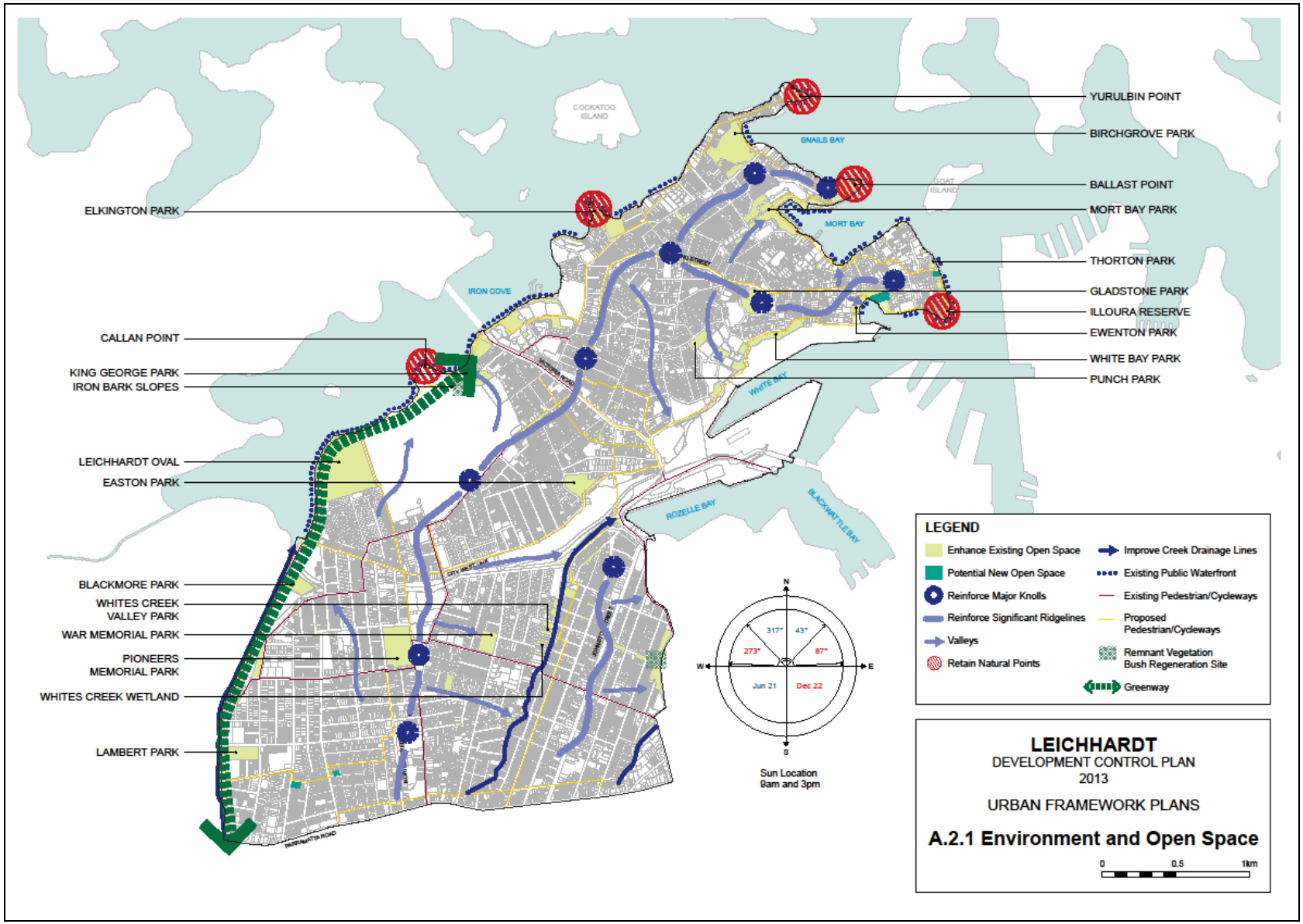
New openings respect the rhythm and horizontal datum lines of existing openings in the building: their width is equal to two windows + the space between them. The overall solidity of the building is reinforced as there is still a high proportion of solid wall to openings. Wider window openings may be adapted as recessed balconies

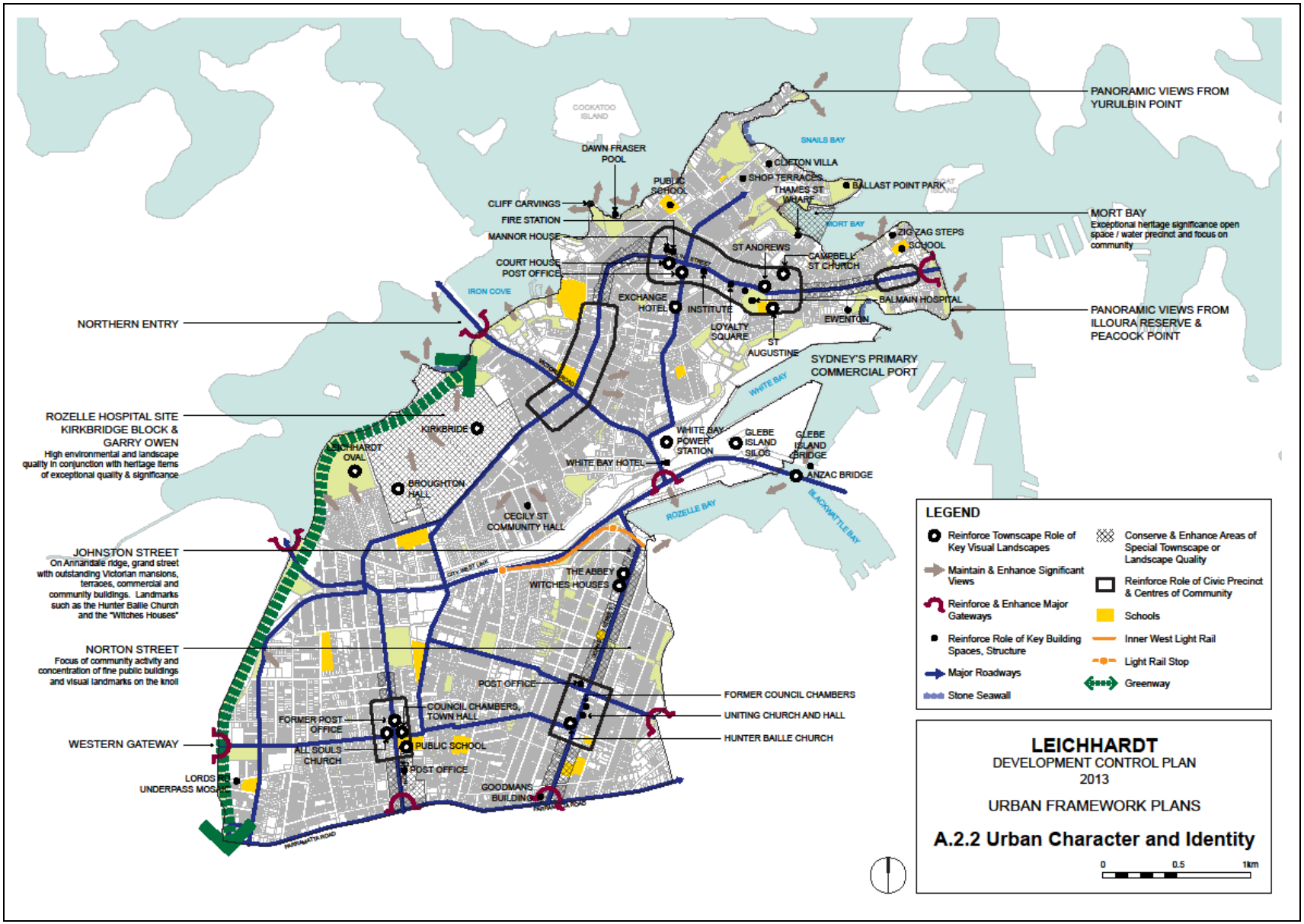
An additional ‘penthouse’ level set well back from the parapet can preserve the effect of solid masonry mass of the building and provide a unique form of residential accommodation with generous terraces.

Lightweight balconies may be added to the sides and rear of a warehouse building when it is adapted for residential or commercial uses so long as the overall form of the building is dominant and its important structural and façade elements can be readily seen.

A Juliet balcony may be introduced where there were openings for moving goods.

APPENDIX C: URBAN FRAMEWORK PLANS


YURULBIN POINT
BIRCHGROVE PARK
BALLAST POINT
MORT BAY PARK
THORTON PARK
GLADSTONE PARK
ILLOURA RESERVE
EWENTON PARK
WHITE BAY PARK
PUNCH PARK
ELKINGTON PARK
CALLAN POINT
KING GEORGE PARK
IRON BARK SLOPES
LEICHHARDT OVAL
EASTON PARK
BLACKMORE PARK
WHITES CREEK VALLEY PARK
WAR MEMORIAL PARK
PIONEERS MEMORIAL PARK
WHITES CREEK WETLAND
LAMBERT PARK
COCKATOO ISLAND
SNAILS BAY
GOAT ISLAND
MORT BAY
IRON COVE
WHITE BAY
ROZELLE BAY
BLACKWATTLE BAY
N
S
E
W
317°
43°
273°
87°
Jun 21
Dec 22
Sun Location
9am and 3pm
LEGEND
Enhance Existing Open Space
Potential New Open Space
Reinforce Major Knolls
Reinforce Significant Ridgelines
Valleys
Retain Natural Points
Improve Creek Drainage Lines
Existing Public Waterfront
Existing Pedestrian/Cycleways
Proposed Pedestrian/Cycleways
Remnant Vegetation Bush Regeneration Site
Greenway
LEICHHARDT
DEVELOPMENT CONTROL PLAN
2013
URBAN FRAMEWORK PLANS
A.2.1 Environment and Open Space
0
0.5
1km


PANORAMIC VIEWS FROM YURULBIN POINT
MORT BAY
Exceptional heritage significance open space / water precinct and focus on community
PANORAMIC VIEWS FROM ILLOURA RESERVE & PEACOCK POINT
NORTHERN ENTRY
ROZELLE HOSPITAL SITE
KIRKBRIDGE BLOCK & GARRY OWEN
High environmental and landscape quality in conjunction with heritage items of exceptional quality & significance
JOHNSTON STREET
On Annandale ridge, grand street with outstanding Victorian mansions, terraces, commercial and community buildings. Landmarks such as the Hunter Baillie Church and the "Witches Houses"
NORTON STREET
Focus of community activity and concentration of fine public buildings and visual landmarks on the knoll
WESTERN GATEWAY
SYDNEY'S PRIMARY COMMERCIAL PORT
FORMER COUNCIL CHAMBERS
UNITING CHURCH AND HALL
HUNTER BAILLE CHURCH
COCKATOO ISLAND
DAWN FRASER POOL
SNAILS BAY
CLIFTON VILLA
SHOP TERRACES
BALLAST POINT PARK
THAMES ST WHARF
PUBLIC SCHOOL
CLIFF CARVINGS
FIRE STATION
MANNOR HOUSE
COURT HOUSE
POST OFFICE
IRON COVE
MORT BAY
ZIG ZAG STEPS
SCHOOL
ST ANDREWS
CAMPBELL ST CHURCH
EXCHANGE HOTEL
INSTITUTE
BALMAIN HOSPITAL
EWENTON
LOYALTY SQUARE
ST AUGUSTINE
WHITE BAY
WHITE BAY POWER STATION
GLEBE ISLAND SILOS
GLEBE ISLAND BRIDGE
ANZAC BRIDGE
WHITE BAY HOTEL
ROZELLE BAY
BLACKWATTLE BAY
KIRKBRIDE
LEICHHARDT OVAL
BROUGHTON HALL
CECILY ST COMMUNITY HALL
THE ABBEY
WITCHES HOUSES
POST OFFICE
COUNCIL CHAMBERS, TOWN HALL
FORMER POST OFFICE
PUBLIC SCHOOL
ALL SOULS CHURCH
POST OFFICE
GOODMANS BUILDING
LORDS UNDERPASS MOS
LEGEND
Reinforce Townscape Role of Key Visual Landscapes
Maintain & Enhance Significant Views
Reinforce & Enhance Major Gateways
Reinforce Role of Key Building Spaces, Structure
Major Roadways
Stone Seawall
Conserve & Enhance Areas of Special Townscape or Landscape Quality
Reinforce Role of Civic Precinct & Centres of Community
Schools
Inner West Light Rail
Light Rail Stop
Greenway
LEICHHARDT
DEVELOPMENT CONTROL PLAN
2013
URBAN FRAMEWORK PLANS
A.2.2 Urban Character and Identity
0
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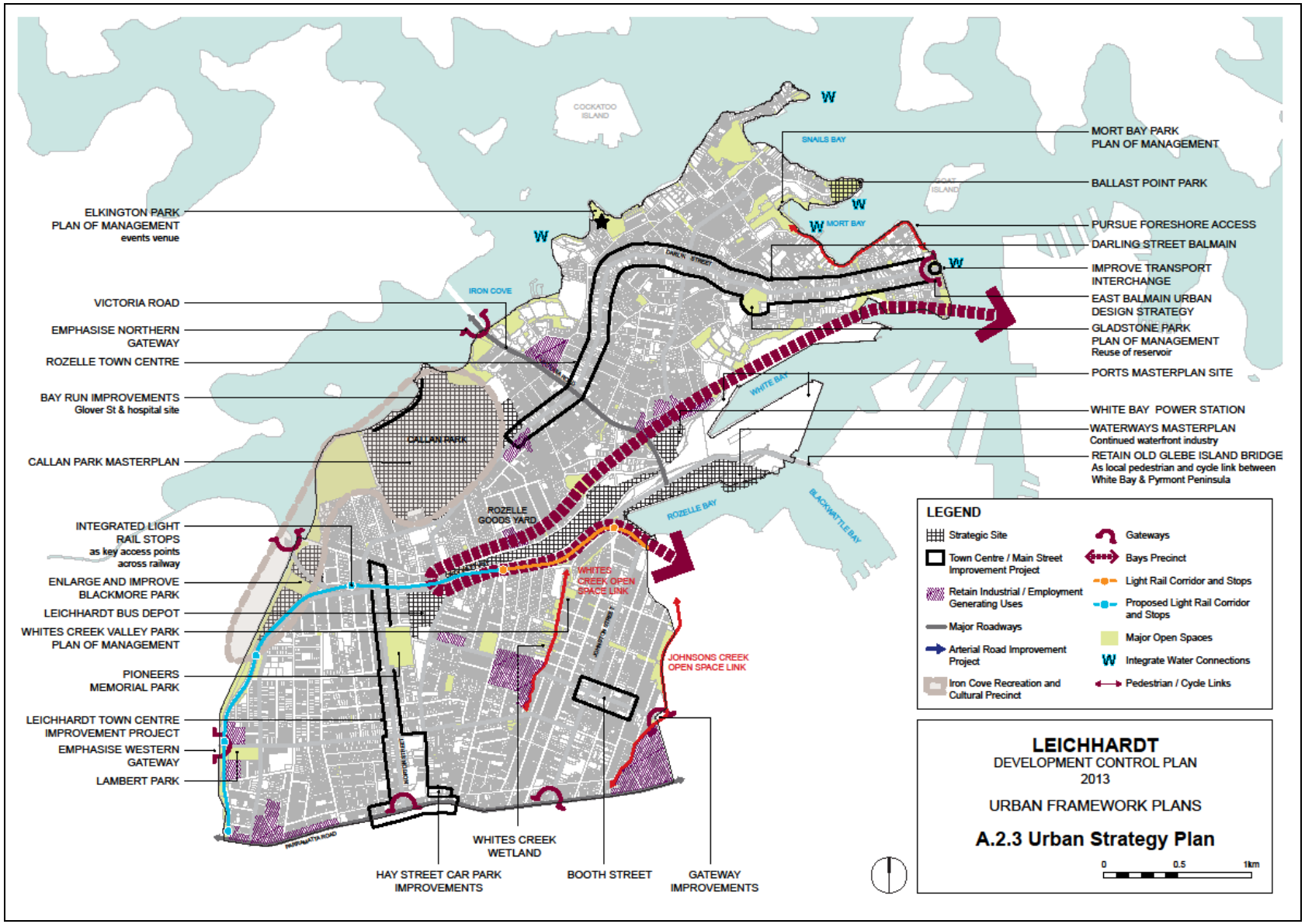
1km


ELKINGTON PARK
PLAN OF MANAGEMENT
events venue
VICTORIA ROAD
EMPHASISE NORTHERN GATEWAY
ROZELLE TOWN CENTRE
BAY RUN IMPROVEMENTS
Glover St & hospital site
CALLAN PARK MASTERPLAN
INTEGRATED LIGHT RAIL STOPS
as key access points across railway
ENLARGE AND IMPROVE BLACKMORE PARK
LEICHHARDT BUS DEPOT
WHITES CREEK VALLEY PARK
PLAN OF MANAGEMENT
PIONEERS MEMORIAL PARK
LEICHHARDT TOWN CENTRE
IMPROVEMENT PROJECT
EMPHASISE WESTERN GATEWAY
LAMBERT PARK
HAY STREET CAR PARK
IMPROVEMENTS
WHITES CREEK
WETLAND
BOOTH STREET
GATEWAY
IMPROVEMENTS
MORT BAY PARK
PLAN OF MANAGEMENT
BALLAST POINT PARK
PURSUE FORESHORE ACCESS
DARLING STREET BALMAIN
IMPROVE TRANSPORT
INTERCHANGE
EAST BALMAIN URBAN
DESIGN STRATEGY
GLADSTONE PARK
PLAN OF MANAGEMENT
Reuse of reservoir
PORTS MASTERPLAN SITE
WHITE BAY POWER STATION
WATERWAYS MASTERPLAN
Continued waterfront industry
RETAIN OLD GLEBE ISLAND BRIDGE
As local pedestrian and cycle link between White Bay & Pyrmont Peninsula
COCKATOO ISLAND
SNAILS BAY
GOAT ISLAND
MORT BAY
IRON COVE
WHITE BAY
CALLAN PARK
ROZELLE GOODS YARD
ROZELLE BAY
BLACKWATTLE BAY
WHITES CREEK OPEN SPACE LINK
JOHNSONS CREEK OPEN SPACE LINK
LEGEND
Strategic Site
Town Centre / Main Street Improvement Project
Retain Industrial / Employment Generating Uses
Major Roadways
Arterial Road Improvement Project
Iron Cove Recreation and Cultural Precinct
Gateways
Bays Precinct
Light Rail Corridor and Stops
Proposed Light Rail Corridor and Stops
Major Open Spaces
Integrate Water Connections
Pedestrian / Cycle Links
LEICHHARDT
DEVELOPMENT CONTROL PLAN
2013
URBAN FRAMEWORK PLANS
A.2.3 Urban Strategy Plan
0
0.5
1km

APPENDIX D: SITE WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

CONTENTS

SECTION 1 – SITE WASTE MINIMISATION AND MANAGEMENT PLAN TEMPLATE

1.1 APPLICANT AND PROJECT DETAILS

Applicant and Project Details (All Developments)	
Applicant Details	
Application No.	
Name	
Address	
Phone number(s)	
Email	
Project Details	
Address of development	
Existing buildings and other structures currently on the site	
Description of proposed development	
This development achieves the waste objectives set out in this Development Control Plan. The details on this form are the provisions and intentions for minimising waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, relevant NSW State waste and health and safety authorities.	
Name	
Signature	
Date	

1.2 DEMOLITION (ALL TYPES OF DEVELOPMENTS)

Address of development: _____

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m^3)	Estimate Volume (m^3)	Estimate Volume (m^3)	Specify method of on site reuse, contractor and recycling outlet and /or waste disposal facility to be used
Excavation material				
Timber (specify)				
Concrete				
Bricks/pavers				
Tiles				
Metal (specify)				
Glass				
Furniture				
Fixtures and fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste				
Hazardous/special waste e.g. asbestos (specify)				
Other (specify)				

1.3 CONSTRUCTION (ALL TYPES OF DEVELOPMENTS)

Amounts provided below should be for excess or leftover construction waste material.

Address of development: _____

Construction Waste ‘Rule of Thumb’ for renovations and small home building:

- Timber 5-7% of material ordered
- Plasterboard 5-20% of material ordered
- Concrete 3-5% of material ordered
- Bricks 5-10% of material ordered
- Tiles 2-5% of material ordered

Source*: Waste Planning Guide for Development Application, Inner Sydney Waste Board, 1998*

Type of Waste	Reuse	Recycling	Disposal	Onsite reuse
Type of waste generated	Estimate Volume (m^3)	Estimate Volume (m^3)	Estimate Volume (m^3)	Specify method of onsite reuse, contractor and recycling outlet and/or waste disposal facility to be used
Excavation material				
Timber (specify)				
Concrete				
Bricks				
Tiles				
Metal (specify)				
Glass				
Plasterboard (offcuts)				
Fixtures and fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste				
Hazardous/special waste (specify)				

1.4 ONGOING OPERATION (ALL TYPES OF DEVELOPMENT)

Address of development: _____

Show the total volume of waste and recyclables expected to be generated by the development and the associated waste and recycling storage requirements.

Please note that if the development is for a mixed use, that is, contains components of both residential and non-residential development, separate plans regarding the "ongoing operation" may need to be completed.

	Recyclables		**Compostable**	**Residual waste***	**Other**
	Paper/ cardboard	**Metals/ plastics/ glass**			
Amount generated (L per unit per day)					
Amount generated (L per development per week)					
Frequency of collections (per week)					
Number and size of storage bins required					
Floor area required for storage bins (m^2)					
Floor area required for manoeuvrability (m^2)					
Height required for manoeuvrability (m)					

**Current "non-recyclables" waste generation rates typically include food waste that might be further separated for composting.*

1.5 "INDICATIVE BIN SIZES" PROVIDES COUNCIL'S STANDARD BIN SIZES

Construction Design (All Types of Developments)
Outline how measures for waste avoidance have been incorporated into the design, material purchasing and construction techniques of the development:
Detail the arrangements that would be appropriate for the ongoing use of waste facilities as provided in the development. Identify each stage of waste transfer between residents' units/commercial tenancies and loading into the collection vehicle, detailing the responsibility for and location and frequency of, transfer and collection. *(Please refer to other Appendices within this Chapter for further information)*

SECTION 2 – PLANS AND DRAWINGS

(This section to be completed for all developments other than single dwellings, dual occupancies and secondary dwellings).

The following checklists are designed to help ensure SWMMPs are accompanied by sufficient information to allow assessment of the application.

Drawings are to be submitted to scale, clearly indicating the location of and provisions for the storage and collection of waste and recyclables during:

- demolition
- construction, and
- ongoing operation.

2.1 DEMOLITION

Ensure the site plans indicate:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

2.2 CONSTRUCTION

Ensure the site plans indicate:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

2.3 ONGOING OPERATION

Ensure the site plans indicate:

	Tick Yes
Space	
Size and location(s) of waste and recycling storage areas	
Recycling bins placed next to residual waste bins	
Space provided for access to and the manoeuvring of bins/equipment	
Any additional facilities	
Access	
Access route(s) to deposit waste in storage room/area	
Access route(s) to collect waste from storage room/area	
Bin carting grade	
Location of final collection point	
Clearance, geometric design and strength of internal access driveways and roads	
Direction of traffic flow for internal access driveways and roads	
Amenity	
Aesthetic design of waste storage areas	
Signage – type and location	
Construction details of storage rooms/areas (including floor, walls, doors, ceiling design, sewer connection, lighting, ventilation, security, wash down provisions etc)	

2.4 WASTE AND RECYCLING GENERATION RATES

Ongoing Operation

Premises type	Waste generation	Recyclable material generation
Backpackers' accommodation	40L/occupant space/week	20L/occupant space/week
Boarding house, guest house	60L/occupant space/week	20L/occupant space/week
Butcher	185L/100 sqm floor area/day	100L/100 sqm floor area/day
Delicatessen	80L/100 sqm floor area/day	50L/100 sqm floor area/day
Fish shop	250L/100 sqm floor area/day	85L/100 sqm floor area/day
Greengrocer	310L/100 sqm floor area/day	120L/100 sqm floor area/day
Restaurant	400L/100 sqm floor area/day	280L/100sqm floor area/day
Café	215L/100 sqm floor area/day	300L/100 sqm floor area/day
Supermarket	240L/100 sqm floor area/day	300L/100 sqm floor area/day
Takeaway food shop	175L/100 sqm floor area/day	60L/100 sqm floor area/day
Hairdresser, beauty salon	40L/100 sqm floor area/week	40L/100 sqm floor area/day
Hotel or motel accommodation	20L/100 sqm floor area/day	30L/100 sqm floor area/day
Hotels, bars, clubs	90L/100 sqm floor area/day	80L/100 sqm floor area/day
Child care centre	250L/100 sqm floor area/day	120L/100 sqm floor area/day
Offices	20L/100 sqm floor area/day	30L/100 sqm floor area/day
Retail (non-food)	50L/100 sqm floor area/day	50L/100 sqm floor area/day
Showroom	25L/100 sqm floor area/day	25L/100 sqm floor area/day

SECTION 3 – INDICATIVE BIN SIZES

Bin type	Dwelling Type	Height	Depth	Width	Footprint – m^2 /bin
80 Litre Bin	Single dwelling	825mm	496mm	452mm (wheel to wheel)	0.22 sqm
*120 Litre Bin	Single dwelling or Multi dwelling housing	930mm	545mm	480mm (wheel to wheel)	0.26 sqm
**240 Litre Bin	Single dwelling or Multi dwelling housing or Residential component of Mixed Use Development	1060mm	730mm	585mm	0.43 sqm
 ***660 Litre Bin	Multi dwelling housing or residential component of mixed use development	1250mm	850mm	1370mm	1.16 sqm
55 Litre Bin 	Single dwelling	540mm			Diameter 410mm
Non-Residential Use					
660 Litre skip bin For use in developments that use a commercial waste collection provider.		1250mm	850mm	1370mm	1.16 sqm

* 120L recycling bins are the same dimensions

** 240L recycling and garden bins are the same dimensions

***660L recycling bins are the same dimensions

SECTION 4 – WASTE/RECYCLING STORAGE ROOMS IN MULTI DWELLING HOUSING / RESIDENTIAL FLAT BUILDINGS

Building Code of Australia

Waste/recycling storage rooms must be constructed in accordance with the requirements of the *Building Code of Australia (BCA)*.

Location and Appearance

Waste/recycling storage rooms must be integrated into the design of the overall development. It is preferable that such rooms be located behind the front building line. Wherever possible, and for all buildings with 20 dwellings or more or where required by Council, the room should be in a basement location within the main building envelope (rather than a separate stand-alone structure). Materials and finishes visible from outside should be similar in style and quality to the external materials used in the rest of the development.

Waste/recycling storage rooms must be located and designed in a manner that reduces adverse impacts upon the inhabitants of any dwellings on the site and upon neighbouring properties. The location and design of the room should minimise adverse impacts associated with:

- the proximity of the room to any dwellings;
- the visibility of the room;
- noise generated by any equipment located within the room;
- noise generated by the movement of bins into and out of the room;
- noise generated by collection vehicles accessing the site; and
- odours emanating from the room.

Size

Waste/recycling storage rooms must be of adequate size to comfortably access, accommodate, manouevre, empty and transfer all waste and recycling bins associated with the development.

Layout

The gradient of waste/recycling storage room floors and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying bins can occur in accordance with the NSW Government's Work Health and Safety requirements.

Within waste/recycling storage rooms, bins used for the storage of recyclable materials should be kept separate from (but close to) general waste bins with signage indicating the relevant recyclable waste type— so that the potential for contamination of recyclable materials is minimised.

SECTION 5 – GARBAGE TRUCK DIMENSIONS FOR RESIDENTIAL RESOURCE RECOVERY/WASTE COLLECTION

This page includes information regarding the dimensions of garbage trucks that are typically used for the collection of residential waste. Developments that require Council garbage trucks to enter the site for the collection of residential recycling and waste must be designed to accommodate on-site truck movement.

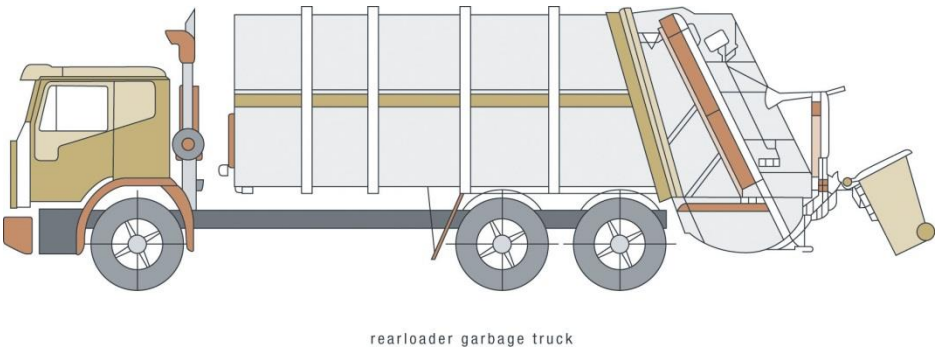
Please note that the size of Council's garbage truck may change over time

Requirements regarding vehicle turning circles and driveway width/gradient are contained in *Australian Standard 2890.2 2002/Parking Facilities — off street commercial vehicles*.

See Section D8: "Vehicle Access and Turning Circles" for further information

It is recommended that an applicant speak with Council in regards to the design of development proposals that involve garbage trucks entering the site. Services will not be provided where there are undue risks.

Typical Council Garbage Truck used for Domestic Waste Collection	
Length overall	9.5 metres
Width overall	2.6 metres
Operational height	4.5 metres
Travel height	4.5 metres
Weight (vehicle and load)	23 tonnes
Turning Circle	26 metres



Example of a Council garbage truck

Source of diagram: *Better Practice Guide for Waste Management in Multi-dwelling housing, DECC 2008.*

SECTION 6 – NON RESIDENTIAL DEVELOPMENT WASTE AND RECYCLING STORAGE AREAS

Building Code of Australia

Waste/recycling storage areas must be constructed in accordance with the requirements of the *Building Code of Australia (BCA).*

6.1 LOCATION AND APPEARANCE

Waste/recycling storage areas must be integrated into the design of the overall development. Materials and finishes that are visible from outside should be similar in style and quality to the external materials used in the rest of the development.

Waste storage areas for non residential development need to be separate from the residential development component.

Waste/recycling storage areas must be located and designed in a manner that reduces adverse impacts upon neighbouring properties and the streetscape. The location and design of the areas should minimise adverse impacts associated with:

- the proximity of the area to dwellings;
- the visibility of the area;
- noise generated by any equipment located within the area;
- noise generated by the movement of bins into and out of the area;
- noise generated by collection vehicles accessing the site; and
- odours emanating from the area.

6.2 SIZE

Waste/recycling storage areas must be of adequate size to comfortably accommodate all waste and recycling bins associated with the development.

Waste/recycling storage areas must be able to accommodate separate general waste bins and recycling bins which are of sufficient volume to contain the quantity of waste generated between collections.

6.3 LAYOUT

The gradient of waste/recycling storage area floors and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying bins can occur in accordance with WorkCover NSW Work Health and Safety requirements.

Within waste/recycling storage areas, bins used for the storage of recyclable materials should be kept separate from (but close to) general waste bins— so that the potential for contamination of recyclable materials is minimised.

6.4 ACCESS: WASTE/RECYCLING COLLECTION

The development must be designed to allow access by collection vehicles used by the nominated waste contractor. Wherever possible, the site must be configured to allow collection vehicles to enter and exit the site in a forward direction and ensure collection vehicles do not impede general access to, from and within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.

Servicing arrangements for the emptying of bins must be compatible with the operation of any other loading/unloading facilities on-site.

Access for the purpose of emptying waste/recycling storage bins must be able to occur in accordance with NSW Government Work Health and Safety requirements.

6.5 ACCESS: GENERAL

In commercial development, public buildings and industrial development, there must be convenient access from each tenancy to the waste/recycling storage area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage area(s).

Arrangements must be in place so that the waste/recycling storage area is not generally accessible to the general public.

Vermin must be prevented from entering the waste/recycling storage area.

6.6 SURFACES

Waste/recycling storage areas must have a smooth, durable floor and must be enclosed with durable walls/fences that extend to the height of any containers which are kept within.

6.7 DOORS/GATES

Doors/gates to waste/recycling storage areas must be durable. There must be a sign adjacent to the door/gate that indicates that the door/gate is to remain closed when not in use. All doors/gates are to be openable from both inside and outside the storage area and must be wide enough to allow for the easy passage of waste/recycling bins.

6.8 SERVICES

Waste/recycling storage areas must be serviced by hot and cold water provided through a centralised mixing valve. The hose cock must be protected from the waste bins and must be located in a position that is easily accessible when the area is filled with waste bins.

The floor must be graded so that any water is directed to an approved sewer connection located upon the site.

6.9 SIGNAGE

Waste/recycling storage areas must include signage that clearly describes the types of materials that can be deposited into recycling bins and general garbage bins.

6.10 MANAGEMENT

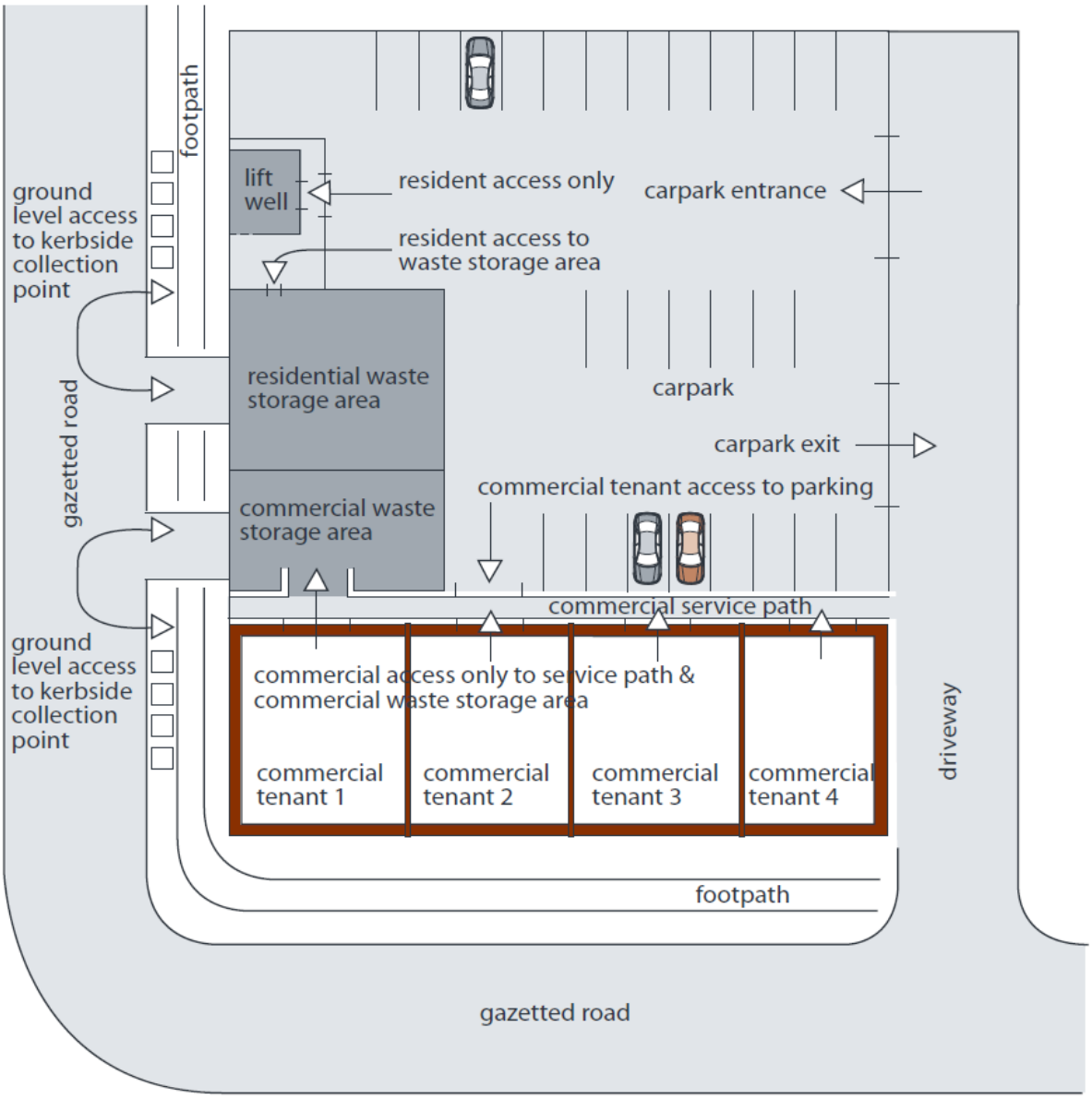
Arrangements must be in place for the regular maintenance and cleaning of waste/recycling storage areas. Waste/recycling bins must only be washed in an area which drains to an approved sewer connection.

The *Better Practice Guide for Waste Management in Multi-dwelling housing* gives detailed information about waste recycling/storage rooms and facilities. It can be used as a guide in conjunction with the controls in this Development Control Plan. The Guide was substantially reviewed in 2007 and is available on the NSW Office of Environment and Heritage website (www.environment.nsw.gov.au). Further updates will be published as further information from social research and waste stream audits becomes available.

SECTION 7 – EXAMPLE OF A WASTE AND RECYCLING STORAGE ROOM(S)

The following figure provides an example of the location of bin storage areas for possible mixed use developments. This diagram highlights separate storage rooms for residential and commercial use.

This example is a guide only and other arrangements could be suitable.



***Source**: Mixed Use Development – Better Practice Guide for Waste Management in Multi-dwelling housing, Department of Environment and Climate Change NSW*

SECTION 8 – VEHICLE ACCESS AND TURNING CIRCLES

General

Appropriate heavy vehicle standards should be incorporated into the development design including those specified in Acts, regulations, guidelines, and codes administered by Austroads, Standards Australia, NSW Roads and Maritime Services, NSW WorkCover and any local traffic requirements.

Designers are encouraged to consult with Council and other relevant authorities prior to the design of roads and access points to ascertain specific requirements for the proposed development.

Road and driveway construction and geometry

Roads and driveways must be designed and constructed in accordance with the relevant authority requirements to allow the safe passage of a laden collection vehicle in all seasons.

Factors to be considered in design include:

- gradients for turning heads;
- longitudinal road gradients;
- horizontal alignments;
- vertical curves;
- cross-falls;
- carriageway width;
- verges;
- pavement widths;
- turning areas (see below);
- local area traffic management requirements (for example speed humps);
- sight distance requirements;
- clearance heights (for example a vertical clearance of 6.5m is required to load front-lift vehicles);
- manoeuvring clearance; and
- road strength (industrial-type strength pavement required, designed for a maximum wheel loading of seven tonnes per axle to accommodate garbage and recycling collection vehicles).

Collection from basements

Collection vehicles that are required to enter building basements to collect waste and/or recyclables are to comply with the following requirements:

- compliance with Australian Standard AS 2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities. This Standard provides detailed information regarding turning circles for a garbage truck. This Standard is available from SAI Global www.saiglobal.com;

- the height to the structural members and upper floor ceiling should allow for a typical collection vehicle travel height/operational height consistent with the type of vehicle employed;
- adequate provision of space clear of structural members or vehicle parking spaces to allow a typical three-point turn of collection vehicles; and
- the basement floor should be of industrial-type strength pavement and designed for a maximum wheel loading of seven tonnes per axle to accommodate garbage and recycling collection vehicles.

SEE ALSO SECTION D5:"GARBAGE TRUCK DIMENSIONS FOR RESIDENTIAL RESOURCE RECOVERY/WASTE COLLECTION"

SECTION 9 – WASTE CHUTES

Waste chute room design

Waste chute rooms are to be designed in accordance with the following:

- In buildings containing a waste chute system, at least one dedicated service room must be provided on each floor of the building, containing a chute service opening (for depositing waste into the main chute) and bins for the storage of recyclable materials.
- Chute rooms must be designed with sufficient capacity for the storage of two days quantity of recyclables for all dwellings on that level, based on rates in Part D, 2.3, C20 and C21.
- Chute rooms must be located for convenient access by users and be near the lift to enable transfer of bins without moving along corridors that access building occupancies.
- Chute rooms must be well ventilated and well lit.
- The floors, walls and ceilings of chute rooms must be finished with smooth, durable, light coloured materials (with coved intersection between wall/floor), which are capable of being easily cleaned.
- Chute rooms must include signage, displayed near the chute opening and recycling bins, which clearly describes the types of materials which can be deposited into the waste chute and the types of materials which can be deposited into recycling bins.

Waste chute design

Waste chutes must be designed in accordance with the following:

- The charging device for each waste chute service opening must be self closing and must not project into the main waste chute.
- Branches connecting service openings to the main waste chute must be no more than 1 metre long.
- Waste chutes must be located and insulated to reduce noise impact upon dwellings.
- Waste chutes, service openings and charging devices must be constructed of material (such as metal) which is smooth, durable, impervious, non-corrosive and fire resistant.
- Waste chutes, service openings and charging devices must be capable of being easily cleaned.
- Waste chutes must be cylindrical and should have a diameter of at least 500mm.
- There must not be any bends (or sections of reduced diameter) in the main shaft of the waste chute.
- Internal overlaps in the waste chute must follow the direction of waste flow.
- Waste chutes must deposit rubbish directly into a bin located within a recycling/waste storage room.
- A cut-off device must be located at or near the base of the waste chute so that the bottom of the waste chute can be closed when the bin at the bottom of the waste chute is withdrawn or being replaced.
- The main waste chute must be adequately ventilated.

- Chutes are for the disposal of general waste only, recycling chutes are not permitted.
- Use of mechanical diverters to separate various types of waste within a single chute are not permitted.

Management

- Recycling bins must be transferred daily by a building caretaker to the main recycling/waste storage room.
- Arrangements must be in place for the regular maintenance and cleaning of service rooms, waste chutes, chute service openings and charging devices.

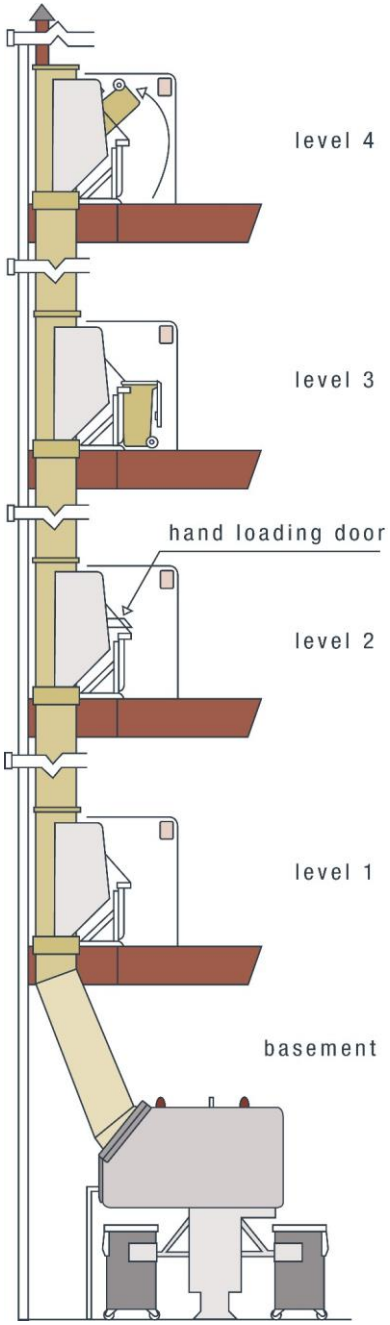


Figure 2: Example of a garbage chute system.
Source of diagram: Better Practice Guide for Waste Management in Multi-Unit Dwellings, Resource NSW, February 2002.

APPENDIX E: WATER GUIDELINES

CONTENTS

LIST OF FIGURES

SECTION 1 – INTEGRATED WATER CYCLE PLAN

The *Integrated Water Cycle Plan* (IWCP) must be prepared by a qualified practicing Civil Engineer with demonstrated relevant experience in stormwater and environmental engineering and address the following matters:

1.1 EXISTING ENVIRONMENT

A summary of the current condition of the land and its catchment context, with particular reference to the following issues:

- catchment hydrology and hydrogeology;
- soil conditions;
- vegetation cover, remnant native vegetation and vegetation condition;
- groundwater depth and chemistry;
- site constraints and hazards such as flooding, slope stability, reactive soils, coastal hazards, erosion hazard, urban salinity, acid sulfate soils and land contamination;
- water quality conditions; and
- stream flow regime.

1.2 OBJECTIVES AND PERFORMANCE STANDARDS

Water cycle outcomes are to be achieved during construction and throughout the life of the development. These should be consistent with those contained in plans, strategies or policies adopted by relevant agencies, including regional plans and strategies, water management plans, catchment blueprints, stormwater management plans and joint statements of intent.

The following matters should be addressed:

- water consumption;
- flood risk;
- stream erosion;
- water balance (relative balance between runoff, infiltration and evapotranspiration);
- salinity;
- stream flow and environmental flows;
- water quality;
- water-dependent ecosystems such as streams, riparian zones, wetlands and estuaries;
- erosion and sedimentation;
- biodiversity and habitat conservation;
- groundwater conditions;
- public health;
- recreational use of waterways and related areas;

- aesthetic, visual and landscape issues; and
- indigenous and European cultural issues.

1.3 PLANNING AND DESIGN PRINCIPLES

General principles to be adopted at the sub-catchment, precinct, street and lot levels that seek to promote achievement of the objectives and performance standards. These principles will shape the overall planning, design and staging of the project. They should be compatible with principles outlined in strategies and plans adopted by relevant agencies, including:

- regional strategies;
- settlement, economic, housing and infrastructure strategies;
- biodiversity, catchment, environmental and open space strategies; and
- structure plans and master plans.

1.4 WATER MANAGEMENT MEASURES

Management measures that are to be applied so as to meet relevant objectives and performance standards.

1.5 COMMUNITY PARTNERSHIPS

Community and educational initiatives that will support the objectives and performance standards.

1.6 INFRASTRUCTURE PROGRAM

An infrastructure program that integrates all aspects of water cycle management, including water supply, sewerage, drainage, wastewater treatment and reuse, water quality control, flood risk management, open space provision and ecological protection.

1.7 ONGOING OPERATION

Strategies to ensure effective ongoing maintenance of on-site water management measures, maintenance requirements and proposed enforcement mechanisms.

1.8 MONITORING PROGRAM

Arrangements for monitoring the achievement of objectives and performance standards.

1.9 CONSULTATION

You should consult with relevant agencies such as Council, Sydney Water and the NSW Office of Environment and Heritage.

SECTION 2 – FLOOD RISK MANAGEMENT REPORT

The *Flood Risk Management Report* must be prepared by a qualified practicing Civil Engineer with demonstrated relevant experience in flooding and floodplain management and address at least the following details:

1. Description of the existing stormwater drainage system, including catchment definition.
2. Extent of the 1% AEP flood event in the vicinity of the development.
3. The Flood Hazard Category affecting the subject site and surrounds. Where to site is subject to High Hazard flooding category, the Probable Maximum Flood (PMF) extent must be shown.
4. Long and cross sections showing the Flood Planning Level(s) in relationship to the floor levels of all existing and proposed components of the development.
5. Recommendations on all precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development to address the flood impacts on the site during a 1% AEP and Probable Maximum Flood (PMF) event. These precautions must include but not be limited to the following:
    a. Types of materials to be used to ensure the structural integrity of the development for immersion and impact of velocity and debris for the 1% AEP flood event and PMF (for high hazard);
    b. Waterproofing methods, including electrical equipment, wiring, fuel lines or any other service pipes or connections;
    c. A flood evacuation strategy (Flood Emergency Response Plan); and
    d. On site response plan to minimise flood damage, and provide adequate storage areas for hazardous materials and valuable goods above the flood level.
6. Details of any flood mitigation works that are proposed to protect the development.
7. Supporting calculations.
8. The architectural/engineering plans on which the assessment is based.
9. The date of inspection.
10. The professional qualifications and experience of the author(s).

Note 1: Where the proposal has the potential to increase flood levels, depths, velocities and/or the risk to life or property, through loss of flood storage and/or blockage/ redirection of overland flowpaths, the Report must include detailed flood analysis. Such analysis should address compliance with all relevant development controls and include survey cross-sections to provide representative topographic information. The proponent should approach Council to determine available Council flood studies for the area, with the analysis based on or calibrated against relevant studies. In some cases, flood model data can be obtained from Council, subject to application and payment of fees.

Note 2: The Report may be limited to a short report (**Flood Risk Management Statement**) for single residential dwellings, alterations and additions or change of use developments where the property is confirmed by the Flood Certificate as being subject only to low hazard flooding. The Flood Risk Management Statement must reference the relevant Flood Certificate; specify the relevant flood information applicable to the site, then describe the proposed development and how it meets the relevant development controls.

Note 3: If Council is concerned with the apparent loss of flood storage and/or flood or overland flow paths, and/or increase in flow velocities, and/or risk of life, on any type of development, the Applicant may be requested to undertake further analysis in support of the proposal and detail it in a new/revised Flood Risk Management Report.

SECTION 3 – FORESHORE RISK MANAGEMENT REPORT

The *Foreshore Risk Management Report* must be prepared by a qualified practicing Civil Engineer with demonstrated relevant experience in coastal engineering and address at least the following details:

1. Description of the site and surrounding geotechnical and coastal/estuarine features;
2. Description of the existing and proposed development;
3. Identification of the geotechnical constraints on the land including assessment of the sub surface conditions, geo mechanics, slope stability and ground water conditions;
4. Identification of the constraints due to coastal/estuarine processes on the land including an assessment of storm wave impact, coastal processes, erosion and tidal inundation likely to occur during a 100 year ARI storm event;
5. Establishment of the 100 year ARI flood level associated with storm wave action and tidal inundation, including provision of adequate freeboard;
6. Assessment of the stability of the existing seawall adjacent to the boundary of the site with the harbour. The report must include recommendations to ensure continued stability of the wall during the construction process and in the long term;
7. Recommendations for the design of the stormwater drainage system for the site, including subsurface conditions, collection of runoff and its disposal to the harbour;
8. Certification that there is a low risk of instability of the site over the economic life of the development, including the proposed development and existing structures that are to be retained;
9. Where any floor levels of the proposed development and/or existing structures are proposed to be retained below the 100 year ARI flood level, the report must address whether and how the proposal is to be either flood proofed to protect the overall development or justify that periodic water inundation will not cause any adverse risk to the development, its occupants or uses. Note- that inundation of habitable components of the development is not permissible and must be provided with adequate freeboard;
10. Where any part of the proposed and/or existing development is below the flood level, the Report must make recommendations on all precautions to minimise risk to occupants and the risk of property damage. These precautions shall include but not be limited to safe evacuation, ensuring all structures, electrical equipment, wiring, fuel lines or any other service pipes and connections shall be waterproofed below the flood level, and be capable of withstanding the effects of wave action and tidal inundation;
11. Certification that the proposed development will not cause adverse impacts on surrounding lands, coastal environment and public amenities;
12. The architectural/engineering plans on which the assessment is based;
13. The date of inspection; and
14. The professional qualifications and experience of the authors.

SECTION 4 – FLOOD CONTROL LOT MAPS

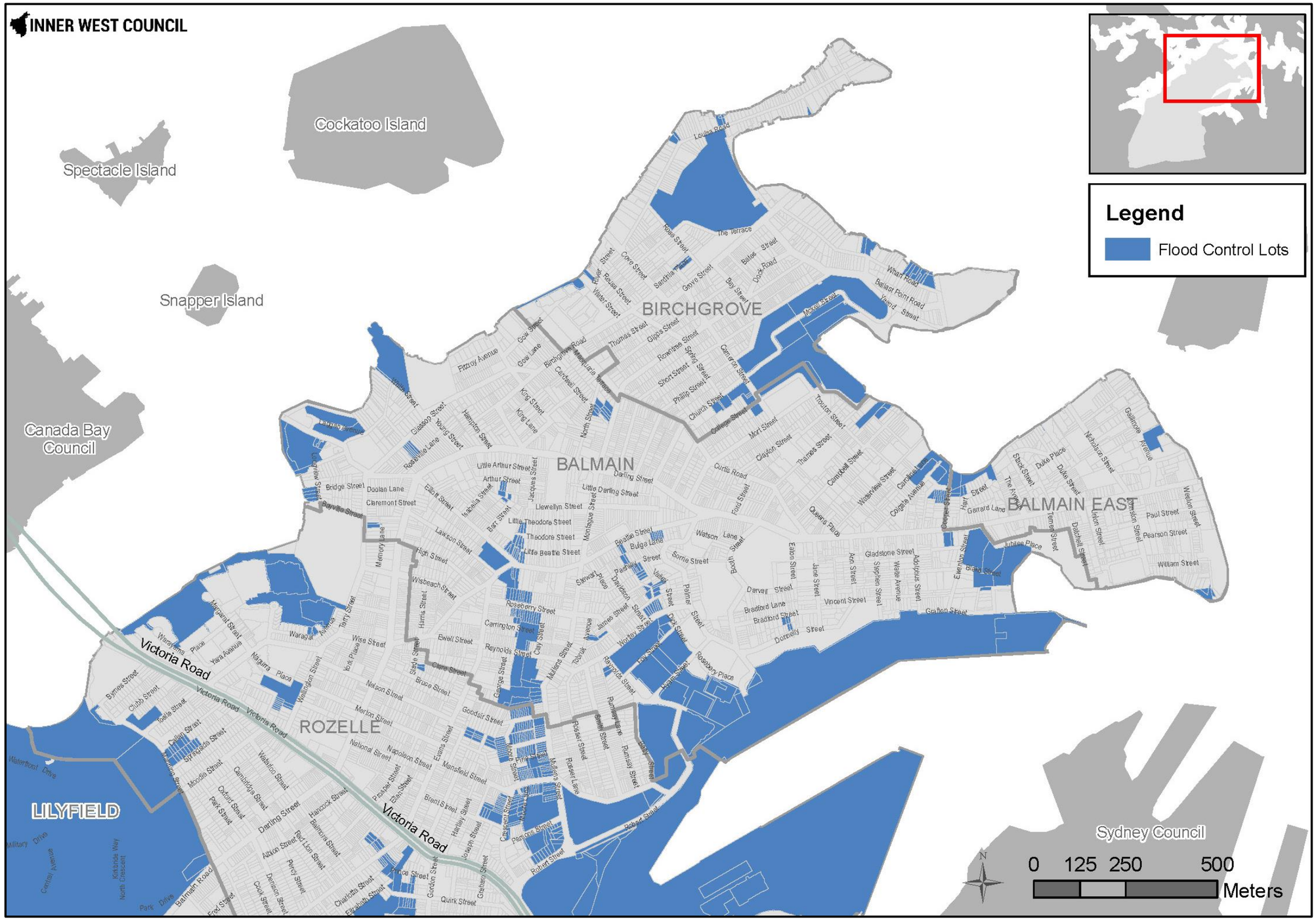


Figure 1: Flood Control Lot Map 1

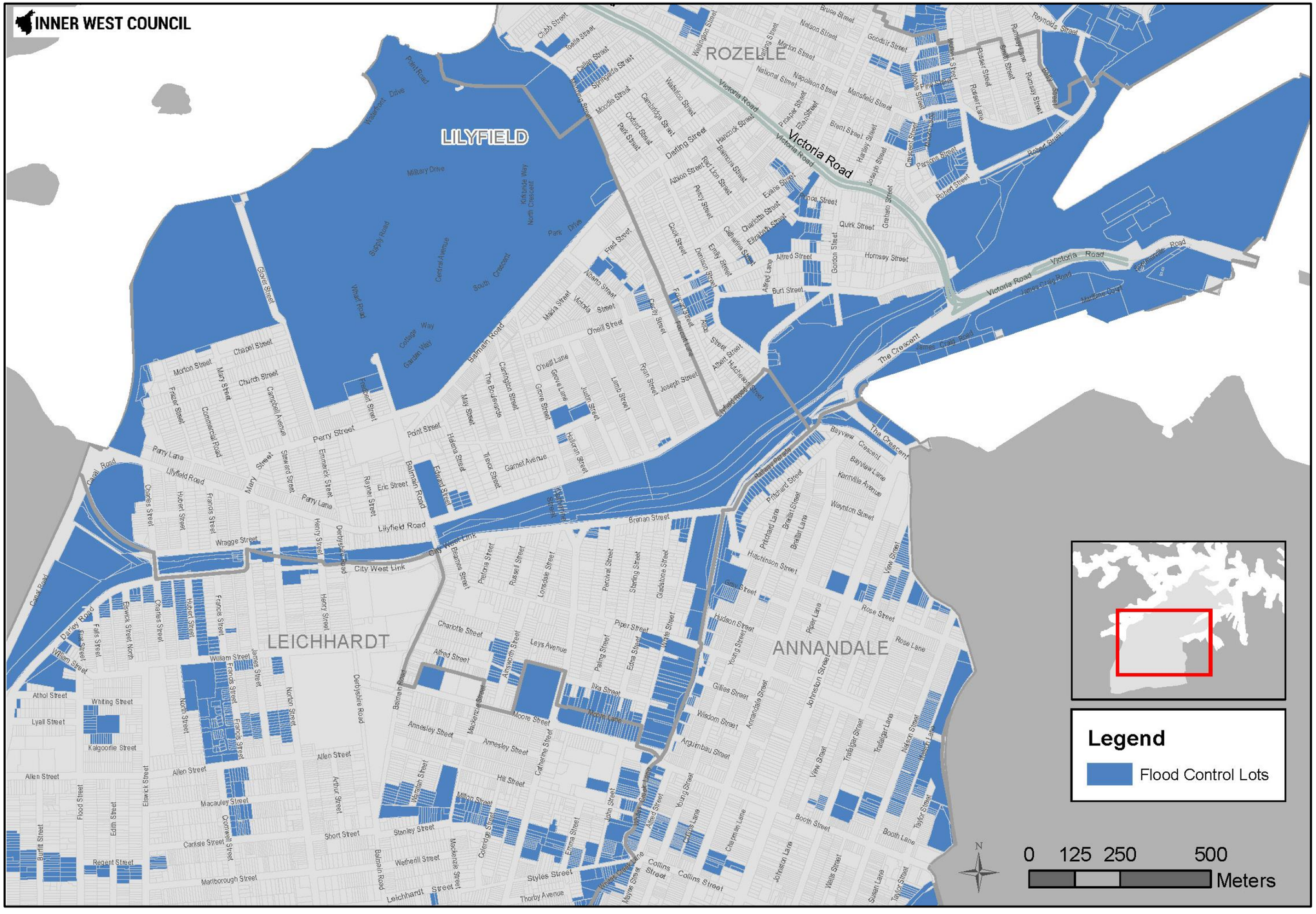


Figure 2: Flood Control Lot Map 2

Figure 3: Flood Control Lot Map 3

SECTION 5 – FORESHORE FLOOD CONTROL LOT MAPS

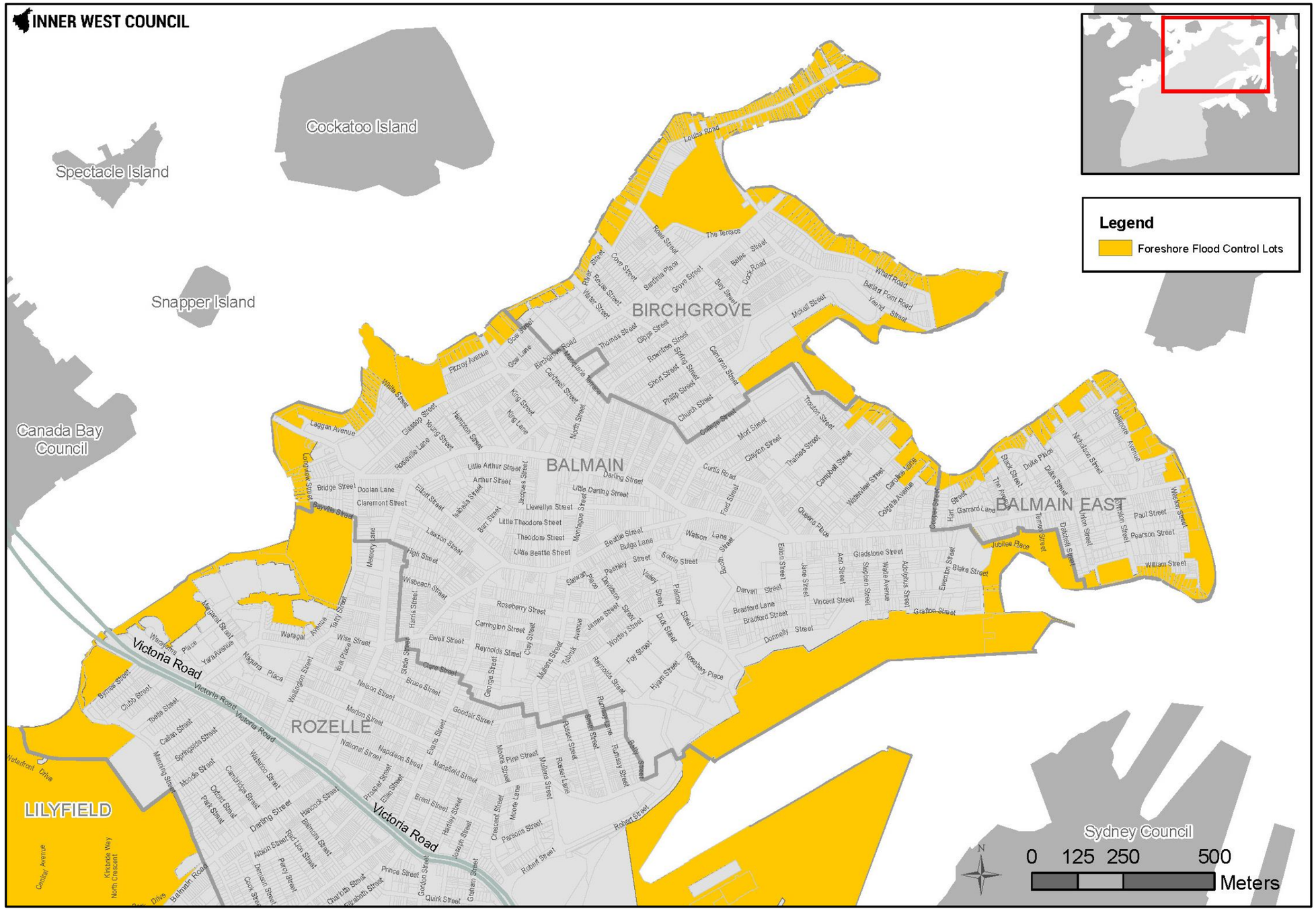


Figure 4: Foreshore Flood Control Lot Map 1

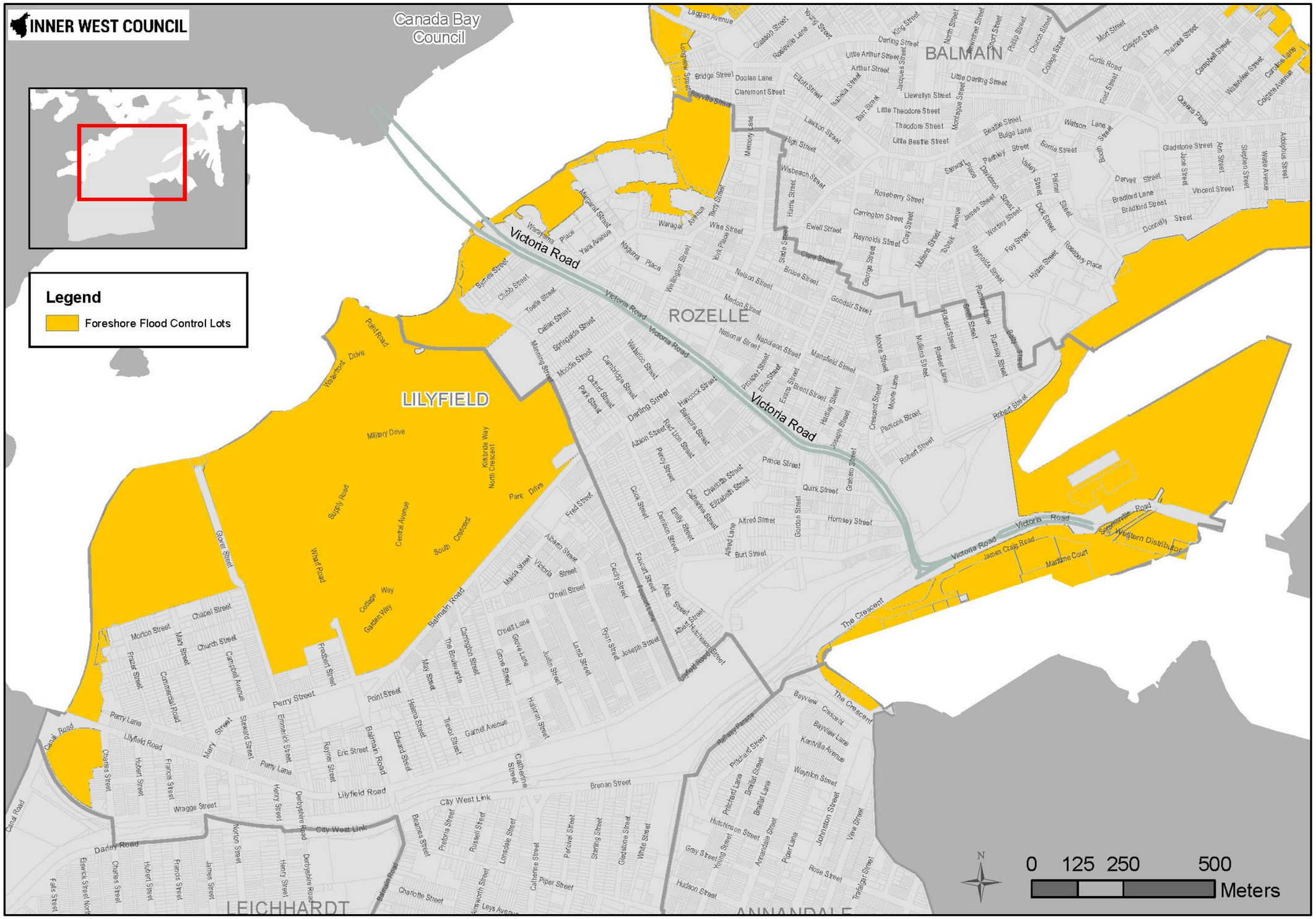


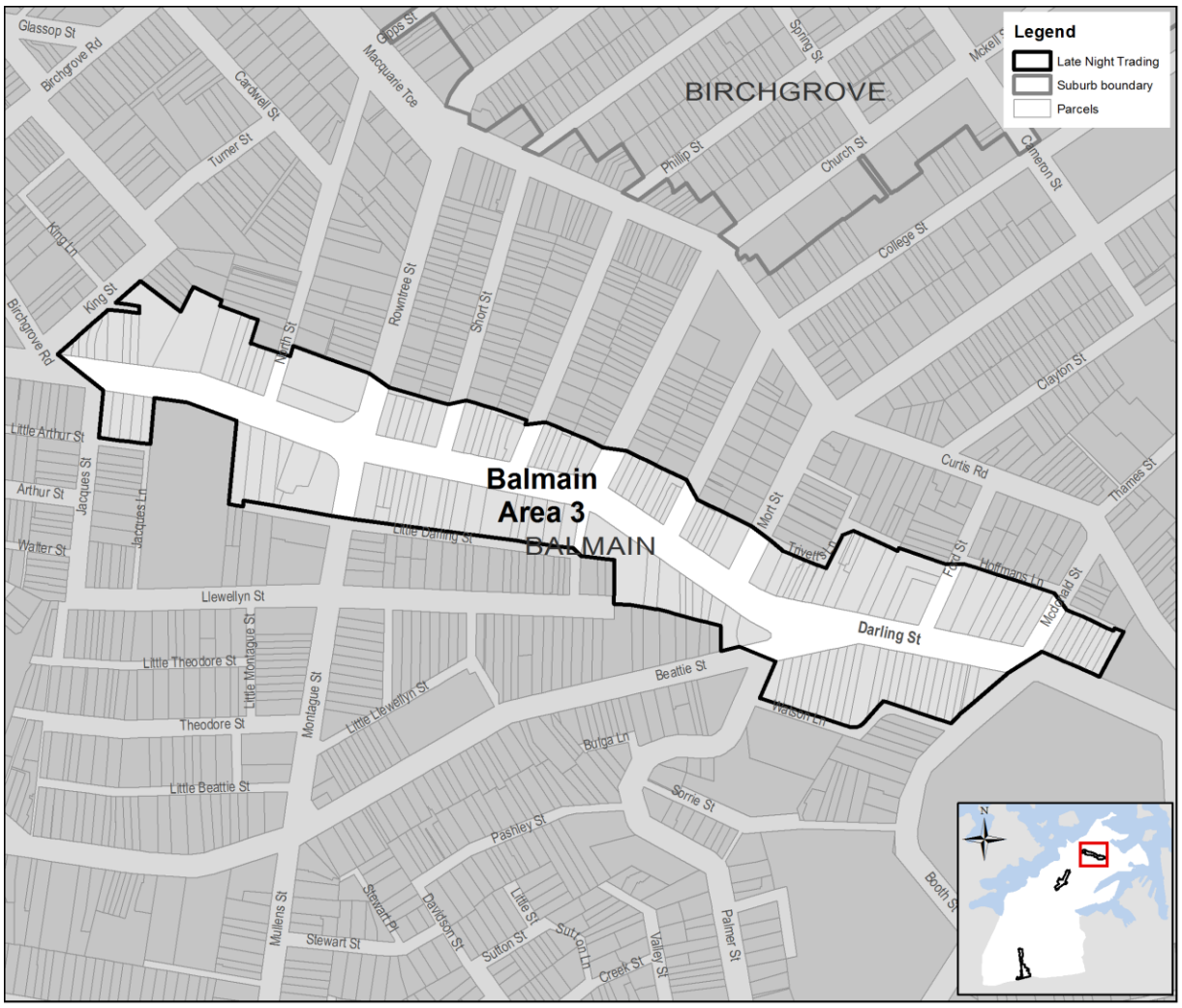
Figure 5: Foreshore Flood Control Lot Map 2

APPENDIX F: LATE NIGHT TRADING MAPS

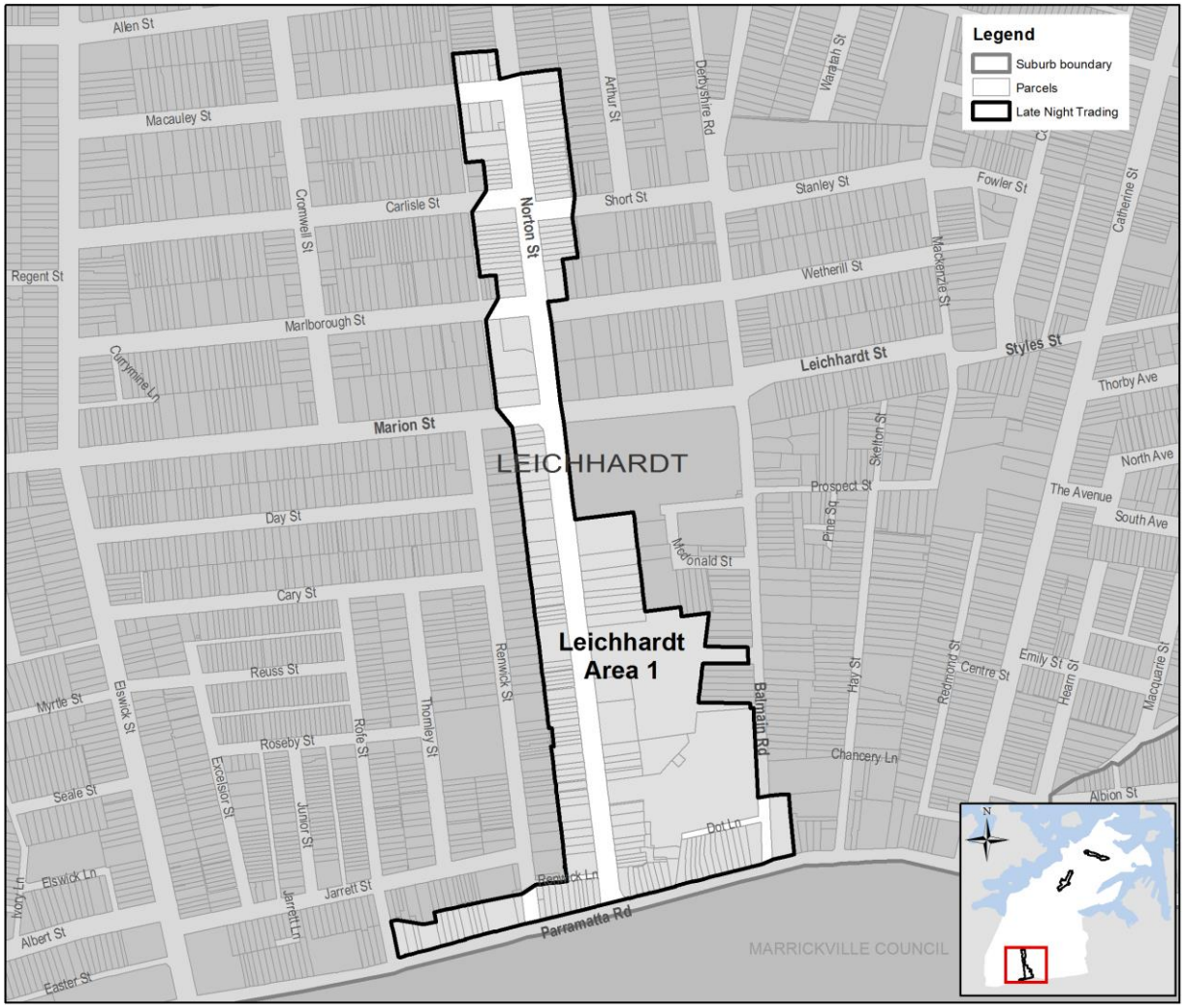
CONTENTS

SECTION 1 - LATE NIGHT TRADING MAPS

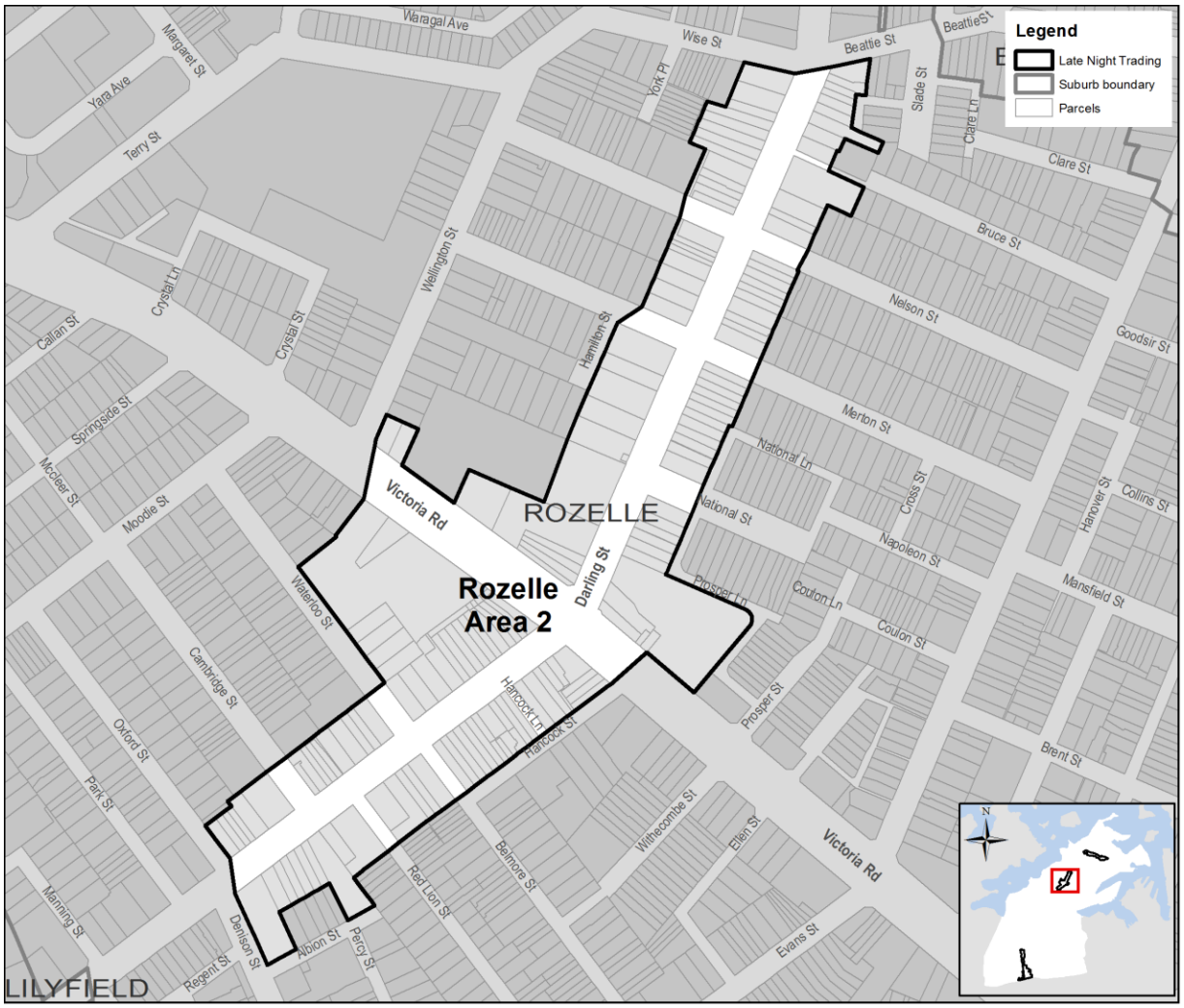
1.1 BALMAIN



1.2 LEICHHARDT



1.3 ROZELLE


Legend
Late Night Trading
Suburb boundary
Parcels
Rozelle Area 2
ROZELLE
LILYFIELD
Victoria Rd
Darling St
Waragal Ave
Wise St
Beattie St
Beattie St
Margaret St
Yara Ave
Terry St
York Pl
Slade St
Clare Ln
Clare St
Bruce St
Nelson St
Goodsir St
Merton St
National Ln
National St
Cross St
Hanover St
Collins St
Napoleon St
Mansfield St
Prospect Ln
Coulon Ln
Coulon St
Brent St
Prospect St
Hamcock Ln
Hamcock St
Wellington St
Hamilton St
Crystal Ln
Crystal St
Callan St
Springside St
McGlear St
Moodie St
Waterloo St
Cambridge St
Oxford St
Park St
Manning St
Denison St
Regent St
Albion St
Percy St
Red Lion St
Belmore St
Wilhelmina St
Ellen St
Evans St
Victoria Rd
N